



City of Hamilton

CITY COUNCIL REVISED

20-016

Friday, July 17, 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

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1 June 24, 2020

3.2 July 7, 2020

4. COMMUNICATIONS

- 4.1 Correspondence from Brendan Graham, LandX Developments Ltd. respecting the demolition permit for 301 Rymal Road West Building Permit Application.

For clarification purposes - 393 Rymal Road West and 301 Rymal Road West are the same property.

Recommendation: Be received and referred to the consideration of Item 6.1, Reconsideration of Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007) respecting Report PED20057, Demolition Permit - 393 Rymal Road West.

- 4.2 Correspondence respecting the divesting and defunding of the Hamilton Police Service:

4.2.a Carole Holmes & Lorraine Green, Co-Chairs of Grandmothers Act to Save the Planet (GASP)

4.2.b Heather Watson

4.2.c Robert Vanderheyden

4.2.d Rita Bailey

4.2.e Melissa Dowdall

4.2.f Paola Munoz

4.2.g Lauren Morocco

Recommendation: Be received.

- 4.3 Correspondence from Richard Gelder, President, Hamilton Olympic Club respecting the Commonwealth Games, 2026.

Recommendation: Be received and referred to the consideration of Item 6 of General Issues Committee Report 20-010.

- 4.4 Correspondence from the City of Sarnia requesting support for their resolution respecting the conditions in Long Term Care homes exposed by the pandemic and to urge Premier Ford to start implementing the required resolutions immediately.

Recommendation: Be supported.

- 4.5 Correspondence from Scott Gardner on behalf of a group of former newsroom employees, requesting Council's support in encouraging elected leaders to build an ecosystem in which local journalism can provide vital service to people of the City of Hamilton.

Recommendation: Be received.

- 4.6 Correspondence from Katie Krelove, Ontario Campaigner, Wilderness Committee respecting the advocacy for the protection for stronger protections for wetlands, forests and species at risk.

Recommendation: Be received.

- 4.7 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the introduction of the COVID-19 Economic Recovery Act, 2020, to help get Ontario back on track.

Recommendation: Be received *and referred to the Senior Leadership Team for appropriate action.*

- 4.8 Correspondence from the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks respecting Environmental Assessment modernization.

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

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

4.9.a Regine Huttner

4.9.b Randy Baxter

4.9.c Tetyana Kaminska

4.9.d Rich Freeman, Mission Thrift Store Hamilton

4.9.e Tania Gilleat

4.9.f Jacob Tutt

4.9.g Linda Reilly

4.9.h Klaus Schmidrauter

4.9.i PeggySue Stimson

4.9.j Nadia-Eva Mastroianni

4.9.k Trevor Lee

4.9.l Leah Holla

4.9.m Diane Piercey

*4.9.n Thomas Brooks

*4.9.o Katy Bennett

*4.9.p Mike Errington

*4.9.q Valerie Warren

*4.9.r Johanne Guilbault

*4.9.s Amanda Fudge

*4.9.t Susann Coston

*4.9.u Julia Horton

*4.9.v Tina and Doug Copeland

*4.9.w Trevor Lee

*4.9.x Julia Alfaro

*4.9.y Sherry Clause

*4.9.z Nadia Mastroianni

*4.9.aa Kathleen O'Brien

*4.9.ab Joan Vernon

*4.9.ac Peter Kelly

*4.9.ad James Buss

*4.9.ae Patrick Sohier

*4.9.af Sean Everingham

*4.9.ag Ana Banjavcic

*4.9.ah Suzi Spelic, Nick's Journey

*4.9.ai Edward Baumgartner

*4.9.aj Michelle Leon

*4.9.ak The Fluit Family

*4.9.al Klaus Kaiser

*4.9.am Linda Yousif

*4.9.an Ruth Olson

*4.9.ao Peter Kelly

*4.9.ap Rev. Dr. James Miklos

*4.9.aq Colin Fox

*4.9.ar Suzi Spelic, Nick's Journey

*4.9.as Andrew & Nadine Smith (Petra, Daniel, Fanny)

*4.9.at Tobi Bos

*4.9.au Carla Buss

*4.9.av Lindsey Sieders

*4.9.aw Lazlo and Julia Toth

*4.9.ax Bruce Walker

*4.9.ay Aaron Dedrick

*4.9.az Ryan Andre

*4.9.ba Frank McKenzie

*4.9.bb Sandra Spracklin

*4.9.bc Sarah Warry

*4.9.bd Steve Marta

- *4.9.be Frank and Carol McKenzie
- *4.9.bf Trevor Lee
- *4.9.bg Melanie Scholtens
- *4.9.bh Melanie Scholtens
- *4.9.bi Fred Zipeto
- *4.9.bj Melanie Scholtens
- *4.9.bk Andrew Smith
- *4.9.bl Duane Dahl, Boys and Girls Clubs of Hamilton

*4.10 Correspondence from Rachel Yantzi respecting backyard chickens.

Recommendation: Be received and referred to the consideration of Item (d)(i) of Planning Report 20-005.

*4.11 Correspondence from Rebecca Mills requesting that Council revisit the decision made on June 24, 2020 respecting Report PW20010/PED20077 Making Upper James Street More Pedestrian Friendly.

Recommendation: Be received.

*4.12 Correspondence from Bryan Dykstra, Blacks Point Development Inc. respecting the recommendation to designate 127 Hughson Street North, Hamilton.

Recommendation: Be received and referred to the Item 5 of Planning Committee Report 20-006.

*4.13 The Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC) Declaration of Mutual Commitment and Friendship (FINAL).

Recommendation: Be received and referred to the consideration of Item 7 of Emergency & Community Services Committee Report 20-004.

*4.14 Memorandum from Dr. Nihn Tran, Associate Medical Officer of Health respecting the Hamilton Face Covering By-law.

Recommendation: Be received and referred to the consideration of Item 6 of Board of Health Report 10-004 and Bill 155.

- *4.15 Correspondence from Laura Palumbo respecting helping the community members living in Encampments in Hamilton.

Recommendation: Be received and referred to the consideration of Item (d) (ii) of Emergency and Community Services Committee Report 20-004.

- *4.16 Correspondence from J.J. Clarke respecting an email forwarded to the Honourable Doug Ford, Premier of Ontario respecting Teachers.

Recommendation: Be received.

5. COMMITTEE REPORTS

5.1 Mayor's Task Force on Economic Recovery Report 20-002 - June 25, 2020

5.2 General Issues Committee Report 20-010 - July 6, 2020

5.3 Planning Committee Report 20-005 - July 7, 2020

5.4 Public Works Committee Report 20-005 - July 8, 2020

5.5 Audit, Finance and Administration Committee Report 20-005 - July 9, 2020

5.6 Board of Health Report 20-004 - July 10, 2020

5.7 Emergency and Community Services Committee Report 20-004 - July 13, 2020

5.8 Planning Committee Report 20-006 - July 14, 2020

6. MOTIONS

6.1 Reconsideration of Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007) respecting Report PED20057, Demolition Permit - 393 Rymal Road West

6.2 Waive the Notice Provision for an Amendments to the Procedural By-law

6.3 Planning Committee Resignation

6.4 To Amend the Procedural By-Law to Permit Virtual Delegations at the General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee, Board of Health and Emergency and Community Services Committee Meetings

6.5 Amendment to sub-section (a) to Item 6 of the General Issues Committee Report 20-009, respecting Installation of Urban Braille along Cannon Street East (PW20018) (Ward 2)

6.6 Special Enforcement Area with Increased Fines – Devil's Punchbowl

7. NOTICES OF MOTIONS

7.1 Amending the Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations

*7.2 Amendment to the Bill List

*7.3 Building Security Plan for the Long and Bisby Building

*7.4 Waiving of the Marriage Licence Fee

8. STATEMENTS BY MEMBERS

9. PRIVATE AND CONFIDENTIAL

10. BY-LAWS AND CONFIRMING BY-LAW

10.1 139

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

Schedule 8 (No Parking Zones)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Schedule 14 (Wheelchair Loading Zones)

Schedule 20 (School Bus Loading Zones)

Ward: 1, 2, 3, 4, 5, 7, 8, 9, 10, 13

10.2 140

To Amend City of Hamilton By-law No. 01-216, being a By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities

Ward: City Wide

10.3 141

To Amend City of Hamilton By-law No. 01-218, being a By-law to Regulate On-Street Parking

Ward: City Wide

- 10.4 142
To Amend City of Hamilton By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 10.5 143
To Amend Zoning By-law No. 87-57, Respecting Lands Located at 378 Harmony Hall Drive and Part of Block 117, Plan 62M-1122
ZAR-19-034
Ward: 12
- 10.6 144
To Amend Zoning By-law No. 05-200 with respecting to lands located at 328, 336, and 344 Beach Boulevard, Hamilton
CI-19-H
Ward: 5
- 10.7 145
To Amend By-law No. 18-270, the Council Procedural By-law
Ward: City Wide
- 10.8 146
To Amend By-law No. 18-270, the Council Procedural By-law
Ward: City Wide
- 10.9 147
To Amend City of Hamilton By-law No. 01-215, being a By-law to Regulate Traffic, to designate Community Safety Zones in Hamilton
Schedule 34 – Designated Community Safety Zones
Ward: City Wide
- 10.10 148
To Establish City of Hamilton Land Described as Block 677 on Plan 62M-1266 as Part of Valley Trail Place
Ward: 15

10.11 149 - Revised

To Adopt Official Plan Amendment No. 133 to the Urban Hamilton Official Plan Respecting 1329 and 1335 Barton Street, 229 and 347 Fifty Road, 40 Zinfandel Drive, 16 to 30 Foothills Lane and Blocks 13, 14, 18 and part of Block 9 in Registered Plan 62M-1241, Stoney Creek

Ward: 10

10.12 150

Being a By-law to Amend On-Street Parking By-law No. 01-218, and Administrative Penalty By-law No. 17-255 to Create Special Enforcement Areas

Schedule 23 (Special Enforcement Areas)

Ward: 9

10.13 151

To Amend By-law No. 18-270, the Council Procedural By-law

Ward: City Wide

*10.14 152

To Amend Zoning By-law No. 3692-92 Respecting Lands Located at 1218 and 1226 Barton Street & 1219 Highway No. 8, Stoney Creek

ZAC-17-076

Ward: 10

*10.15 153

To Amend Zoning By-law No. 6593, Respecting Lands Located at 323 Rymal Road East, Hamilton

ZAC-19-031

Ward: 8

*10.16 154

To Amend Zoning By-law No. 6593, Respecting Lands Located at 370 Concession Street, Hamilton

ZAC-18-008

Ward: 7

*10.17 155

A By-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces and to Amend City of Hamilton By-law No. 17-225, Being a By-law to Establish a System of Administrative Penalties

Ward: City Wide

*10.18 156

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

Schedule 6 (One-Way Streets)

Schedule 8 (No Right Turns)

Schedule 9 (No Right Turns on Red)

Schedule 11 (No Left Turns on Red)

Schedule 18 (Bicycle Lanes)

Ward: 1, 2, 3

*10.19 157

To Expropriate a Portion of 347 Parkside Drive, Hamilton, Being Part of Lot 6, Concession 4, East Flamborough, as in CD 260033, S/T & T/W CD260033, S/T EF23444, Flamborough, City of Hamilton, Designated as Part 2 on Plan 62R-20823, being Part of PIN 17514-0100(LT), known municipally as 347 Parkside Drive, Hamilton, for the purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)

10.20 158

To Confirm the Proceedings of City Council

11. ADJOURNMENT



CITY COUNCIL MINUTES 20-014

9:30 a.m.
June 24, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor Whitehead - Personal

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS (Item 4)

Changes to the disposition of items:

- 4.1 Correspondence from the Hamilton Conservation Authority Board of Directors respecting their Resolution – Request to City of Hamilton Council regarding Closed Road Allowance – Fifty Point Conservation Area - 1479 Baseline Road, Hamilton.

Recommendation: Be received and referred to the **General Manager of Economic Development and the General Manager of Finance and Corporate Services for appropriate action.**

- 4.14 Correspondence from Mary Poirier requesting that City Council change Dundas' name as it contradicts the policies set for renaming and addressing streets in Hamilton by appraising discriminatory historical figures and demolishes public safety.

Recommendation: **Be received.**

- 4.10 Correspondence respecting the divesting and defunding of the Hamilton Police Service:

(a) to (eg)

Recommendation: **Be received.**

Additional Items:

- 4.9 Correspondence respecting the suspension of the Police Liaison Program in the Hamilton District School Board (HWDSB) and demanding that the HWDSB end their relationship with the Hamilton Police.

(c) Emily Upper
(d) Leah Avery

Recommendation: Be received and referred to the Hamilton Police Services Board.

- 4.10 Correspondence respecting the divesting and defunding of the Hamilton Police Service:

(ea) Grace Evans and Scott Dobbin
(eb) Elizabeth Seidl
(ec) Lisa Nussey
(ed) Joshua Weresch
(ee) Craig Burley
(ef) McMaster Student Union
(eg) Whitney Bolam

Recommendation: Be received.

- 4.18 Correspondence respecting the Wastewater Treatment Plant Bypass and Combined Sewer Overflow Reporting (PW19091(a)):

(a) Hamilton Harbour Remedial Action Plan
(b) Bay Area Restoration Council
(c) Hamilton Conservation Authority
(d) Royal Botanical Gardens

Recommendation: Be received and referred to the Item 8 of Public Works Committee Report 20-004.

- 4.19 Correspondence requesting that City Council change the established procedural bylaws to give the City's volunteer citizen committees the option to resume their meetings virtually until it is safe for them to meet again in person.

Recommendation: Be received and referred to the City Clerk to prepare a report for consideration at the July 9, 2020 Audit, Finance and Administration Committee meeting.

- 4.20 Correspondence from Joshua Weresch respecting the motion for Hamilton Police Services to muffle loud vehicles.

Recommendation: Be received and referred to the consideration of Item 6.2, Enforcement Request of Excessive Exhaust Vehicular Noise Levels.

- 4.21 Correspondence from Alissa Denham-Robinson, Chair, Hamilton Municipal Heritage Committee (HMHC) requesting approval for staff's recommendation to allow HMHC volunteers to continue working during this unprecedented time and within the HMHC mandate.

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 20-004.

- 4.22 An Information Update respecting the Central Composting Facility Request for Proposal Options (ES20008) (City Wide).

Recommendation: Be received and referred to the consideration of Item 6.3, Central Composting Facility Request for Proposal Options.

- 4.23 Correspondence from Uber respecting the Fee Review of Personal Transportation Providers.

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 20-004.

6. MOTIONS (Item 6)

- 6.2 Enforcement Request of Excessive Exhaust Vehicular Noise Levels
REVISED**

- 6.3 Central Composting Facility Request for Proposal Options (City Wide)
(Referred to Council by Public Works Committee at its meeting of June 17,
2020) REVISED**

7. NOTICES OF MOTION (Item 7)

- 7.1 Reconsideration of Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007) respecting Report PED20057, Demolition Permit - 393 Rymal Road West**

- 7.2 City Ambassadors on the Waterfront Trail**

10. BY-LAWS AND CONFIRMING BY-LAW (Item 10)

20-134 To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands located at 295 Hamilton Drive, in the former Town of Ancaster
Ward 12
ZAH-19-051

(Pearson/Ferguson)

That the agenda for the June 24, 2020 meeting of Council be approved, **as amended**.

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

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

DECLARATIONS OF INTEREST

Councillor Ferguson declared an interest to Item 3 of the Planning Committee Report respecting Report PED20104, Fee Review of Personal Transportation Providers (Schedule 24 of the Business Licensing By-law 07-170), as he is an investor in the Taxi industry.

Councillor Pauls declared an interest to Communication Items 4.8, 4.9, 4.10 and 4.17 respecting the Hamilton Police Service, as her son is a Hamilton Police Officer.

APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1 June 3, 2020

(Partridge/Farr)

That the Minutes of the June 3, 2020 meeting of Council be approved, as presented.

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

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

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

COMMUNICATIONS

(Jackson/Collins)

That Council Communications 4.1 to 4.23 be approved, *as amended*, as follows:

- 4.1 Correspondence from the Hamilton Conservation Authority Board of Directors respecting their Resolution – Request to City of Hamilton Council regarding Closed Road Allowance – Fifty Point Conservation Area - 1479 Baseline Road, Hamilton

Recommendation: Be received and referred to the General Manager of Economic Development; the General Manager of Finance and Corporate Services *and to the City Solicitor to prepare the necessary transfer documents at a nominal fee.*

- 4.2 Correspondence from Alex Beer in opposition to the plans to restrict Aberdeen from four to two lanes, with parking on each side as approved by Council June 17, 2019, as per Report PW17021(a) Update on Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road.

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

- 4.3 Correspondence from Ron Lancaster in support of the SoBi Bike Share Program in Hamilton.

Recommendation: Be received.

- 4.4 Correspondence from Northumberland County requesting support for their resolution asking the Ministry of Natural Resources and Forestry to respectfully review its practices and procedures to include a requirement to provide supporting evidence, to impacted municipalities, when designating Provincially Significant Wetlands within their boundaries.

Recommendation: Be received.

- 4.5 Correspondence from Erin Shacklette requesting that Council consider alternative forms of energy other than LNG pipelines.

Recommendation: Be received.

- 4.6 Correspondence from the Town of Orangeville requesting support for their resolution respecting a diversity training program for Police Services in Ontario.

Recommendation: Be received.

- 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.

- 4.8 Correspondence respecting Hamilton Police Officers and Body Cameras:

- (a) Anisa Verrelli
- (b) Vanessa Urbina
- (c) Rachael Marriette-Thom
- (d) Leigh Taylor
- (e) Joshua Sebastian
- (f) Alexa Rose
- (g) Rowan Post
- (h) Miles Oreskovic
- (i) Eli Nolet
- (j) Hiva Nematollahi
- (k) Ariana Moore
- (l) Madeleine Luvisa
- (m) Sofia Labb
- (n) Conor Goulden
- (o) Michelle Gauthier
- (p) Erica Clarke
- (q) Olivia Bozzo
- (r) Mary Chu

Recommendation: Be received and referred to the Hamilton Police Services Board.

- 4.9 Correspondence respecting the suspension of the Police Liaison Program in the Hamilton District School Board (HWDSB) and demanding that the HWDSB end their relationship with the Hamilton Police.

- (a) Hannah Duckworth
- (b) Melody Gray
- (c) Emily Upper
- (d) Leah Avery

Recommendation: Be received and referred to the Hamilton Police Services Board.

4.10 Correspondence respecting the divesting and defunding of the Hamilton Police Service:

- (a) Laura Biondo
- (b) Sarah Warry-Poljanski
- (c) Claire Bodkin
- (d) Kelly Ebers
- (e) Michael Schnittker
- (f) Jessica Hymers
- (g) Adrian Underhill
- (h) Lee Meszaros
- (i) Afra Iftikhar
- (j) Abedar Kamgari
- (k) Nisha Kansal
- (l) Megan Lewis
- (m) Una Di Gallo
- (n) Yidan Lafond
- (o) Rachel Yantzi
- (p) Jackie Wheatley
- (q) Joshua Weresch
- (r) Alexandra Weinberger
- (s) Janna Watkins
- (t) Olivia Watkin-McClurg
- (u) Maggie Ward
- (v) Alexandra Weinberger
- (w) Jackson Virgin-Holland
- (x) Eric Viau
- (y) Jelena Vermilion, Executive Director, SWAP Hamilton
- (z) Jelena Vermilion, Executive Director, SWAP Hamilton
- (aa) Adrian Underhill
- (ab) Robin Hufgard
- (ac) Piper Hayes
- (ad) Elizabeth Syrotuik
- (ae) Katie Sullivan
- (af) Lindsay Staios
- (ag) Erin Stanley
- (ah) Evan Gravely
- (ai) Angela Shlimon
- (aj) Mariel Rutherford
- (ak) Jyssika Russell
- (al) Maya Robertson
- (am) Haley Reap
- (an) Natalie Raso and Stephen Zuccolo
- (ao) Nikhil Rajput
- (ap) Kelly Coxson
- (aq) Sarah Perkins
- (ar) Carol Classen
- (as) Daniella Partito
- (at) Jackie Levitt
- (au) Lauren Morocco
- (av) Adam Palios

- (aw) Scott Neigh
- (ax) Caroline Murakami
- (ay) Anna Morreale
- (az) Anna Morgan
- (ba) Katie Sullivan
- (bb) Kait Bos
- (bc) Alana Morgan
- (bd) Sameeksha Mishra
- (be) Brittany Medeiros
- (bf) Carolyn McNeillie
- (bg) Danielle McKay
- (bh) Mackenzie Mawson
- (bi) Reem Mandil
- (bj) Hailey MacLeod
- (bk) Alexa MacKenzie
- (bl) Odelle Ma
- (bm) Jeff Low
- (bn) Anna Lindsay-Mosher
- (bo) Treasa Lavasseur
- (bp) Valeria Kuri
- (bq) Dhiren Khattar
- (br) Sasha Katz
- (bs) Nisha Kansal
- (bt) Amar Hussein
- (bu) Kate Hunter
- (bv) Kate Hand
- (bw) HAMSMaRT
- (bx) Gabbi Greco
- (by) Marcel Gallant
- (bz) Emma Cole
- (ca) Anna Fischer
- (cb) Kendra Cheeseman
- (cc) Jiya Chaudhary
- (cd) Brigitte Evering
- (ce) Danica Evering
- (cf) Dillen Docherty
- (cg) Jack DiTommaso
- (ch) Alyssa DeAngelis
- (ci) Salina Dang
- (cj) Maddy Byra
- (ck) Ian Burns
- (cl) Shanice Bowrin
- (cm) Abeer Ahmad
- (cn) Shababa Bakht
- (co) Leah Avery
- (cp) Marwa Al-Saqqar
- (cq) Fareeda Baruwa
- (cr) Rizza Arcas
- (cs) Will Allen
- (ct) Abedar Kamgari

- (cu) Dima Matar
- (cv) Madeleine Verhovsek
- (cw) Megan Janssen
- (cx) Rebecca Steckle
- (cy) Bolade Shipeolu
- (cz) Anna Morreale
- (da) Jessica Fisher
- (db) Emma Battiston
- (dc) Julia Forrester
- (dd) Fareeda Baruwa
- (de) Avril McMeekin
- (df) Breanna Riederer
- (dg) Jay Farmakovski
- (dh) HAMSMaRT
- (di) Scarlett Gillespie
- (dj) Marin Hudson
- (dk) Michael Kiriakou
- (dl) Doreen Stermann
- (dm) Debbie Davies
- (dn) Jessie Clayton
- (do) Gary Capon
- (dp) Christine Hudspeth
- (dq) Jiya Chaudhary
- (dr) Valeria Kuri
- (ds) Sarah Van Berkel
- (dt) Daniel Thompson-Blum
- (du) Alice Smith
- (dv) Hali Tsui
- (dw) Nasreen Khan
- (dx) Jessica DeSantis
- (dy) Sarah Johnston
- (dz) Cassandra Hamill
- (ea) Grace Evans and Scott Dobbin
- (eb) Elizabeth Seidl
- (ec) Lisa Nussey
- (ed) Joshua Weresch
- (ee) Craig Burley
- (ef) McMaster Student Union
- (eg) Whitney Bolam

Recommendation: Be received ***and referred to the General Manager of Healthy and Safe Communities and to the Hamilton Police Services Board to consider making a presentation at the General Issues Committee on these matters.***

- 4.11 Correspondence from Jessika Taveras requesting the City's action to create actual systemic change.

Recommendation: Be received and referred to the Hamilton Police Services Board.

- 4.12 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Bill 189, Coronavirus (COVID-19) Support and Protection Act, 2020 amendments to the Planning Act and Ontario Regulation 149/20 Special Rules Relating to Declared Emergency at the following link: <https://ero.ontario.ca/notice/019-1653>

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

- 4.13 Correspondence from West End Home Builders' Association in response to Information Report FCS20041 – Development Charges Annual Indexing – Effective July 6, 2020 received by Council on May 20, 2020.

Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

- 4.14 Correspondence from Mary Poirier requesting that City Council change Dundas' name as it contradicts the policies set for renaming and addressing streets in Hamilton by appraising discriminatory historical figures and demolishes public safety.

Recommendation: Be received.

- 4.15 Correspondence from Lakewood Beach Community Council respecting COVID19 Impact on Area Rating of Transit Transcab Formula.

Recommendation: Be received and referred to the consideration of Item 4 of Public Works Committee Report 20-004.

- 4.16 Correspondence from Stephen Van Eerdewijk respecting a complaint regarding the Taxi Scrip Program.

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

- 4.17 Correspondence from Chief Girt in response to a request for the Hamilton Police Services Board to review the feasibility of implementing a dedicated City-Wide Traffic Enforcement Unit and School Bus Enforcement Cameras.

Recommendation: Be received.

- 4.18 Correspondence respecting the Wastewater Treatment Plant Bypass and Combined Sewer Overflow Reporting (PW19091(a)):

- (a) Hamilton Harbour Remedial Action Plan
- (b) Bay Area Restoration Council
- (c) Hamilton Conservation Authority
- (d) Royal Botanical Gardens

Recommendation: Be received and referred to the Item 8 of Public Works Committee Report 20-004.

- 4.19 Correspondence requesting that City Council change the established procedural bylaws to give the City's volunteer citizen committees the option to resume their meetings virtually until it is safe for them to meet again in person.

Recommendation: Be received and referred to the City Clerk to prepare a report for consideration at the July 9, 2020 Audit, Finance and Administration Committee meeting.

- 4.20 Correspondence from Joshua Weresch respecting the motion for Hamilton Police Services to muffle loud vehicles.

Recommendation: Be received and referred to the consideration of Item 6.2, Enforcement Request of Excessive Exhaust Vehicular Noise Levels.

- 4.21 Correspondence from Alissa Denham-Robinson, Chair, Hamilton Municipal Heritage Committee (HMHC) requesting approval for staff's recommendation to allow HMHC volunteers to continue working during this unprecedented time and within the HMHC mandate.

Recommendation: Be received and referred to the consideration of Item 5 of Planning Committee Report 20-004.

- 4.22 An Information Update respecting the Central Composting Facility Request for Proposal Options (ES20008) (City Wide).

Recommendation: Be received and referred to the consideration of Item 6.3, Central Composting Facility Request for Proposal Options.

- 4.23 Correspondence from Uber respecting the Fee Review of Personal Transportation Providers.

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 20-004.

Result: Motion on Items 4.1, as Amended CARRIED by a vote of 14 to 0, as follows:

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

YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on Items 4.8, 4.9, 4.10 and 4.17, as Amended CARRIED by a vote of 14 to 0, as follows:

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

Result: Motion on Items 4.2 to 4.7; 4.11 to 4.16 and 4.18 to 4.23 CARRIED by a vote of 15 to 0, as follows:

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

(Jackson/Collins)

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

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

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

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

MAYOR'S TASK FORCE ON ECONOMIC RECOVERY REPORT 20-001

(Nann/Pearson)

That the Mayor's Task Force on Economic Recovery Report 20-001, being the meeting held on Thursday, June 4, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Mayor's Task Force on Economic Recovery Report 20-001, CARRIED by a vote of 14 to 0, as follows:

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

GENERAL ISSUES COMMITTEE REPORT 20-009

(Jackson/Farr)

That General Issues Committee Report 20-009, being the meeting held on Monday, June 15, 2020, be received and the recommendations contained therein be approved.

The following items were dealt with separately:

12. Amending Physical Distancing By-law and Administrative Penalties By-law (LS20017) (City Wide) (Item 8.9)

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

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

13. Acquisition of Part of 352 Mountain Brow Road (PED20111) (Ward 15) (Item 12.3)

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

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

Result: Motion on the balance of General Issues Committee Report 20-009, CARRIED by a vote of 15 to 0, as follows:

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

PLANNING COMMITTEE REPORT 20-004

(Farr/Collins)

That Planning Committee Report 20-004, being the meeting held on Tuesday, June 16, 2020, be received and the recommendations contained therein be approved.

(Farr/Collins)

That Item 2(ii) of Planning Committee Report 20-004, respecting the Hamilton Municipal Heritage Committee Report 20-002, Recommendation to Designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act (PED20050), be deferred to the July 14, 2020 Planning Committee meeting.

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

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

The following item was dealt with separately, due to a declared conflict:

3. Fee Review of Personal Transportation Providers (Schedule 24 of the Business Licensing By-law 07-170) (PED20104) (City Wide) (Item 9.1)

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

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

Result: Motion on the balance of Planning Committee Report 20-004, CARRIED by a vote of 15 to 0, as follows:

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

BOARD OF HEALTH REPORT 20-003

(Jackson/Farr)

That Board of Health Report 20-003, being the meeting held on Tuesday, June 16, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 20-003, CARRIED by a vote of 15 to 0, as follows:

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

PUBLIC WORKS COMMITTEE REPORT 20-004

(Danko/Ferguson)

That Public Works Committee Report 20-004, being the meeting held on Wednesday, June 17, 2020, be received and the recommendations contained therein be approved.

9. Postponement of Year 5 of the 10 Year Local Transit Strategy (PW14015(c)) (City Wide) (Item 7.2)

(Danko/Pearson)

That sub-sections (b) and (c) be **amended** to direct staff to report back to the General Issues Committee:

- (b) That staff report back to the ~~Public Works~~ **General Issues** Committee during the 2021 Transit Budget with a report on the ridership, revenue and service impacts related to the COVID-19 pandemic and post-COVID-19 pandemic recovery periods; and,
- (c) That staff report back to the ~~Public Works~~ **General Issues** Committee during the 2021 Transit Budget with a report that re-evaluates the financial plan for the remaining Years of the 10 Year Local Transit Strategy.

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

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

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

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

- (a) That staff be directed to postpone the implementation of Year 5 within the Council approved 10 Year Local Transit Strategy by one year to September 2021;
- (b) That staff report back to the **General Issues** Committee during the 2021 Transit Budget with a report on the ridership, revenue and service impacts related to the COVID-19 pandemic and post-COVID-19 pandemic recovery periods; and,
- (c) That staff report back to the **General Issues** Committee during the 2021 Transit Budget with a report that re-evaluates the financial plan for the remaining Years of the 10 Year Local Transit Strategy.

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

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

**14. Making Upper James Street More Pedestrian Friendly (PW20010/PED20077)
(Ward 8) (Item 8.4)**

(Clark/Partridge)

That sub-section (c) as follows, be deferred until the City of Hamilton receives a response from the Minister respecting the use of the \$1 Billion:

- (c) That Planning and Economic Development staff initiate studies to complete a functional design and associated business case for the A-Line Priority Bus Corridor and ultimate Bus Rapid Transit Corridor at a cost of \$550,000, to be funded from Project ID 5301784707, and as part of this design, consider more extensive pedestrian and streetscape improvements.

Result: Amendment DEFEATED by a vote of 8 to 6, as follows:

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

28. Appointments to the Hamilton Cycling Committee for the 2018-2022 Term (Item 12.1)

(Danko/Nann)

That the recommendation of Item 28 of Public Works Committee Report 20-004 respecting the Appointments to the Hamilton Cycling Committee for the 2018-2022 Term be deleted in its entirety and the following be inserted therein:

~~That the recommendation be approved and released publicly following approval by Council.~~

That Jane Jamnik and Gary Rogerson be appointed to the Hamilton Cycling Committee for the remainder of the 2018-2022 Term of Council or until such time as a successor is appointed by Council, conditional upon their acceptance of the position.

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

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

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

Result: Motion on the balance of Public Works Committee Report 20-004, CARRIED by a vote of 14 to 0, as follows:

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

(Partridge/Clark)

That Council recess at 12:30 p.m.

CARRIED

Council reconvened at 1:05 p.m.

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-004

(Wilson/Ferguson)

That Audit, Finance and Administration Committee Report 20-004, being the meeting held on Thursday, June 18, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 20-004, CARRIED by a vote of 13 to 0, as follows:

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

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

EMERGENCY AND COMMUNITY SERVICES REPORT 20-003

(Pauls/Nann)

That Emergency and Community Services Committee Report 20-003, being the meeting held on Friday, June 19, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Emergency and Community Services Report 20-003, CARRIED by a vote of 14 to 0, as follows:

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

(Jackson/Collins)

That the Committee of the Whole Rise and Report.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann

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

MOTIONS

6.1 Waive the Notice Provision for an Amendment to the Procedural By-law

(Jackson/Collins)

WHEREAS it is now necessary to amend the Procedural By-law further to update sections of By-law 18-270, as amended, which apply to Electronic participation by citizen Committee members at electronic Committee meetings during an emergency when attending in-person is not possible with respect to the Planning Committee and Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee and Heritage Permit Review Committee in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation;

WHEREAS it is now necessary to amend the Procedural By-law further to update sections of By-law 18-270, as amended, which apply to Electronic participation by the public at public meetings held in accordance with applicable legislation, in a manner that is consistent with the obligation to hold public meetings at electronic Committee meetings during an emergency when attending in-person is not possible with respect to the Planning Committee, Hamilton Municipal Heritage Committee, Cross-Melville District Heritage Committee and Heritage Permit Review Committee;

WHEREAS, By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice, requires that public notice is required to advise of a Committee meeting to consider the enactment of a procedure bylaw in the form of one notice published in a newspaper a minimum of 14 days prior to the Committee meeting; and

WHEREAS, By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice also notes that Council may direct that other notice is to be given as Council considers adequate and when the City Manager determines that an emergency situation exists;

THEREFORE, BE IT RESOLVED:

That Council waive the notice provision within By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice in order for an amendment to be made to the Procedural By-law effective immediately.

Result: Motion CARRIED on 2/3 Majority vote of 14 to 0, as follows:

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

6.2 Enforcement Request of Excessive Exhaust Vehicular Noise Levels REVISED

(Jackson/Collins)

WHEREAS muffler-less vehicles and unnecessary noise under the *Highway Traffic Act* are both enforceable by Hamilton Police Service (HPS) for operating a vehicle without a muffler or having a muffler that produces excessive noise (Bill 229 - *Highway Traffic Amendment Act (Muffler Noise)*, 2007);

WHEREAS the *Highway Traffic Act* covers both motorcycles and loud cars/trucks;

WHEREAS disturbances caused by Noise Pollution affects the "quality of life" for our residents;

WHEREAS a growing and increasing number of complaints are occurring during the period of COVID-19 due to less volumes of vehicles on the road;

WHEREAS HPS blitzes carried out on the Mountain and in Waterdown during the Summer of 2013 conducted by then Sgt. Myra James were tremendously successful in reducing Excessive Vehicular Noise levels and simultaneously raising awareness of this *Highway Traffic Act* offence; and

WHEREAS Halton Regional Police have conducted successful blitzes in 2020.

THEREFORE BE IT RESOLVED:

- (a) That City Council respectfully request a Strategic Enforcement of Excessive or Unusual Noise from Motor Vehicles by Hamilton Police Services during the Summer/Fall of 2020;
- (b) That this motion be forwarded to the Hamilton Police Services Board for consideration; and
- (c) That City of Hamilton, Licensing and By-law Services staff work in consultation with Hamilton Police Services to explore a possible partnership between both agencies to work together in conducting Strategic Enforcement of Excessive or Unusual Noise from Motor Vehicles for education and/or possible enforcement blitz's during the Summer/Fall of 2020.

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

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

6.3 Central Composting Facility Request for Proposal Options (City Wide) (Referred to Council by Public Works Committee at its meeting of June 17, 2020) REVISED

(Pearson/Danko)

WHEREAS, the current contract for the operation and maintenance of the City of Hamilton's Central Composting Facility commenced in June 2006;

WHEREAS, the current operation and maintenance contract for the Central Composting Facility will expire December 31st, 2020;

WHEREAS, staff were authorized and directed to prepare and issue Request for Proposal C11-09-20 for the operation and maintenance of the Central Composting Facility under the same terms and conditions of the current contract;

WHEREAS, staff were directed to prepare and submit an in-house bid;

WHEREAS, Request for Proposal C11-09-20 was issued on May 25th, 2020 and is set to close July 20th, 2020;

WHEREAS, staff received a request from a proponent to include offsite third-party processing of organic material collected through the green bin program as an alternative proposal to Request for Proposal C11-09-20; and,

WHEREAS, a further option for the operation and maintenance of the Central Composting Facility can be considered; however it, would be a material change to recently issued Request for Proposal C11-09-20;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to cancel Request for Proposal C11-09-20, Operation and Maintenance of the Central Composting Facility;
- (b) That staff modify Request for Proposal C11-09-20, Operation and Maintenance of the Central Composting Facility to include the option for offsite third-party processing of organic waste collected through the green bin program while operating the Central Composting Facility as a transfer station;
- (c) That staff reissue Request for Proposal C11-09-20 to obtain proposals for both the operations and maintenance of the Central Composting Facility and offsite third-party processing of organic material;
- (d) That staff still prepare and submit an in-house bid for the operation and maintenance of the Central Composting Facility;
- (e) That staff be directed to conduct a risk assessment of contracted operations and maintenance of the Central Composting Facility vs. third-party, offsite processing vs. in-house operations and maintenance of the Central Composting Facility;
- (f) That staff report back to the Public Works Committee with recommendations based on the results of the risk assessment and both the in-house bid and external bids (contracted operations and maintenance of the Central Composting Facility and third-party, offsite processing) received in response to the RFP; and
- (g) That staff be directed to enter into negotiations with Maple Reinders Constructors Ltd. for the purpose of extending current contract C11-105-03 for the Operations and Maintenance of the Central Composting Facility for a time period of up to six months to allow for the re-issuing of RFP C11-09-20.

Result: Motion CARRIED by a vote of 8 to 6, as follows:

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

NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
NO - Mayor Fred Eisenberger
NO - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NO - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
NO - Ward 9 Councillor Brad Clark

6.4 City Ambassadors on the Waterfront Trail

(Collins/Jackson)

WHEREAS the use of the Waterfront Trail has become popular with out of town cyclists many of whom are speeding and racing down the trail, creating daily safety concerns for those in the area; and,

WHEREAS Licensing and By-law Services has previously hired summer students to act as City Ambassadors to educate the public and enforce City By-laws.

THEREFORE BE IT RESOLVED:

That Licensing and By-law Services be directed to hire two summer students to act as City Ambassadors on the Waterfront Trail for the months of July and August at a cost of approximately \$12,000 which will be covered through the Hamilton Beach Reserve Account 108037.

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

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

NOTICES OF MOTION

7.1 Reconsideration of Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007) respecting Report PED20057, Demolition Permit - 393 Rymal Road West

Councillor Danko introduced the following Notice of Motion:

That Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007), respecting Report PED20057, Demolition Permit - 393 Rymal Road West, which was approved by Council on April 15, 2020 and reads as follows, be reconsidered:

6.4 (a) Demolition Permit - 393 Rymal Road West (PED20057) (Ward 8)

- (a) That the Chief Building Official be authorized to issue a demolition permit for 393 Rymal Road West in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The *Planning Act* subject to the following conditions:
- (i) That the applicant has applied for and received a building permit for a replacement building on this property;
 - (ii) That the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
 - (a) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
 - (b) is a lien or charge on the property until paid; and
 - (iii) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

7.2 City Ambassadors on the Waterfront Trail**(Collins/Jackson)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting City Ambassadors on the Waterfront Trail.

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

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

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

Refer to Item 6.4 for further disposition of this item.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

Council determined that discussion of Item 9.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

9.1 Closed Session Minutes – June 3, 2020

(Partridge/Johnson)

That the Closed Session Minutes dated June 3, 2020 be approved, as presented, and remain confidential.

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

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

BY-LAWS

(Jackson/Collins)

That Bills No. 20-125 to No. 20-135, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- 20-125 Respecting Removal of Part Lot Control, Block 92 (Parts 1-7), Registered Plan No. 62M-1060 "Summerlea East, Phase 1", municipally known as 27, 29, 31, 33, 35 and 37 Bradley Avenue
 PLC19-039
 Ward: 11

- 20-126 To Designate Land Located at 24 Main Street West, City of Hamilton as Property of Cultural Heritage Value
 Ward: 2

- 20-127 A By-law to Amend By-law No. 20-056 being a By-law to Promote and Regulate Physical Distancing during the COVID-19 Emergency in the City of Hamilton and to amend City of Hamilton By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties
 Ward: City Wide

- 20-128 To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses
 Schedule 24 (Personal Transportation Provider)
 Ward: City Wide

- 20-129 To Amend By-law No. 18-270, the Council Procedural By-law
 Ward: City Wide

- 20-130 To Amend By-law No. 19-181, the Whistleblower By-law
 Ward: City Wide

- 20-131 To Amend By-law No. 01-215, being a By-law to Regulate Traffic
 Schedule 4 (Yield Control)
 Schedule 5 (Stop Control)
 Ward: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15

- 20-132 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
 Schedule 6 (Time Limit Parking)
 Schedule 8 (No Parking Zones)
 Schedule 12 (Permit Parking Zones)
 Schedule 13 (No Stopping Zones)
 Schedule 14 (Wheelchair Loading Zones)
 Schedule 15 (Commercial Vehicle Loading Zones)
 Schedule 20 (School Bus Loading Zones)
 Schedule 23 (Special Enforcement Area)
 Ward: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15

- 20-133 Respecting Removal of Part Lot Control, Part of Lots 5, 6, 8 to 26, 28, 31, , 50, 52 to 54 and 67, Registered Plan No. 62M-1252
 PLC-17-025(E)
 Ward: 11
- 20-134 To Amend Zoning By-law No. 87-57 (Ancaster), respecting lands located at 295 Hamilton Drive, in the former Town of Ancaster
 Ward 12
 ZAH-19-051
- 20-135 To Confirm the Proceedings of City Council

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

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

(Farr/Merulla)

That, there being no further business, City Council be adjourned at 3:18 p.m.

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

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

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

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk



CITY COUNCIL MINUTES 20-015

11:17 a.m.
July 7, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor E. Pauls (Deputy Mayor) – Personal and Councillor T. Whitehead – Personal.

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

APPROVAL OF THE AGENDA

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

(Nann/Jackson)

That the agenda for the July 7, 2020 meeting of Council be approved, as presented.

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

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

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

DECLARATIONS OF INTEREST

Councillor Ferguson declared an interest to Item 4.1 respecting Extension of the Temporary Outdoor Patio Program, as his family has an interest in the restaurant industry.

MOTIONS

4.1 Extension of the Temporary Outdoor Patio Program

(Merulla/Farr)

WHEREAS on May 13, 2020, Hamilton became one of the first cities in Canada to temporarily permit outdoor dining on streets, sidewalks, and parking areas on public and private lands through the approval of a motion allowing the creation of temporary "Outdoor Dining Districts" and temporary outdoor patios;

WHEREAS the City's program has already approved 68 Outdoor Dining Districts and temporary outdoor patios across the City;

WHEREAS the Council direction to permit temporary outdoor patios on private parking lots waived any requirement for site plan review for such locations and waived enforcement of any zoning provisions related to parking supply, but still required the temporary outdoor patios to meet all other applicable zoning;

WHEREAS the City's zoning does not permit commercial outdoor patios in side or rear lots abutting residentially zoned properties;

WHEREAS there have been a small number of businesses that have been unable to establish temporary outdoor patios because of the zoning restriction regarding abutting residentially zoned lands;

WHEREAS the City wants to provide for as many businesses as possible to participate in the Outdoor Dining Districts and temporary outdoor patio program, while minimizing any potential adverse impacts on neighbouring residential properties; and

WHEREAS the COVID-19 pandemic creates an urgent need to support the City's culinary scene;

THEREFORE BE IT RESOLVED:

(a) That staff be directed to prepare a Temporary Use By-law effective to December 31, 2020 for consideration at a statutory public meeting of the Planning Committee, and give the required notice, for temporary amendments to the Zoning By-law that would allow temporary outdoor commercial patios in side and/or rear yards abutting a residential zone, D5 Zone or D6 Zone on lands zoned as follows:

- (i) Downtown Central Business District (D1) Zone
- (ii) Downtown Prime Retail Streets (D2) Zone
- (iii) Downtown Mixed Use (D3) Zone
- (iv) Downtown Local Commercial (D4) Zone
- (v) Community Commercial (C2) Zone
- (vi) Community Commercial (C3) Zone
- (vii) Mixed Use High Density (C4) Zone
- (viii) Mixed Use Medium Density (C5) Zone
- (ix) Mixed Use Medium Density - Pedestrian Focus (C5a) Zone
- (x) District Commercial (C6) Zone
- (xi) Arterial Commercial (C7) Zone
- (xii) Mixed Use (TOC1) Zone
- (xiii) Local Commercial (TOC2) Zone
- (xiv) Mixed Use High Density (TOC4) Zone

Subject to the following conditions:

1. The patio is setback at least 5 metres from any residentially zoned property.
2. The patio does not obstruct a driveway or parking aisle or fire route.

(b) That Council direct staff to immediately suspend the enforcement of the zoning by-law provisions prohibiting commercial outdoor patios in side and/or rear yards abutting a residential zone, D5 Zone or D6 Zone, where the conditions listed in (a) above have been met, and that the suspension of enforcement continue until either the temporary use zoning by-law comes into force or until the duration stipulated for the temporary use zoning by-law expires

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

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

YES - Ward 13 Councillor Arlene VanderBeek
CONFLICT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

BY-LAWS

(Partridge/Pearson)

That Bill No. 20-136, be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

20-136 To Confirm the Proceedings of City Council

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

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

(Collins/Jackson)

That, there being no further business, City Council be adjourned at 12:18 p.m.

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

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

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Acting Mayor J. Farr

Janet Pilon
Acting City Clerk

Form: Request to Speak to Committee of Council

Submitted on Friday, March 13, 2020 - 1:01 pm

==Committee Requested==

Committee: Planning Committee

==Requestor Information==

Name of Individual: Brendan Graham

Name of Organization: LANDx Developments Ltd

Contact Number: 289-707-4411

Email Address: brendangraham@landxdevelopments.com

Mailing Address:

393 Rymal Road West, Suite 405
Hamilton, ON
L9B 1V2

Reason(s) for delegation request:

Requested demolition permit for 301 Rymal Road West, Building Permit Application Number 19-158124-00 DP. Looking to register as delegation to speak to Consent Item 7.2 in support of the proposed demolition work for the subject property.

Reconstruction of the existing single family dwelling is not proposed at this time. Therefore, council approval is required prior to the issuance of the requested permit.

Delegation will support providing Council with a set of "alternative conditions" should they make the decision that the demo can proceed without a re-build.

The existing structure at 301 Rymal Road West is in a state of disrepair. There are also safety concerns with various exterior building elements. The owner wishes to demolish this unit to mitigate future costs and liability associated with the aging structure. Any future redevelopment will be subject to municipal approval, as well as the completion of the ongoing Comprehensive Pond Assessment and Master Servicing Study for the greater St. Elizabeth Village property.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Pilon, Janet

Subject: Hamilton - Defund the Police

From: Carole Holmes & Lorraine Green

Sent: Monday, June 29, 2020 4:54 PM

To: Office of the Mayor

Cc: clerk@hamilton.ca; Stevenson, Kirsten;

Subject: Hamilton - Defund the Police



GRAND(M)OTHERS ACT
TO SAVE THE PLANET

Dear Mayor Fred Eisenberger,

We, Grandmothers Act to Save the Planet (GASP), are committed to leaving our grandchildren a healthy planet and a just, equitable society. We advocate for Climate Justice and Social Justice. To achieve this we know that systemic changes are required in every aspect of society to ensure public safety for all, not just those of us in white middle class families. Policing is one system that, with our compliance, has become untenable. This is evident in its brutality against Black, Indigenous and People of Colour.

We are not opposed to the people within the policing institution but with the institution itself. Policing has become a replacement for proper spending on mental health and social supports within our communities.

We struggled with the word "defund" but it highlights the fact that monies that could be spent on social and health supports are being spent on the militarization of the police, the purchase of armoured vehicles, the latest tactical weapons and increased surveillance. As a community, we must prioritize the expansion of community led health and safety initiatives over future financial investments into policing. No more criminalization of mental health and addictions. We know that prison will not help many of the people who have been criminalized. Our present system is punitive and expensive. The cost of keeping someone in prison for a year is upwards of \$100,000.

More police is not the answer. Investments in body cameras, civilian reviews, de-escalation and implicit bias training, although mostly beneficial, have not worked. They amount to tinkering with the system. Our public safety system needs a complete overhaul.

An increased security presence, which includes transit inspectors, enforcement officers, and school police does not build trust. In fact, it makes us more fearful and it directly threatens the lives of our most vulnerable people.

Let us prioritize vital community-based systems that support our vulnerable communities, instead of increasing police budgets. These systems must focus on the experiences of Black, Indigenous, and

People of Colour in the city of Hamilton. We are impressed with the activism in Hamilton around the Defund Police movement and support their focus in advocating a transformation of public safety.

Hamilton can lead the way in defining public safety in a new way. We are asking you to create a better future for all residents in Hamilton by ending the increased militarization of police and investing in life-affirming services to set an example for police forces in Canada.

Sincerely,
Carole Holmes & Lorraine Green
Co- chairs of GASP Grandmothers Act to Save the Planet

CC: Office of the City Clerk of Hamilton
Police Board of Hamilton

Website GASP4change.org
Email info@gasp4change.org

Instagram [GASP4Change](https://www.instagram.com/GASP4Change)
Facebook [GASP Grandmothers Act to Save the Planet](https://www.facebook.com/GASP4Change)
Twitter [Gasp4Change](https://twitter.com/Gasp4Change)

Pilon, Janet

Subject: Consideration of Police Defunding

From: Heather Watson

Sent: June 28, 2020 11:22 AM

To: Merulla, Sam <Sam.Merulla@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Subject: Consideration of Police Defunding

Good morning,

I am a lifelong resident of Hamilton and homeowner in the Crown Point East community. I chose to make Hamilton home again after studying abroad, where I work as a solicitor in the downtown area.

I write to express my **support for the defunding of Hamilton Police Services by 20% and redirecting those funds to social services** better suited to respond to wellness checks and mental health crises. I very much disagree with Ward 5 rep Collins who was reported to say that his constituents want “more policing, not less.” Living in Crown Point East, I notice a very high police presence. I have never felt unsafe and my neighbours who have lived in the area for approximately 25 years rave about what a great community it is. I do not think that a 20% decline in patrol would be enough to change what a safe community the east end can be, especially when coupled with a corresponding increase in other social services.

I've worked in the criminal justice system and I have seen the good work that police do. It is unfortunate that some members of the HPS and other police services are taking the widespread cries to defund the police personally. **Systemic racism is real and it is not the fault of any individual - it is the system.** That is why, in addition to defunding the HPS, I think it is extremely important to:

1. Reform the minimum requirements for eligibility to apply to HPS to include training in constitutional law;
2. Expanding the requirement that the applicant must "be of good moral character and habits, meaning that they are an individual other people would look upon as being trustworthy and having integrity" to include express reference to treating everyone equally under the law regardless of race, sex, religion, nationality, or affluence;
3. Either (a) fire and then rehire all HPS under the more stringent standards or, if that is not feasible (b) implement a mandatory training course to be passed before duty can resume.

As society changes, the laws change too. That is what I love about the law. I see no reason why law enforcement should not be the same and evolve alongside society.

Thank you for your time. I look forward to hearing of your work to remedy this issue.

Yours,

Heather Watson, BA (Hons), LLB

Pilon, Janet

Subject: Defunding Hamilton Police

From: Robert Vanderheyden
Sent: Friday, June 26, 2020 9:05 AM
To: VanderBeek, Arlene
Cc: clerk@hamilton.ca
Subject: Defunding Hamilton Police

Hello Arlene,

I wish to add my name to the list of people who feel it is important to defund the Hamilton Police.

I absolutely agree with others that having the police be the first responders to people who are dealing with a mental health crisis is a misuse of resources and can be detrimental to the people in crisis. It's time to do a very thorough investigation into supporting persons with mental illness and using people well trained in supporting persons with mental illness.

My niece who works as an R.N. on a mental health ward in a hospital along with her colleagues face many of the same dangers as police do when working with mental health patients but manage that without guns and tasers. It's time to reallocate the tax dollars spent on police interventions with mental health patients and fund 24/7 year round mental health emergency services. We may well see a cost/tax saving doing this change.

Sincerely,

Rob Vanderheyden

cc: Clerk, Hamilton City Council

Pilon, Janet

Subject: Refusing to Defund the police is a racist act

From: Rita Bailey

Sent: Friday, June 26, 2020 11:45 AM

To: clerk@hamilton.ca

Subject: Refusing to Defund the police is a racist act

Please include this letter in the public record but without my email address. Thank you.

Dear Councillors Wilson and members of the Hamilton Police Services Board,

I am writing to support the call to defund the police (i.e. divert a portion of funding to mental health and community supports). As a resident of Ward 1 I want to support my councillor in this and I hope the members of the police board will take this seriously, not just something to be mocked and treated lightly. I say this as a person raised to respect and admire the police because my father was a policeman in Toronto. But the actions of local police in recent years towards POC, the homeless, the mentally ill, and towards members of the LGBTQ+ community are not worthy of respect. The comments of the chief of police on the radio last year are particularly reprehensible and should have led to his immediate firing.

It is equally reprehensible that there are no members of the marginalized communities mentioned above on the Police Services Board. This needs to change and change quickly. And if provincial legislation prevents you from fixing this quickly, you need to aggressively go after the province on that. Giving all the power to white, middle class people (most of whom live in the leafy suburbs) is RACISM, plain and simple.

I can suggest many ways to reduce police funding:

1. Stop the purchase of militarized weapons,
2. Remove the police from the HWCDSSB. Kudos to the public board for taking this step. Replace them with coaches and mental health workers.
3. Get rid of the mounted police. We don't need police on horseback in a city the size of Hamilton. It's a very expensive photo-op.

4. Replace traffic cops with trained civilians or better yet radar cameras. Increase red light cameras.

5. Stop having the police responsible for dealing with mentally ill people and the homeless. Street outreach workers can do a better job of this. When a doctor puts a person on a Form 1, it shouldn't be the job of the police to enforce this. Dragging a mentally ill person into the psychiatric emergency department takes hours of valuable police time. (The last time I visited emergency there were 6-8 police officers with mentally ill people in handcuffs over an eight hour period. Some were there for an entire shift. That a lot of \$\$\$) Let the medical community come up with a better method. Police should stay away unless the person has a gun or is holding a knife to someone's throat.

6. Forget about buying body cameras. They are too expensive and open to abuse. Every citizen has a camera these days and many cars come with cameras now. We are the ones policing the police.

7. Go after the big drug importers and distributors and leave the low level guys alone. Addicts need treatment not incarceration.

Other ideas that should be implemented now:

Start keeping track of race statistics including Indigenous people who make up the largest segment of our incarcerated population.

To reduce the murder of mentally ill people armed with paring knives and baseball bats, incorporate better training. Weapons should not be drawn every time there is a threat. Teach self-defence, including the art of de-escalation and simply waiting it out.

Is it not the job of police to support corporate enterprises. That's not what I'm paying my taxes for. Yes, if homeless people are blocking a doorway or a bus stop ask them to move on, but stores that want

to stop panhandling near their premises should hire private security firms, not expect the police to do this.

Please take the call to defund seriously. I'm sure a competent audit will show many ways budgets could be reduced without loss of jobs. Reduce the use of overtime, for instance. And since all provincial employees are limited to a 1% wage hike so should police forces.

Racism includes not just overt action but also lack of action. Silence is violence. Make changes now!

Rita Bailey, Ward 1

Pilon, Janet

Subject: Hamilton Police Services

From: Melissa Dowdall

Sent: Thursday, June 25, 2020 3:33 PM

To: clerk@hamilton.ca

Subject: Hamilton Police Services

To the Chair and Members of the General Issues Committee; the Audit, Finance and Administration Committee; and the Emergency and Community Services Committee:

I am a home-owner and tax-paying citizen of Ward 4 in Hamilton. I would like to add my correspondence to the upcoming Council/Committee Agenda. I just received my tax bill for 2020. I was shocked to see that the greatest percentage of my taxes, after municipal levy, is going to police. The police get 10% more than education in Hamilton! As a tax-payer, this is not okay for me.

I understand that the police services board is looking at the implications of reducing funding. As a tax-payer, voter, and Hamilton resident, I am urging you to please advocate for the defunding of the Hamilton Police.

Instead, invest tax dollars that would have otherwise gone to police towards initiatives fighting against food insecurity, racism, and towards more affordable housing and other social services.

As a tax-payer, I am asking Hamilton Police Services to release accounting on taxes used to surveil and police Black, Indigenous and racialized communities in our city.

I urge Hamilton Police Services to:

- cease purchases of weapons, high-tech surveillance equipment, and cease surveilling communities
- stop targeting activists and communities pushing back against white supremacists
- stop ticketing and surveilling homeless and disabled people for existing in public

I do not want my tax dollars supporting any of these initiatives.

If you are unable to defund the Hamilton Police budget, then at the very least, please use a portion of that massive budget to invest in body-cams for every officer. Body-cams, when used properly (i.e., not turned off, removed, or tampered with), help to both protect citizens and to keep police officers who are doing their job appropriately free from accusations.

Please also use a portion of that massive budget to establish non-police alternative to 911 calls involving people with mental illness. These calls can be diverted to a team of mental health first responders instead of police.

Another portion of the budget should also be used to implement policies governing use of force by police in Hamilton. Specifically:

- require officers to de-escalate situations by communicating with subjects, maintaining distance, and otherwise eliminating the need to use force
- prohibit officers from being allowed to choke or strangle civilians
- require officers to intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor
- restrict officers from shooting at moving vehicles
- develop a Force Continuum that limits the types of force and/or weapons that can be used to respond to specific types of resistance
- require officers to exhaust all other reasonable means before resorting to deadly force
- require officers to give a verbal warning before shooting at a civilian
- require officers to report each time they use force or threaten to use force against civilians

The safest neighbourhoods are not those with the greatest police presence, but those with the most resources (food security, social services, mental health supports, infrastructure, education). Every 10 additional organizations in a city reduces property crime by 4%.

If you truly care about the citizens of Hamilton, then I am urging you to please defund the police and reinvest in education, mental health care, affordable housing, community support organizations, and other social services. Invest police budget into body-cameras, mental health first responders, and use of force policy.

Thank you for your time and consideration.

Sincerely,
Melissa Dowdall
Ward 4 Resident
Hamilton, ON

Pilon, Janet

Subject: I support the call to defund the police

From: paola munoz

Sent: Thursday, June 25, 2020 12:47 PM

To: clerk@hamilton.ca

Subject: I support the call to defund the police

To Chair and Members of Emergency & Community Services Committee,

I am writing to you today to call on you to take meaningful action in response to the senseless murders of Black and Indigenous people.

The police in our communities prove time and time again that they are unprepared and unwilling to protect or serve our communities. In the cases of Regis Korchinski-Paquet, Jason Collins, D'Andre Campbell, Orlando Brown, Andrew Loku, Jermaine Carby, Kwasi Skene-Peters, Marc Ekamba-Boekwa, Sammy Yatim, Ian Pryce, Alain Magloire, Nicholas Thorne-Belance, Phuong Na (Tony) Du, René Gallant, Abdurahman Ibrahim Hassan, Bony Jean-Pierre, Abdirahman Abdi, Pierre Coriolan, Brydon Whitstone, Josephine Pelletier, Nicholas Gibbs, Jaskamal Singh Lail, Chad Williams, Greg Ritchie, Machuar Madut, Sean Thompson, Randy Cochrane, Eishia Husdon, Jorge Giraldo, and so many more people, interaction with the police leads to death.

I am not comfortable continuing to fund racist policing in my community at the expense of essential services like housing, firefighting, transit, libraries, and community health centres.

I am asking that you, as an elected official, pledge to do the following:

1. To never again vote to increase the police services budget;
2. To propose and implement a cut to the police services budget to support our community's recovery from the COVID-19 pandemic.
3. To prioritize the expansion of community-led health and safety initiatives over future financial investments into policing.

In the face of cyclical police violence happening throughout North America right now, there is no better time to commit ourselves to change. We have seen that investing in body cameras, civilian reviews or de-escalation and implicit bias training doesn't work. What we need is leadership that can initiate a reduction in the immense police violence that targets our most marginalized people, toward the eventual abolition of police and prisons. In order to do this, I call on you and the City Council to reduce funding in these ways:

- In excessive force cases withhold pensions and do not rehire cops involved
- Require cops to be liable for misconduct settlements
- Reduce the size of the police force and stop sending armed/uniformed cops on mental health and poverty-related calls,

An increased police presence, which includes transit inspectors and enforcement officers, does not keep us safe. Rather,

it directly threatens the lives of our most vulnerable communities (BIPOC, the LGBTQ2S+ community, unhoused people, street-based sex workers, people with disabilities, people experiencing poverty, etc). Instead of investing in policing, our city must prioritize alternatives like education, increased mental health services, housing initiatives, income security, harm reduction services, accessible rehabilitation, mutual aid, community workers, conflict resolution services, transformative justice, and other vital community-based support systems. These initiatives must support our most vulnerable communities and centre the experiences of Black, Indigenous, and people of colour in our city.

Our city can lead the way in defining public safety through community, not cops, where Black, Indigenous and people of colour are free from police oppression. I am asking you to create a better future for all residents in our city by divesting from harmful policing and investing in life-affirming services.

Sincerely,
Paola Munoz

Pilon, Janet

Subject: Officers Opening Fire on Our Streets - Accountability, Budget Review, Independent Investigation & Retraining Demands

From: Lauren Morocco

Sent: Thursday, July 9, 2020 11:43 AM

To: Nann, Nrinder; Office of the Mayor; Stevenson, Kirsten; clerk@hamilton.ca

Subject: Officers Opening Fire on Our Streets - Accountability, Budget Review, Independent Investigation & Retraining Demands

I wrote to you previously asking for defunding of the police. In addition to EVERYTHING that is happening in our world and our communities regarding abuses against BIPOC and LGBT2QS+ communities at the hands of the police, our streets are also no longer safe, BECAUSE of the police. This happened in a residential neighborhood, close to my home. Granted not all the details are out yet, but there are no reports at this time that the man fired a weapon first or even held a weapon--just that there was an "interaction". What if a bystander had been walking by and had been hit? What if a **child** had been? Not only has the HPS spent 600,000 of city money because they didn't know their own bias and had to be told that they put members of the LGBTQ community's lives at risk by their inaction, they are now opening fire on residential streets and not making it safe for any of us to live. Was there nothing the officers could do to detain the man without opening fire?

Your officers and HPS service need to hold themselves to a better degree of standards, and as in all leadership training i have done in my career--the suggestion is always: give someone the room to showcase their abilities until they prove to you that they cannot manage that level of independence and then you remove that independence until they earn your trust again.

The Hamilton Police Service does not have the trust of its citizens. Not only am I calling for a drastic decrease in budget, there needs to be a very strong review of when and where officers should carry weapons and when they should use them. We are all aware that the SIU has a tendency to wrongfully side with the police in these matters. We have seen the city of Edmonton and the mayor's office take action and reduce their budgets by 11m to reinvest into the community.

<https://toronto.citynews.ca/2020/07/07/siu-invokes-mandate-after-man-shot-in-hamilton/>

--

Lauren Morocco



% 7 Brady Court, Dundas, ON L9H6R4
905-536-6058, info@hamiltonolympicclub.ca

July 3, 2020

Hamilton City Council
71 Main Street West
Hamilton, ON L8P4Y5

Dear Mayor and esteemed members of Council,

RE: Commonwealth Games, 2026

The Hamilton Olympic Club is Canada's oldest continuously operating track and field organization, having been incorporated in 1926. Our organization is proud that one M.M. Robinson was the founder of both our club and the British Empire Games, the forerunner to the Commonwealth Games.

We believe that a successful Commonwealth Games would be of great benefit to our City and region. Not least would be the legacy of sport facilities that would exponentially increase opportunities for training and competition in Hamilton. We hold the hope that the bid, as well as other funding sources, might be leveraged for an indoor track & field training and competition facility, the likes of which are lacking in our region.

As such our club, as the flagship organization of track and field in Hamilton, wishes to offer its enthusiastic support to the Hamilton 2026 bid, to bring these games home. Imagine, having athletes from all over the world come to Hamilton as they did back at the old Civic Stadium in 1930!

Yours very truly,


Richard Gelder,
President



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

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

June 24, 2020

To: All Ontario Municipalities

Re: Long Term Care Home Improvements

At its meeting held on June 22, 2020, Sarnia City Council adopted the following resolution submitted by Councillor Margaret Bird with respect to the conditions in Long Term Care homes exposed by the pandemic:

That due to the deplorable conditions exposed by the pandemic in LTC homes in the province, and because this is a time for action, not just continuous streams of investigations, commissions and committees, and because the problems have been clearly identified, that Sarnia City Council direct staff to send this motion to the 444 Ontario Municipalities, asking them to urge Premier Ford to start implementing the required resolutions immediately, as follows:

- 1. increasing hours for all part-time and casual labour***
- 2. since the government provides funding for privately-operated homes, they have an obligation to inspect these homes and see that they are being properly run, and that funds are being used for the benefit of the residents and not the huge profitability of the operators, and***
- 3. to end the neglect and unacceptable conditions being experienced, each day, by our vulnerable seniors.***

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

Doug Ford, Premier of Ontario; and

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

Sincerely,



Dianne Gould-Brown
City Clerk

cc: AMO

Pilon, Janet

Subject: Proposed Resolution for GIC

From: Scott Gardner

Sent: July 2, 2020 10:23 AM

To: clerk@hamilton.ca

Subject: Proposed Resolution for GIC

Please accept this submission for the City of Hamilton's General Issues Committee meeting scheduled for 9:30 am on Monday, July 6, 2020.

Thank You,

Scott Gardner

Dear Chair and Members of the General Issues Committee (City of Hamilton):

On behalf of ink-stainedwretches.org, composed of a group of former newsroom employees, I ask that you please consider the accompanying resolution requesting your support in encouraging elected leaders to build an ecosystem in which local journalism can provide vital service to people of the City of Hamilton and beyond. Before recently retiring, I was a journalist with The Hamilton Spectator for close to 30 years. During that time I have witnessed the importance and the steady decline of local, professional journalism in our community. Twitter rants and other social media posts with obvious agendas should not be the main source of information for members of our community.

Region of Waterloo councillors, during their council meeting on June 3, 2020, unanimously passed a similar resolution. The wording of the motion they passed is as follows:

*“**Therefore Be It Resolved** that Waterloo Regional Council recognizes that a healthy, professional news media is essential to the proper functioning of democracy in the region; urges other municipal councils within the region and across Canada to recognize that a robust news media is essential to the proper functioning of democracy in their jurisdictions; endorses legislation and regulations to support and rejuvenate news outlets across Canada; and urges the federal government to move quickly to pass legislation to ensure an ecosystem for a healthy news media to serve all Canadians. And that the resolution be forwarded to the area municipalities, local M.P.s and M.P.P.s and the Federation of Canadian Municipalities and Association of Municipalities of Ontario.”*

As we have outlined in our proposed resolution to your council, and in the accompanying backgrounder document, we are concerned by the fact that residents in our municipality and throughout Canada have already lost vital services provided by local journalism outlets — and are in serious risk of imminently losing more.

According to the university base journalism website j-source.ca, from 2008 to 2018, 190 communities across Canada lost about 250 established news outlets due to mergers or closures. And more recently, in six weeks from the time the novel coronavirus pandemic struck in early March, more than 100 media outlets across Canada made cuts; roughly 50 community newspapers shuttered; and about 2,000 workers were laid off.

So we are asking your help to encourage our elected leaders, at the provincial and federal levels, to help build an ecosystem in which local journalism — which is essential to the functioning of a healthy democracy — can thrive.

Please find attached the resolution as well as background on our cause.

Thank you for your consideration,
Scott Gardner
City of Hamilton

Proposed resolution for The City of Hamilton, Ontario.

Purpose: To support a healthy ecosystem for local journalism

Submitted by Scott Gardner on behalf of ink-stainedwretches.org

Whereas a healthy, professional news media is essential for the proper functioning of civil society and democracy at the local, regional, federal and international levels;

Whereas the Public Policy Forum declares — on its [website](#) for the 2017 report *The Shattered Mirror: News, Democracy and Trust in the Digital Age* (commissioned by the federal government) — that “real news is in crisis” in this country;

Whereas the U.S. Federal Communications Commission (FCC) cited eight “critical information needs” the media help to provide including emergencies; other public risks to health; education; the environment; economic opportunities; civic and political knowledge of policy initiatives; and the conduct of public officials, and candidates for office (*[The Shattered Mirror](#)* p.4);

Whereas Canadians have lost the essential services provided by roughly 2,000 media workers in 100 communities across Canada due to [layoffs](#) in only six weeks from the time the COVID-19 pandemic began — a time it became clearer to the public how important it is for Canadians to receive accurate information — and advertising

revenues have plunged, prompting an emergency \$30-million advertising-buy by the federal government;

Whereas residents of 190 Canadian communities — including residents of Kitchener, Elmira and Guelph — lost 250 established news outlets due to closings or mergers between 2008 and 2018;

Whereas two thirds of Canadians agree or somewhat agree that because of the Coronavirus/Covid-19 outbreak the federal government should treat widespread media bankruptcies and lay-offs as an emergency , according to a Nanos

Research poll of April 2020;

Whereas the federal government allocated nearly \$600 million in aid for Canadian media over five years in its 2019 budget, including a 25-per-cent tax credit for newsroom salaries; a 15-per-cent tax credit for digital media subscribers; and charitable tax status for non-profit news outlets;

Whereas Canada's federal government acknowledged in its 2019 budget (p. 173) that "A strong and independent news media is crucial to a well-functioning democracy.";

Whereas at least six municipal councils in Ontario have **already passed**

resolutions similar to the one proposed below;

Whereas the news media in the Hamilton area have been instrumental during the COVID-19 pandemic, ensuring local citizens have accurate local information;

Therefore Be It Resolved that the City of Hamilton council recognizes that a healthy, professional news media is essential to the proper functioning of democracy in our city, urges nearby municipal councils and across Canada to recognize that a robust news media is essential to the proper functioning of democracy in their jurisdictions; endorses legislation and regulations to support and rejuvenate news outlets across Canada; and urges the federal government to move quickly to pass legislation to ensure an ecosystem for a healthy news media to serve all Canadians. And that the resolution be forwarded to the area municipalities, local M.P.s and M.P.P.s and the Federation of Canadian Municipalities and Association of Municipalities of Ontario.



Backgrounder for the Chair and Members of the General Issues Committee, City of Hamilton
Re: Proposed resolution supporting local journalism By:
ink-stainedwretches.org

- The name of our group is ink-stainedwretches.org (Yes, our name is the same as our URL.)
- Our project promotes support for local journalism in ALL FORMS (print, broadcast, digital) not only newspapers.
- Whereas our campaign is a local grassroots effort started in the Region of Waterloo, Ontario, we hope that it will spread across Canada because residents across the country are experiencing a dwindling supply of reliable local journalism.
- We have support from every province and territory in Canada: As of July 1, 2020, our [online petition](#) has been endorsed by nearly 800 people from all provinces and territories save Nunavut. (However, an Ottawa-based editor working for a Nunavut news outlet has signed the petition.)
- We have not sought the blessing of media executives because this is a grassroots effort by media workers past and present. Of course, we welcome endorsements from news media executives. But they have their own associations and avenues for advocacy.
- Three possible action items for council:
 - We would be happy if council would write letters encouraging nearby municipal councils to adopt a similar resolution.
 - We would be delighted if council would send letters to the Association of Municipalities Ontario (AMO) and the Federation of Canadian Municipalities (FCM) asking them to encourage their members to adopt similar resolutions.
 - And we would appreciate it if council would write and send similar letters of support — to ensure an ecosystem for robust local journalism — to elected federal leaders including local MPPs, MPs; Steven Guilbeault, minister of Canadian heritage; Bill Morneau, federal minister of finance; and Prime Minister Justin Trudeau.

Nature at risk

CONSERVATION HOTSPOTS NEED YOU

4.6

June 10, 2020

JUN 30 2020

Dear Mayor and Council,

As a province we have a history of putting environmental values into practice through laws, policies and regulations designed to protect and restore the natural systems that provide clean water, air, soil and habitat.

That's why the Wilderness Committee is concerned by the actions of the current provincial government to gut and weaken environmental oversight.

The COVID-19 crisis has made many of us even more aware of the deep connection a healthy environment has on human health and our economy. We're collectively confronting multiple crises — health, climate and biodiversity. We need to hold fast to our ability to protect the nature that sustains us now more than ever.

We need our representatives in government to speak up for environmental values.

In our latest report, *Conservation Hotspots*, we expose the impacts of environmental deregulation on wetlands, forests, biodiversity and climate by highlighting local cases from across the province and the communities taking action to conserve what they love.

As an elected official, you must advocate for protections for stronger protections for wetlands, forests and species at risk. **You must oppose the weakening of environmental regulations in the name of cutting "red tape."** Industry and "opening Ontario for business" cannot come at the expense of environmental values.

continued over...



**WILDERNESS
COMMITTEE**

NATIONAL OFFICE
46 E. 6th Avenue
Vancouver, BC V5T 1J4

Toll Free: 1-800-661-9453
In Vancouver: (604) 683-8220
WildernessCommittee.org

• PEOPLE POWERED WILDERNESS PRESERVATION FOR A WILD FUTURE •

Federal charitable registration # 11929-3009-RR0001 Printed on 100% post-consumer recycled paper

2./

Please read our latest publication and contact me at 647-208-4026 or at katie@wildernesscommittee.org to discuss these issues further.

Together we must fight for Ontario's legacy of protection.

For the wild,



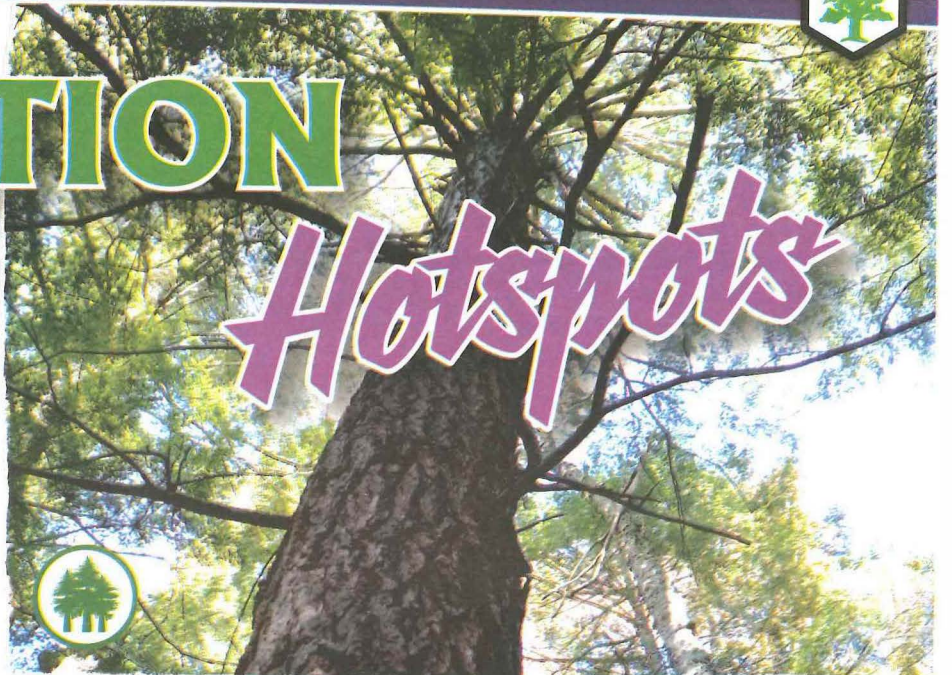
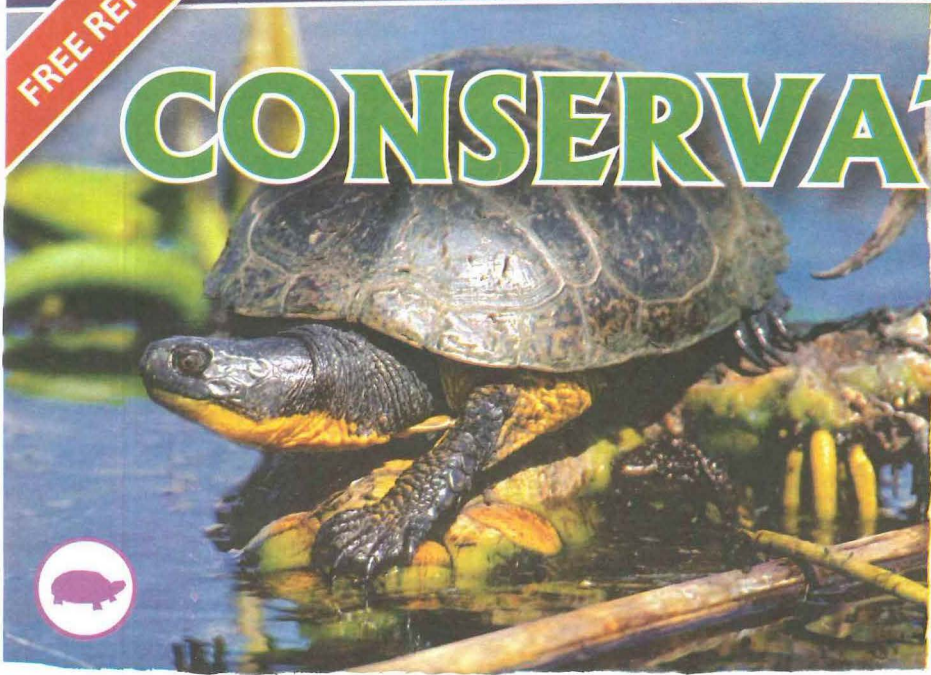
Katie Krelove | Ontario Campaigner





CONSERVATION

Hotspots



STATUS OF ENVIRONMENTAL PROTECTION IN ONTARIO: THREATENED



Katie Krelove
Ontario
Campaigner,
Wilderness
Committee
@wildernewsON

unsustainable logging and mining. This puts the climate, wildlife and remote Indigenous communities at risk. Over 240 species are identified as at risk in Ontario, with habitat loss the main cause.²

Science and Indigenous knowledge make it clear we need to do much better at conserving and restoring the ecosystems sustaining us. The UN has highlighted the potential of nature-based solutions in addressing climate change.³ Canada has committed to protecting 17 per cent of land by 2020 and a quarter by 2025 and has enlisted Indigenous leadership to create Indigenous

Protected and Conserved Areas to meet these goals.^{4,5} All of this means business-as-usual in Ontario is not going to cut it.

There are provincial laws aimed at environmental protection. Often these have been hard-won by pressure from environmental organizations and grassroots communities. These laws, however, are always at risk of being tampered with and weakened by the government of the day.

The current government, under a mandate of "opening Ontario for business," has launched an attack on the environment under the guise of cutting "red tape." Some cuts made headlines early on, such as closing the office of the environmental commissioner and shutting down clean energy projects.⁶ They cancelled the cap-and-trade program and replaced it with a climate plan with reduced targets that was blasted by the auditor general as "not supported by sound evidence."⁷

The government has also targeted laws aimed at conserving natural systems. Many changes have largely gone unnoticed, tucked away in bureaucratic language within huge



Photos: pickerel frog (Robert McCaw).

omnibus bills. Together they amount to death by a thousand cuts. Under pressure from industry, they've created loopholes making it easier for sprawl developers to expand without limits, quarry pits to dig into significant wetlands and have gutted protections for species-at-risk. They've proposed doubling logging in the boreal forest and exempting industry from government and public oversight.

It's vital for all of us to be vigilant and raise our voices to challenge this dismantling of environmental protections. We've already seen the premier back down from plans to open the Greenbelt to development due to massive public outcry — proving people power can take down corporate greed.⁸

This report highlights critical conservation hotspots to illustrate what's at stake when protections get cut and how communities are fighting back.

The world is living in a time of twin climate and biodiversity crises



Photos top: Blanding's turtle (Robert McCaw), Catchacoma old-growth hemlock forest (Cameron Douglas), Beverly Swamp (Don Maclean), boreal caribou (Hidehiro Otake), Photo bottom: cerulean warbler (Jeff Nadler).

People in Ontario have a long history of environmental stewardship and protection. Indigenous nations have rooted relationships with nature in their economies, laws and cultures since time immemorial. These values are embedded in the original treaties that shape this land. Ontarians value experiences in nature for the tranquility, beauty and wonder they provide.

Fresh water, forests, grasslands, clean air and a stable climate are essential to our quality of life. Over the last few centuries Ontarians have reaped the rewards of these diverse ecosystems, but intensive resource extraction, urban development and failure to honour the treaties have also left them heavily degraded.

Southern Ontario has lost nearly three-quarters of its wetlands in addition to much of its original forest and grasslands cover.¹ Central and northern forests, wetlands and peatlands are threatened by



HOTSPOT #1: BATTLEGROUND BOREAL FOREST

WHAT'S AT STAKE:

Sustainable forestry, boreal caribou and essential carbon storage.

THE THREAT:

Ontario's Ministry of Natural Resources and Forestry has released a new forest sector strategy that proposes doubling logging in the boreal forest and weakening environmental oversight of the industry by exempting it from the Endangered Species Act (ESA) and environmental assessments. This is a reckless, shortsighted mistake for an industry already pushing this globally significant ecosystem to the brink.

Most Ontarians live far from the vast boreal forest but we all recognize its essential natural values. It's a life-support system for remote northern towns and First Nations, and for wildlife such as the iconic caribou. The entire world benefits from its status as a global carbon storehouse, helping to mitigate against climate change.

While forestry can be a part of healthy rural economies if done sustainably, it requires public, scientific and Indigenous oversight and a clear, enforceable plan to protect intact forests. The

strategy proposed by the current government achieves neither and puts the fate of the boreal firmly in the hands of private corporations.

WHAT'S MISSING:

Caribou are considered a canary in the coal mine for the health of the boreal forest because they need large tracts of undisturbed forest. In 2012, concerned by evidence of a dangerous decline in caribou population due to habitat degradation from human activities, the federal government asked provinces to prepare habitat protection plans by 2017.¹⁰ **Ontario failed to meet this deadline and still has no mandatory protections for caribou habitat.** The new forest strategy conspicuously makes no mention of caribou nor the province's commitment to conservation under the federal mandate.



Photo: caribou bull grazing (Robert McCaw).



HOTSPOT #2: BATTLEGROUND BEVERLY SWAMP

LOCATION:

Hamilton Conservation Authority lands, City of Hamilton, Treaty 3 territory.

WHAT'S AT STAKE: Significant wetland and a healthy climate.

THE THREAT:

Enbridge Gas is seeking permission to build a \$204 million, 10 km natural gas pipeline through one of the largest forested wetlands in southern Ontario, known as the Beverly Swamp. The 2,300-hectare wetland is partly owned and managed by Hamilton Conservation Authority — visitors to the conservation area can hike to stunning silver maple, cedar and aspen swamps, cattail marshes, meadows and ponds that support diverse wildlife. It's a natural water source and sponge, storing water to prevent flooding. Streams flowing through the Beverly Swamp drain into Lakes Erie and Ontario.

If approved, pipeline construction would cross three creeks and include blasting through bedrock. In what might be considered backwards planning, Enbridge only has to do an ecological study *after* the project is approved by the Ontario Energy Board. Hamilton Conservation Authority has said they won't grant

CONSERVATION AUTHORITIES ON THE CHOPPING BLOCK?

Since 1946, 36 conservation authorities (CAs) across Ontario have run programs to conserve natural systems and protect people and property from flooding. CAs monitor and protect watersheds from irresponsible development.

But, the Ford government seems poised to limit the power of CAs.¹⁴ They've already cut funds to flood prevention and big developers are pushing to remove CAs role in land-use permitting — paving the way to paving wetlands.¹⁵

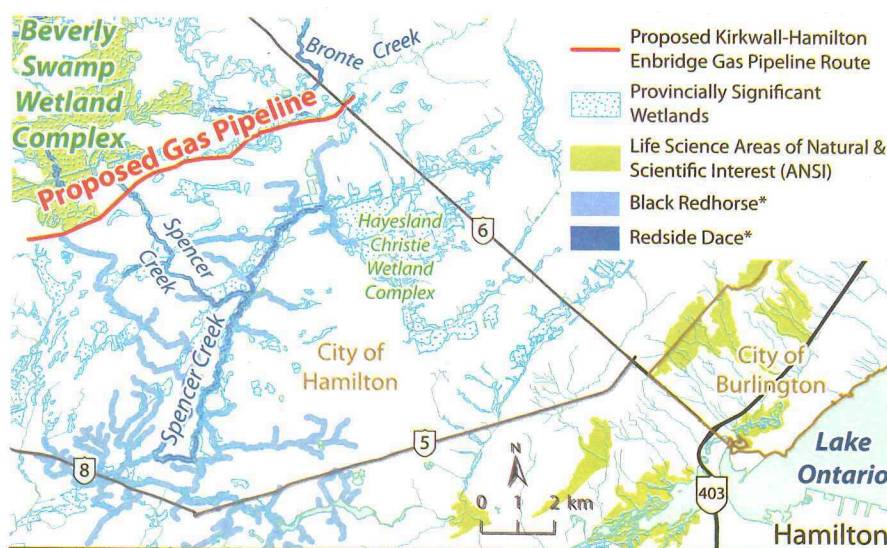
access to the part of the route it owns until a full environmental assessment is done.¹¹

This project is a double whammy threat. The pipeline would allow for an expansion of Ontario's natural gas-fired electricity and increased carbon emissions. The proposal has

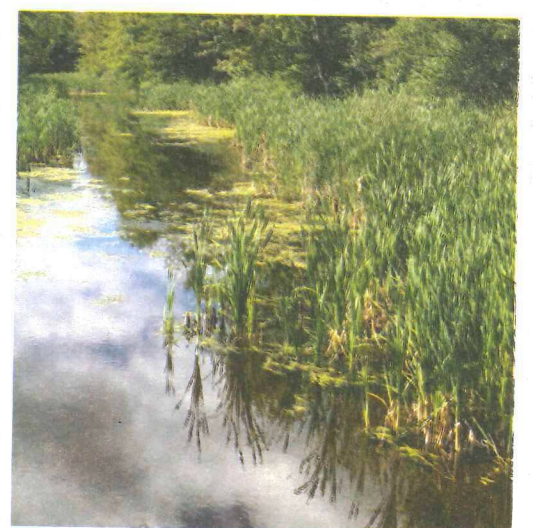
brought attention to the provincial government's projection of a **300 per cent** increase in natural gas-fired electricity over the next five years. **This would fly in the face of even the current "Made-in-Ontario" climate plan, which relies on a decrease in emissions from**

natural gas.¹²

Enbridge also wants to put the cost of the project on households, increasing rates for consumers throughout Ontario by \$120 million.¹³ Like many municipalities, the City of Hamilton has declared a climate emergency and, along with the Wilderness Committee and others, is pushing the Ontario Energy Board to consider the climate impacts of the project. Will Ontario continue down this dangerous path, or invest in electricity conservation and renewable sources instead?



*DFO aquatic species at risk distribution range.



Photos: Beverly Swamp (Don Maclean).



HOTSPOT #3: BATTLEGROUND BLANDING'S TURTLE HABITAT

LOCATION: Serpent River Watershed, Township of the North Shore, Robinson-Huron Treaty territory.

WHAT'S AT STAKE: 115 hectares of pristine wetland and habitat for species at risk.

THE THREAT: The gravel company, Darien Aggregates, has applied to dig a massive quarry on provincial Crown land recently found to be critical habitat for Blanding's turtles. The turtles are a threatened species with protection under Ontario's ESA. The company has convinced the township to rezone the site for mining by promising jobs and dollars. It will be up to the

Ministry of Natural Resources and Forestry to approve or deny the license. The decision will, in part, be based on an environmental study — one conducted by a private consultant for the company. If that seems like a potential conflict of interest, keep reading.

THE SCIENCE: Scientists from Laurentian University independently surveyed the turtle population on the site. That study found many more turtles than the company's study. In fact, they called it the densest population of Blanding's turtles in Ontario. They concluded the quarry should be rejected given at least 63 per cent and at most all of the proposed area is endangered species habitat, with low tolerance to disturbance.¹⁶ To add insult to injuring



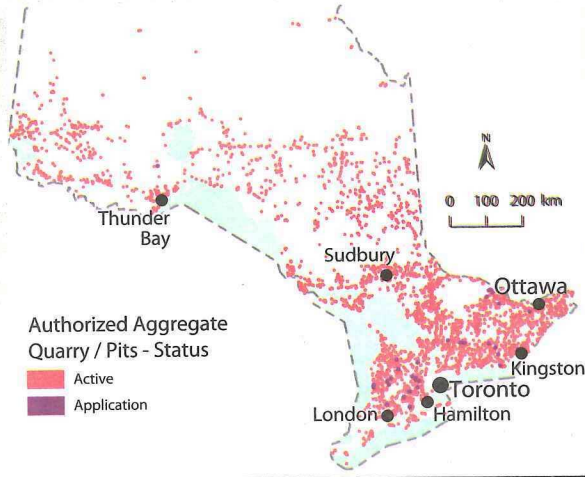
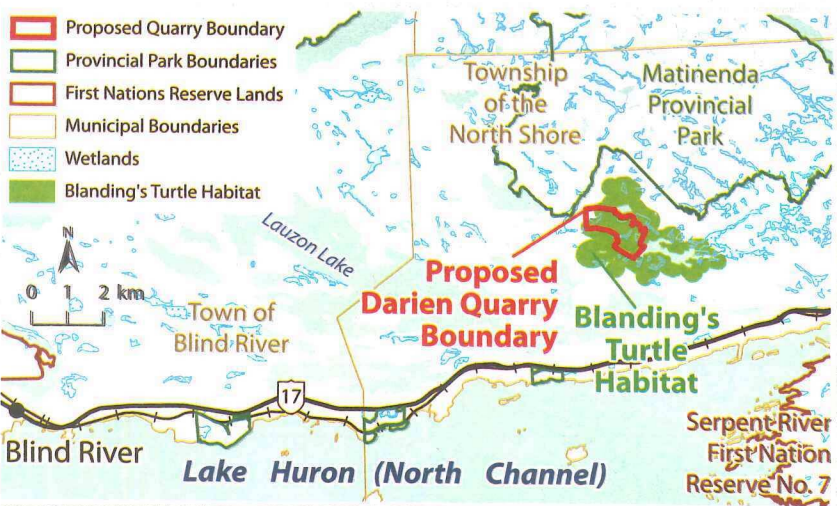
Photos: Blanding's turtle habitat in the North Shore (Rhonda Kirby).

turtles, when the scientists shared their results, the company and their consultant launched a defamatory attack. They spread accusations of academic misconduct. The scientists were forced to hire lawyers to get a retraction.¹⁷ **It remains to be seen**

whether public or privatized science will have more sway with the ministry.

THE LOOPHOLES: Sadly the ESA includes exemptions allowing for habitat destruction if industry says it will provide an "overall benefit" to wildlife. This could be the creation of new habitat somewhere else or rehabilitation after the project is over. Darien Aggregates estimates rehabilitation of the wetland would take over 130 years, but scientists question whether that's even possible.¹⁸ A brand new loophole put in by the Ford government makes it even easier. It's a "pay-to-slay" policy — companies can pay a fee to a conservation fund instead of protecting habitat.¹⁹

LOCAL OPPOSITION: North Shore citizens and members of Serpent River First Nation protested the municipal rezoning and are challenging it through the Local Planning Appeal Tribunal. If that appeal is turned down, there will be opportunities for public input through the province's environmental registry. **We all need to tell the government: approval of the Darien quarry would stomp all over the ESA by destroying critical turtle habitat.**



Aggregate (gravel) mining in Ontario is a huge industry and a threat to many significant wetlands and forests.



HOTSPOT #4: BATTLEGROUND CATCHACOMA OLD-GROWTH FOREST

LOCATION: Crown land, north of Catchacoma Lake, Peterborough County, Williams Treaties territory.

WHAT'S AT STAKE: Rare old-growth eastern hemlock forest.

THE THREAT: The 550-hectare Catchacoma forest was recently identified by ecologists from Ancient Forest Exploration and Research as the largest known old-growth eastern hemlock forest.²⁰ Old-growth forest is rare in highly developed southern Ontario and deserving of protection, yet data on it is lacking. The Catchacoma stand is licensed for commercial logging by Bancroft Minden Forest Company, which means the ecological integrity and old-growth features that support forest-dependent species are at risk of being compromised by harvesting and road building.

The Ministry of Natural Resources and Forestry, in charge of reviewing forest management plans, needs to step up to the task of doing a full inventory of old-growth

locations, identifying habitat for species at risk and implementing conservation status for ecologically significant natural heritage systems. So far the ministry has not responded to a Wilderness Committee request for information about species-at-risk identified in the Catchacoma stand.

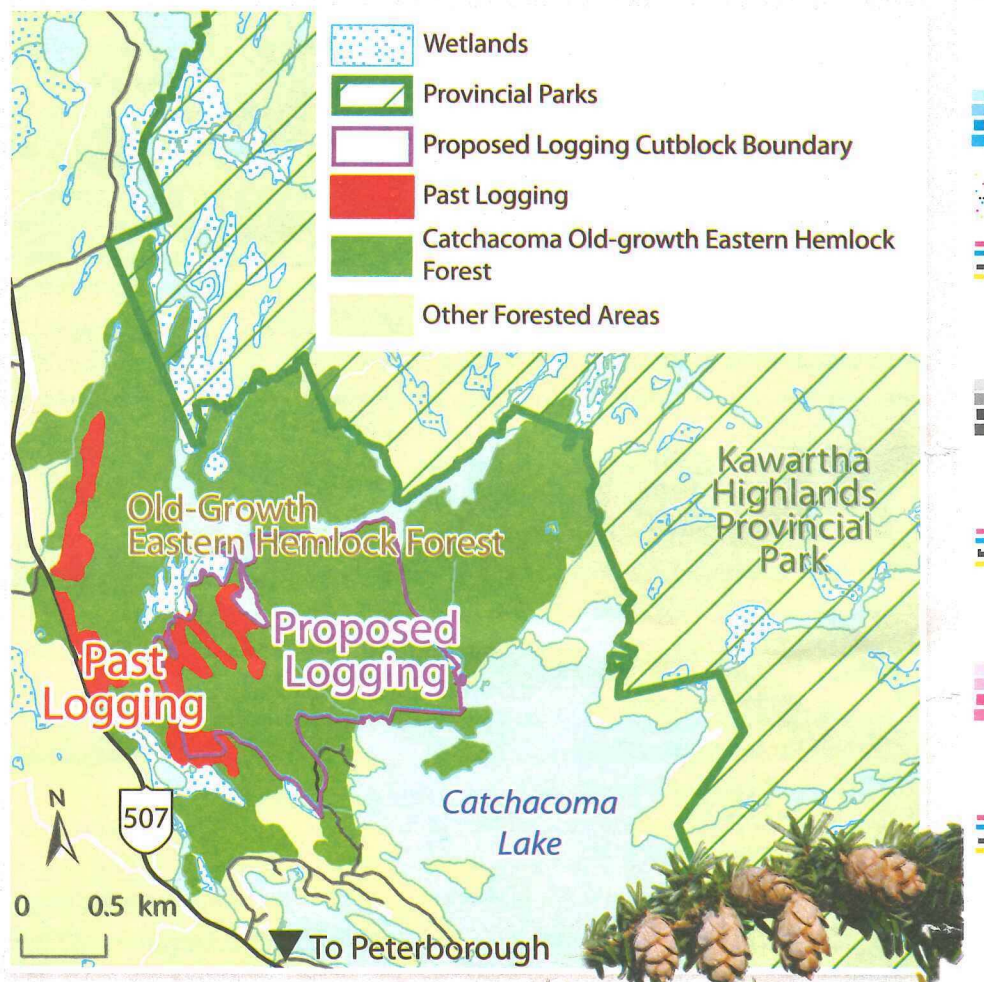
WHAT'S NEEDED: Ontario's Biodiversity Strategy set a target of protecting 17 per cent of land by 2020, in line with Canada's UN commitment.²¹ The Ford government's "Made-in-Ontario" climate plan also recognizes conservation of old-growth

and other natural areas as playing an important role in mitigating and adapting to climate change.²² Yet Ontario has been stalled at under 11 per cent protected and has no plan to achieve more. The upcoming mandatory public consultations on the Bancroft

Minden Forest Company's new 10-year management plan are an opportunity for the Wilderness Committee, Ancient Forest Exploration and Research and local citizens to push for a pathway to protection for Catchacoma and other old-growth stands.



Photos: Catchacoma old-growth hemlock trees (Cameron Douglas).



PROTECTED PARKS NOT FULLY PROTECTED

While we fight for new conservation areas, the battle to uphold the intentions of protected status — ecological integrity above private use — continues. Two of Ontario's most beloved provincial parks still do not meet these goals. Sixty-five per cent of Algonquin Provincial Park remains open to commercial logging. Both Algonquin and

Rondeau provincial parks — home to the highest number of species-at-risk — still lease land for private cottages, despite over 60 years of government promises to phase this

out. Ontario's Provincial Parks and Conservation Reserves Act identifies ecological integrity as the main value of protected places. Private profits or property have no place in parks.



Photo: whip-poor-will roosting (Robert McCaw).



Photo: bird's-foot violet (Robert McCaw).



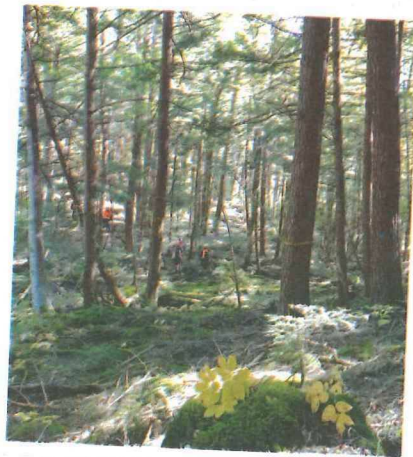
Photo: eastern flowering dogwood (Robert McCaw).

ONTARIO NOT-FOR-SALE

We can't and won't take it anymore. The Wilderness Committee has joined with a coalition of environmental organizations and grassroots groups to build awareness and capacity to oppose the Ford government cuts to environmental policies and regulations in favour of unsustainable industry and development. Together all of us must stand up and tell our government: Ontario is not for sale.



Photos: five-lined skink (Robert McCaw).



Photos: volunteers in the Catchacoma old-growth forest (Cameron Douglas).

TAKE ACTION

Write to your MPP and tell them:

- ▶ Strengthen protections for wetlands, forests and species at risk.
- ▶ Oppose weakening of environmental regulations in the name of cutting "red tape."
- ▶ Follow the federal government's commitment and protect 25 percent of lands by 2025.
- ▶ Make a plan to protect intact boreal caribou habitat.
- ▶ Maintain the role of conservation authorities in land-use planning, permitting, monitoring, stewardship and education.



Photo: volunteers in the Catchacoma old-growth hemlock forest (Katie Krellove).

Sign up for regular reports and action tools here: WildernessCommittee.org/Ontario

Visit WildernessCommittee.org/ConservationHotspots to find your local MPP to take action.

WildernessCommittee.org • 1-800-661-WILD (9453)

YES! I'LL PROTECT KEY ONTARIO WILDERNESS!



clip

Return to:
Wilderness Committee
46 E. 6th Avenue,
Vancouver, BC V5T 1J4



click

WildernessCommittee.org/Donate



call

604-683-8220 in the Lower Mainland, BC
1-800-661-9453 toll-free elsewhere in Canada

Enclosed is: \$35 \$60 \$150 Other \$ _____

Fed. reg. charity #11929-3009-RR0001

NAME _____ PHONE _____

ADDRESS _____ CITY _____

PROVINCE _____ POSTAL CODE _____ EMAIL Yes, send me updates via email.
 Email my tax receipt.

Your donation supports key wilderness and wildlife protection campaigns in Ontario
People-powered wilderness preservation for a wild future.

REFERENCES

1. "Protecting Ontario's wetlands," Chapter 1, Back to Basics 2018 Environmental Protection Report." Environmental Commissioner of Ontario. 2018. <https://bit.ly/2XZbNnJ>
2. "Southern Ontario's Disappearing Forests," Chapter 2, Back to Basics 2018 Environmental Protection Report." Environmental Commissioner of Ontario. 2018. <https://bit.ly/34VgVL8>
3. "Special Report on Climate Change and Land, Summary for Policymakers." IPCC. Jan. 2020. <https://bit.ly/2VvC4sr>
4. "Federal government promises landmark nature protection." Nature Canada. Dec. 13, 2019. <https://bit.ly/3avHelU>
5. Enns, Eli. "Indigenous Protected and Conserved Areas (IPCAs): Pathway to achieving Target 11 in Canada through reconciliation." International Union for Conservation of Nature. Feb. 19, 2018. <https://bit.ly/3byHsAo>
6. McSheffrey, Elizabeth. "Ontario cancelling 758 'unnecessary and wasteful' renewable energy contracts." National Observer. Jul. 13, 2018. <https://bit.ly/3bwNXns>
7. Lysyk, Bonnie. "Province's plan to address climate change not yet supported by sound evidence: auditor general." Office of the Auditor General of Ontario. Dec. 4, 2019. <https://bit.ly/2Vv02EF>
8. Jeffords, Shawn. "Ontario reverses course on bill that could open Greenbelt to development." CTV News. Jan 23, 2019. <https://bit.ly/2KnWhtK>
9. "Ontario's Forest Sector Strategy (Draft)." Government of Ontario. Dec. 4, 2019. <https://bit.ly/3buTRFL>
10. "Recovery Strategy for the Woodland Caribou (Rangifer tarandus caribou), Boreal population, in Canada." Environmental and Climate Change Canada. 2012. <https://bit.ly/34VlyUk>
11. Leitner, Richard. "Hamilton Conservation Authority opposes Enbridge easement for pipeline through Beverly Swamp." HamiltonNews.com. Feb. 7, 2020. <https://bit.ly/2yAPxWK>
12. "A Made-in-Ontario Environment Plan." Government of Ontario. Nov. 29, 2018. <https://bit.ly/3buwJ5R>
13. "Ontario Energy Board Docket No. EB-2019-0159, Exhibit A, Tab 3, page 5." Ontario Energy Board. 2019.
14. Syed, Fatima. "Doug Ford orders 'wind down' of non-essential conservation authority programs." National Observer. Aug. 19, 2019. <https://bit.ly/3aozeJW>
15. Jones, Allison. "Ontario cuts conservation authority funding for flood programs." The Canadian Press. Apr. 21, 2019. <https://bit.ly/3bux7W9>
16. Zagorski, Gabriella M., Douglas R. Boreham, and Jacqueline D. Litzgus. "Endangered species protection and evidence-based decision-making: Case study of a quarry proposal in endangered turtle habitat." Global Ecology and Conservation. 2019. <https://bit.ly/2x18Xnp>
17. Ibid
18. Ibid
19. Cook, Stephen. "Ontario plans to address developers' needs in new Endangered Species Act." The Globe and Mail. Apr. 18, 2019. <https://tgam.ca/3bBv42U>
20. Ibrahim, Noor. "Research group targets Peterborough County area for old-growth forests." Global News. Jul. 26, 2019. <https://bit.ly/3bxbf0>
21. "Ontario's Biodiversity Strategy 2011 Protecting What Sustains Us." Ontario Biodiversity Council. 2011. <https://bit.ly/3aozrNe>
22. "Ontario's parks and protected areas." Government of Ontario. <https://bit.ly/3auC4Nz>

CREDITS

Writing: Katie Krellove
Editing: Alex Hsuan Tsui
Art Director: Sue Fox
Graphic Design: Kelvin Yip
Mapping: Geoff Senichenko
Wilderness Committee, Vol.39, No.3, 2020.
Canadian Mail Product Sales Agreement No. 0900567.
Posted in Vancouver for free distribution. Printed in Canada on recycled newsprint with vegetable-based inks.
Press Run 20,000 © Wilderness Committee 2020.
All rights reserved. Written material may be used without permission when credit is given.

Published by
Wilderness Committee — National Office
46 E. 6th Avenue, Vancouver, BC V5T 1J4
☎ 604-683-8220 or 1-800-661-9453 📠 604-683-8229

[/WildernessCommittee](https://www.facebook.com/WildernessCommittee)
[@WilderNews](https://twitter.com/WilderNews) [@WilderNews](https://www.instagram.com/WilderNews)



**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

234-2020-2680

July 8, 2020

Dear Head of Council:

The COVID-19 outbreak has touched everyone in the province, creating personal and financial hardship, and resulting in losses far greater than anyone could have imagined. We are making steady progress in the safe reopening of the province, and we acknowledge and celebrate those who went above and beyond through this crisis.

I am writing to inform you that on July 8, 2020, our government introduced the COVID-19 Economic Recovery Act, 2020, to help get Ontario back on track. Our proposed bill will address three critical needs Ontario faces: restarting jobs and development; strengthening communities; and creating opportunity for people.

Our government recognizes the key role that municipalities play in restarting the economy, and that their efficient functioning and economic sustainability is critical to Ontario's future success. We are also continuing to negotiate with our federal partners to ensure communities across Ontario receive the urgent financial support they need. We know that municipalities require fair and flexible investment to protect front line services and help restart the economy.

This bill includes proposals that will enable municipal councils and local boards to meet electronically on a permanent basis and allow municipal councils to decide if they wish to have proxy voting for their members. Our government also proposes to finalize the community benefits charges framework; enhance the Minister of Municipal Affairs and Housing's existing zoning order authority to provide more certainty when fast tracking the development of transit oriented communities; make it faster to update and harmonize the Building Code so that we can break down interprovincial trade barriers, and permanently establish the office of the Provincial Land and Development Facilitator to help solve complex land use issues. We are also working on optimizing provincial lands and other key provincial strategic development projects that will help facilitate economic recovery efforts.

My ministry will be hosting a technical information briefing on the proposed community benefits charges framework, including proposed changes to development charges and parkland dedication, so that municipal staff can gain a better understanding of the proposal. The technical briefing will take place in the near future and invitations from the Assistant Deputy Minister of Local Government and Planning Policy Division to municipal Chief Administrative Officers, Treasurers and Chief Planners will be forthcoming.

.../2

In addition to initiatives that I have outlined above from my ministry, there are several other proposals included in our proposed legislation that will support your communities. Changes proposed will modernize our outdated environmental assessment framework, provide more local say on future landfill sites, and ensure strong environmental oversight, while supporting faster build-out of vital transport and transit infrastructure projects to support our economy. Municipally-run courts will be able to use technology to deliver services remotely and we are also moving to fill justice of the peace vacancies faster and more transparently.

We will be extending the validity period of unused marriage licences and protecting the province's most vulnerable consumers who rely on payday loans, by proposing limits on related interest rates and fees.

Also proposed is the reduction of regulatory burdens on farming while preserving the environmental rules that will support this vital part of our economy. Businesses will be able to count on clear, focused and effective rules that do not compromise people's health, safety or the environment through our changes that continue to focus on cutting red tape. At the same time, our changes will allow health and safety standards to be updated more quickly to ensure worker safety in a changing economy.

As the province continues to reopen and the economy recovers, it's more critical than ever to position Ontario as a top-tier destination for investment, domestic growth, and job creation. A key measure to support this objective is the creation of a new investment attraction agency, Invest Ontario, that will promote the province as a key investment destination and work closely with regional partners to coordinate business development activities.

Our proposed changes will also help our communities respond in part to the challenges that this outbreak has brought to our education system. Changes proposed would allow school boards to select the best candidates for director of education for their respective communities. We will also reduce red tape that is preventing access to school for some First Nation students and by limiting unproductive suspensions for our very youngest students. Students with severe learning disabilities will have an opportunity to complete their studies in the upcoming school year and by broadening the mandates of TVO and TFO, our broadcasters will be able to support students' learning needs better during these challenging times.

Through this proposed legislation, we will take the first step towards a strong restart and recovery. More information on our proposals can be found on the Legislative Assembly of Ontario's [website](#).

Our greatest challenges lie ahead of us, and we know we cannot overcome them alone. It's time for everyone to play a role in rebuilding Ontario together. We will ensure no community or region is left behind. Every community must recover if all of Ontario is to grow and prosper again.

Head of Council
Page 3

Municipalities are encouraged to continue to review our Government's Emergency Information webpage at: [Ontario.ca/alert](https://www.ontario.ca/alert). I thank you for your continued support and collaboration in these challenging times.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

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

Pilon, Janet

From: clerk@hamilton.ca
Subject: Letter from the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks regarding Environmental Assessment modernization

From: Minister, MECP (MECP) <Minister.MECP@ontario.ca>

Sent: Wednesday, July 8, 2020 7:08 PM

To: clerk@hamilton.ca

Subject: Letter from the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks regarding Environmental Assessment modernization

Good evening,

I am writing to inform you about the Ministry of the Environment, Conservation and Parks next steps in our government's Made-in-Ontario Environment Plan commitment to build an environmental assessment (EA) program that ensures strong environmental oversight and a strong economy.

The current process for environmental assessments is slow and ineffective. It can take up to six years for some projects, slowing down important infrastructure projects that help Ontario communities, such as installing electricity infrastructure. Even projects subject to a streamlined process, such as new roads and bridges, can be further delayed by administrative burden, impacting the timely construction of basic infrastructure.

That's why, last year our government released a [discussion paper](https://prod-environmental-registry.s3.amazonaws.com/2019-04/EA%20Discussion%20Paper.pdf) (<https://prod-environmental-registry.s3.amazonaws.com/2019-04/EA%20Discussion%20Paper.pdf>) outlining the challenges with our current framework and introducing our vision for a modernized EA program, as the first step in our plan to update the nearly 50-year-old *Environmental Assessment Act* (EAA).

As we committed in our Made-in-Ontario Environment Plan, we want to improve the environmental assessment program by eliminating duplication and reducing delays on projects that matter most to Ontario communities. To start, we amended the EAA through the *More Homes, More Choice Act, 2019* to exempt low-impact projects, such as constructing roadside parks and adding bike lanes from requiring an environmental assessment. Projects like these are routine activities that have benefits to communities but little to no environmental impacts.

As part of our government's proposed COVID-19 Economic Recovery Act, we are now proposing to move forward with the next phase of environmental assessment modernization, to further reduce delays and focus our resources on projects with a higher potential for environmental impacts so that we can help communities get important infrastructure projects built faster, while maintaining strong environmental oversight.

Building infrastructure projects faster, including transit and highways, will help boost Ontario's economic recovery, create thousands of jobs, put more opportunities within the reach of businesses, create more affordable housing, and ensure a higher standard of living in every community across the province.

The proposal includes the items outlined below:

Proposed amendments to the *Environmental Assessment Act* (EAA)

Through the COVID-19 Economic Recovery Act, our government has proposed amendments to the EAA, which allow us to move forward with our next phase of our modernization plans, while at the same time supporting the government economic recovery goals by making it possible for us to find efficiencies in the environmental assessment process of important public works.

The legislation would allow us, through subsequent regulations and proclamations, to allow online submissions, reduce the average time by half for the largest projects and match the potential environmental impact of a project to the level of study required.

The proposed changes are aimed at getting important infrastructure projects built faster, while maintaining strong environmental oversight by focusing on projects that have the most potential to impact the environment.

We posted an information notice on the environmental registry to provide information about the proposed legislative changes to the EAA that will be proceeding through the legislative process. Please refer to <https://ero.ontario.ca/notice/019-2051> for more information.

Amendments to Class Environmental Assessments (Class EAs)

My ministry is also seeking input on proposed amendments to 8 Class EAs. These proposed changes would support our modernization initiative as they would exempt low-impact projects from the requirements of the *Environmental Assessment Act*, eliminate duplication and find efficiencies in the planning process. This would speed up projects that are important to communities, such as erosion, repair, or remediation initiatives, or important upgrades to machinery such as waterpower generators.

My ministry is seeking input on these proposed amendments during a **45-day** comment period, closing on **August 22, 2020**. Details of this proposal may be found at <https://ero.ontario.ca/notice/019-1712>.

Exempting Regulations

In addition, my ministry is also proposing regulatory exemptions from the *Environmental Assessment Act* to eliminate duplication and reduce delays for projects and activities related to Indigenous land claim settlements and other agreements with Indigenous communities dealing with land, projects within provincial parks and conservation reserves, and select highway projects being planned by the Ministry of Transportation. Some of these projects and activities are already subject to other legislation or planning processes that would provide the appropriate level of assessment and consultation. Other projects may be exempted from the EAA but would still be subject to conditions such as requirements to post notifications or undertake technical studies as appropriate.

My ministry is seeking input on these proposed amendments during a **45-day** comment period, closing on **August 22, 2020**.

For details of the proposal regarding land claim settlement activities and other agreements with Indigenous communities dealing with land, please refer to <https://ero.ontario.ca/notice/019-1805>.

For details of the proposal regarding projects in provincial parks and conservation reserves please refer to <https://ero.ontario.ca/notice/019-1804>.

For details of the proposals for select Ministry of Transportation projects, please refer to <https://ero.ontario.ca/notice/019-1882> and <https://ero.ontario.ca/notice/019-1883>.

Information about the proposed Class EA amendments can be found on the environmental registry. We ask that you submit any comments that you may have through the instructions provided, and by the deadlines listed above.

Should you have questions about any of the proposals, you can contact us at EAmmodernization.MECP@ontario.ca.

We look forward to your suggestions and comments on our modernization initiatives.

Sincerely,

Jeff Yurek
Minister of the Environment, Conservation and Parks

Pilon, Janet

Subject: Debate on Mandatory face masks

From: Regine Huettner

Sent: Thursday, July 9, 2020 12:20 PM

To: clerk@hamilton.ca

Subject: Debate on Mandatory face masks

I am writing to say that I am opposed to the wearing of masks, whether mandatory or voluntary.

I would like my voice to be heard that I am not in agreement with any such rule being rolled out!!!

There is enough evidence to support our position as well as our rights as citizens of a country that is suppose uphold and defend our freedom.

Please reconsider the long term consequences of such a ruling. Not only emotionally but psychologically and physically.

Inhaling carbon dioxide is not healthy, inhaling toxins that the lungs are meant to rid the body of is not healthy. Lack of oxygen to the lungs for long periods of time is unhealthy. And lastly, taking away our rights and freedoms is the beginning of the demise of our great country.

We greatly appreciate your consideration in this matter,

Regine Huttner

Pilon, Janet

Subject: Against mandatory mask

From: Randi Visser

Sent: Thursday, July 9, 2020 1:39 PM

To: clerk@hamilton.ca

Subject: Against mandatory mask

I'd like to express my concerns, for the mandatory masks.

I don't think they should become mandatory. I believe that continuing to have employers and companies choosing whether or not they want to enforce masks is the way to go.

Especially considering the fact that the outbreak is at an all time low. The all time low was achieved by allowing individuals the right to decide whether or not they feel the need to wear one.

Thank you.

Randi Baxter

Sent from my Bell Samsung device over Canada's largest network.

Pilon, Janet

Subject: Mandatory Mask wearing

From: Tetyana Kaminska

Subject: Mandatory Mask wearing

Date: July 9, 2020 at 11:27:41 AM EDT

To: Mayor@hamilton.ca

Dear Mayor

I understand that City of Hamilton council members are considering passing a new bylaw requiring mandatory masks in all indoor public areas as per the advice of the Hamilton County Health Unit.

If this had been presented and implemented back in March, and imposed during the build up and peak period in “the curve”, it would have been more acceptable and made practical sense.

Now that the curve has flattened to the point of “flat line”, and case numbers are currently at two for the city and the county combined, it seems we are closing the barn door after the horse has already escaped.

Let’s ignore the actual, negligible statistics and assume the virus is as virulent and contagious as your health director is purporting. If this is the case, then every mask being worn becomes potentially contaminated in very little time, whether being worn in solitude or among a store full of shoppers. By virtue of the fact every breath potentially draws in contaminated, infectious particles against the front of a mask, and every exhale potentially pushes contaminated,

infectious particles against the face side of the mask, this potentially, and quickly becomes the most contaminated item any one of us can have on our person, or hanging from the rear view mirror awaiting the next point of use.

So here’s what I expect your council to fulfill as commitment of their concern for the health of the general public..

1) Every public indoor area (all stores included) hand out appropriate, new face masks, provided for free by the City of Hamilton , no exceptions. This will be the ONLY way the general public can be assured contamination is not being transferred from store to store, home to store, store to home, car to store, store to car, car to home, home to car, etc., etc..

2) Every public indoor area (all stores included) must have a medical grade disposal unit located at the exit, and, every patron must dispose of their masks upon leaving. Every time! Once again, this will eliminate the transfer of contaminates from store to store, store to car (rear view mirror decor), car to store, car to home, home to car, etc., etc.. This disposal bin and monitoring of mask disposal must be provided free by the City of Hamilton and not become incumbent on the merchant.

3) Failing to provide this level of service and concern for the general well being of City of Hamilton citizens renders the mandatory mask bylaw null and void. Setting all collateral health consequences aside as a result of mask wearing, requesting citizens to participate in an invalid campaign to minimize spread of a contagion during a “crisis” is fraudulent in nature, and inviting cause for liability suits against city and council.

Your consideration on this matter is duly required.

Respectfully,

Tetyana Kaminska

Pilon, Janet

Subject: Hamilton Mask By-Law

From: Hamilton Assistant <hamilton_assistant@missionthriftstore.com>

Sent: Thursday, July 9, 2020 4:30 PM

To: clerk@hamilton.ca

Cc: Scott Garvie

Subject: Hamilton Mask By-Law

To the Hamilton Board of Health;

Thank you for all the work you have invested in our city over the last several months since Covid-19. I am extremely encouraged, as a citizen and worker in this city, with how well we have done at curbing the spread. As we continue to re-open I recognize the incredible challenge and hard decisions that will have to be made. Recognizing this, I would appreciate your time to hear my concerns regarding the pending mask by-law in the city.

I am the Assistant Manager for the Mission Thrift Store in Hamilton. We are primarily volunteer run. Prior to Covid we had 196 regular volunteers with an average age of 68.

Currently, we are running at about half the capacity due to the comfort level of our volunteers.

For the safety and comfort of our team we have been affirming those who are staying home right now.

We have also augmented our store processes to create buffers between our team and the public.

We have shortened our store hours to allow for more time to clean and stock shelves before customers come. As well, we have a limited staff for the afternoon while customers are here.

We also ask our team to wear face masks or face shields if they are on the sales floor with customers.

Customers are also asked to sanitize their hands before entering the store and to shop with a buggy that is sanitized after every use (this helps us manage our numbers).

It is of sincere concern to us that our team is healthy and stays healthy.

Saying this, I do want to advocate that the City of Hamilton Not have a mask policy.

I have many volunteers, including myself, who, for medical reasons, cannot wear a mask for extended periods of time.

Because of this we have the shields and they are a preferred option among our volunteers.

Second, we find that people are growing more and more hostile towards our greeting team for asking them to shop with a buggy and/or to sanitize their hands.

I have had to ask people to leave if they do not want to participate in the stores policies.

Some of my volunteers do not want to work as a greeter because of the anxiety they get regarding angry customers.

While there are merits to wearing a mask, Our experience is that this would only create more antagonism between the store and customers. I personally know many people who will stop volunteering and/or shopping if a mask policy is put in place.

While masks can serve to supplement our communities fight against Covid, I am encouraged to see that, without a mask policy, our economy has been re-opening while, at the same time, our cases of Covid are trending down.

In summary, I ask that a mask policy not be passed in Hamilton. However, if one is, that it may be inclusive of face shields as well.

Thank you for all the work and energy put into leading our city through this pandemic and the great results we are seeing.

I trust that, whatever the decision, you will make the right decision for our city.

Thank you for your time.

Rich Freeman | *Assistant Manager*
[Mission Thrift Store Hamilton](#)
601 Upper Gage Ave. Hamilton, ON.
905-383-0004

[Donate](#)

[Volunteer](#)

This e-mail is intended for the use of the individual or entity to which it is addressed only, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any use of this e-mail by an unintended recipient is strictly prohibited. If you have received this message in error, please immediately notify the sender by telephone to the number noted above.

Pilon, Janet

Subject: Mandatory Mask wearing

From: Tania G

Sent: Thursday, July 9, 2020 4:36 PM

To: clerk@hamilton.ca

Subject: Mandatory Mask wearing

Hello Mr Mayor,

I just wanted to send a quick email to let allow my voice to be heard about mandating masks.

I believe everyone should have the freedom to choose whether or not they want to wear a mask, it just comes down to the freedom to choice.

If establishments want to make a "no mask no service" policy, I am fine with that, I will then make the choice to either put on a mask or go else where at that point, but I just want to have to freedom to choose for myself and my daughter. I am a mother to a 2 year old happy bubbly little girl and I want to be able to take my toddler to places where she will be able to see people smile or hear someone when they ask her what her name is, not to be living in this distance world where we can even recognize emotions or feelings because everyone is covered up by a mask, its not right or good for the children. Its sad actually.

Please, I beg of you, give us the freedom to choose. Think of the children.

Sincerely,

Tania Gilleat

Pilon, Janet

Subject: Chair Members of the General Issues Committee

From: Jacob Playhouse

Sent: Friday, July 10, 2020 7:38 AM

To: clerk@hamilton.ca

Subject: Chair Members of the General Issues Committee

Dear Committee,

I'm writing the committee from the opinion of a movie theatre owner in Hamilton - The Playhouse Cinema - regarding a Mandatory Mask Bylaw in the City of Hamilton.

While we strongly encourage a mask policy, it must be clear to what areas of an indoor business this policy affects.

Like restaurants and bars, our patrons come to our business expecting to consume food and beverage.

My suggestion would be to create a mandatory mask policy that allows for temporary removal when consuming food & beverage.

If restaurants are allowed to open with in-door occupation in Stage 3 (albeit physically distant), and patrons are allowed to temporarily remove a face covering to consume food and beverage, then I would expect that a cinema should receive the same exception. Patrons should be allowed to consume food and beverage while seated in the auditorium.

Thank you for taking the time to consider my concerns regarding a mask bylaw in The City of Hamilton.

If you have any questions about my letter, please do not hesitate to call or email me.

Jacob Tutt

Pilon, Janet

Subject: Masks

From: Linda Reilly
Sent: Thursday, July 9, 2020 7:41 AM
To: DL - Council Only <dlcouncilonly@hamilton.ca>
Subject: Masks

Please please investigate the wearing of masks. They are not healthy and should not be made mandatory. Cases are down and the curve is flattened. There is no need to infringe on our rights as citizens. Thank you Linda Reilly

Pilon, Janet

Subject: Mandatory wearing of masks

From: Klaus Schmidsrauter

Sent: Wednesday, July 8, 2020 6:23 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Cc: schmidpat@cogeco.ca

Subject: Mandatory wearing of masks

My wife and I would like to express that we are totally opposed to the mandatory wearing of masks – this should remain voluntary compliance. She has allergies and cannot wear a tight-fitting mask – the re-breathed exhaled air sets them off.

There is a lot of controversy swirling around the entire subject of COVID-19 and I urge you to do your due diligence in researching instead of just listening to public opinion, the media, so called medical “experts” who really have no experience with pandemics, etc. I’m attaching a video presented by a doctor with years of pandemic experience as well as the latest WHO Advisory of Jun 5th. Most of it deals with the requirements for medical staff to wear masks. On Page 6 they provide “Guidance on the use of masks for the general public”. There is a lot of incidental evidence but no controlled scientific studies on the use of non-medical masks.

It is also very much worthwhile to listen to the youtube video by Dr Kelly Victory for a viewpoint balancing the hysteria. <https://www.youtube.com/watch?v=kFD5sQjlyGg> There is other similar material on the web.

Respectfully yours,
Klaus Schmidsrauter

Pilon, Janet

Subject: Masks

From: Peggy-Sue Stimson

Sent: Wednesday, July 8, 2020 6:08 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Fw: Masks

I do not agree with the mandatory mask and persecution of the church, Thank you for your consideration.

PeggySue Stimson

Pilon, Janet

Subject: Mental Health Risks in Youth and Beyond, & The Potential of Mandatory Masks in Hamilton

From: Nadia-Eva Mastroianni

Sent: Thursday, July 9, 2020 3:34 PM

To: clerk@hamilton.ca

Subject: Mental Health Risks in Youth and Beyond, & The Potential of Mandatory Masks in Hamilton

To whom it may concern,

My name is Nadia Mastroianni and I am a national mental health educator living in Hamilton, ON. Over the last few days, a recent conversation has surfaced in regards to the potential step of mandatory mask wearing being issued in our city.

There is one concern that has weighed heavy on me since, and I am inviting a different perspective that perhaps has not yet been considered for our civilians.

As you may be aware, 1/3 people will experience a mental health challenge in their life. From personal experience in my work serving others, the rise of mental health concerns has severely increased over the last few months during COVID-19. Trauma, in-home abuse, anxiety, fear of the unknown, depression due to isolation, and suicide.

You and I know that the mental health system in general, is underfunded, broken and will not be able to handle what is to come with this rise of suffering that has surfaced. It is a hard fact to swallow, to know that youth, adults and elderly have suffered in silence during a government promise that "we are all in this together, Canada strong".

My core belief is that it takes a village to truly come to balance in mind and body, however there is a mess that has been created, and many people, of all ages, have been impacted.

When hearing about the potential of mandatory masks, for a virus that leaves the general public with a 0.00004% chance of dying so far this year, we have a large (and growing) community of people, who've not been acknowledged, that have had their life drastically impacted on a much greater scale.

If wearing a mask becomes mandatory in Hamilton, I invite you to share what our city's plan of action will be for those who are suffering, and for the rising mental health cases that will occur, each day forward upon this potential decision:

- It could be a 30 year old woman who was abused 2 months ago during quarantine. Her husband (abuser) held his hand over her mouth so that no one could hear her scream because their windows were open. She now has undiagnosed post traumatic stress disorder (PTSD). The thought of wearing a mask has resulted in her turning to alcohol, with a 3 year old daughter at

home, because the sheer memory of something covering her mouth has caused her so much fear, and she has no healthcare tools.

- It could be a 13 year old with frequent anxiety attacks because his eyes have been glued to the TV, watching the news everyday. With no experience on how to respond to such global disarray, everyday he is suffering with 10+ hours of anxiety attacks because his body is experiencing a trauma-induced stress response. A tight chest, shaking, difficulty breathing, a racing heart. He has hid his symptoms for weeks on end because his parents believe he is over-exaggerating. In now hearing the possibility of a mandatory mask, his anxiety attacks have drastically risen because of his fear of not being able to breathe.
- It could be a mom who has a 3 year old son with ADHD, who's behaviour has worsened due to isolation and a change in his routine the last few months. This mom has experienced extreme sadness and loneliness as a single mom, as she raises a boy who's mood and emotions have drastically shifted since being at home full time. Every time she tells him it's time to put on his mask before they walk into the store, he has an emotional reaction that causes outside judgement from others walking by. Due to her son refusing to wear his mask, the store turns her down and she now has to find someone to watch him at home while she buys groceries - just so they have what's needed to make dinner that night.

I could expand on more examples of what could be our reality, however I respect the time that you have taken to consider this issue, as an important focus.

The growing number of individuals in our city struggling with their mental health, along with a system that is certainly not prepared to handle such a change, is the reason why I am addressing this letter to you. I assure you, that this is a community of people who cannot put their trauma, anxiety and depression aside for a mask. I assure you, this is a community of people who has faced enough due to the grief, fear and isolation they have experienced.

I am inviting you to see this perspective, in hopes that it is taken into consideration based on the near future decision of mandatory masks in Hamilton. It is important for me to stand for a community of people sitting with uncertainty in using their voice, and I hope their silent concerns were heard in this email.

Thank you,

Nadia Mastroianni

Pilon, Janet

Subject: Mandatory Mask Bylaw

From: Trevor Lee

Sent: Friday, July 10, 2020 11:14 AM

To: Pilon, Janet <Janet.Pilon@hamilton.ca>

Subject: RE: Mandatory Mask Bylaw

I have no issue with people who want to wear a mask if it feels it will keep them safe, but at the same time, it should not be made mandatory. There is no concrete evidence that it will help. And now with Hamilton's active case count for Covid-19 down to 28, I feel that it is unnecessary to impose this type of law on the people who have been social distancing, and/or being stuck at home. I have 2 autistic children who have so much anxiety now due to this. My daughter is confused as to why she wasn't able to go to school, see her friends, etc. In my opinion, the handling of this pandemic has been a failure on all levels of government. There was no proper measure put in place that could have prevented the 44 deaths that occurred in our city.....from securing care homes, not designating one hospital as a "Covid" hospital only, and having the other hospitals work as normal. I fear the actions taken will prove far more deadly than the virus itself.

Thank you for taking my emails and the opportunity to express my and a very large majority of the people of Hamilton's concerns. The majority are not the ones who watch CBC or are included in polls. We are the people who work hard, pay our taxes, and affect the vote. Not the small groups that are constantly being pandered to.

Thanks Janet.

Trevor Lee

From: Trevor Lee

Sent: July 8, 2020 11:57 AM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Mandatory Mask Bylaw

Good morning City of Hamilton Councillors,

According to the mayor of Hamilton, the city has written up the bylaw for making masks mandatory and will be voted on by you the City Councillors next week. I would appreciate you watching the video attached before you make your vote. [Press for Truth](#) These masks are not for the protection of the people of Hamilton, but rather a way to show compliance. Wearing masks do not work. This is not democracy, but communism. You wanted to make changes for Hamilton, to make it better. You all ran your election campaigns built on promises to create jobs, and keeping our neighborhoods safe where our citizens and communities can flourish. We now have record unemployment due to these draconian measures put in place by the Federal, Provincial, and municipal governments, while nothing was done to actually protect the ones who were the most vulnerable. Please, watch the video and make the right choice to vote against this bylaw. We need people to get back to normal, not a new normal. That's all BS.

Thank you for your time.

Resident of Ward 7

Trevor Lee

Pilon, Janet

Subject: Mandatory face masks and persecution of the Church

From: Lee Holla

Sent: Wednesday, July 8, 2020 6:40 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Re: Mandatory face masks and persecution of the Church

To whom it may concern ,

I am writing to tell the City of Hamilton NO to mandatory facemasks and persecution on the Church! I do not agree with this and will not except it. I know that the vote is Friday of this week and I am taking my stance against it !

Leah Holla

Pilon, Janet

Subject: FACE MASKS

From: Diane Piercey
Sent: Thursday, July 9, 2020 6:47 AM
To: DL - Council Only <dlcouncilonly@hamilton.ca>
Subject: FACE MASKS




Dear Mayor and City Council of Hamilton!!!
I WILL NOT WEAR A MASK!
And I WILL SEE YOU IN COURT!!!
1-It is against the Charter of Rights and Freedom!!!

2-We do have a choice and the Curve has been flattened ! This is not necessarily!

3- People are living in FEAR !!!
I almost lost my Mom wearing a mask she is claustrophobic and and already had breathing difficulties!

4-Don't you think that there is enough harm and Fear into our lives ?

5- The CHURCH IS ESSENTIAL!!!
We Need God in our lives more than ever ! FAITH NOT FEAR!! So do you ! All of you !!!
We will Worship The Lord !!!
Worship is Love and Faith and Compassion, for one another! Do you not see what is happening ???

6- WHAT ARE YOUR MOTIVES???
WHERE IS YOUR HEART???  
OPEN YOUR EYES 
THIS IS NOT ACCEPTABLE!!
ENOUGH IS ENOUGH!!!

Yours Truly: Diane Piercey

Pilon, Janet

Subject: FW: Church Restrictions eg singing etc

From: Thomas R. Brooks

Sent: July 8, 2020 6:17 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Church Restrictions eg singing etc

Our family vehemently disagree with facemask wearing, ban on singing praises etc. , draconian social distancing requirements etc. We won't accept any more evil measures. We have had it with these unnecessary laws.

Pilon, Janet

Subject: To Whom It May Concern

From: Katy Bennett

Sent: Wednesday, July 8, 2020 11:30 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: To Whom It May Concern

To Whom It May Concern,

My name is Katy Bennett and I'm writing in regards to the meeting taking place to discuss the mandatory wearing of masks in public places in Hamilton.

I am greatly concerned that this is even being discussed as an option given all the latest information from the CDC and WHO. The original concerns and data found on the virus are no longer concerns and the latest information on these organizations websites clearly states that.

To take away someone's freedom to choose, especially if they are healthy and carry no symptoms is deeply alarming and concerning to me. This evening I was reflecting on Canada's national anthem... 'the True North strong and free... keep our land glorious and free'. Passing a motion such as this one that is being tabled is sadly in opposition to all this country stands for.

It's unfortunate that we live in a world where we have the liberty and freedom to choose ones gender/orientation but we don't seem to have the same liberties and freedoms with respect to covering or not covering our faces. It's truly fascinating and alarming to me that this is even being discussed and I would please ask that you give Hamiltonians their freedom and choice to make informed decisions for themselves and their families and not make the wearing of masks mandatory.

Thank you for your time and consideration.

Many thanks,
Katy Bennett

Pilon, Janet

Subject: Mandatory masks

From: Mike Errington (Symphony of the Damned)

Sent: Friday, July 10, 2020 11:11 AM

To: Office of the Mayor; clerk@hamilton.ca; Office of Ward 3 City Councillor Nrinder Nann

Subject: Mandatory masks

Today's city council meeting, you considered the opinions of everyday people, on matter of medical science. If you don't understand how absolutely ridiculous this is, please resign immediately so we can have a responsible municipal government.

The only peoples opinions who actually matter on matters of medical science are medical professionals and scientists. It is absolutely disgusting that you would consider the opinions of these loud mouthed, selfish, ignorant useless people.

Do better.

Sent from my iPhone

Pilon, Janet

Subject: No Mandatory Facemasks

From: Valerie Warren

Sent: July 8, 2020 7:58 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: No Mandatory Facemasks

Dear Hamilton Council,

I think implementing mandatory facemasks in indoor locations is ridiculous, especially at this point in the Covid curve. At the beginning when it was spreading like wildfire then this may have made sense. But instead you chose to make locking everyone in their homes mandatory.

Now is the time to get the economy moving, re-open public bathrooms, allow doctors offices and dental offices and healthcare to get back to business.

I don't know why you are wasting your time with this motion. It won't stop anything. And people may get sicker breathing in and out their own carbon dioxide.

I think Hamilton has lost enough money that's where your focus needs to be. Not on making ridiculous social rules.

Just expressing my opinion.

Sincerely,

Valerie Warren

Pilon, Janet

Subject: Mandatory masks

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

From: Jo

Sent: Wednesday, July 8, 2020 7:13 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Mandatory masks

Hello,

I have never felt so convicted enough to send an email but this is against my rights! I have a voice. My body my choice. This is going way to far. The curve is flattening. I do not agree/want to where a mask inside public place and ESPECIALLY my CHURCH. I love Jesus and we sing and lift praise him. What kind of life is this?? NO MANDATORY MASKS.

Sincerely,

Johanne Guilbault

Sent from my iPhone

Pilon, Janet

Subject: No to mandatory face masks

From: Amanda Fudge

Sent: Wednesday, July 8, 2020 7:52 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: No to mandatory face masks

City Council

I am saying no to mandatory facemasks and persecution on the church! I do not agree with this and won't accept it! It infringes on personal freedoms. Thank you.

Sincerely,
Amanda Fudge

Pilon, Janet

Subject: Mandatory face Masks

From: Susann Coston

Sent: Wednesday, July 8, 2020 9:00 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Mandatory face Masks

Dear Mayor and City Council of Hamilton

I would like to address the issue of your council trying to force Mandatory Face Masks to citizens .

1) I already gave health issues

Mask actually endure and make breathing more difficult headaches worsen due to CO2 being forced back and lack of oxygen. It also causes your heart to work harder and some have been put into cardiac events.

2) Forcing us to wear a mask is over reach and totalitarianism. It is against the charter of right and Freedoms.

3) If people are concerned they can choose to wear a Mask. I can't be a risk to them if they have a mask and anyone not wearing one it would be fair to say they feel the same way I feel.

4) The curve has been flattened and it is not necessary and you are promoting and enduring fear and divisiveness in our community.

5) We are mature responsible residents and don't need big brother to tell us how to live our lives.

6) I refuse to wear a mask or if you try and tell our churches we can't worship. We will see you in the court system a the way to the supreme court if necessary. I promise I will initiate a class action human rights law suit.

A VERY DISAPPOINTED CITIZEN OF CANADA AND RESIDENT OF HAMILTON ONTARIO,

SUSANN COSTON

Pilon, Janet

Subject: Do not agree with mandatory masks and persecution on the church

From: Julia Horton

Sent: Wednesday, July 8, 2020 9:32 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Do not agree with mandatory masks and persecution on the church

Peter Marshall I emailed this

Dear Mayor Fred and City Council of Hamilton

I do not agree with Mandatory Face Masks indoors and no worship in churches. Forcing us to wear a mask is over reach.

Thank you in advance for your re-consideration.

Julia Horton

Pilon, Janet

Subject: FW: Mask and Worship in Church

From: Doug Copeland

Sent: July 9, 2020 9:37 AM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Cc: Doug Copeland

Subject: Mask and Worship in Church

Dear Mayor and City of Hamilton

I would like to address the issue of trying to force face masks to be worn for all citizens of Hamilton

There are many health issues involved with this and many can not wear a face mask. It is also hard on your breathing and gives you lack of oxygen in your body. This has been a proven fact.

Forcing someone to wear a face mask is against the Charter of Rights and Freedoms

I feel that if someone choses to wear a face mask that is ok but NO ONE should be FORCED to wear one. If a person is concerned than they have the right to wear a face mask just as another has the right to not wear one.

The curve has been flattened for quite some time now without the force of wearing a face mask. The vast majority of people are very responsible and do their social distancing and our numbers keep going down.

I will refuse to wear a mask as it is my right not to do so.

Also the no worship in church is also against the Charter of Rights and Freedoms. I will continue to worship in my church as i see fit.

I am very disappointed with the proposed by law that you want to put in effect. We as the city of Hamilton has done very well in controlling and flattening the curve.

Tina and Doug Copeland

Pilon, Janet

Subject: Mandatory Mask Bylaw

From: Trevor Lee

Sent: Friday, July 10, 2020 2:50 PM

To: DL - Council Only

Subject: Mandatory Mask Bylaw

Good afternoon Hamilton City Councillors,

I hope you are all well.

Thank you for your time and patience with me during this time. I wanted to share just one more video with you all, that if you have any spare time, can watch. You all have a very important decision to make next week regarding the Mandatory Mask bylaw. And maybe your choice in this matter is more persuaded by popular opinion polls instead of fact. Have a watch. <https://youtu.be/ySmURvSQ2O4> Dr. Marissa Heisel speaking with Mark Friesen. Most doctors and scientist who do speak out on the health dangers of wearing masks are being either removed from platforms like YouTube and Facebook, or are being discredited as being false. And the media continues to drive the narrative.

Active cases are now down to 27. And I'm almost sure that by the time you vote, it will be lower.

I know you can't please all the people all of the time, but if the mask bylaw is passed, I'm afraid that in a very short while, you will see that most of the people will be very angry. It has started already.

Thank you for your time, and enjoy the weekend.

Trevor Lee

Your neighbor in Ward 7

Pilon, Janet

Subject: Concerns about worship/ masks

From: Julia Alfaro

Sent: Wednesday, July 8, 2020 8:59 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Concerns about worship/ masks

Hello Hamilton council,

The reason for my email is that I am concerned about not been able to worship the Lord. Specially in these hard times. I feel that it is essential, to the city of Hamilton.

My other concern is the policy of the mandatory mask, why is it needed now? If we have survived without it, since the beginning of the outbreak in the city. Thanks for take the time to read my concerns.

Pilon, Janet

Subject: My concerns over making masks mandatory.

From: Sherry Clause

Sent: Sunday, July 12, 2020 8:47 AM

To: clerk@hamilton.ca

Subject: My concerns over making masks mandatory.

I have big concerns over the city trying to make people wear masks and making it mandatory! First off if they wanted to do this and had big concerns about spreading the virus it should have been done right from the beginning not 4 month's later! I work in the hospital and wearing these masks all day at work tires me out it causes me to have a dry irritated throat and it makes it hard for me to breathe. We are breathing in our air which is not good and I refuse to wear this in public and will not be forced to do it! People with asthma or breathing problems can not wear masks especially for long lengths of time! I will protest this and will continue to fight for my rights. This is not healthy for anyone we are not even protecting ourselves little lone other's.

Pilon, Janet

Subject: Followup: Mental Health Challenges and Mask Exemptions

From: Nadia-Eva Mastroianni

Sent: Friday, July 10, 2020 6:07 PM

To: Office of the Mayor

Subject: Followup: Mental Health Challenges and Mask Exemptions

Hello,

Due to the recent decision made today of mandatory masks in Hamilton, I want to share a sincere thank you to Lloyd Ferguson and Esther Pauls for reading between the lines and understanding how much fear over hope is being communicated in this process, and what makes sense in the reality that cases are falling in Hamilton. I hope this is something highly taken into consideration on the 17th.

In regards to my email sent yesterday on mental health and the mandatory masks, I am eager to hear what exemptions will look like for Hamilton, and if people living with mental health challenges will be included.

A poll created today with my community resulted in **100% of responses** sharing that YES, mental health challenges should be included in the exemption, "those with underlying health conditions that prevents them from wearing a mask". It is in hopes that this is acknowledged, especially in the basic understanding that our mental health is just as important as our physical health.

Questions as follows:

- Will mental health challenges (ie. anxiety, claustrophobic, past trauma related to face covering, etc) be included in the exemption list?
- If not, please explain why.
- If yes, will individuals upon entry be required to provide proof of exemption?
- If yes, why are locations in Hamilton in the future urged to ask for proof, when other cities (example Guelph) are able to access public establishments, with no proof required under the order? Public Health is not asking businesses to check or require documentation.

I appreciate your response to this, following my previous email sent yesterday, thank you.

Nadia Mastroianni

National mental health education in Hamilton

Pilon, Janet

Subject: Submission for July 17 City Council Meeting on COVID and Masks By Law

From: Kate O'Brien

Sent: Sunday, July 12, 2020 11:09 AM

To: Pilon, Janet <Janet.Pilon@hamilton.ca>

Subject: Submission for July 17 City Council Meeting on COVID and Masks By Law

City Council

Thank you for the opportunity to make my voice heard on the issue of mandatory masks. I watched the recent Board of Health meeting on line, and extend my appreciation to our Medical Officer of Health and her team for a solid and clear submission to Council, and her plain language and thoughtful responses to their questions. This is probably the most significant issue that Council will face this year, and decisions require a well informed and serious Council.

I am strongly in favour of mandatory masks. I do not frequent any establishment that does not have staff wearing masks properly, does not have hand sanitizer available, and I avoid any situation in an indoor space where others without masks do not maintain that 2 metre distance. It is disrespectful to not do everything possible to follow those simple guidelines. I was in Italy when the pandemic started and various measures were put in place. We have no idea what lock down means, and we have been fortunate so far. A real lockdown, as was enforced in Europe, if COVID surges here, will have debilitating consequences. We should consider ourselves fortunate to only be asked to keep a social distance and wear a mask.

We are past the time of education. If a few citizens of Hamilton don't get it yet, then no amount of further education will help. We are in month six of this as a national and global concern. Perhaps the only education needed is that the mask should be worn properly, to cover both the nose and mouth, should not be worn to cover the chin only, and is a mask, not a fluffy scarf.

Masks are the only tool left in the tool box to prevent the spread of this virus, beyond a significant lock down. Most Municipalities in Ontario have already put a mandatory mask by law into effect. Hamilton is in fact late to the table on this.

Masks are essential for our seniors to feel safe leaving their homes, to open businesses, including movie theatres, for religious institutions, and for Generation Xers and Millenials to be out and about, and not be faced with peer pressure to not wear a mask, which could cause themselves or others harm.

With respect to religious institutions, it may be instructive to note that the Vatican signed an agreement with the Government of Italy making masks and social distance mandatory in order to resume religious services in the Catholic Churches in Italy. The link to that follows at the end of this email. If it is good enough for the Catholic Church to do the right thing, then in my view, there are no reasonable arguments that other religious institutions can make to not follow by-laws to protect their congregation.

As for those who suggest that we are over the risk from this virus, one only has to look to Florida, Arizona and Texas to see what happens when you think that you have no risk. As for Canada being in a good place, well, Canada ranks 39th in terms of global population, and we are not densely populated compared to most nations. However, and despite the wide open spaces that we enjoy, we rank 20th in terms of COVID cases, and sadly 14th in terms of COVID deaths. We should be 39th in both those numbers.

We share a border with the USA, and what is happening there is a direct result of inaction and lack of enforcement of things like social distancing, mandatory masks, and a careful phased reopening of businesses and activities. Although that border is currently closed until July 21, 2020, there is substantial American pressure to reopen that border. At some point that border will reopen. When it does, it will be impossible to enforce masks for Americans and not for Hamiltonians. Neighbouring Municipalities have unanimously voted in favour of a mandatory mask by-law. That is the right side of history.

We have by-laws for dog licences, snow shovelling, noise levels, parking, dogs on leashes, tobogganing and who knows what else. Surely a mandatory mask during a global pandemic ranks among a dog licence or tobogganing. By-Laws are in place to protect the vast majority of responsible citizens from the few who refuse to behave properly in civil society. These are not infringements on any Constitutional rights.

Finally, at during the Board of Health meeting there was a suggestion from one Councillor that there should be a by-law on hand washing. I assume that that was intended as a joke. It is unfortunate that any member of City Council views any aspect of a global pandemic that has resulted in the deaths of far too many of the most vulnerable citizens of Hamilton as a joke. Front line workers, health care workers, who wear N95 masks all day, every day, face shields, and other PPE, sometimes being asked to reuse PPE due to critical shortage, faces bruised from wearing PPE, as they risk their lives to keep us safe, deserve better.

This is a serious issue. City Council's Vision is that we aspire "To be the best place to raise a child and age successfully". Council should accept the advice of our Medical and Scientific experts, and do like other Municipalities, vote unanimously in favour. That's the Vision, isn't it? Or were those just platitudes on the City website?

Kathleen OBrien
Ward 7 Resident.

<https://www.vaticannews.va/en/church/news/2020-05/public-masses-in-italy-will-resume-on-18-may.html>

Pilon, Janet

Subject: Corona Virus

From: Joan Vernon
Sent: Friday, July 10, 2020 7:45 AM
To: DL - Council Only
Subject: Corona Virus

Please do not mandate face masks. We Hamiltonians seem to be careful and responsible regarding social distancing and appropriately using masks. Please do not use your power for something that is not necessary. Also, please allow us all to worship as we choose...let's keep Canada free.

Thank you for listening and representing me and many other Hamiltonians justly and wisely.

Sincerely,

Joan Vernon

Pilon, Janet

Subject: Against mandatory face masks

Subject: Against mandatory face masks

Date: 2020-07-11 08:22

From: Pete Kelly

To: esther.pauls@hamilton.ca

Esther,

Thank you for voting against the face mask bylaw. I am also against this order.

Please read the attached article by Dr. Russell Baylock regarding the scientific evidence against face masks, share it with other councilors.

This information needs to be made public, for public safety.

Regards,

Peter Kelly
Hamilton



Blaylock: Face Masks Pose Serious Risks To The Healthy

Dr. Russell Blaylock warns that not only do face masks fail to protect the healthy from getting sick, but they also create serious health risks to the wearer. The bottom line is that if you are not sick, you should not wear a face mask.

As businesses reopen, many are requiring shoppers and employees to wear a face mask. Costco, for instance, will not allow shoppers into the store without wearing a face mask. Many employers are requiring all employees to wear a face mask while at work. In some jurisdictions, all citizens must wear a face mask if they are outside of their own home. □

TN Editor

With the advent of the so-called COVID-19 pandemic, we have seen a number of medical practices that have little or no scientific support as regards reducing the spread of this infection. One of these measures is the wearing of facial masks, either a surgical-type mask, bandana or N95 respirator mask. When this pandemic began and we knew little about the

virus itself or its epidemiologic behavior, it was assumed that it would behave, in terms of spread among communities, like other respiratory viruses. Little has presented itself after intense study of this virus and its behavior to change this perception.

This is somewhat of an unusual virus in that for the vast majority of people infected by the virus, one experiences either no illness (asymptomatic) or very little sickness. Only a very small number of people are at risk of a potentially serious outcome from the infection—mainly those with underlying serious medical conditions in conjunction with advanced age and frailty, those with immune compromising conditions and nursing home patients near the end of their lives. There is growing evidence that the treatment protocol issued to treating doctors by the Center for Disease Control and Prevention (CDC), mainly intubation and use of a ventilator (respirator), may have contributed significantly to the high death rate in these select individuals.

By wearing a mask, the exhaled viruses will not be able to escape and will concentrate in the nasal passages, enter the olfactory nerves and travel into the brain.

Russell Blaylock, MD

As for the scientific support for the use of face mask, a recent careful examination of the literature, in which 17 of the best studies were analyzed, concluded that, “None of the studies established a conclusive relationship between mask/respirator use and protection against influenza infection.”¹ Keep in mind, no studies have been done to demonstrate that either a cloth mask or the N95 mask has any effect on transmission of the COVID-19 virus. Any recommendations, therefore, have to be based on studies of influenza virus transmission. And, as you have seen, there is no conclusive evidence of their efficiency in

controlling flu virus transmission.

It is also instructive to know that until recently, the CDC did not recommend wearing a face mask or covering of any kind, unless a person was known to be infected, that is, until recently. Non-infected people need not wear a mask. When a person has TB we have them wear a mask, not the entire community of non-infected. The recommendations by the CDC and the WHO are not based on any studies of this virus and have never been used to contain any other virus pandemic or epidemic in history.

Now that we have established that there is no scientific evidence necessitating the wearing of a face mask for prevention, are there dangers to wearing a face mask, especially for long periods? Several studies have indeed found significant problems with wearing such a mask. This can vary from headaches, to increased airway resistance, carbon dioxide accumulation, to hypoxia, all the way to serious life-threatening complications.

There is a difference between the N95 respirator mask and the surgical mask (cloth or paper mask) in terms of side effects. The N95 mask, which filters out 95% of particles with a median diameter $>0.3 \mu\text{m}^2$, because it impairs respiratory exchange (breathing) to a greater degree than a soft mask, and is more often associated with headaches. In one such study, researchers surveyed 212 healthcare workers (47 males and 165 females) asking about presence of headaches with N95 mask use, duration of the headaches, type of headaches and if the person had preexisting headaches.²

They found that about a third of the workers developed headaches with use of the mask, most had preexisting headaches that were worsened by

the mask wearing, and 60% required pain medications for relief. As to the cause of the headaches, while straps and pressure from the mask could be causative, the bulk of the evidence points toward hypoxia and/or hypercapnia as the cause. That is, a reduction in blood oxygenation (hypoxia) or an elevation in blood CO₂ (hypercapnia). It is known that the N95 mask, if worn for hours, can reduce blood oxygenation as much as 20%, which can lead to a loss of consciousness, as happened to the hapless fellow driving around alone in his car wearing an N95 mask, causing him to pass out, and to crash his car and sustain injuries. I am sure that we have several cases of elderly individuals or any person with poor lung function passing out, hitting their head. This, of course, can lead to death.

A more recent study involving 159 healthcare workers aged 21 to 35 years of age found that 81% developed headaches from wearing a face mask.³ Some had pre-existing headaches that were precipitated by the masks. All felt like the headaches affected their work performance.

Unfortunately, no one is telling the frail elderly and those with lung diseases, such as COPD, emphysema or pulmonary fibrosis, of these dangers when wearing a facial mask of any kind—which can cause a severe worsening of lung function. This also includes lung cancer patients and people having had lung surgery, especially with partial resection or even the removal of a whole lung.

While most agree that the N95 mask can cause significant hypoxia and hypercapnia, another study of surgical masks found significant reductions in blood oxygen as well. In this study, researchers examined the blood oxygen levels in 53 surgeons using an oximeter. They measured blood oxygenation before surgery as well as at the end of surgeries.⁴ The researchers found that the mask reduced the blood oxygen levels (paO₂) significantly. The longer the duration of wearing the mask, the greater the fall in blood oxygen levels.

The importance of these findings is that a drop in oxygen levels (hypoxia) is associated with an impairment in immunity. Studies have shown that hypoxia can inhibit the type of main immune cells used to fight viral infections called the CD4+ T-lymphocyte. This occurs because the hypoxia increases the level of a compound called hypoxia inducible factor-1 (HIF-1), which inhibits T-lymphocytes and stimulates a powerful immune inhibitor cell called the Tregs. . This sets the stage for contracting any infection, including COVID-19 and making the consequences of that infection much graver. In essence, your mask may very well put you at an increased risk of infections and if so, having a much worse outcome.^{5,6,7}

People with cancer, especially if the cancer has spread, will be at a further risk from prolonged hypoxia as the cancer grows best in a microenvironment that is low in oxygen. Low oxygen also promotes inflammation which can promote the growth, invasion and spread of cancers.^{8,9} Repeated episodes of hypoxia has been proposed as a significant factor in atherosclerosis and hence increases all cardiovascular (heart attacks) and cerebrovascular (strokes) diseases.¹⁰

There is another danger to wearing these masks on a daily basis, especially if worn for several hours. When a person is infected with a respiratory virus, they will expel some of the virus with each breath. If they are wearing a mask, especially an N95 mask or other tightly fitting mask, they will be constantly rebreathing the viruses, raising the concentration of the virus in the lungs and the nasal passages. We know that people who have the worst reactions to the coronavirus have the highest concentrations of the virus early on. And this leads to the deadly cytokine storm in a selected number.

It gets even more frightening. Newer evidence suggests that in some cases the virus can enter the brain.^{11,12} In most instances it enters the

brain by way of the olfactory nerves (smell nerves), which connect directly with the area of the brain dealing with recent memory and memory consolidation. By wearing a mask, the exhaled viruses will not be able to escape and will concentrate in the nasal passages, enter the olfactory nerves and travel into the brain.¹³

It is evident from this review that there is insufficient evidence that wearing a mask of any kind can have a significant impact in preventing the spread of this virus. The fact that this virus is a relatively benign infection for the vast majority of the population and that most of the at-risk group also survive, from an infectious disease and epidemiological standpoint, by letting the virus spread through the healthier population we will reach a herd immunity level rather quickly that will end this pandemic quickly and prevent a return next winter. During this time, we need to protect the at-risk population by avoiding close contact, boosting their immunity with compounds that boost cellular immunity and in general, care for them.

One should not attack and insult those who have chosen not to wear a mask, as these studies suggest that is the wise choice to make.

References

1. bin-Reza F et al. The use of mask and respirators to prevent transmission of influenza: A systematic review of the scientific evidence. *Resp Viruses* 2012;6(4):257-67.
2. Zhu JH et al. Effects of long-duration wearing of N95 respirator and surgical facemask: a pilot study. *J Lung Pulm Resp Res* 2014;4:97-100.
3. Ong JJY et al. Headaches associated with personal protective equipment- A cross-sectional study among frontline healthcare workers during COVID-19. *Headache* 2020;60(5):864-877.

4. Bader A et al. Preliminary report on surgical mask induced deoxygenation during major surgery. *Neurocirugia* 2008;19:12-126.
 5. Shehade H et al. Cutting edge: Hypoxia-Inducible Factor-1 negatively regulates Th1 function. *J Immunol* 2015;195:1372-1376.
 6. Westendorf AM et al. Hypoxia enhances immunosuppression by inhibiting CD4+ effector T cell function and promoting Treg activity. *Cell Physiol Biochem* 2017;41:1271-84.
 7. Sceneay J et al. Hypoxia-driven immunosuppression contributes to the pre-metastatic niche. *Oncoimmunology* 2013;2:1 e22355.
 8. Blaylock RL. Immunoexcitatory mechanisms in glioma proliferation, invasion and occasional metastasis. *Surg Neurol Inter* 2013;4:15.
 9. Aggarwal BB. Nuclear factor-kappaB: The enemy within. *Cancer Cell* 2004;6:203-208.
 10. Savransky V et al. Chronic intermittent hypoxia induces atherosclerosis. *Am J Resp Crit Care Med* 2007;175:1290-1297.
 11. Baig AM et al. Evidence of the COVID-19 virus targeting the CNS: Tissue distribution, host-virus interaction, and proposed neurotropic mechanisms. *ACS Chem Neurosci* 2020;11:7:995-998.
 12. Wu Y et al. Nervous system involvement after infection with COVID-19 and other coronaviruses. *Brain Behavior, and Immunity*, In press.
 13. Perlman S et al. Spread of a neurotropic murine coronavirus into the CNS via the trigeminal and olfactory nerves. *Virology* 1989;170:556-560.
-



Dr. Russell Blaylock, author of [*The Blaylock Wellness Report*](#) newsletter, is a nationally recognized board-certified neurosurgeon, health practitioner, author, and lecturer. He attended the Louisiana State University School of Medicine and completed his internship and neurological residency at the Medical University of South Carolina. For 26 years, practiced neurosurgery in addition to having a nutritional practice. He recently retired from his neurosurgical duties to devote his full attention to nutritional research. Dr. Blaylock has authored four books, *Excitotoxins: The Taste That Kills*, *Health and Nutrition Secrets That Can Save Your Life*, *Natural Strategies for Cancer Patients*, and his most recent work, *Cellular and Molecular Biology of Autism Spectrum Disorders*.

Pilon, Janet

Subject: Mandatory face coverings

From: James Buss

Sent: Monday, July 13, 2020 9:43 AM

To: clerk@hamilton.ca

Subject: Mandatory face coverings

I would like to submit the following comments for Council to consider with respect to the debate and vote on mandatory face coverings.

First, I would like to stat that I am not against face coverings per se. I have a cloth mask that I carry with me. Sometimes I wear it; sometimes I don't. As a healthy individual, it depends on the situation that I am in, whether I choose to wear it or not. Part of that consideration is how others around me would feel.

However, I do object to a blanket policy all across the entire city. In recent months we have had some of our Charter rights and freedoms stripped away from us. And that is understandable. We have been in a serious pandemic and the health of the nation certainly takes some precedence over individual rights and freedoms. However, it is incumbent on legislators and councils to justify their actions. So far, I have not seen any justification for mandatory face coverings at all times.

I would point to this article: https://www.greenmedinfo.com/blog/should-you-wear-mask-prevent-covid-19?fbclid=IwAR1R8hyU-htL_eXYoYOFB8wEn9vFOXlshrKrS8a0s35y8Wt0xl4-FBCoYsc. In it, they state several studies and published journal articles, including one in a journal published by the CDC in May where they "found no significant reduction in influenza transmission with the use of face masks" (despite the CDC urging people to wear one). If science itself is divided on the issue, how can you justify stripping away more rights from the people?

I have heard it said that a mandatory face covering by-law would be no different than a by-law that dictates that food preparation workers wash their hands after visiting the bathroom. I'm sorry, but the two are not the same. The science is clear. There is no debate. If people do not wash their hands, people will get sick. In the case of mandatory face coverings, the science is not clear. Science is still arguing over whether face coverings are helpful and if they are, how helpful they really are.

I also take note that since the number of cases spiked, the number of cases has been on the decline (only 4 new cases in Hamilton Friday (I think)). This decline has been happening, despite not having a mandatory face covering policy, even though for the last four to six weeks more establishments have been opening up and more people are getting out and about. With so few new cases and most of the cases in Hamilton now being resolved, I'm not sure what advantage a mandatory face covering policy is going to have. There possibly could be justification if we were having troubles keeping our numbers down, but Hamilton has done a fantastic job of reducing transmission without a mandatory policy, so why start now?

I read in the Mountain News in the letters section of a lady who is a survivor of domestic abuse and that one of the things that her abuser did was cover her face. Why would City Council want to support something that would re-traumatize victims of abuse? I shake my head. I do not understand.

Rather than supporting something that is highly controversial among the voting people of Hamilton that has not been conclusively proven to be beneficial at all, I would urge City Council to come out in support of something that has proven to work: **Stay home if you can. If you can't, socially distance; if you can't wear a mask.** We know this works. Hamilton has been doing this and the evidence is in the daily updates, where the numbers are coming down.

James Buss

Pilon, Janet

Subject: The obsession with face masks

From: Patrick Sohier
Sent: Monday, July 13, 2020 10:52 AM
To: Office of the Mayor
Cc: clerk@hamilton.ca
Subject: Re: The obsession with face masks

Paul,

Thanks for your reply.

I will not read the medical report because there is nothing that anyone can tell me that will change my mind about this issue.

It is unnecessary coercion of citizens and I object to this infringement on my most private right to breathe unobstructed.

Yes, I want my email added to the record and I hope that councillors will pause and think before they vote.

This mask hype came out of nowhere and it will not change anything other than make people angrier about the mismanagement of the COVID fabricated crisis.

Sincerely,

Patrick Sohier

From: Patrick Sohier
Sent: July 11, 2020 3:40 PM
To: Office of the Mayor <mayor@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>
Cc: horwatha-gp@ndp.on.ca; pmiller-gp@ndp.on.ca; Sshaw-CO@ndp.on.ca; doug.fordco@pc.ola.org; Scott.Duvall@parl.gc.ca; media@ccla.org
Subject: The obsession with face masks

Dear Mayor, Councillors,

I am a resident of Hamilton and to my dismay I read today that Hamilton is now considering the implementation of the moronic by-law to require face masks in stores and public buildings. This allegedly is an attempt to make reopening the city safe for everyone.

I want to condemn in the strongest terms possible this idea to make the wearing of masks mandatory. God gave me lungs with the intention for me to breathe oxygen and there is not a single politician who can take that right away from me.

I will now drive to Cambridge to buy groceries until common sense prevails and this by-law is rescinded. It is worth a lot to me to defy this stupidity and assault on my most personal freedom to breathe.

I can understand the need for social distancing but now, all of a sudden four months after the onset of this COVID debacle, the medical experts find it necessary to arbitrarily impose even more restrictions that serve no real purpose. You cannot explain to me why this is now necessary while in March it was not and the Chief Medical Officer of Canada flip flopped a number of times on the benefits of wearing face masks. There are plenty of medical arguments against wearing face masks.

This crisis is being used and abused to destroy personal rights and freedoms in this country, with no end in sight and without any legal consequence. This crisis has been mismanaged from day one, used as an excuse for just about anything, with knee jerk reactions like closing down an entire economy and running up public debt I as a taxpayer will be paying for for many years to come. You have betrayed the basic rights of Canadian citizens.

Canada is turning into a totalitarian regime. The Charter of Rights and Freedoms is not worth the paper it is written on. The obsession with political correctness and the witch hunt against people who oppose this new naziism is deeply disturbing.

I was reading that people should accept this idea of masks and that it is comparable to wearing seat belts. This is total nonsense, epic bullshit. Seat belts save lives, I agree. Face masks are a symbol to make people submit to the COVID hype. It is sad to see you feel you have no common sense and you feel the need to copycat Kingston, Toronto, Burlington and other cities and make us all turn into sheep.

I will not comply.

I would love to see a few cases go to court so this abuse of power can be exposed.

If I have to enter a Hamilton business in the next few weeks and months and I am being charged the fine of \$200, I will not pay it. Take me to court. This could become very interesting. I am sure I will find many lawyers willing to take my case for free so that the truth can be exposed, because it is a needless assault on my sacred right to breathe, the most basic and sacred right any human possesses and yes that right is above any by-law you feel necessary to pass.

Sincerely,

Patrick Sohier

4.9 (af)

Pilon, Janet

Subject: Do NOT Make Masks Mandatory

Importance: High

From: Sean Everingham

Sent: Saturday, July 11, 2020 2:47 PM

To: maureen.wilson@hamilton.ca ; mayor@hamilton.ca

Cc: loyd.ferguson@hamilton.ca ; esther.pauls@hamilton.ca

Subject: Do NOT Make Masks Mandatory

Councillor Wilson, Mayor Eisenberger and Council,

I have been a resident in Hamilton for over 20 years (now residing in Ward 1), run a successful business that brings tens of thousands of dollars into the city each year and an MBA graduate of McMaster University.

I am writing you out of concern that Hamilton is headed in the same non-sensical position of mask wearing as other municipalities.

I am in full agreement with Councillor Ferguson that it makes no sense to be imposing a mask by-law 4 months into a pandemic. If we wanted to try to eliminate the virus, it would have made more sense to have this law in place as soon as we knew of its presence in Canada. There is **zero sound science guiding the decision** of this kind of bylaw at this point and the constant moving target of guidelines and recommendations suggests that the **experts are simply guessing** through this entire province.

I also want to point out several of the following points:

- the use of disposable masks is going to lead to far more litter in the city and even if used correctly, will do significant harm to the environment
- most people don't know how to wear a mask properly (ie: either nose exposed or simply not fitted) therefore lulling the public into a false sense of security
- most people will wear disposable masks more than once or will not wash fabric masks on a regular basis, putting them at more risk for contracting respiratory infection and defeating the purpose; they will touch them and put them on and off several times. All of the same things that made the mask wearing during the Spanish flu completely futile.
- Hamilton's vulnerable communities will suffer disproportionately as a result of this by-law
- the response to this pandemic has led many to depression and fear for the future; this mask by-law will only reinforce these negative consequences
- Hamilton's cases of covid-19 are decreasing despite partial re-opening and are in no worse a position than communities that have had mask by-laws in effect for 2+ weeks (ie: Kingston)
- you will begin to create conflict between citizens who have opposing beliefs about the consequences of this virus. Note that there is strong evidence from experts who don't believe any of the lockdown responses have been necessary

Most of all, if there was intelligence guiding these decisions, they would understand you CAN flatten the curve, which we have done successfully! You CANNOT eliminate a virus until there is a vaccine (which isn't happening) or let it run its course until there are not sufficient hosts in which to spread.

We have met the goalpost of flattening the curve. To try and bring in measures to eliminate any spread will only slow the inevitable and leave a wake of depression and destruction in its path. Remember this virus started with just ONE person coming into our country with the virus and we have well surpasses 100,000 cases despite lockdown measures. We WILL get surges in this virus no matter what – it IS what viruses do. Any expert saying otherwise needs to have their credentials re-assessed.

Hamilton is fortunate to be one of the most equipped cities in the province to handle the need to help patients who may need extra help as a result of complications. At this point, its time to re-open and restore hope to people – not create more fear and conflict among your citizens.

I want to applaud Councillors Ferguson and Pauls for voting AGAINST a mask bylaw. I encourage my Ward 1 Councillor, Mayor and remaining Councillors to do the same.

Respectfully,

Sean Everingham

4.9 (ag)

Pilon, Janet

Subject: NO MANDATORY MASK BYLAW

From: Ana Everingham

Sent: Monday, July 13, 2020 12:26 PM

To: Wilson, Maureen; Office of the Mayor; clerk@hamilton.ca

Cc: Ferguson, Lloyd; Pauls, Esther

Subject: NO MANDATORY MASK BYLAW

Good afternoon Mayor Eisenberger and Councillor Wilson,

As a Hamilton resident, I am writing you to please consider not following the senseless decisions of some of the other municipalities in the GTA and Ontario. Please DO NOT implement a mandatory mask bylaw. Residents are finally starting to feel hopeful that the worst of this pandemic is behind us, and there is absolutely no science that shows that wearing masks will help to stop the spread of COVID-19.

I have seen such a negative response to the mandatory mask bylaws from friends, family, and acquaintances and I fear that this will greatly harm our small businesses, as many people will turn to online shopping rather than supporting their local business in order to avoid wearing a mask. This is not a speculation, I have already seen this response from friends and family who live in Mississauga and Toronto.

I am also including the city clerk in this email, as I would like this letter considered as council debates the by law.

Sincerely,

Ana Banjavcic

4.9 (ah)

July 12, 2020

To: The City of Hamilton Council Members

Re: Mandatory Mask By-law

Dear Councillors,

I am the founder and owner of a registered Canadian Childhood Mental Health not for profit, Nick's Journey, located in Hamilton, Ontario. Everyday we advocate, support and fight for the rights of children and families who are affected by mental illness, physical and psychological barriers, learning disabilities and more. It is our responsibility to ensure that those who struggle to have their voices heard, do not go unnoticed. This is why, I feel very strongly that the proposed mandatory mask by-law that will be voted on this week, has big holes in it and a number of concerns for those who battle mental illness.

Imagine that you are a 7, 12, 15 or 17 year old child, who suffers from an anxiety disorder, PTSD, depression, OCD or other mental illness and having anything that covers your face, creates a tremendous amount of stress to your mental and physical body. That your breathing is obstructed because you are hyperventilating, your heart is under stress because it is beating so rapidly and that you are deprived of oxygen to your brain, which leads to you passing out, which causes you to hit your head on the floor or a shelf, all while you are in the middle of a store. This happens on the time that you decided to get out of your house after five months of being isolated because the media has created so much fear that as a child, you will carry this virus, give it to older people and they will die. Whether these were the exact words said, this is how you have perceived what is happening outside of your house.

Now imagine, wanting to go shopping for half an hour with your family, to walk around a store, look at a few toys or video games but before you even leave the house, you suffer from day long anxiety attacks, that lead to lack of sleep and a low appetite. You suffer from a headache and your stomach is constantly upset. Why? Because all you can think about is the fact that you cannot wear a mask in a public place but if you don't a by-law officer will stop you, ask you a lot of personal questions and give you a \$200 ticket. That you will be centred out and you are now a criminal. If you think that this is an exaggeration, then you do not have a true understanding of mental illness. This will also create a number of issues for people with real medical conditions as anyone can say they cannot wear a mask if they do not want to. It is against human rights to ask about and discriminate against a person's health and/or medical status. Creating a by-law that has this factor in part of determining the validity of a fine, is going to cause a lot of problems and legal issues.

This letter is not about the validity of a mask as another strategy in ensuring we stay ahead of Covid and ensure we do not have another wave of the illness, it is an appeal to not make wearing a mask a mandatory, legal issue, which is exactly what a by-law is. We have to take the lead of the top medical experts who have been advising our provincial government and making the state of emergency regulations. They have not made mask wearing mandatory for a reason so it is confusing why our municipality would. I have reached out via Twitter to Mayor Eisenberg and Counsellor Danko, requesting more details regarding the fines, the process of deeming the legitimacy of an illness or reason for exemption, the qualifications of the by law officers, which I know are not qualified to

4.9 (ah)

determine this etc., and after many attempts I have heard nothing back. This is concerning to us and many others as it seems that there are not answers to these important questions and therefore questioning how it can be voted on without all of the details and/or framework.

We know what a by-law officer can and cannot ask a person and as this is a municipal decision and not covered under the provincial state of emergency, there is no change to this. A by-law officer is unable to make you show ID and cannot ask you any medical questions as this is a direct violation of human rights. There is nothing stopping a store from adopting a mask policy if they so choose and people will be able to decide if they can and/or want to shop at that location. There is no need, as per Mayor Eisenberg suggested was one reason in making this mandatory, to make this a bylaw so you can provide signs to businesses so they can point at the sign and say it's not their personal decision. This is an unacceptable reason to vote yes for this by-law. I question if big businesses such as Costco, Walmart, Fortino's, etc. have chosen not to make this their policy already and therefore mandating it will force them to do so, or they will be fined \$500 for not enforcing it and posting signage. As you can see, the perceived reasons have nothing to do with our actual health. I have been to stores that refuse entry unless you wear a mask, that you comply to their policies or you do not enter the store. I have respected that they have made that decision and I shopped elsewhere. I understand that there is hope that making this a by-law people will comply but as you have already seen, this is adding to the anger, discrimination, judgement and shaming of others. It is turning citizens into social vigilantes and has already exposed the many issues. Such an encompassing policy that effects people's human rights, cannot be made effectively within a few weeks just to appease the public out cry.

We respect laws and those who uphold them, coming from a family who has officers within it, but we will not back down in ensuring that those who cannot stand up for themselves, who do not understand what this means and are subjected to the reality of regression and further medical struggles, are supported. This should not be a decision based on political acceptance or popularity. Unfortunately, as shown to this point, there is a lack of acceptance of those with mental and physical barriers. Over the past few months, we have witnessed our council members advocating and standing up for the human rights of our residences in a number of ways and this is no different. The current policy suggestions and making this a legal matter needs to be adjusted.

I hope that you take this under advisement when deciding to either vote no to making it a by-law and/or take the time needed to come up with a better, more fair and feasible strategy.

Thank you

Suzi Spelic

Founder/Owner

Nick's Journey

Email: suzi@nicksjourney.ca

Pilon, Janet

Subject: "mandatory" mask bylaw

From: Ed Baumgartner

Sent: July 12, 2020 9:34 AM

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

Cc: Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>

Subject: "mandatory" mask bylaw

Dear Sir,

I am writing this letter not just to express my complete dissatisfaction with you and the majority of city council but also as an act of civic duty to call out elected officials whenever they overreach on authority granted to them by the electorate. My issue is specifically with a "mandatory" mask bylaw which seems well in process of being foolishly hoisted upon tax paying law-abiding citizens of Hamilton.

Without wondering deep into the weeds of arguing whether or not the medical benefits of such an unenforceable policy actually justify an infringement on a citizen's personal liberties, as demonstrated through multiple conflicting theories throughout the ongoing pandemic, most reasonable people would agree, the science is not settled. This brings me to a simple question. Why would council consider imposing a bylaw on citizens, most notably business owners, which I'm sure your legal department explained has no serious enforce-ability? As I'm sure you are aware, a shop owner for example, CANNOT refuse service to a "non-compliant" customer once they declare an exemption due to a medical condition without the onus of a possible human rights complaint and having to prove a potential risk to staff and other customers to justify the refusal of service. To muddy the waters further, as I'm sure you are also aware, a shop keeper or bylaw officer CANNOT legally ask for proof of said medical condition. Simply put, any citizen at any time can declare a medical condition and have exemption from this "bylaw".

What you and council are considering is quite nonsensical, draft an unenforceable bylaw, then insist that already suffering business enforce it while absolving yourselves of the responsibility of actually policing it? This is folly at best, at worst you have just paved the way for independent businesses to be potentially bogged down in possible human rights complaints, legal actions etc.

I strongly suggest you reconsider this bylaw. For months, most citizens and business voluntarily complied with all orders, regulations, and suggestions passed down from various levels of government and through those actions clearly have had a direct effect on controlling the spread of this virus. To suggest now, after four months of "flattening the curve" and bringing down the number of infections, that the hard work of suffering citizens and businesses wasn't enough and further impositions on their personal liberties are required seems to be more an act of virtue signaling than anything resembling solid public policy based on science.

If council decides to proceed with enacting this bylaw, I would hope that yourself and council will at least have the decency to properly educate business owners as to what their rights and legal obligations actually are and explain the potential risks, they face by trying to "enforce" this bylaw.

Thank you for your time and consideration.

Respectfully

Edward Baumgartner (Hamilton)

Pilon, Janet

Subject: Mask By-Law Concern

From: Michelle Leon

Date: July 13, 2020 at 2:44:48 PM EDT

To: mayor@hamilton.ca

Cc: ward8@hamilton.com

Subject: Mask By-Law Concern

Dear Mr. Eisenberger:

While I understand that this email may be too late or otherwise ignored, I feel compelled to reach out to you despite these likelihoods.

In my profession, advocacy is a large part of what I do, and as such, I must inform you that I am deeply concerned with the upcoming possible passing of a mandatory mask by-law. Mask by-laws have been the subject of many 'viral videos' posted on social media, whereby so-called 'mask vigilantes' feel that it is within their rights as a citizen to uphold the by-law by shaming, harassing, assaulting, berating, and otherwise being verbally and sometimes physically abusive to those who are not wearing masks, despite the fact that they do not know why the non-wearer may not be wearing one. The public has taken it upon themselves to post abusive interactions with non-mask wearers as a sign of their righteousness, and this is a very serious health and safety issue for all members of the public.

Despite the fact that there are numerous valid reasons for a person to be exempt from wearing a face mask, the general public seems to believe that this is a very rare exemption and that there are no truly valid reasons. This has been evidenced by numerous comments that I have read on your Twitter account and other councillors'. It is incredibly disturbing that one of the councillors (John-Paul Danko) would state in a Tweet "it's not complicated" when referring to mask wearing, when, in fact, it's very complicated. The number of folks with invisible illness and disability in our community is in the thousands. These folks may be exempt, but because they appear to the average person as 'healthy', they face the possibility of harassment, especially when a councillor is suggesting that the matter of masks is very straight-forward. There are serious Human Rights violations that establishments will be facing for denying service to someone with a disability that requires accommodation, which would be exemption from mask-wearing in this particular case. This is not the same as "no shoes, no service" or "no shirt, no service". This is a very real issue with legislation demanding that folks cover their mouth and nose from where they breathe, which is how we remain alive. The issues that folks face range from sensory issues (as experienced by those with autism or certain medications); mental health issues; cognitive issues; developmental challenges; post-traumatic stress disorder; anxiety; severe asthma; compromised breathing capacity; diminished lung capacity; hearing loss or impairment; and etc. The list is quite extensive. As you can see and I'm sure have read over, most of these are invisible to the average community member. When a by-law is put in place that mandates something, it is almost providing a potential 'mask vigilante' with support for their abusive and ignorant behaviour towards a non-mask wearer. I am concerned that this could lead to lawsuits, physical assaults, or worse. The community is not educated or aware enough (and apparently, neither is Mr. Danko) on the incredibly large number of residents who will be unable to abide by this by-law. The fact remains that any denial of service will result in a Human Rights lawsuit, as this is a violation by denying this accommodation.

I understand that there is a great deal of political pressure, however, you are putting our most vulnerable residents at risk by mandating masks. If a resident were to catch Covid when there is no by-law, that is never going to be able to be directly related to having not had a by-law. However, if a resident is murdered or severely assaulted for not wearing a mask by a mask vigilante, this will be directly related to the by-law and

the city will be held accountable. There are serious consequences for both mask vigilantes and folks who are unable to mask. I hope that you will reconsider this by-law and put good faith in the residents of Hamilton to mask as much as they are able to and trust that this will happen without a by-law that will certainly have very serious unintended and unwanted consequences for a large number of residents here. Further, with the lawsuit that was filed in Superior Court against other municipalities (Toronto and Wellington, as they were the only municipalities with mandatory masks at the time of the Application), in addition to the province, the federal government, and several Chief Health Officers, I would suggest that Hamilton saves its money on this by-law (signage, enforcement, etc) until this Application is heard in court. It is a strong case, and if an injunction is made, it will bind all municipalities. This will be a huge waste of our city's finances and an unnecessary waste. The city has done very well in terms of cases and managing social distancing in public spaces, and I believe that your efforts would be better suited educating the public and asking them to wear a mask than mandating them. Further, I would suggest that councillors be mindful of their language, as comments such as Mr. Danko's may be used in a negative manner against someone who is unable to mask, as the vigilante feels supported by such harmful comments (ie. "it's not complicated").

I trust that you will do the right thing for our community and show the province that Hamilton does not need a by-law for its able-residents to wear a mask in public. This will ensure the safety of all of our residents, especially those with invisible illness or invisible disability.

Best Regards,

Michelle Leon
BA,BSW, MSW

Pilon, Janet

Subject: Mandatory Mask Wearing

From: JimRosalyn Fluit

Sent: Monday, July 13, 2020 3:00 PM

To: clerk@hamilton.ca

Subject: Mandatory Mask Wearing

Mayor Fred Eisenberger,

I understand that City of Hamilton council members are considering passing a new bylaw requiring mandatory masks in all indoor public areas.

If this had been presented and implemented back in March, and imposed during the build up and peak period in “the curve”, it would have been more acceptable and made practical sense.

Now that the curve has flattened to the point of “flat line”, and case numbers are currently at an all time low, it seems we are closing the barn door after the horse has already escaped.

Let’s ignore the actual, negligible statistics and assume the virus is as virulent and contagious as your health director is purporting. If this is the case, then every mask being worn becomes potentially contaminated in very little time, whether being worn in solitude or among a store full of shoppers. By virtue of the fact every breath potentially draws in contaminated, infectious particles against the front of a mask, and every exhale potentially pushes contaminated,

infectious particles against the face side of the mask, this potentially, and quickly becomes the most contaminated item any one of us can have on our person, or hanging from the rear view mirror awaiting the next point of use.

So here’s what I expect your council to fulfill as commitment of their concern for the health of the general public...

1) Every public indoor area (all stores included) hand out appropriate, new face masks, provided for free by the City of Hamilton, no exceptions. This will be the ONLY way the general public can be assured contamination is not being transferred from store to store, home to store, store to home, car to store, store to car, car to home, home to car, etc., etc..

2) Every public indoor area (all stores included) must have a medical grade disposal unit located at the exit, and, every patron must dispose of their masks upon leaving. Every time! Once again, this will eliminate the transfer of contaminates from store to store, store to car (rear view mirror decor), car to store, car to home, home to car, etc., etc.. This disposal bin and monitoring of mask disposal must be provided free by the City of Hamilton and not become incumbent on the merchant.

3) Failing to provide this level of service and concern for the general well being of City of Hamilton citizens renders the mandatory mask bylaw null and void. Setting all collateral health consequences aside as a result of mask wearing, requesting citizens to participate in an invalid campaign to minimize spread of a contagion during a “crisis” is fraudulent in nature, and inviting cause for liability suits against city and council.

Your consideration on this matter is duly required.

Respectfully,

The Fluit Family

4.9 (al)

Dr. rer. nat. Klaus L.E. Kaiser, FCIC, C.Chem.
Hamilton, Ontario

[REDACTED]

12 July 2020

City of Hamilton Ward Councillors and the Mayor
[List of email addresses at bottom]

Dear Councillors and Mayor,

This is in response to the proposed COVID-19 mask bylaw, as described in yesterday's post in the *Hamilton Spectator*, p. A6, by Teviah Moro.

There is increasing evidence of face masks being counter-productive to their intended (or thought of) purpose and efficacy. In fact, there are valid arguments against their use, especially by elderly folks whose immune system may already be weakened. For reference, please see the website www.principia-scientific.org and the numerous posts about this issue there.

The City of Hamilton, nor the Province for that matter, need any "mask" bylaw to curb COVID-19 and its effects on the population. To the contrary -- build-up of "herd-immunity" should be of prime consideration.

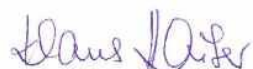
Indeed, any "second wave" of COVID-19 "cases" would, most likely be a direct consequence of the proposed mask bylaw. This "pandemic" (never called such but an "epidemic" by the Government of Canada) is already on the way out -- thanks to lots of hot summer weather and sunshine.

The term "[COVID]-cases" is already a misnomer, as it portrays anyone "testing positive" (to an undefined corona-virus antibody in their saliva) as a potential carrier or distributor of an infection that is entirely harmless to the majority of people. For example, Hamilton's population (all numbers rounded) of 500,000 at the **typical rate of death** of approximately 1% of the population per annum would be 5,000 per annum, or 500 deaths per month.

This rate may well be increasing -- not due to COVID-19 infections -- but to the (Province-) prescribed shutdowns of many vital enterprises, including routine health services.

To summarize: More COVID-based restrictions and/or bylaws in regard to that are not only not needed, in fact they are likely to exacerbate the corollary health problems coming with any such idea -- as well-intended as they may appear.

With best regards,



DISTRIBUTION LIST:

Ward Councillors and the Mayor

Maureen Wilson	maureen.wilson@hamilton.ca
Jason Farr	jason.farr@hamilton.ca
Nrinder Nann	nrinder.nann@hamilton.ca
Sam Merulla	sam.merulla@hamilton.ca
Chad Collins	chad.collins@hamilton.ca
Tom Jackson	tom.jackson@hamilton.ca
Esther Pauls	esther.pauls@hamilton.ca
John-Paul Danko	ward8@hamilton.ca
Brad Clark	brad.clark@hamilton.ca
Maria Pearson	maria.pearson@hamilton.ca
Brenda Johnson	brenda.johnson@hamilton.ca
Lloyd Ferguson	lloyd.ferguson@hamilton.ca
Arlene VanderBeek	arlene.vanderbeek@hamilton.ca
Terry Whitehead	terry.whitehead@hamilton.ca
Judi Partridge	judi.partridge@hamilton.ca
Fred Eisenberger	mayor@hamilton.ca

Pilon, Janet

Subject: No Mandatory Masks!

From: linda yousif
Sent: July 14, 2020 12:42 AM
To: clerk@hamilton.ca
Subject: No Mandatory Masks!

Hello, I'd like to state my opinion and say that I oppose the law of making it mandatory to wear a mask out in public. I have a child who is 7 years old who absolutely can not breathe in the heat with a mask on. Please DO NOT MAKE IT MANDATORY! Thank you for your time!

Best regards,
Linda

Pilon, Janet

Subject: LEGAL CHALLENGE TO COVID-19 MEASURES FILED IN ONTARIO SUPERIOR COURT - Rocco Galati

From: Ruth is happy

Sent: July 13, 2020 11:48 PM

To: clerk@hamilton.ca; Ruth Mills

Subject: Fw: LEGAL CHALLENGE TO COVID-19 MEASURES FILED IN ONTARIO SUPERIOR COURT - Rocco Galati

No mandatory masks. Please read below.

Thanks,

Ruth

From: Ruth is happy

Sent: Sunday, July 12, 2020 3:57 PM

To: mayor@hamilton.ca ; maureen.wilson@hamilton.ca ; jason.farr@hamilton.ca ; nrinder.nann@hamilton.ca ; sam.merulla@hamilton.ca ; chad.collins@hamilton.ca ; tom.jackson@hamilton.ca ; esther.pauls@hamilton.ca ; ward8@hamilton.ca ; brad.clark@hamilton.ca ; maria.pearson@hamilton.ca ; brenda.johnson@hamilton.ca ; lloyd.ferguson@hamilton.ca ; arlene.vanderbeek@hamilton.ca ; terry.whitehead@hamilton.ca ; judi.partridge@hamilton.ca ;

Subject: LEGAL CHALLENGE TO COVID-19 MEASURES FILED IN ONTARIO SUPERIOR COURT - Rocco Galati

Hi Team Hamilton!

Please do consider this legal action before voting on Friday for the unnecessary and illegal mandatory face masks. Every action taken during the virus was/is an illegal act against the people who live in Canada.

Kind Regards,

Ruth Olson

Ward 7 Esther Pauls

LEGAL CHALLENGE TO COVID-19 MEASURES FILED IN ONTARIO SUPERIOR COURT

Rocco Galati, B.A., LL.B., LL.M. , ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION

July 8, 2020

We are living in unprecedented times. The mass and indiscriminate containment of citizens, the restriction of access to parliament, the courts, medical and educational services, the destruction of local economies and livelihoods, and the requirement to physically distance, along with the forced use of non-medical masking are extraordinary measures that have never before been imposed on the citizens of Canada. The impact of these aberrant measures on our physical, emotional, psychological, social and economic well-being is profoundly destructive and these actions are unsustainable, unwarranted, extreme and unconstitutional.

During times of emergency, Constitutional rights do not stop being important.

They become even more important.

Vaccine Choice Canada has made numerous formal requests of the Government of Canada and various provincial governments to provide evidence that justifies the declaration of an emergency, the imposition of unscientific and unwarranted measures, and the violations of our Charter rights and freedoms, to no avail.

An over-hyped COVID-19 pandemic narrative is being utilized to create unnecessary panic and to justify the systemic violation of the rights and freedoms that form the basis of our society, including our Constitutional rights, sovereignty, privacy, rule of law, financial security, and even our very democracy.

Many recognized global health and research experts have offered their severe and valid criticism of government overreach and the draconian and unjustifiable measures taken in response to COVID-19. The warning bells are being rung about the dire consequences of these unwarranted, irresponsible, and extreme actions that are in violation of the rights and freedoms well established in Canadian and international law. All this continues to fall on the deaf ears of governments.

On Monday, July 6, 2020, **Vaccine Choice Canada** formally filed legal action in the Ontario Superior Court to hold multiple parties accountable for their actions with respect to COVID-19 measures. The defendants include: the Government of Canada, the Government of Ontario, the Municipality of Toronto, various public health officers, the Canadian Broadcasting Corporation, among others. **Vaccine Choice Canada** has a long history and enviable reputation of advocating for and defending the rights and freedoms of Canadians when it comes to public and individual health.

The plaintiffs are inviting the press to a Press Conference on Thursday, July 9, 2020 at 11:15 AM EDT at the office of their lawyer, Rocco Galati, B.A., LL.B., LL.M. , ROCCO GALATI LAW FIRM PROFESSIONAL CORPORATION. Due to limited space considerations, the Press Conference is an in-person event for accredited press only.

Please pre-register to view the Press Conference live at the Zoom Link indicated below where the press, VCC members and the public can attend via Zoom.

<https://us02web.zoom.us/meeting/register/tZ0qceCugzopE9LONBwaUdfI-Nt35xR6cptT>

After registering, you will receive a confirmation email containing information to join the conference.

We also hope to stream the event live on our Facebook and Instagram.

A copy of the issued statement of claim will be available on our website following the press conference. Any questions with respect to the claim are to be addressed to our legal counsel, Mr. Rocco Galati at 416-530-9684.

Ted Kuntz, President, Vaccine Choice Canada

Pilon, Janet

Subject: face masks health dangers

From: Pete Kelly

Sent: July 14, 2020 9:32 AM

To: DL - Council Only <dlcouncilonly@hamilton.ca>; clerk@hamilton.ca

Subject: face masks health dangers

Face Masks Are Lethal - Canadian Workplace Test Confirms Dangerous Oxygen Deprivation

according to OSHA, 19.5% blood/oxygen level is minimum for work spaces, wearing a surgical mask creates a hazardous level of 17.5%

Masks are a danger to health.

on 2020-07-13 13:27, Pete Kelly wrote:

> Brad,

>

> I just spoke to some employees at Fortinos on Mall Rd, they're being

> forced to wear the same surgical mask for the entire 8 hour shift.

> Those masks are not even recommended for virus protection and pose

> danger to your breathing.

>

> clearly not safe for people.

>

> Please vote against mandatory face masks.

>

> Regards,

>

Pilon, Janet

Subject: Mandatory mask issue a violation of Charter of Rights and Freedoms

From: Rev. Dr. James Miklos

Sent: Friday, July 10, 2020 7:57 AM

To: DL - Council Only

Cc: Office of the Mayor; Johnson, Brenda; Clark, Brad

Subject: Mandatory mask issue a violation of Charter of Rights and Freedoms

Dear Mayor and City Council of Hamilton,

The reason for my email is to bring to your attention that as a voting citizen of Hamilton the forcing of citizens to wear masks poses a number of serious issues and concerns:

- 1) Many already have health issues that will worsen or exasperate by the wearing of a mask.
- 2) Forcing us to wear a mask is overreach and is very reminiscent of the days of communist Russia (USSR). It is against the Charter of Rights and Freedoms.
- 3) We are supposed to be a free society not ruled and dictated to by “Big Brother”. People should be given the choice not forced to wear a mask or any such thing.
- 4) The curve has already been flattened and is declining. According to the City of Hamilton website showing current active positive cases of Covid-19, as of this morning there are only 20 known and active cases, which means that **0.000082 %** of the population is currently knowingly affected. There are more cases of other viruses than of COVID-19. Where is the logic in this? Therefore masks are not necessary.
- 5) It is illegal that politicians allow medical people to run our country and society. They are not elected officials. They are essential and valuable but they know nothing about running society and a city.
- 6) My understanding of separation of church and state is that the state cannot tell the church how to worship, order of worship, what is preached and its beliefs. This is currently being done in China and was formerly done in the Soviet Union. The state has no right in the church to mandate whether or not it can worship.

A voting citizen of Canada and resident of Hamilton, Ontario.

Rev. Dr. James Miklos

Pilon, Janet

Subject: Mandatory masks

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

From: Colin

Sent: July 9, 2020 11:47 PM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Cc: Office of the Mayor <mayor@hamilton.ca>

Subject: Mandatory masks

Dear Mayor and City Council of Hamilton,

I would like to address the issue of your Council trying to force Mandatory Face Masks to Hamilton residents.

1) I already have health issues.

Masks actually induce and make breathing more difficult. Headaches worsen due to CO2 being forced back and from a lack of oxygen. Some individuals have already gone to emergency with fungal lung conditions.

It also causes your heart to work harder and some people have gone into cardiac events.

2) Forcing us to wear a mask is overreach and totalitarianism. It is against the Charter of Rights and Freedoms.

3) If people are concerned, they can choose to wear a Mask. I can't be a risk to them if they have a mask and anyone not wearing one, it would be fair to say they feel the same way I feel.

4) The curve has been flattened. Therefore masks are not necessary and you are promoting fear and divisiveness in our community.

5) We are mature responsible residents and don't need "big brother" to tell us how to live our lives.

6) Black Lives Matter, can hold protests and rallies, and they don't have to or are forced to wear masks or abide by social distancing rules. Are they any better than us Hamiltonian's.

Enough is enough

7) I refuse to wear a mask and if you try and tell our churches that we cannot worship then we will see you in the court system and all the way to the supreme court if necessary. I promise I will initiate a class action human rights law suit.

A VERY DISAPPOINTED CITIZEN OF CANADA AND RESIDENT OF HAMILTON, ONTARIO.

Colin Fox

4.9 (ar)

Pilon, Janet

Subject: Mandatory Mask Follow Up

Importance: High

From: Suzi Spelic

Sent: July 14, 2020 1:10 PM

To: Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>; clerk@hamilton.ca

Subject: Mandatory Mask Follow Up

Importance: High

Good Afternoon Mayor Eisenberger and Councillors,

I am following up on my previous email sent to all of you on July 12th, as I have only heard back from one of you.

My original correspondence, along with this email, is not an attempt to change your mind on voting for the by-law as it is apparent that there is nothing that our organization or any other group, organization or person can say that will change your thinking. This is another attempt to ensure that you understand how this will negatively affect a big portion of Hamilton residents who have real struggles. It is also an effort in getting more information regarding the actual by-law and why this needs to be a legal matter.

I have watched the Health Committee meeting and I am concerned, as the owner of a mental health not for profit, that some very important and real issues are being overlooked. That those with mental illness and mental health struggles have not been taken into real consideration. When you make something a by-law, you are adding an element of enforcement to it that can be abused and cause great intimidation and fear to vulnerable people. What is the benefit in people calling MLE when they see someone without a mask on? How is this a positive use of our resources in the City?

If you feel that people need to do better in ensuring we do not fall into a second wave of this virus, why has it been determined to use the law and an element of intimidation and enforcement to help make this happen? Mayor Eisenberger, during the meeting you were very focused and seemed to be disturbed with the fact that people emailed their concerns about religious practices. This was actually brought up by a few councillors with confusion as to why this would be a question. The responses to these questions during this meeting, showed to me that there is a disconnect between the perception of the public and the understanding of the councillors. This was a valid question and concern from the community as it is contradictory to wear a mask or face covering and then removing it in the same space to receive things such as communion. This is the same for visiting a restaurant. You are to wear a mask, take it off to eat, then put it back on. If you are not putting others in danger during the times of removing the mask then how are you putting people in danger by not wearing one at other times? The problem is that there are too many contradictory statements being made and there needs to be much more education first.

I am not against wearing masks, for those who can as an extra level of protection and I agree with continuing to recommend this, along with more proven to be effective strategies. I am however, opposed to attaching fines to this and making it a legal issue. As communicated by the MLE during the meeting our bylaw officers are already faced with big case loads and adding these extra items, other bylaw matters will be put off and/or on hold. There was reference to

things such as when the smoking bylaw came into effect, which was a time that a new department and extra people were hired to enforce this. So, I have to challenge that this will not cost our city any extra money and will not have other detrimental effects. I have asked numerous times for information regarding the actual by-law, training of officers to ensure they are handling those with medical barriers appropriately, enforcement etc., and continue to be ignored. If this is something that is being voted on, how can this be done without all of this information? If all of this is available, then why is it not being provided to the public, especially when being asked? You speak about the need for transparency but by not providing people and organizations with this upon request, transparency becomes questionable.

As I mentioned in my previous communication, using the fact that stores/businesses can now have signage posted that they can then say it's not their decision but a law, must be a factor in your decision because they are not wanting to do this as individual policies. Saying that this will stop people from being rude and disrespectful to store employees is not a valid argument as we already know, no amount of signage will stop that. You cannot ask a person about their medical conditions or histories and anyone can just say I am exempt. They can argue about that if they choose and adding the fear of being fined will not change this as it cannot be truly enforced. I am surprised that your legal department has not already advised you of this. Are you depending on the people who do not know their legal rights in complying blindly and paying for fines that may be given? I am sorry, but I cannot truly understand why a bylaw is necessary.

There is a call right now to defund our police department and reduce their resources as well. The only way that a bylaw officer will be able to enforce this is with police back up. Do you feel that the police will show up to give a person a \$200 fine if they don't have a mask on and refuse to give you their ID and medical history? This is not realistic and is irresponsible to think that our police department are not needed elsewhere for real emergencies.

I applaud your commitment to helping us stay safe and I know none of this has been an easy task but when you jump quickly and make snap decisions, you are not doing your job in ensuring you are taking everyone into consideration. Everyday, my life and the lives of others that we support, are drastically effected by fear, anxieties, stress etc., because of what is going on in the world around them now and prior to Covid. It is not fair to advocate for certain people and groups and ignore others. Unfortunately with your lack of communication and follow up, this is exactly what is being done now. We have a number of residents and families who are looking for answers and more information. We are trying to educate them as much as we can but they feel abandoned by those in power. Whether you agree with my opinions, facts, thoughts or not, it is your responsibility as an elected official to respond when residents have questions and concerns, at all times, not just about things that you feel are important or support your views.

When you only hear back from only one councillor, who themselves have been provided with little information but asked to vote on an important issue, that creates more concern for us. I am an advocate for those who are pushed aside to often. Those with mental illnesses that result in isolation, self harm and suicide, all of which are on the rise daily for the past five months. So , if you, in good faith can tell me that their fears about this proposed by-law and what it means for them, is not important then please do so. If this matters to you, then please be respectful enough to show that.

Thank you,

Suzi Spelic
Nick's Journey
Co-Founder/Director
Canadian Not-for-profit Corporation #1072219-7
905-978-1240
www.NicksJourney.ca

4.9 (as)

Pilon, Janet

Subject: Hamilton Mask Wearing - Mandatory???

From: Andrew Smith

Sent: July 11, 2020 12:05 PM

To: Office of the Mayor <mayor@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Prince, Kristin <Kristin.Prince@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>

Subject: Re: Hamilton Mask Wearing - Mandatory???

Dear Honorable Councillors,

I see that the by-law was approved at the Board of Health committee meeting yesterday. I have to say that I am disappointed, however I understand many of you are doing what you feel is necessary.

With respect to the by-law itself, one item is conspicuously missing and that is a description of the temporary nature of the by-law.

What metric are we using to decide when mask wearing can be ended?

Why was it not specifically noted that this is a temporary by-law, to be repealed at a later date?

When will the by-law be repealed? Toronto at least included a September end date from what I read in the media.

We have been open for pretty well a whole month now and the cases continue to decline despite far more widespread testing being carried out. There has been no second wave. No one is hospitalized at present.

The bylaw document refers to cases in the United States. That is far from here. Ontario cases continue to decline, despite the farm outbreak in Essex county cases in our province were down by 430 in the past week (reference Ontario19.com for the numbers).

We have been on a downward trajectory in our province on cases since April 22nd, and death-rate since approximately May 9th.

How long we will have to endure this draconian and unnecessary by-law being enforced?

I for one have asthma, and a mask gives me a severe inability to breathe adequately. I am expecting to be stigmatized and shunned if I cannot wear my mask at times.

Another consideration - is the City opening themselves to liability? The staff report notes that "if worn improperly, facial coverings use can present the opportunity to contaminate the wearer; lack of hand hygiene may also cross contaminate the environment" - if someone gets a bacterial infection with a bad outcome, can the City be held liable since you have A) Enforced mandatory mask use and B) Not provided adequate training for their appropriate use.

What happens if someone passes out while in a store due to poor oxygen uptake and hits their head? Will the City then be liable since you have enforced this by-law?

What about people who cannot afford masks? Will the City supply masks to our poorer population - people should not have to choose between food and masks.

Please consider the timing of the repeal of this by-law, and the possible liabilities you are subjecting the City to once this Bylaw is ratified by Council.

Best Regards,

Andrew Smith

On Tue, Jun 30, 2020 at 10:41 PM Andrew Smith wrote:

Dear Mayor and Councilors,

I was so startled to see the news in our Spectator today that our Mayor has come out in support of mandatory masks in our City.

Can this be true?

There is no scientific evidence that mask wearing can impact the transmission of coronaviruses or any other influenza like respiratory illnesses.

This is acknowledged by the World Health Organization, the American Medical Association and many other renowned experts in influenza and other health matters.

From the **WHO**:

https://www.who.int/influenza/publications/public_health_measures/publication/en/

Non-pharmaceutical public health measures for mitigating the risk and impact of epidemic and pandemic influenza" (pg.20) - ***'Masks worn by asymptomatic people are conditionally recommended in severe epidemics or pandemics, to reduce transmission in the community. Although there is no evidence that this is effective in reducing transmission, there is mechanistic plausibility for the potential effectiveness of this measure.'***

And if you look further at the Appendix which contains the scientific literature review that led to their recommendation it notes: ***"Ten RCTs (randomized control trials) were included in meta-analysis, and there was no evidence that face masks are effective in reducing transmission of laboratory-confirmed influenza."***

Further from the **WHO**:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public/when-and-how-to-use-masks>

"Non-medical, fabric masks are being used by many people in public areas, but there has been limited evidence on their effectiveness and WHO does not recommend their widespread use among the public for control of COVID-19..."

From the Journal of the **American Medical Association**:

<https://jamanetwork.com/journals/jama/fullarticle/2762694>

"When Should a Mask Be Used?... Face masks should not be worn by healthy individuals to protect themselves from acquiring respiratory infection because there is no evidence to suggest that face masks worn by healthy individuals are effective in preventing people from becoming ill."

It is amazing to me that our councillors would suggest a significant intrusion into the details of the lives of your constituents and the operations of our many important businesses where there is NO SCIENTIFIC EVIDENCE that such measures will have any benefit.

If people want to wear a mask that is fine. I am not even that opposed to seeing their use "encouraged" or opposed to businesses requiring them. I wore one while I got my haircut on Saturday, no problem. However, I take strong issue with passing of By-laws, complete with punitive measures and fines in support of something for which there is no scientific evidence for the efficacy.

What we need from our councillors is reassurance that this virus is nearly beat in our community - we are down to 90 (ish) cases the last time that I checked and the numbers keep going down. Our death count is very low when reviewed against comparable Municipalities and for this we should be thankful.

If this matter proceeds to discussion at a Council meeting I will be entering my letter into the record and may attempt a delegation request so that this can be discussed further.

Please do the right thing. Mandatory masks are not right for Hamilton.

Best Regards,

Andrew & Nadine Smith (Petra, Daniel, Fanny)

Pilon, Janet

Subject: Mandatory Mask By-law

From: Tobi Bos

Sent: Wednesday, July 15, 2020 8:56 AM

To: clerk@hamilton.ca; Johnson, Brenda; DL - Council Only

Subject: Mandatory Mask By-law

Good day... I have attached the "Enforcement of a By-Law" from the Ontario.ca website. I am hoping you get the opportunity to go through it and answer each one of the questions. Navigating the legal complexities of passing a by-law is only the first step. In practice, a by-law will have little value unless your municipality has the determination and the means to enforce it. Before a by-law is passed, careful consideration of the by-law – including its intended purpose and outcome – may be helpful.

1. **How will the by-law affect the community?** I can guarantee you it will cause an increase in division in the community. If 50% (or more, by the number of letters you are receiving against this mandate) of your citizens are against something, how do you figure that will play out when you enforce them to do it?
2. **Will it impose restrictions or hardships on particular areas or groups of people?** For those with hearing impairments, anxiety, claustrophobia, facial burns or severe acne, speech impediments, asthma, lung illnesses, financial hardships, and PTSD because of face coverings. You will now have imposed a mandate that will exacerbate their disability and put them at a disadvantage in society.
3. **Will public reaction be favourable? If not, how will council respond?** Again, as you have said yourselves, 50% of your citizens are not *for* this by-law being mandated. Already name calling abounds. You will be feeding the fire by mandating this and removing the choice. How are you going to respond to this? I look forward to hearing your response.
4. **What will it cost to administer the by-law?** Financially? I am assuming the city of Hamilton of will be providing safe and suitable masks to the business requiring them so that we know they are clean and not transferring this deadly virus from place to place. There are many who simply cannot afford the extra expense of purchasing masks... disposable masks in a non sterile environment have to be changed every hour (because of bacterial shedding buildup) in order for them to be effective. (Surgeons in a sterile environment can wear them for two hours before changing them). Cloth masks need to be washed after each use, (mould will develop in the moist environment of the mask in 24 hours) so people, will be needing a number of them. (I have a husband and four kids... if we each need three masks, at five dollars each, that is a cost of \$90 for us) Or are you expecting the already struggling stores, churches, libraries, swimming pools etc. etc. to be providing them for their customer's? So another expense for them in addition to the notices and staff required to enforce this by-law. Since this virus is so dangerous, I am assuming bio-hazardous waste containers will be placed at a number of locations outside the places requiring face masks. (Perhaps you have noticed as well, the amount of used face masks disposed of in parking lots is astounding and quite disgusting, so much more virus spreading!). In the local community, we are seeing people who will no longer be shopping locally and will be ordering from amazon or other online shopping institutions instead, another hit to local small businesses.
5. **Can existing staff be expected to handle the additional responsibilities, or will more staff be required?** How will you respond when the stores who already can't keep employees (because they don't want to wear a mask for their eight hour shift) and are now short staffed, enforce something

many of them don't even want or can't do, themselves. (I overheard two employees at Winners yesterday say they were going to stop working and go back on CERB so they wouldn't have to deal with this).

6. ***Is the municipality prepared to enforce the by-law and enforce it consistently?*** First off, since the bylaw will likely include specific exemptions for those who cannot wear a mask from a medical perspective, as it should from a discrimination standpoint. How are you going to enforce it when 50% of your voters all of a sudden have a medical exemption? Secondly when those people not wearing masks are confronted by the mask vigilantes and disputes arise, do you have the officers to diffuse the situation or is that another task the business owners are going to have to accrue?

This is separate from the requirements you will need to fulfill in order to pass this by-law:

Please do not compare this by-law with passing of real, proven, life saving laws such as seat belt wearing, and smoking laws. We know those laws are life saving. The mandating of masks is in no way life saving... in fact when not used and worn properly they can be quite dangerous. Some counties, the ones who have been wearing masks for years and are educated in wearing them, have shown a decrease in cases and deaths when masks were worn at the outset of this virus. However the countries and areas that have implemented them later, without educating people have seen an increase in cases and deaths. (See Ecuador, UAE, California). If you need to see charts and graphs showing this data I would be more than willing to pass it along. I would also love to see the data showing that they do work as I have yet to find any.

Regarding Worship:

You have also mentioned that did not understand the reason why people were upset and felt they, as worshipers, they were being persecuted. 2 Corinthians 3:18

“So all of us who have had that veil (mask) removed can see and reflect the glory of the Lord. And the Lord—who is the Spirit—makes us more and more like him as we are changed into his glorious image”. Masks hide our identity as persons made in God's image. We also speak through our faces, by which we communicate, dialogue and build up friendships and community. So, we should think and reflect before we cover our faces. After all, masking is often done for nefarious purposes. Ponder your reaction – outside of the present context - if someone were to walk into your house wearing a mask. People hide their own face when they want to do evil, and they hide the faces of those to whom they may wish to do evil. And whatever one thinks of the death penalty – whether justified in some cases – we also cover the faces of the condemned.

Regarding the Environment:

When speaking with someone who works for a car manufacturing plant in southern Ontario, with 8,000 employees, all of whom are now bound to mask up. Many go through 8-12 or more disposable masks in a day. Even at a low estimate, that's about 64,000 saliva-and-mucous covered masks dumped in landfills *per diem*, 448,000 per week, which is 5,376,000 from now until the proposed “end date” of this by-law. That's from *one* factory. And for those places that burn their garbage, what will those toxic clouds contain, as they drift over towns and cities? Whatever happened to the message to limit waste and protect the environment?

Thank you to those who took the time to read through this, I know it was long. I appreciate it. I believe as councillors of this city you want to do the best to take care of your citizens. Thank you for that. Please think long and hard of the consequences of passing this by-law. Just because surrounding regions have done it is not a good reason. Show us that you value your citizens enough to put them first. Please consider educating instead of mandating. Physical distancing and hand washing have emptied our hospitals of Covid patients as well as lowered our cases and deaths. Do we really want to add another unknown variable to this equation that has already shown very good results?

Thank you for your time, With all respect.

Tobi Bos

Pilon, Janet

Subject: Should You Wear a Mask to Prevent COVID-19? | GreenMedInfo | Blog Entry

From: carlabuss

Sent: Tuesday, July 14, 2020 9:28 PM

To: clerk@hamilton.ca

Subject: FW: Should You Wear a Mask to Prevent COVID-19? | GreenMedInfo | Blog Entry

As a concerned citizen of this city, please consider this article regarding the wearing of masks.

<https://www.greenmedinfo.com/blog/should-you-wear-mask-prevent-covid-19>

I find it very difficult to wear one, as do many other people I know. The reasons vary...trauma, asthma, migraines, claustrophobia, and others. Also, the masks promote fear!

Why are we considering mandatory masks when numbers are dropping and the wearing of them is currently mostly voluntary?

To me, it does not make any sense to require masks at this stage.

With respect,

Carla Buss

Pilon, Janet

Subject: mask by-law

From: Linds S

Sent: Wednesday, July 15, 2020 9:15 AM

To: clerk@hamilton.ca

Cc: DL - Council Only; Pauls, Esther

Subject: mask by-law

Good morning, last week I was concerned when I read that the city of hamilton is looking at making masks mandatory. I'm concerned as a member of Hamilton that the consequences of this have not been well thought out.

My primary reaction was on what this will mean for schools in September. I have a child who has been in speech therapy since she was 3, she turns 7 this year. She has worked so hard to overcome this thanks to the help of Lear Communications. The idea of her wearing a mask is devastating, how will people be able to understand her? When people cannot read the face/lips a person with a speech impediment will be greatly compromised. This bylaw will force us as parents to start homeschooling, simply the psychological damage to her being in a mask is terrifying. She is right now a healthy 7 year old with confidence, if she is in an environment where she is not being understood this can shatter that. I have 5 children, and the impact of kids wearing masks is a huge concern.

I have also noticed the amount of masks laying on the ground in Hamilton, this is disgusting and should be a concern. Cotton masks have been scientifically proven to cause bacterial throat infections if not cleaned properly every day. I could go on, however these are my primary concerns.

Hamilton has done so well with COVID and I believe that is due to the leadership we have. Please continue to look out for the well being of your citizens and not make a rash decision that will cause serious consequences.

Thank you for reading this,

Lindsey Sieders

Pilon, Janet

Subject: Hamilton's board of health votes to make public mask wearing mandatory indoors

From: Laszlo Toth

Sent: July 11, 2020 6:31 PM

To: Pauls, Esther <Esther.Pauls@hamilton.ca>

Subject: Hamilton's board of health votes to make public mask wearing mandatory indoors

Dear Esther,

We are proud of you that you have common sense and voted against the mandatory public mask indoor wearing in Hamilton.

This outdated bylaw confuses people.

One day we are hearing that Hamilton has zero COVID 19 infection and nobody is on ventilator in the Hamilton hospitals and that the Day Cares are safe to reopen for small children.

Next day we are hearing about mandatory indoor public mask wearing.

Mixed messages do not help the public or the business in the Hamilton area.

By now the city should ease up restrictions instead of bringing in a bylaw, which creates false sense of safety. Only the N95 mask provides some kind of protection the rest of them are just fashion pieces.

If City of Hamilton cares so much about public safety the city also should mandate the correct type of the mask, in this case N95, and supply it to the public or mandate the business to provide it. Otherwise, everything else is a shortcut on public safety.

Please note that there was/is a short supply of the N95 masks and currently the Canadian market is being flooded by counterfeit products.

For conclusion:

We are against the mandatory indoor mask wearing and those who support it at city hall should have answers for the following questions:

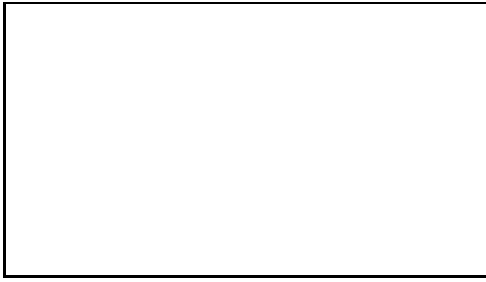
Why now and not back in March 2020 when the virus started to spread?

Why now in Hamilton when Air Canada is selling out the middle seats on their flights by ignoring any social distancing/safety measures?

Kind Regards,

Laszlo and Julia Toth

<https://www.cbc.ca/news/canada/hamilton/mandatory-mask-bylaw-vote-1.5644046>



Hamilton's board of health votes to make public mask wearing mandatory indoors | CBC News

Hamilton is a step closer to having a bylaw that makes it mandatory for people to wear a mask or face covering indoors when they're in public.

www.cbc.ca

BY EMAIL

Clerk
Hamilton City Council
clerk@hamilton.ca

Dear Sir/Madam,

Re: Face Coverings in Enclosed Public Spaces (BOH20014)

I wish to object to the proposed bylaw requiring the mandatory wear of masks in public buildings.

Any bylaw associated with public health should be rooted in clear science given the potential infringement on constitutional rights and civil liberties. This bylaw fails to meet this standard as it does not properly address the risk—a function of the likelihood of an event and the impact of the event—of COVID-19 in the Hamilton area. The probability of becoming infected is now very low as indicated by the number of active cases continuing to trend downwards (24 or 0.005% of the population at the time of this letter). While there are undoubtedly more cases given those individuals that are either asymptomatic or have symptoms but choose not to get tested, this reservoir cannot be significant as a potential source of infection of the general population (for example, if the reported cases represent only 10 percent of actual cases, then only 0.05% of the population is currently infected). This low incidence means that the air of public buildings can hardly be expected to contain significant numbers of viral particles even if one does accept the possibility that COVID-19 can exist in an aerosol. As for the impact of infection, COVID-19 has clearly been shown to be non-life threatening to the vast majority of the population thus further decreasing the ultimate risk. It should be noted that the past four months has demonstrated that vulnerable populations can be protected without mandatory masking of the general population.

The effectiveness of masks must also be considered. The science here is not clear as even the Medical Officer of Health admitted. Not only is there considerable debate in the scientific literature about the effectiveness of N95 masks, the limited effectiveness of non-medical masks is recognized by the Government of Canada's website which states "[homemade masks] may not be effective in blocking virus particles that may be transmitted by coughing, sneezing or certain medical procedures. They do not provide complete protection from virus particles because of a potential loose fit and the materials used. Some commercially available masks have exhalation valves that make the mask more breathable for the person wearing it, but these valves also allow infectious respiratory droplets to spread outside the mask." Furthermore, the statement of "growing evidence" contained in Dr. Richardson's report is often based on theoretical considerations such as the modelling articles or epidemiological reports that may show correlation but do not prove causation (based on the references contained in the report) as opposed to actual research studies. It should also be noted that the report ignores all the peer-reviewed scientific literature showing that masks are not effective. This lack of objectivity on the part of Dr. Richardson and her team is highly inappropriate as the report is serves only to politicize the issue given

its lack of proper scientific analysis. Given these limitations, the bylaw simply provides a false sense of security and is a form of virtue signalling.

With respect to the potential infringement on civil liberties, the comparisons of the bylaw to airport security and/or the wearing of seatbelts are specious arguments. First, the risk associated with a lack of security screening has been clearly demonstrated by the events of 9/11 and other terrorist activities, and a person has the choice as to whether to submit to a screening knowing that the failure to do so will prevent them from flying despite this being technically a breach of one's Charter rights. Second, the risk of not wearing a seatbelt is also very real and demonstrable to the degree that it is a reasonable limit that can be justified in a free and democratic society. However, whereas an individual has the choice to enter or not enter a private business that requires the wearing of a mask as there are other options to obtain goods and services at locations that do not require the wearing of masks (e.g., Longo's vs. Fortinos for groceries), a government-imposed restriction removes this choice. The subsequent barring from *all* buildings accessible to the public is a clear infringement on both a person's Section 2(b) right to freedom of thought, belief, opinion and expression, and Section 7 right to liberty contained with the Canadian Charter of Rights and Freedoms. This breach of Charter rights cannot be justified given the analyses of the risk of COVID-19 and the efficacy of masks presented above.

Requiring mandatory masks at the current time is nothing more than pandering to ungrounded fears during these days of COVID-induced mass hysteria, something that individuals not wishing to wear masks have no social responsibility to do. The peak of the pandemic in Hamilton has been passed without mandatory masking leaving the question why are they needed now. Furthermore, the past four months suggest that there will not be a need for mandatory masking in the future. Notwithstanding, Council has clearly demonstrated that mandatory masking can be implemented very quickly if that need did arise. *That need does not currently exist.*

Yours sincerely,

Bruce Walker
Ancaster, ON

Pilon, Janet

Subject: NO MASKS!

From: Aaron Detrick
Sent: Wednesday, July 15, 2020 5:07 PM
To: clerk@hamilton.ca
Subject: NO MASKS!

Good afternoon, I am emailing regarding my support for not mandating masks in the city of Hamilton.

With a population of almost 580,000 and with only ~860 cases and just 44 deaths, mandating masks to the residents of Hamilton at this point in time seems very extreme and unwarranted. Hamilton is doing a great job with slowly reopening and should continue doing what it's doing without the mandating of masks.

Sincerely,
Aaron Detrick

Pilon, Janet

Subject: Against Mandatory Masks

From: Ryan Andre

Sent: Wednesday, July 15, 2020 6:48 PM

To: clerk@hamilton.ca

Subject: Against Mandatory Masks

Good afternoon, I am emailing regarding my support for not mandating masks in the city of Hamilton.

With a population of almost 580,000 and with only ~860 cases and just 44 deaths, mandating masks to the residents of Hamilton at this point in time seems very extreme and unwarranted. Hamilton is doing a great job with slowly reopening and should continue doing what it's doing without the mandating of masks.

Sincerely,
Ryan Andre

Pilon, Janet

Subject: mandatory masks

From: frank mckenzie

Sent: Wednesday, July 15, 2020 9:46 PM

To: clerk@hamilton.ca

Subject: mandatory masks

Hello Clerk

Please convey to the Mayor and all the Councillors our gratitude for all their hard work in the past months helping our City address the Covid 19 crisis. We appreciate you.

We understand the Council is addressing the subject of mandatory face coverings this Friday and we would like to add this correspondence to the public record for Council consideration.

I am a retired registered nurse who is concerned to see so many people out and about with their faces covered. THIS IS VERY UNHEALTHY. Our bodies need a continuous supply of oxygen. covering our faces impedes this flow. Any covering of our mouth causes carbon dioxide to build up inside that breathing space and this is not good for our brains.

The residents of our City have complied with the public health protocols of social distancing and good hand washing which has curtailed the spread of Covid 19.

Pilon, Janet

Subject: Mandatory Masks

From: Sandra Spracklin

Sent: July 14, 2020 11:13 PM

To: mayor@hamilton.ca <mayor@hamilton.ca>

Cc: arlene.vanderbeek@hamilton.ca <arlene.vanderbeek@hamilton.ca>

Subject: Mandatory Masks

Dear Mayor Eisenberger:

I'm a resident of Dundas and I am writing to you in regards to the bylaw to make it mandatory to wear masks. From what I've read in the news, it seems council is going to go ahead with this. At this time, when Covid-19 cases are declining it does not make sense to me to force everyone to wear masks, especially healthy people. I feel our freedom to choose is being taken away and is going against our constitutional rights. If someone has Covid-19 then they should be quarantined, and those that are healthy should be free to go about their business.

There have been many medical doctors, who have not been reported in the main stream media, who have said that prolonged wearing of masks is unhealthy for us. When we wear those masks normal bacteria, viruses, carbon dioxide and whatever particles are in your lungs get trapped in the mask and we breathe that in over and over again. This can affect our immune system and therefore make us more susceptible to disease.

Mr. Mayor, I do not agree with this bylaw and I hope that you will reconsider this decision.

I've included two video links below, which I hope you will watch. One shows a medical doctor explaining Covid-19 and mask wearing. The second is an interview with a lawyer explaining our constitutional rights. It is in French and English. The English part is at approximately 33 minutes.

Mr. Mayor I hope you will watch them and again, I ask that you will reconsider your position about this bylaw. Thank you.

Sincerely,

Sandra Spracklin

<https://www.youtube.com/watch?v=BYcgfgM33uQ&feature=youtu.be>



The Truth and Facts about COVID 19 from Dr Kelly Victory - YouTube

Official PPC Youtube:

https://www.youtube.com/channel/UCMR4SQfGkEoiNfyaG_22Baw/videos

People's Party of Canada: <https://www.peoplespartyofcanada.ca>
Maxime B...

www.youtube.com

https://www.youtube.com/watch?v=d6o_CsDgOuM&feature=youtu.be&app=desktop



ENTREVUE - STÉPHANE BLAIS ET ROCCO GALATI - YouTube

Stéphane Blais, Président de la Fondation pour la Défense des Droits et Libertés du Québec, discute avec l'avocat constitutionnaliste Rocco Galati de la pour...

www.youtube.com

Pilon, Janet

Subject: FW: Fridays council meeting

From: Sarah Warry-Poljanski

Sent: Wednesday, July 15, 2020 2:53 PM

To: clerk@hamilton.ca

Subject: Fridays council meeting

Good morning,

As we are all aware, this Friday, council will hold a vote to determine the implementation of a by law regarding the mandatory use of face masks within public areas.

As many know, I am against such a move as it is an infringement on my rights including my human rights. However, since we are fearing for the lives of not only ours and our family's, but that of society, I propose we extend the by law to also now include the removal of all processed foods from stores and impliment a fine for those selling them and those buying them. Also, it is well documented that smoking decreases and depresses the immune system, as does excessive alcohol use. Again, as we face such a public health crisis, the general public's well being now is the focus. With this, it's reasonable to say we should enforce a ban on smoking , not only in public places, but the ban of sales and purchase of all inhaled nicotine products. In regards to alcohol, a limit should be placed in the same regrad, and consumption of all alcohol products during this time should be limited.

Again, this is for the safety of the general public and we need to think of the whole during this crisis. I am sure that people in the city, as well as those in city hall and council, will support these measures as we understand the need for protection during this time.

Please consider implementing these measures into Fridays vote as we need to do as much as possible to protect those around us. Even if it means giving up stuff in our own lives.

Please contact me for further information and to let me know whether you support the above.

Please review the following articles and documents supporting the above information.

<https://time.com/2941167/fast-food-may-hurt-immune-system/>

<https://www.hsph.harvard.edu/nutritionsource/nutrition-and-immunity/>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4074336/>

<https://blog.bioticsresearch.com/does-sugar-weaken-the-immune-system>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5352117/>

Thank you
Sarah Warry

Pilon, Janet

Subject: FW: Hamilton Face Covering By-law

From: Steve Marta <sgmarta@sympatico.ca>

Sent: Wednesday, July 15, 2020 1:41 PM

To: clerk@hamilton.ca

Cc: Office of the Mayor; Pauls, Esther; Johnson, Brenda

Subject: Hamilton Face Covering By-law

Hi City of Hamilton Clerk,

I just had a very good phone discussion with Paul (Mayor Fred Eisenberg's assistant) with respect to the impending Hamilton Face Covering By-law ("the By-law") and my concerns as a small business owner in Hamilton, as well as Grimsby.

Our family (me, my wife and our 3 sons) designed, owns and operates Binbrook Gym in Binbrook and Grimsby Gym in Grimsby. We are also in the process of starting a third gym in the nearby Niagara region.

The gyms are boutique fitness facilities that are accessible 24/7 to members only and operate in a unit that is only 3,600 square feet.

The words of support and encouragement from our gym members have been overwhelming during this extremely difficult time for all family-run small businesses.

Many of our members have been struggling (as many others in the world) with the mental and physical health issues created by the lack of physical exercise, and they absolutely cannot wait for the time that we are allowed by the Ontario government to reopen the clubs.

First of all I totally understand the requirement and health care benefits of the By-law.

However, these are my concerns as a small business owner with the current draft of the By-law;

- Sections 2.3 to 2.4- Enforcement- It is not fair at all to "deputize" all small business owners to enforce a Hamilton by-law. We are not trained in situation or conflict de-escalation and should not be asked to take on the potential business, physical and verbal risks that may accompany this task. People have lost their lives recently as a direct result of carrying out the enforcement of the face mask requirement at their place of business. We also do not have the anonymity of a Hamilton By-law officer and in many cases

personally know our members or customers. We should not be exposed to the risk of retaliation or vandalism, or the potential business ending thrashing that can result from the many forms of social media.

- Section 2.5- requirement to be present at all times the business is open to the public- Our business model is dependent on the club being accessible 24/7 to all members and limited staffing by a family member from 9 a.m. to 10 p.m. during the week and from 10 a.m. to 2 p.m. on weekends (“staffed office hours”). We also have several controls in place that allow us to operate the club without having to physically be on-site. The 24/7 accessibility allows members to exercise when it is convenient for them (i.e. due to work or family commitments, etc.) or when physically required (i.e. due to stress, anxiety, insomnia, etc.). Also, our family personally operates each club and is staffed by one person for a limited number of hours per day. We have made substantial investments in membership and door access software, as well as security cameras to allow us to remotely monitor the operations of the gym 24/7. The physically present requirement will force our business to reduce the operating hours of the gym from being open 24/7 to only being open from 9 a.m. to 10 p.m. on weekdays and from 10 a.m. to 2 p.m. on weekends and thereby eliminate the 24/7 accessibility option that is so vital to all our members. Our gyms should not be required to have a family member present on-site 24/7 when it has controls to ensure its safe operation after staffed office hours. The club can only be accessed by members with an activated door access card. Also, since anyone inside the club is exempt from the By-law (please see Section 4.1(h) below) then Section 2.5 does not apply to the club.
- Section 4.1(h)- Exemption for a person who “is actively engaged in an athletic or fitness activity”. The interpretation of this exemption is vital. I am of the view that as soon as a member walks through the main entrance door to the club then that member is actively engaged in an athletic or fitness activity. A member will only come to the club to exercise and only a member can gain access to the club since all doors to enter the club are locked 24/7. The club does not have a lounge or any other social gathering area. The entire physical motion or movement of walking through the main entrance

doors, into the open coat rack/locker area, over to all the pieces of equipment and free weight area, using any piece of equipment in the club, as well as visiting any of the individual private washrooms, in my view, constitutes active engagement in an athletic or fitness activity. I am also of the view anyone that works inside the club or enters the club to obtain or cancel a membership at the club is actively engaged in an athletic or fitness activity. Consequently, I believe that anyone inside the four walls of our entire fitness club and business qualifies for the Section 4.1(h) exemption to the By-law.

Based on my discussion with Paul it is my understanding that our gyms, as well as all other fitness gyms in Hamilton, are effectively exempt from the By-law.

Consequently, I respectfully request the Hamilton City Council to consider my comments above during the Council meeting taking place this Friday, July 17, 2020 (“the Friday Meeting”) for the purposes of finalizing the By-law.

Thank-you for taking the time to read my email and considering including its content on the Agenda for the Friday Meeting.

Steve Marta

Pilon, Janet

Subject: Mandatory masks

From: fwcjmckenzie

Sent: Wednesday, July 15, 2020 12:22 PM

To: clerk@hamilton.ca

Subject: Mandatory masks

Hello

I sent an e-mail this morning to the mayor concerning the subject of mandatory masks. The Mayor's office stated in their reply that I could contact you about making my letter a matter of public record to be considered by council.

How do I go about that?

Thank you for your response.

Frank & Carol McKenzie

Pilon, Janet

Subject: Mandatory Mask bylaw

From: Trevor Lee

Sent: July 16, 2020 12:27 AM

To: DL - Council Only <dlcouncilonly@hamilton.ca>

Subject: Mandatory Mask bylaw

Good morning Councillors,

Down to 23 active cases, and no mandatory mask bylaw. Why now? Why not back at the end of April or May? But I'm a "keyboard warrior" right? The science is settled.....yeah, sorry, science is never settled. Do your homework, and vote with actual common sense, not based on fake main stream media Polls because you "think" it's what the public wants. Wake up!!

Thanks

Your neighbor and Hamiltonian, Trevor.

Ps. Open the climbing structures for children please at the parks. Based on the settled science, children under 9 have 0% chance of dying, and 100% chance of having mental issues due to your idiocies. This is the smartest virus known to man. Won't affect you at BLM protest, Walmart, Costco, and LCBO line ups, but can be suppressed from aunt Betty's homemade cotton mask, social distancing (CIA torture tactic), and 6 feet distancing (totally made up). Anyone who votes in favour watch's to much main stream media. Welcome to Communism!

Pilon, Janet

Subject: FW:

From: Melanie Scholtens

Sent: Thursday, July 16, 2020 9:19 AM

To: clerk@hamilton.ca

Subject:

I would also like to point out a couple of other things that you should not force people to wear masks.

1. The deaf and hard of hearing can no longer lip read.

2. The cloth masks need to be washed daily otherwise mold will grow. Are we prepared for hospitals to handle this, cause you know people are not washing there masks daily.

3. Disposable masks should only be worn for 30 min at a time. I am pretty sure people are not switching masks every 30 min and washing their hands in between uses

4 masks give people a false sense of security. Unless it's an n92 it's useless.

5 the amount of disposable masks that are laying on the streets, do you have a plan for those as they was into our city sewers? Now that's disgusting. Never mind the gloves.

6 stop trying to be like Toronto. They have triple the amount of people we do.

7 children are not good with masks. Plus the chances of them getting covid is next to impossible so why are you forcing them. Children are suppose to build up their immunity, so are the hospitals prepared for al our children who will be flooding the hospitals in the future. It's not right. When you were a child would you have worn a mask.

8 mask won't let people sing in church. And that is a really sad day when you take away people's rights to worship. Plus it's against the freedom of rights act.

9 no one will smile anymore, its hidden under the mask of mold. Depression will set on quickly. Are the hospitals prepared for this?

10 masks do more harm than good. Our cases are next to nil without you enforcing masks. There are worse diseases out there than this pandemic.

Pilon, Janet

Subject: FW:

From: **Melanie Scholtens**

Date: Fri., Jul. 10, 2020, 8:56 p.m.

Subject:

To: <mayor@hamilton.ca>

I am so angry about the government forcing us to wear masks. This so called pandemic is already a political move and has screwed my family business and now you want us to wear masks for no good reason. Science says that if the mask is non medical it does not wear, plus giving people a false sense of security. Science says it's almost impossible for you to get covid through touch. But nobody cares about the science. Nobody cares about mental health. We just all have to follow the government laws even though they make no sense. Communism at it's best.

I guess that starting this weekend I will be shopping in Burlington. I refuse to wear a mask. My asthma does not agree with it, but you don't care about that.

I feel so sorry for our kids. This so called pandemic has wreaked havoc with their lives and now you are forcing them to wear masks.

My cancer child , even when neutropenoc refused to wear a mask. How are you going to get kids to wear them.

This has gotten out of hand.

You are doing more harm then good.

Pilon, Janet

Subject: Mask By law

From: Fred Zipeto

Sent: July 16, 2020 9:53 AM

To: DL - Council Only <dlcouncilonly@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Subject: Mask By law

Respectful Mayor/Councillors

I would like to share a concern and opinion regarding the passing of the Mask Bylaw. Working in the law enforcement field I can assure you that we will have problems identifying people who commit crimes. Gas stations will have more gas drive offs, robberies, thefts, driving complaints (unable to identify the driver) etc.....Victims will be unable to have their situation resolved. Even though the majority of people in our community have cameras, the police will have a difficult time identifying the suspects with this Mask Bylaw in place. I also have noticed while shopping, masks are being discarded in the parking lots. I do believe that we are being influenced by politics.

I hope that this concern will be brought forth to other councilors .

Thank you

Fred Zipeto

Pilon, Janet

Subject: FW:

From: **Melanie Scholtens**

Date: Mon., Jul. 13, 2020, 10:10 a.m.

Subject: Re:

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

So the news has been banned in our home because it false reports and causes my children and myself mental anxiety.

The only reason you are talking about masks is because Toronto did it. More people die from everything else but covid and yet you refuse to acknowledge this.

I can't even get into my doctor's office to get immunizations for measles for my kids because they are still closed but all other immunizations must not matter because they are not covid.

My sons neuro exam will be virtual which is not the same as actually having a doctor exam him because it's not covid. Cancer is nothing compared covid. Covid is so much worse right?

Science has proven that it's not and yet the government refuses to admit that they are wrong.

So instead we will let our small businesses and restaurants go bankrupt. We will make our children illiterate because they cannot go to school. We refuse our children to see their extended family or play sports or play on that horrid covid filled play structure. Even though science has already proven that there is such a minimal risk of children getting covid or spreading it. Like enough is enough. Stop the fear you are instilling in people. Our children our suffering from mental health. Suicide is up. But wait that's not covid so it's really not that bad if a child is so depressed it just wants to exit life.

Numbers are down for covid. If people stopped getting tested there would be 0 because our hospitals are empty of covid cases. It's a virus. Remember when you went to the doctor and he would say, oh it's a virus, go home, rest drink lots of fluids. Yes it's more serious for the elderly but so is everything else. The future is not in our elderly but our children.

And their future looks like one with mental anxiety and paying extreme amount of tax dollars to pay for all the government handouts.

Again, more harm than good. So let's put masks on everyone (and you know this wont be temporary). Not let people talk to each other because we would not want people to realize how wrong the government is, So muzzle them like dogs.

I believe we should be more like the states. Stop paying the political party of the WHO and open our borders. Align ourselves with the States and not China. China does not care about us.

Let's put our covid money to good use, like fixing roads, helping the homeless shelters, investing in our children's future and so much more.....

Open churches fully because God is the only one that can save us. Since Jesus Christ, no one has escaped dying. It's a guarantee that we will all die one day so maybe it's time to live. Glorious and free. The elderly if you ask them don't want to live in isolation. They would rather enjoy their last days and years with their families, making memories and passing on wisdom and history because they have lived through worse times then these.

I appreciate the fact that you replied to my previous email.

I hope you have a great day.

Melanie

Dear Honorable Councilors,

I am deeply concerned by the passage of the proposed Mask Bylaw at our Board of Health meeting last Friday.

The proposal for a mask bylaw within our City is not supported by science and the present situation in our City does not warrant it. It is an egregious affront to our civil liberties and personal autonomy and is not likely to survive a challenge under our Charter of Rights and Freedoms. Mask use in the general public is dehumanizing, alienating and a sign of separation and oppression that has no place in Canada, Ontario and specifically in our great City of Hamilton which I love.

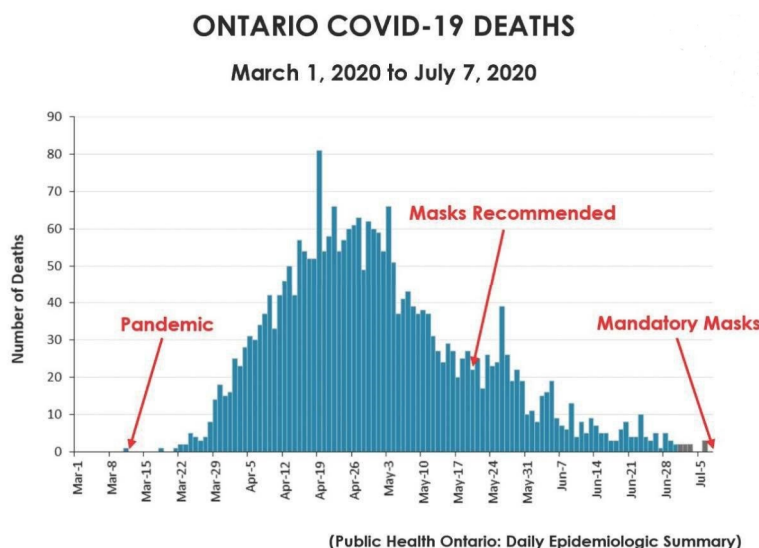
Firstly, the situation in Hamilton does not warrant this Bylaw:

As I am writing this letter I checked the Status of Cases information on the City of Hamilton website and it appears there are only 14 cases left in our community. From 860 confirmed positive cases, 802 resolved, and there were 44 deaths, this leaves a balance of 14 remaining cases, with only one individual hospitalized.

Hamilton entered Stage 2 of the Ontario reopening plan on June 19th, 2020 – that is nearly 4 weeks ago. Since that time there have been only 74 new cases in our City. In contrast, in the 4 week period before June 19th (May 22 to June 19th) there were 173 new cases and during the 4 week period before May 22nd (April 24th to May 22nd) there were 236 new cases.

Suffice to say that although we have opened our City significantly and although we have increased the availability of testing for Covid19 significantly, the number of Covid19 cases has not increased. We are on a positive trajectory and there is no reason to assume that this will change in the near future.

On the provincial level we can see that we are at the end of the curve of this pandemic



There is no reason for preemptive masking measures, as can be seen, despite our province's reopening, on the whole the number of cases has continued to decline. Given the potential harms that go along with mask wearing I believe that our City should consider the option of waiting to see whether there is any uptick in cases before enacting such strong measures as universal masking.

Secondly, the current science behind mask use is questionable at best as you will see in the following paragraphs:

The science regarding mask use pre-pandemic has always been clear – the reduction in the spread of influenza and other respiratory illnesses due to the use of cloth masks is not detectable.

In 2019 the World Health Organization compiled a document entitled *“Non-pharmaceutical public health measures for mitigating the risk and impact of epidemic and pandemic influenza”*¹ – the purpose of this document was to provide recommendations for the use of *Non-pharmaceutical interventions* (NPIs) in future influenza epidemics. The method for the development of the document was to identify NPIs that had potential to mitigate pandemics, evaluate the evidence for their effectiveness and provide recommendations for their use / non-use. Masks are an NPI which was evaluated in this document.

In order to evaluate the effectiveness of the Masks the Who undertook a systematic review of the scientific literature i.e. studies that evaluated the benefits of mask use in controlled settings. Their conclusion regarding mask use was as follows:

“Ten RCTs were included in the meta-analysis, and there was no evidence that face masks are effective in reducing transmission of laboratory-confirmed influenza.”

4.3. Face masks

Summary of evidence

Ten relevant RCTs were identified for this review and meta-analysis to quantify the efficacy of community-based use of face masks, including more than 6000 participants in total (42-47, 50, 68-70). Most trials combined face masks with improved hand hygiene, and examined the use of face masks in infected individuals (source control) and in susceptible individuals. In the pooled analysis, although the point estimates suggested a relative risk reduction in laboratory-confirmed influenza of 22% (RR: 0.78, 95% CI: 0.51–1.20, I²=30%, P=0.25) in the face mask group, and a reduction of 8% in the face mask group regardless of whether or not hand hygiene was also enhanced (RR: 0.92, 95% CI=0.75–1.12, I²=30%, P=0.40), the evidence was insufficient to exclude chance as an explanation for the reduced risk of transmission. Some studies reported that low compliance in face mask use could reduce their effectiveness. A study suggested that surgical and N95 (respirator) masks were effective in preventing the spread of influenza (71).

OVERALL RESULT OF EVIDENCE ON FACE MASKS

1. Ten RCTs were included in the meta-analysis, and there was no evidence that face masks are effective in reducing transmission of laboratory-confirmed influenza.

The recommendation regarding masks in the originally published document was for use by symptomatic people only. Since that time the recommendation has been updated and it notes that masks are recommended for asymptomatic people only in severe pandemics or epidemics, and the recommendation notes:

“There is no evidence that this (wearing of surgical masks) is effective in reducing transmission”

It is not clear why the WHO would recommend mask wearing when they themselves admit that there is no scientific evidence for their efficacy.

In any case, what we have in Hamilton cannot be classified any longer as a ‘severe pandemic’ – with only one individual in hospital, and 14 live cases identified in the community. The spread of the virus has been decreasing and continues to do so despite the fact that our City is opening up.

The general advice regarding mask wearing prior to Covid19 has always been that masks are for the symptomatic only; or those caring for symptomatic individuals. For example the Journal of the American Medical Association notes the following in their guidance on the use of masks:

When Should a Mask Be Used?

Face masks should be used only by individuals who have symptoms of respiratory infection such as coughing, sneezing, or, in some cases, fever. Face masks should also be worn by health care workers, by individuals who are taking care of or are in close contact with people who have respiratory infections, or otherwise as directed by a doctor. Face masks should not be worn by healthy individuals to protect themselves from acquiring respiratory infection because there is no evidence to suggest that face masks worn by healthy individuals are effective in preventing people from becoming ill. Face masks should be reserved for those who need them because masks can be in short supply during periods of widespread respiratory infection. Because N95 respirators require special fit testing, they are not recommended for use by the general public³

The WHO changed that advice on June 5, 2020 when they released the document entitled: “Advice on the use of masks in the context of COVID-19, Interim guidance²”

This document notes: *“Many countries have recommended the use of fabric masks/face coverings for the general public. At the present time, the widespread use of masks by healthy people in the community setting is not yet supported by high quality or direct scientific evidence and there are potential benefits and harms to consider (see below).”*

The potential disadvantages are listed as follows:

- *potential increased risk of self-contamination due to the manipulation of a face mask and subsequently touching eyes with contaminated hands;(48, 49)*
- *potential self-contamination that can occur if non-medical masks are not changed when wet or soiled. This can create favourable conditions for microorganism to amplify;*
- *potential headache and/or breathing difficulties, depending on type of mask used;*
- *potential development of facial skin lesions, irritant dermatitis or worsening acne, when used frequently for long hours;*
- *difficulty with communicating clearly;*

- *potential discomfort*
- *a false sense of security, leading to potentially lower adherence to other critical preventive measures such as physical distancing and hand hygiene;*
- *poor compliance with mask wearing, in particular by young children;*
- *waste management issues; improper mask disposal leading to increased litter in public places, risk of contamination to street cleaners and environment hazard;*
- *difficulty communicating for deaf persons who rely on lip reading;*

The document goes on to note:

“If masks are recommended for the general public, the decision-maker should:...

- *inform/train people on when and how to use masks safely (see mask management and maintenance sections), i.e. put on, wear, remove, clean and dispose;*
- *consider the feasibility of use, supply/access issues, social and psychological acceptance (of both wearing and not wearing different types of masks in different contexts);*
- *evaluate the impact (positive, neutral or negative) of using masks in the general population (including behavioral and social sciences).*

In light of this information, I have the following concerns:

Why is the City of Hamilton recommending this violation of our Civil Liberties without strong scientific support that the measures proposed will be effective?

Why is our Board of Health using the World Health Organization as a reference in their report to Council, when their recommendation does not match the WHO's own documents?

Has the City clearly considered all the potential disadvantages to mask use as noted above?

What is the City of Hamilton doing to mitigate these disadvantages?

Since mask use leads to relaxing of other measures, will this universal mask bylaw actually have a negative effect and cause an increase in cases in our community?

How is the City of Hamilton going to train our 600,000 citizens in the proper use of masks?

Has the City considered the psychological harms of mask use? Both for wearers; an increased sense of fear and foreboding danger; and for non-wearers; vilification, shaming, shunning etc.?

Has the City considered the impact to deaf individuals within our City and those who are hard of hearing who will no longer be able to lip-read in Public?

Is the City of Hamilton opening themselves up to possible litigation due to negative consequences of mask wearing?

I now wish to turn my attention to the Board of Health report which was presented at the committee meeting on Friday July 10th. I have reviewed the report and I have the following observations and concerns:

The report notes that the by law: *“shall be reviewed by the Board of Health every 3 months unless directed otherwise by City Council.”*

What criteria will the Board of Health be using to determine whether this Bylaw can be repealed? What criteria will City Council use to direct Public Health to review this Bylaw? There is no documentation within this bylaw to note that it is a temporary measure or that it should be repealed at the earliest opportunity.

There is no criteria in the bylaw to call for its own removal. Given we are enacting this bylaw in a setting in which community spread is declined, hospitalizations are nearly at zero and there are only 14 active cases, what else can we see happen that will make our City comfortable that this is not necessary?

The Executive Summary of the Board of Health report notes that: “Some jurisdictions around the world, including many in the United States, are experiencing a resurgence of cases since re-opening.”

The primary examples given for this in the media are Texas and Florida, however it is also being widely reported in the media that the case counting in these States is far from accurate. In any case, Florida and Texas have far fewer deaths for their population than Ontario. Why should what is happening in the southern states have any bearing on the conversation relating to our City? Hamilton has started opening and the number of cases has declined. There are a myriad of factors, which could be affecting case transmission in such distant jurisdictions, and so I fail to see why this is relevant to Hamilton. Hamilton is opening and our cases are continuing to decline, information from the southern states is irrelevant.

Throughout the document the word ‘Enclosed’ is used, however a definition of enclosed is not provided. Presumably, this word means ‘indoor’ spaces, however indoor spaces vary significantly in size, space, airflow etc. Given the differences that can exist, why are all enclosed spaces being painted with the same ‘danger’ brush?

The Executive Summary notes that the science on non-medical masks is not definitive. As in my question above - How can our City Council impose a bylaw which severely infringes the rights of Hamiltonians to personal autonomy on the basis of science that is ‘not definitive’?

The Executive Summary notes that jurisdictions with ‘mandates’ have seen more people complying. Yes – the threat of punitive measures will get you forced compliance. Make no mistake about what you are doing, you are no longer encouraging – the passing of a bylaw means you are forcing me and my family to wear a mask in public. I take strong exception to this.

The Executive Summary notes that - “More widespread wearing of masks and face coverings may act as a visual cue that public health measures, including maintaining a physical distance from others, are still required”

This contradicts the idea that masks use is for enclosed areas where social distancing cannot be practiced. This also contradicts the WHO’s warning that masks provide a heightened

perception of 'security' which may lead to relaxing of other measures such as physical distancing. It is very likely that what you are doing will actually lead to greater spread of Covid19 due to an assumed safety behind an ineffective mask.

Within the Historical Background section of the Board of Health report it fails to mention that on June 23rd Dr. Ninh Tran was quoted in the Hamilton Spectator as saying: "We are not looking at making masking mandatory"


On June 29th however, our Mayor, seemingly without the support of Public Health, made a political statement together with other GTHA mayors asking the province to enact mandatory masks.

This leaves me wondering whether Public Health was driving the bus with respect to our Public Safety, or was this report compiled after the fact as political support for our Mayor, who stepped out on his own accord to score political points? To what degree are politics playing into this recommendation for mandatory masks? Was the Board of Health report prepared before or after these statements from our Mayor?

Within the Analysis and Rationale portion of the report it is noted that "the World Health Organization strongly recommend the wearing of masks or face coverings where physical distancing cannot be maintained". However if you refer to my quotations from the official WHO documents above, this statement is a stretch. They conditionally recommended them in severe pandemics where there is widespread community spread, while noting the lack of evidence for their efficacy as well as the associated dangers.

The Board of Health report discusses the spread of Covid19 – however they do not note significant information relating to the spread of Covid19.

The New England Journal of Medicine has noted in a study published on May 21, 2020⁴ that the transmission of the virus requires prolonged contact. An excerpt from the study is contained below -



The NEW ENGLAND
JOURNAL of MEDICINE

May 21, 2020
N Engl J Med 2020; 382:e63
DOI: 10.1056/NEJMp2006372

Excerpt:

We know that wearing a mask outside health care facilities offers little, if any, protection from infection. Public health authorities define a significant exposure to Covid-19 as face-to-face contact within 6 feet with a patient with symptomatic Covid-19 that is sustained for at least a few minutes (and some say more than 10 minutes or even 30 minutes). The chance of catching Covid-19 from a passing interaction in a public space is therefore minimal. In many cases, the desire for widespread masking is a reflexive reaction to anxiety over the pandemic.

The accepted mechanism for the spread of Covid19 is prolonged contact with an infected person for at least several minutes - the mask bylaw does nothing to address this. The mask bylaw will cover our faces for brief passing moments in indoor commercial settings. This is not how the virus is spreading; it spread through long term contact with infected individuals in places like retirement homes and Long-term Care facilities.

The evidence provided within the Board of Health report regarding the effect of masking in certain jurisdictions around the globe is anecdotal at best. While areas such as Hong Kong, Japan and South Korea did better in terms of total cases, the degree to which masks played into that outcome is unknown.

China is also a nation which uses masks readily and culturally, however that was the epicenter of the pandemic and the virus spread from through and around China, and from China to the world despite China's widespread mask use.

The Board of Health report noted that face coverings can act as a visual cue for other measures such as physical distancing, however the WHO has cautioned that masking actually provides a false level of security and will lead to a decrease in such practices as physical distancing. This has been my observation – when people wear masks they feel safe and don't hesitate to get into each other's space, when in fact a better option would be to physically distance from each other.

The Board of Health report notes that there are numerous potential negative unintended consequences to universal masking, such as:

- *There may be in individual level impacts such as facial dermatitis, facial lesions, itchiness and skin irritation, worsening acne, fogging of glasses, difficulty in clear communication;*
- *If worn improperly, facial coverings use can present the opportunity to contaminate the wearer; lack of hand hygiene may also cross contaminate the environment*
- *Individuals who may not be able to tolerate face coverings (e.g. underlying medical conditions) may be stigmatized;*
- *Depending on how policies are enforced, income and other inequities may be exacerbated (e.g. for those who lack access to masks and face coverings); and,*
- *Impact on the PPE supply chain should individuals use medical masks in non-health care settings.*

These are significant consequences and are almost certain to occur given the requirement for widespread masking.

Personally, I have mild asthma; however it is exacerbated by mask use and especially in hot temperatures. I have seen the vitriol in online forums against those who question the need for universal masking and I am anticipating that I will be the subject of vilification, shaming and shunning if I am unable to wear my mask.

As I noted above – the question as to what degree the City are opening themselves to legal challenges and lawsuits due to negative impacts from masks within our City needs to be

considered. If residents sue the City of Hamilton who will ultimately be paying for their settlements? The tax-payers, or the Board of Health and city councilors who enacted this Bylaw despite the protests of tax paying citizens?

Other questions that I have related to these possible negative impacts are as follows:

To what degree is the City providing adequate training for the proper wearing of masks?

To what degree will the City be held liable for not providing proper training?

What about those citizens who cannot afford masks?

The Board of Health report notes that the science on face coverings continues to evolve, they then go on to cite numerous studies that were completed since the start of the Pandemic.

While I understand the need for 'live-science' in such a situation as our Pandemic, the 'Hard-science' i.e. random control tests which were designed to remove bias have always shown that masks DO NOT work. Science does not change just because there is a pandemic, the rush to publish new work without peer-review and without oversight leaves these studies very open to possible biases and unrepeatable conclusions.

The Board of Health study also references 'modelling studies' however after the debacle which was our province's reliance on modelling I hope we are not continuing to base public policy on models. We were told that we could experience up to 100,000 deaths in our province based on 'modelling' – that number now appears so ridiculous that it was a crime for it to be presented to the public. I deny that the City should or can even legally curtail our rights to personal autonomy based on theoretical modelling, and in the face of the 'Hard-science' that shows that masks do not work.

At best the masks will provide some source control for coughing and sneezing. However, those who are coughing and sneezing should be tested for Covid19 and stay home as these are symptoms of the virus. In any case, your sleeve or elbow are just as effective in blocking a cough or sneeze as a mask. Masks need to be discarded after you cough into them or sneeze into them as they become a wet breeding ground for bacteria and other viruses.

On a personal note:

Personally I find masks to be dehumanizing and alienating. Showing your face is a beautiful part of our culture that I value highly. You cannot connect with someone or communicate well on a personal and empathetic level with your face covered. Face coverings are for thieves and robbers aren't they? Not for open, healthy, friendly Canadians with nothing to hide - they are a sign of separation and oppression.

To overcome the fears we need to keep opening up and getting back to normal so people can see there is little to be afraid of. We have a City that is paralyzed by fear and a presentation of

the facts, such as where we are on the curve, the decrease in cases and the decrease in hospitalizations – these items are better ways to encourage our City to get back to business.

Given the facts I have outlined above I wish to summarize as follows:

1. The requirement for universal masks is a violation of personal autonomy, our Civil liberties and Charter rights, it is dehumanizing, alienating and a sign of separation and oppression that has no place in Canada, Ontario and specifically in our great City of Hamilton which I love.
2. The situation within Hamilton and our Province does not warrant the proposed measures we are doing fine as we continue to open up and cases continue to decline.
3. The science regarding mask use is clear that they do not work. The evidence provided by the Board of Health in support of mask use is anecdotal at best and contradicts other valid Health authorities such as the New England Journal of Medicine, the Journal of the American Medical Association and the World Health Organization.
4. It is very problematic that there is no clear metric within the Board of Health Report or the Bylaw itself to note when this bylaw will be repealed. The Bylaw is not even noted specifically as a temporary bylaw. How will Council determine that these measures can be ended?
5. Due to the potential negative impacts of masks, their disadvantages and problems noted by various health authorities the City of Hamilton is opening the public up to lawsuits and litigation which will have to be settled by tax payer contributions. Our City cannot afford this in our weakened fiscal position due to the virus.
6. The City is not valuing equity and the rights of those who cannot afford masks or cannot wear masks due to health reasons. Your bylaw has the effect of vilifying and shaming those who cannot wear masks due to the cost or other health issues.

Given these facts, I ask that our Council reconsider universal mask use within our City. It is unjustified and unwarranted and I and my family am strongly against these measures. I want what is best for my City and this bylaw is not in the best interests of the City of Hamilton.

Thank you for your consideration.

Best Regards,



- 1 - <https://apps.who.int/iris/bitstream/handle/10665/329438/9789241516839-eng.pdf?ua=1>
- 2 - https://www.who.int/docs/default-source/coronaviruse/corrigendum-to-ig-2020-4-ipc-masks-2020-06-05-pp-15-16-2020-06-06-e.pdf?sfvrsn=c5992b89_2
- 3 - <https://jamanetwork.com/journals/jama/fullarticle/2762694>
- 4 - <https://www.nejm.org/doi/full/10.1056/NEJMp2006372>

Pilon, Janet

Subject: Indoor mask by-law

From: Duane Dahl

Sent: Thursday, July 16, 2020 11:58 AM

To: clerk@hamilton.ca

Subject: Indoor mask by-law

Good morning,

We are pleased to support the indoor mask by-law proposed to Council for consideration on Friday, July 17. With our long history of supporting children, youth, and families in Hamilton who frequently face health, economic, and participatory barriers, Boys and Girls Clubs of Hamilton sees such a by-law as a reasonable, effective, and increasingly evidence-based approach to slowing the spread of the pandemic in our community. We also believe this will help to reduce health risks for the families we serve, particularly in lower income neighbourhoods where people are significantly less likely to be able to work from home and who are disproportionately exposed to the public in retail and similar sectors.

While we applaud the inclusion of both child care facilities and schools as exemptions from the by-law, we are asking for the explicit inclusion of both day camps and authorized recreation after-school programs (as defined under the Child Care and Early Years Act and funded through the Ministry of Heritage, Sport, Tourism, and Cultural Industries' Ontario After School Program) as exemptions. Each of these program settings is governed by COVID guidance documents from the Province and they are both structured with cohorts, screening, and cleaning mirroring those of licenced child care.

We appreciate Council's consideration of these revisions to the by-law and wholeheartedly support its effective implementation.

Duane Dahl, Assistant Executive Director
Boys and Girls Clubs of Hamilton
45 Ellis Ave., Hamilton, ON L8H 4L8
(905)549-2814 ext. 240
duane@kboysandgirlsclub.com

Pilon, Janet

Subject: backyard chickens

From: Rachel Yantzi

Sent: July 13, 2020 10:36 PM

To: Nann, Nrinder <Nrinder.Nann@hamilton.ca>

Cc: clerk@hamilton.ca

Subject: backyard chickens

Dear Ms. Nann-

I am a resident of the Stipley neighborhood in Hamilton. It has come to my attention that there is a vote planned in city council this Friday related to the current bylaw prohibiting backyard chickens. I was unable to find mention of this in the council agenda but I wanted to write to express my support for a change in the bylaw allowing small flocks (for example under 5 chickens, and no roosters) within the city of Hamilton. I do not know where you stand on this issue, but I would request that you vote in favor of allowing backyard chickens in Hamilton.

As with any other pet, it is important to ensure that they are well-cared for, that waste is cleaned up, and that animals are not disturbing neighbors. If dogs, which cause far more noise disturbance in my neighborhood are allowed, then I do not understand why small flocks of chickens are a problem. I think it is critical for urban residents to have a closer connection to how food is produced, and caring for animals that nourish your family is one way to deepen that connection.

Thank you for your consideration,

Rachel Yantzi

Pilon, Janet

Subject: Correspondence to be read during July 17, 2020, Council Meeting

From: Rebecca Mills

Sent: July 14, 2020 11:03 AM

To: clerk@hamilton.ca; Davenport, Alicia <Alicia.Davenport@hamilton.ca>

Subject: Correspondence to be read during July 17, 2020, Council Meeting

Re: City of Hamilton Staff Report #PW20010/PED20077

Dear Honourable City Council Members,

I am writing to ask you to revisit the resolution entitled, "Making Upper James Street More Pedestrian Friendly" which you ratified on June 24, 2020. By adding some planter boxes and shifting two sets of lights one block south (Churchill/Duff to Queensdale and Brantdale to Bruce Dale), Upper James is supposed to become more pedestrian friendly. However, the plan won't actually achieve its goal, it does not reflect community needs, and it will be a waste of money.

First, this project won't achieve its goal because it does not address speeding, the biggest problem for pedestrians on Upper James. As a resident of the area, I would welcome authentic measures to make things safer for pedestrians by slowing down the traffic. Transformative change could include a road diet (two lanes with a turning lane), on-street parking, bikes lanes, wider sidewalks, etc.

Second, this project does not reflect the needs of the community. Some of my neighbours and I attended the meeting at Queensdale Elementary last year and gave feedback in good faith in person and remotely. I realize now that the report done by Public Works was most likely *fait accompli*, but the team of city planners was also tasked with an unachievable goal. The root of the problem lies in the past when Council ratified a motion brought forward by then Cllr. Skelly which proposed that a better environment be created for pedestrians "without diminishing the traffic along the vital route." The sentiment is in the right place, but the needs of pedestrians and cars are in competition with each other.

Third, this plan is a waste of money. Why spend over half a million dollars on a project that is unlikely to improve pedestrian safety, especially at a time when the City is struggling financially? In addition, no provision was made in the resolution for the unintended consequences that will result in traffic being redirected in between West 5th and Upper James. Right now there is a direct line between the two major arteries via Brantdale, but this project would alter that situation forcing cars onto residential streets ill equipped to handle the influx.

Thus, the current project will *not* make things better for pedestrians, it does not support their needs in the community, and it squanders taxpayer dollars. The plan as it stands benefits *cars* more than pedestrians. Please consider revisiting the resolution (as well as Cllr Skelly's legacy) to make credible changes or save the money for something else. In closing, I would appreciate Council answering this question on the record: What will Council do to make things better for pedestrians on Upper James...for real?

Sincerely,
Rebecca Mills

Pilon, Janet

Subject: 127 Hughson Street North, Hamilton

From: Bryan Dykstra

Sent: July 9, 2020 10:42 AM

To: Farr, Jason <Jason.Farr@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Cc: Addington, David <David.Addington@hamilton.ca>; McKie, Shannon <Shannon.McKie@hamilton.ca>; Holland, Andrea <Andrea.Holland@hamilton.ca>; Robichaud, Steve <Steve.Robichaud@hamilton.ca>

Subject: 127 Hughson Street North, Hamilton

Attention:

Mayor Fred Eisenberger
Councillor Jason Farr, Ward 2

July 9, 2020

Dear Mayor and Councillors,

RE: Recommendation to Designate 127 Hughson Street North, Hamilton

As the owner of the subject property, I am writing to comment on the Heritage Designation of 127 Hughson Street North, Hamilton. My comments are as follows:

1) I object to the insertion of item (c) by the Heritage Committee. The "Description of Heritage Attributes" already documents the specific items in the lobby which are of historic value or interest (note the section starting "Key heritage attributes associated with the split level foyer..."). Further declaration of the entire Foyer is unnecessary and is a broad brush stroke where more specific verbiage was already contemplated through consultation between the heritage planner, heritage consultant and owner. The lobby has already undergone significant changes during the course of our interior demolitions work. I request this insertion to be removed.

2) I object to the insertion of the words "with operable openings" in relation to the window replacement. This is an unnecessary differentiator. Operability of windows will, in many cases, result in a negative impact on the design quality of the window as the casings around modern operable windows are extremely thick and unsightly. The operability of the historic steel windows is unique due to the fact that they are constructed with steel and there is no thermal break. Windows are no longer built with steel and they are required to be thermally broken. The materiality of modern windows does not allow for the thin site-lines with operable windows. Ultimately, this cannot be achieved with modern glazing and if it is REQUIRED, it may actually result in a reduction in design value of the finished product. I would ask that this insertion be removed.

The above changes were made without any consultation as I was given no opportunity to address the Heritage Committee (I understand this is a result of the pandemic). In both instances, if given the opportunity, I could have provided background to the Heritage Committee on why the insertions are not suitable. The process, as it was followed, has not permitted me to make such feedback and leaves me to appeal to council to have them removed without the opportunity to provide more detailed reasoning.

I have otherwise been a proponent of this designation and the original verbiage of such as agreed upon by the heritage planner, heritage consultant and myself.

Regards,

Bryan Dykstra
Blacks Point Development Inc.
(m) 416.523.2788
www.blackspoint.ca

Declaration of Mutual Commitment and Friendship (FINAL)

Improving the Quality of Life of Indigenous People Across Ontario's Municipalities Joint and Ongoing Commitment Between Signatories: the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC)

1. WHEREAS in Ontario, over 85 percent of Indigenous people live in municipalities;
2. WHEREAS the growing percentage of Indigenous people living in municipalities and the Friendship Centres that serve them participate in and contribute to municipal community life;
3. WHEREAS the Friendship Centres have existed in Ontario municipalities for over half a century and have vital roles to play in community development, social cohesion, and improving the quality of life for Indigenous people living in urban and rural areas;
4. WHEREAS the Friendship Centres receive their mandate from their communities and are inclusive of all Indigenous people;
5. WHEREAS municipal governments have a growing and critical role in human and social services and community development and many have shown leadership in working in partnership with Indigenous organizations;
6. WHEREAS the Truth and Reconciliation Commission defines reconciliation as “an ongoing process of establishing and maintaining respectful relationships”;
7. WHEREAS strengthening relations between Indigenous and non-Indigenous people is essential to municipal governments, Friendship Centres, and communities across Ontario;
8. WHEREAS municipal governments play an important role in providing and delivering valuable programs and services to meet the needs of their residents, as well as being responsible, in all or some part, for over two hundred and eighty (280) pieces of provincial legislation that impact daily life of all who live in Ontario;
9. WHEREAS many municipal governments and Friendship Centres have taken up the responsibility to collaborate on a variety of initiatives that improve Indigenous quality of life and have had tangible community impacts;
10. WHEREAS municipal governments are on the front-lines working directly with all individuals to support and determine social determinants of health, demonstrating a notion of direct responsibility contributing to community wellbeing and prosperity;
11. WHEREAS the AMO has developed the Indigenous Relations Task Force to advise the AMO Board of Directors on municipal-Indigenous relationship building;
12. WHEREAS the OFIFC was founded in 1971 and works to support, advocate for and build the capacity of member Friendship Centres across Ontario;
13. WHEREAS the Friendship Centre Movement is the largest Indigenous service network in the province supporting the vibrant and quickly-growing Indigenous population through programming, research, education, and policy advocacy;

14. WHEREAS AMO and OFIFC are partnering on a variety of initiatives to improve collaboration and information sharing amongst our membership, not limited to the work of the AMO-OFIFC Indigenous Relations Working Group and the AMO-OFIFC Memorandum of Understanding (*signed on date*); AND
15. WHEREAS this declaration is a living document that municipal governments and Friendship Centres can sign onto or use as a framework for the development of local or regional declarations that can be added to this declaration;

THAT SIGNATORY MUNICIPAL GOVERNMENTS RECOGNIZE:

16. THAT Indigenous people reside and build community and resilience in municipalities across Ontario;
17. THE value of Indigenous knowledge and expertise to design, plan, implement, and evaluate public policy and programs that impact the wellbeing of Indigenous people is paramount;
18. THE responsibility taken up by Indigenous Friendship Centres to meet Indigenous community need;
19. THE value of building relationships and partnerships with Friendship Centres to improve the quality of life of Indigenous people in their municipality; AND
20. THAT the exchange of information and skills within and between municipal governments and related associations contribute to improved understanding in the area of Indigenous relations.

THAT SIGNATORY ONTARIO INDIGENOUS FRIENDSHIP CENTRES RECOGNIZE:

21. THAT they are and have been leaders in urban Indigenous community development and in reflecting and responding to the needs of Indigenous people in municipalities for over half a century;
22. THAT they are engaged in local and regional affairs and that they contribute to municipal life and that they lead the Indigenous social, community, economic, and cultural development of municipalities across Ontario;
23. THE responsibility taken up by municipal governments to meet and serve Indigenous communities;
24. THAT municipal governments provide essential services that Friendship Centre community members rely on to thrive;
25. THAT municipal governments are leaders in Ontario in meeting community needs through local programs, services and community development, be they in human and social services, public safety or public works/infrastructure, and are integral to community well-being and the social determinants of health;
26. THAT the development and maintenance of good relationships and partnerships with municipal governments is essential to achieving long-term positive impact on Indigenous communities; AND
27. THAT Friendship Centres acknowledge that they operate in a municipal landscape and rely on municipal governments.

ALL SIGNATORIES RECOGNIZE:

- 28. THAT we are uniquely positioned to improve community-wellbeing through local policy development, programs and services as we are well-equipped to be responsive to community needs;
- 29. THAT community-identified needs and priorities should provide the basis for policy and program development, and that we are uniquely positioned to improve the quality of life of Indigenous people living in municipalities;
- 30. THAT mutual respect, responsibility, trust, transparency and collaboration to meet common community priorities are key principles of relationship building between non-Indigenous and Indigenous organizations;
- 31. THAT the Friendship Centres and municipal governments play key roles in working against racism, inequality, discrimination, and stigma within and between communities;
- 32. THAT the goal of this declaration is to provide municipal governments and Friendship Centres with a framework for relationship-building to advance reconciliation in communities across Ontario;
- 33. THAT the goal of this declaration is to enhance social cohesion between Indigenous and non-Indigenous people and support closer cultural, social and civic ties between Indigenous and non-Indigenous people;
- 34. THAT we can play a leadership role and set a standard by advancing reconciliation locally and regionally through partnerships and collaboration;
- 35. THAT fostering local and regional partnerships is integral to improving the quality of life for all communities; AND
- 36. THAT we establish and maintain an ongoing dialogue and working relationships at the local and provincial orders.

SIGNATORIES AND ADJACENT DATES:

AMO

OFIFC

Ongoing Signatures:

Municipal Governments (Elected Officials)

Friendship Centres (Presidents)



Hamilton

4.14

Memorandum

Public Health
Services

Date: July 15, 2020
To: Mayor and Members of Council
From: Dr. Ninh Tran, Associate Medical Officer of Health

On Friday, July 10th, 2020, the Board of Health voted in favour of the draft Hamilton Face Covering By-law attached as Appendix "A" to Report BOH20014.

In response to issues raised by Councillors and others, staff members are proposing minor changes to the by-law to assist in clarification as summarized below:

1. a second sentence will be added to the signs to be posted by Operators to read:

All persons entering or remaining in these premises shall wear a face covering which covers the nose, mouth, and chin as required under City of Hamilton By-law _____-2020 (unless exempt).

Please also respect the rights of those persons who are exempt from the requirement to wear a face covering in accordance with this By-law.

2. the Director of Licensing is granted the discretion to approve any Operator's sign that meets the general intent of the by-law to permit minor variations from the preferred wording;
3. amongst the exemptions, an individual may now remove his/her face covering to *provide* (as well as receive) services. This change recognizes that some service providers may have to remove their face covering to, for example, provide information to those that communicate by reading lips or speak publicly (e.g. religious leaders); and
4. minor grammatical/housekeeping changes.

Staff are also preparing a communications protocol that will assist members of the public in better understanding the bylaw and will be in attendance at Council this coming Friday to answer any further questions Councillors may have.

Sincerely,

Dr. Ninh Tran

Attachment – By-law with tracked changes

Authority: Item,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO.

A by-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces and to amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS under section 10 of the *Municipal Act, 2001*, the City may pass by-laws respecting health, safety, and well-being of persons and the economic, social, and environmental well-being of the City;

AND WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus ("**COVID-19 Pandemic**");

AND WHEREAS on March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* related to the COVID-19 Pandemic and has been extended pursuant to section 7.0.7 of the *Emergency Management and Civil Protection Act* due to the health risks to Ontario residents arising from COVID-19;

AND WHEREAS the Province of Ontario has enacted O. Reg. 263/20 (STAGE 2 CLOSURES) under Subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act* to permit certain businesses to reopen for attendance by members of the public subject to conditions, including the advice, recommendations and instructions of public health officials;

AND WHEREAS Novel Coronavirus is present within the city of Hamilton, and it causes the disease COVID-19 that is readily communicable from person to person and carries a risk of serious complications such as pneumonia or respiratory failure, and may result in death;

AND WHEREAS 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;

AND WHEREAS it is believed that the existence of an enforceable by-law requirement will help ~~to~~ educate the public on the importance of a properly worn Face Covering and encourage voluntary compliance;

AND WHEREAS the City considers it desirable to enact a by-law to impose the following regulations requiring businesses and organizations that have enclosed spaces open to the public to ensure that persons wear a Face Covering as it is a necessary, recognized, practicable, and effective method to limit the spread of COVID-19 and thereby help protect the health, safety and well-being of the residents of the city of Hamilton;

NOW THEREFORE the Council of the City enacts as follows:

PART 1- DEFINITIONS

1.1 For the purposes of this by-law:

"APS By-law" shall mean the City's Administrative Penalties By-law No. 17-225;

"Authorized Staff" means a Municipal Law Enforcement Officer or any employee of the City whose duties include those provided for or assigned under this by-law, and shall include without limitation the Director, the Medical Officer of Health, any public health inspector, and any Police Officer;

"City" means the City of Hamilton;

"Director" means the Director of Licensing and By-law Services, or their designate(s), for the City;

"Enclosed" means any enclosed space, whether or not doors, windows, or other parts of the enclosed [space](#) have been opened;

"Emergency Management and Civil Protection Act" means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E. 9 and any regulations or Orders thereunder;

"Establishment" means any municipal bus or transit shelter and any enclosed space where members of the public are ordinarily invited or permitted access, either expressly or by implication, and whether or not a fee is charged for entry and shall include without limitation ~~enclosed~~:

- (a) premises or any portion thereof which are used as a place of business for the sale or offering for sale of goods or services and includes a mall or similar structure which contains multiple places of business;
- (b) churches, mosques, synagogues, temples, or other places of worship;
- (c) community centres including indoor recreational facilities;
- (d) libraries, art galleries, museums, aquariums, zoos, and other similar facilities;
- (e) facilities operated by community service agencies which are attended by members of the public;

- (f) banquet halls, convention centres, arenas, stadiums, and other ~~indoor~~ enclosed event spaces;
- (g) premises utilized as an open house, presentation centre, or other facility for real estate purposes;
- (h) common areas of hotels, motels, and other multi-unit short term rentals, such as lobbies, elevators, meeting rooms, or other common use facilities;
- (i) concert venues, theatres, cinemas, casinos, and other entertainment facilities;
- (j) homeless shelters; and
- (k) municipal public transportation facilities including, for clarity, all vehicles owned or operated by Hamilton Street Railway and DARTS Transit;

For clarity “**Establishment**” shall not include:

- (a) airports or other facilities under the jurisdiction of the federal government;
- (b) provincial public transportation facilities;
- (c) schools or post-secondary institutions;
- (d) child care facilities;
- (e) portions of an Establishment that are not open to members of the public;
- (f) hospitals, independent health facilities, or offices of regulated health professionals; and
- (g) any portion of a property used primarily as a private dwelling;

“**Face Covering**” means a medical or non-medical mask or other face covering such as a balaclava, bandana, scarf, cloth, or other similar item that covers the nose, mouth, and chin without gapping;

“**Medical Officer of Health**” means the City’s Medical Officer of Health or their designate(s);

“**Human Rights Code**” means the *Human Rights Code*, R.S.O. 1990, c. H. 19;

“**Municipal Act, 2001**” means the *Municipal Act, 2001*, S.O. 2001, c. 25;

“**Operator**” means a person or organization who/which is responsible for or otherwise has custody, or control over the operation, of an Establishment and shall include without limitation a supervisor, manager, or owner of an Establishment;

“**Personal Health Information**” shall mean personal health information as defined by the *Personal Health Information Protection Act, 2004*, S.O. 2003, c. 3, Sched. A;

“**Police Officer**” includes an officer of the Hamilton Police Service; and

“**Provincial Offences Act**” means the *Provincial Offences Act*, R.S.O. 1990, c. P33.

PART 2 – OPERATOR REQUIREMENTS

2.1 Every Operator shall ensure that a clearly visible sign is posted at all entrances to their Establishment that contains the following wording:

All persons entering or remaining in these premises shall wear a face covering which covers the nose, mouth, and chin as required under City of Hamilton By-law [REDACTED]-2020 (unless exempt).

Please also respect the rights of those persons who are exempt from the requirement to wear a face covering in accordance with this By-law.

2.2 To assist with visual recognition, the wording in the signage referred to in section 2.1 shall be in a colour that contrasts with the sign’s background such as black text on white background, shall be in a sans serif font such as Arial or Verdana, and shall have a font size of at least 24 points.

2.3 Notwithstanding the above, the Director may approve any signage that meets the intent of this By-law.

2.43 Every Operator shall take reasonable steps to ensure that no member of the public is permitted entry to, or otherwise remains within, the Establishment unless the member of the public is wearing a Face Covering in a manner which covers their mouth, nose, and chin. This requirement shall not apply to members of the public that state that they fall within an exemption of this by-law or appear to fall within one of the exemptions.

2.54 Every Operator shall ensure that any person who refuses to comply with the requirements of this by-law is promptly asked to leave their Establishment and is reported to Authorized Staff upon failure to comply with this direction.

2.65 Every Operator shall ensure that a person responsible for ensuring compliance with this by-law is present at the Establishment at all times when it is open to the public.

2.76 Every Operator shall ensure that all persons working at the Establishment are aware of the requirements of this by-law.

2.87 Every Operator shall ensure that its employees and every person working within the Establishment wears a Face Covering while working in any part of the Establishment that is open to members of the public.

2.98 For the purposes of this by-law, no Operator shall require any employee or member of the public to provide proof that any exemption set out in section 4.1 applies to that employee or member of the public or request any Personal Health Information from any individual.

PART 3 – CUSTOMER PERSONAL REQUIREMENTS

3.1 Every person shall ~~comply with signage posted that requires them to~~ wear a Face Covering while in ~~the~~an Establishment.

3.2 ~~Every~~ parent, guardian, caregiver or person accompanying a child of at least two years of age to an Establishment shall ensure that the child wears ~~complies with signage posted that requires the wearing of~~ a Face Covering while in ~~the~~an Establishment.

PART 4 - EXEMPTIONS

4.1 The requirements of sections 3.1 and 3.2 shall not apply to a person who:

- (a) is a child under the age of two;
- (b) is a child at least two years ~~in~~of age but under the age of 5 years who refuses to wear a Face Covering and cannot be persuaded to do so by their caregiver;
- (c) has an underlying medical condition which inhibits their ability to wear a Face Covering;
- (d) is unable to place or remove a Face Covering without assistance;
- (e) is an employee or agent of the Operator and is within an area designated for them and not for public access, or is within or behind a physical barrier;
- (f) is reasonably accommodated by not wearing a Face Covering in accordance with the *Human Rights Code* including a person with a disability that makes it difficult to wear a or communicate while wearing a Face Covering;
- (g) is in a swimming pool;
- (h) is actively engaged in an athletic or fitness activity;
- (i) who removes the ~~mask~~Face Covering for the period necessary to provide, or receive, services or treatment;
- (j) who is sleeping or in bed at a homeless shelter; or

(k) states that one of the exemptions of this by-law applies to them.

4.2 The requirements of sections 2.43 and 2.54 shall not apply to an Operator with respect to a person who is exempt from wearing a Face Covering in accordance with this by-law.

PART 5 - ADMINISTRATION AND ENFORCEMENT

5.1 The Director is responsible for the administration and enforcement of this by-law and may appoint delegates or assign duties to City staff under this by-law.

5.2 City staff who carry out any action under this by-law are deemed to be Authorized Staff for the purposes of this by-law, in the absence of evidence to the contrary.

5.3 Authorized Staff may, at any reasonable time, enter and inspect all lands, buildings, structures or parts thereof that are subject to this by-law for the purposes of determining compliance with this by-law. Inspection of any dwelling unit shall be in accordance with the requirements of the *Municipal Act, 2001*.

5.4 For the purposes of this by-law, Authorized Staff may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to an inspection for the purposes of making copies or extracts;
- (c) require information from any person concerning a matter related to an inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of an inspection.

5.5 Despite section 5.4, no Authorized Staff shall request or require any Personal Health Information from any individual.

5.6 Where any person contravenes any provision of this by-law, Authorized Staff may direct such person, verbally or in writing, to comply with this by-law. Every person so directed shall comply with such direction without delay.

5.7 No person shall prevent, hinder or obstruct, or attempt to hinder or obstruct any Authorized Staff in the exercise of any power or the performance of any activity or duty under this by-law.

PART 6 – OFFENCES AND PENALTIES

- 6.1 Every person who contravenes any provision of this by-law is guilty of an offence and is liable to pay a fine, and such other penalties, as provided for in the *Provincial Offences Act* and the *Municipal Act, 2001*.
- 6.2 Every person, other than a corporation, who contravenes any provision of this by-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$10,000 for a first conviction; and not more than \$25,000 for any subsequent conviction.
- 6.3 Every corporation which contravenes any provision of this by-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$25,000 for a first conviction and not more than \$50,000 for any subsequent conviction.
- 6.4 If an offence under the by-law is continued on more than one day, the person who committed it is liable to be convicted for a separate offence for each day on which it is continued.
- 6.5 Without limiting the above, every person who contravenes this by-law may also be liable, upon issuance of a penalty notice, to pay an administrative penalty in an amount specified in the APS By-law.
- 6.6 An administrative penalty imposed by the City on a person under section 434.1 of the *Municipal Act, 2001*, constitutes a debt of the person to the municipality. If an administrative penalty is not paid within 15 days after the day that it becomes due and payable, the City may add the administrative penalty to the tax roll for any property in the city of Hamilton for which all of the owners are responsible for paying the administrative penalty and collect it in the same manner as municipal taxes.

PART 7 – AMENDMENTS TO THE APS BY-LAW

7.1 Schedule A of By-law No. 17-225 is amended by adding the following table:

TABLE 25: BY-LAW NO. XX- XXX to Require the Wearing of Face Coverings Within Enclosed Public Spaces				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
1	xx-xxx	2.1	As Operator failed to post mandatory Face Covering Sign at entrance of Establishment	\$500.00
2	xx-xxx	2.3	As Operator failed to prohibit entry to Establishment to person not wearing a Face Covering	\$500.00

TABLE 25: BY-LAW NO. XX- XXX to Require the Wearing of Face Coverings Within Enclosed Public Spaces				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
3	xx-xxx	2.4	As Operator, failed to ask person not wearing a Face Covering to leave Establishment	\$500.00
4	xx-xxx	2.7	As Operator failed to ensure person working in Establishment wears Face Covering	\$500.00
5	xx-xxx	5.7	Obstructing an Officer or Authorized Staff	\$500.00
6	xx-xxx	3.1	Fail to wear a required Face Covering in an Establishment	\$200.00
7	xx-xxx	3.2	Fail to ensure child under your care wears a required Face Covering in an Establishment	\$200.00

7.2 In all other respects the APS By-law is confirmed.

PART 8 – MISCELLANEOUS

8.1 Conflict: In the event a discrepancy between this by-law and any statute, regulation, rule, by-law, order or instrument of the Province of Ontario or the Government of Canada, the provision that is the most restrictive prevails. This by-law shall not be interpreted so as to conflict with a provincial or federal statute, regulation, or instrument of a legislative nature, including an order made under the *Emergency Management and Civil Protection Act*.

8.2 Severability: Should any section of this by-law be declared by a court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

8.3 Short Title: This by-law may be referred to as the Hamilton Face Covering By-law.

8.4 Effective Date: This by-law shall become effective at 12:01 a.m. on July 20, 2020.

PASSED this _____, _____, _____

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item,
Report
CM:
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO.

A by-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces and to amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS under section 10 of the *Municipal Act, 2001*, the City may pass by-laws respecting health, safety, and well-being of persons and the economic, social, and environmental well-being of the City;

AND WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus ("**COVID-19 Pandemic**");

AND WHEREAS on March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* related to the COVID-19 Pandemic and has been extended pursuant to section 7.0.7 of the *Emergency Management and Civil Protection Act* due to the health risks to Ontario residents arising from COVID-19;

AND WHEREAS the Province of Ontario has enacted O. Reg. 263/20 (STAGE 2 CLOSURES) under Subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act* to permit certain businesses to reopen for attendance by members of the public subject to conditions, including the advice, recommendations and instructions of public health officials;

AND WHEREAS Novel Coronavirus is present within the city of Hamilton, and it causes the disease COVID-19 that is readily communicable from person to person and carries a risk of serious complications such as pneumonia or respiratory failure, and may result in death;

AND WHEREAS 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;

AND WHEREAS it is believed that the existence of an enforceable by-law requirement will help ~~to~~ educate the public on the importance of a properly worn Face Covering and encourage voluntary compliance;

AND WHEREAS the City considers it desirable to enact a by-law to impose the following regulations requiring businesses and organizations that have enclosed spaces open to the public to ensure that persons wear a Face Covering as it is a necessary, recognized, practicable, and effective method to limit the spread of COVID-19 and thereby help protect the health, safety and well-being of the residents of the city of Hamilton;

NOW THEREFORE the Council of the City enacts as follows:

PART 1- DEFINITIONS

1.1 For the purposes of this by-law:

"APS By-law" shall mean the City's Administrative Penalties By-law No. 17-225;

"Authorized Staff" means a Municipal Law Enforcement Officer or any employee of the City whose duties include those provided for or assigned under this by-law, and shall include without limitation the Director, the Medical Officer of Health, any public health inspector, and any Police Officer;

"City" means the City of Hamilton;

"Director" means the Director of Licensing and By-law Services, or their designate(s), for the City;

"Enclosed" means any enclosed space, whether or not doors, windows, or other parts of the enclosed [space](#) have been opened;

"Emergency Management and Civil Protection Act" means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E. 9 and any regulations or Orders thereunder;

"Establishment" means any municipal bus or transit shelter and any enclosed space where members of the public are ordinarily invited or permitted access, either expressly or by implication, and whether or not a fee is charged for entry and shall include without limitation ~~enclosed~~:

- (a) premises or any portion thereof which are used as a place of business for the sale or offering for sale of goods or services and includes a mall or similar structure which contains multiple places of business;
- (b) churches, mosques, synagogues, temples, or other places of worship;
- (c) community centres including indoor recreational facilities;
- (d) libraries, art galleries, museums, aquariums, zoos, and other similar facilities;
- (e) facilities operated by community service agencies which are attended by members of the public;

- (f) banquet halls, convention centres, arenas, stadiums, and other ~~indoor~~ enclosed event spaces;
- (g) premises utilized as an open house, presentation centre, or other facility for real estate purposes;
- (h) common areas of hotels, motels, and other multi-unit short term rentals, such as lobbies, elevators, meeting rooms, or other common use facilities;
- (i) concert venues, theatres, cinemas, casinos, and other entertainment facilities;
- (j) homeless shelters; and
- (k) municipal public transportation facilities including, for clarity, all vehicles owned or operated by Hamilton Street Railway and DARTS Transit;

For clarity “**Establishment**” shall not include:

- (a) airports or other facilities under the jurisdiction of the federal government;
- (b) provincial public transportation facilities;
- (c) schools or post-secondary institutions;
- (d) child care facilities;
- (e) portions of an Establishment that are not open to members of the public;
- (f) hospitals, independent health facilities, or offices of regulated health professionals; and
- (g) any portion of a property used primarily as a private dwelling;

“**Face Covering**” means a medical or non-medical mask or other face covering such as a balaclava, bandana, scarf, cloth, or other similar item that covers the nose, mouth, and chin without gapping;

“**Medical Officer of Health**” means the City’s Medical Officer of Health or their designate(s);

“**Human Rights Code**” means the *Human Rights Code*, R.S.O. 1990, c. H. 19;

“**Municipal Act, 2001**” means the *Municipal Act, 2001*, S.O. 2001, c. 25;

“**Operator**” means a person or organization who/which is responsible for or otherwise has custody, or control over the operation, of an Establishment and shall include without limitation a supervisor, manager, or owner of an Establishment;

“**Personal Health Information**” shall mean personal health information as defined by the *Personal Health Information Protection Act, 2004*, S.O. 2003, c. 3, Sched. A;

“**Police Officer**” includes an officer of the Hamilton Police Service; and

“**Provincial Offences Act**” means the *Provincial Offences Act*, R.S.O. 1990, c. P33.

PART 2 – OPERATOR REQUIREMENTS

2.1 Every Operator shall ensure that a clearly visible sign is posted at all entrances to their Establishment that contains the following wording:

All persons entering or remaining in these premises shall wear a face covering which covers the nose, mouth, and chin as required under City of Hamilton By-law [REDACTED]-2020 (unless exempt).

Please also respect the rights of those persons who are exempt from the requirement to wear a face covering in accordance with this By-law.

2.2 To assist with visual recognition, the wording in the signage referred to in section 2.1 shall be in a colour that contrasts with the sign’s background such as black text on white background, shall be in a sans serif font such as Arial or Verdana, and shall have a font size of at least 24 points.

2.3 Notwithstanding the above, the Director may approve any signage that meets the intent of this By-law.

2.43 Every Operator shall take reasonable steps to ensure that no member of the public is permitted entry to, or otherwise remains within, the Establishment unless the member of the public is wearing a Face Covering in a manner which covers their mouth, nose, and chin. This requirement shall not apply to members of the public that state that they fall within an exemption of this by-law or appear to fall within one of the exemptions.

2.54 Every Operator shall ensure that any person who refuses to comply with the requirements of this by-law is promptly asked to leave their Establishment and is reported to Authorized Staff upon failure to comply with this direction.

2.65 Every Operator shall ensure that a person responsible for ensuring compliance with this by-law is present at the Establishment at all times when it is open to the public.

2.76 Every Operator shall ensure that all persons working at the Establishment are aware of the requirements of this by-law.

2.87 Every Operator shall ensure that its employees and every person working within the Establishment wears a Face Covering while working in any part of the Establishment that is open to members of the public.

2.98 For the purposes of this by-law, no Operator shall require any employee or member of the public to provide proof that any exemption set out in section 4.1 applies to that employee or member of the public or request any Personal Health Information from any individual.

PART 3 – CUSTOMER PERSONAL REQUIREMENTS

3.1 Every person shall ~~comply with signage posted that requires them to~~ wear a Face Covering while in ~~the an~~ Establishment.

3.2 -Every parent, guardian, caregiver or person accompanying a child of at least two years of age to an Establishment shall ensure that the child wears ~~complies with signage posted that requires the wearing of~~ a Face Covering while in the an Establishment.

PART 4 - EXEMPTIONS

4.1 The requirements of sections 3.1 and 3.2 shall not apply to a person who:

- (a) is a child under the age of two;
- (b) is a child at least two years ~~in of~~ age but under the age of 5 years who refuses to wear a Face Covering and cannot be persuaded to do so by their caregiver;
- (c) has an underlying medical condition which inhibits their ability to wear a Face Covering;
- (d) is unable to place or remove a Face Covering without assistance;
- (e) is an employee or agent of the Operator and is within an area designated for them and not for public access, or is within or behind a physical barrier;
- (f) is reasonably accommodated by not wearing a Face Covering in accordance with the *Human Rights Code* including a person with a disability that makes it difficult to wear, or communicate while wearing, a Face Covering;
- (g) is in a swimming pool;
- (h) is actively engaged in an athletic or fitness activity;
- (i) who removes the ~~mask~~ Face Covering for the period necessary to provide, or receive, services or treatment;
- (j) who is sleeping or in bed at a homeless shelter; or

(k) states that one of the exemptions of this by-law applies to them.

4.2 The requirements of sections 2.43 and 2.54 shall not apply to an Operator with respect to a person who is exempt from wearing a Face Covering in accordance with this by-law.

PART 5 - ADMINISTRATION AND ENFORCEMENT

5.1 The Director is responsible for the administration and enforcement of this by-law and may appoint delegates or assign duties to City staff under this by-law.

5.2 City staff who carry out any action under this by-law are deemed to be Authorized Staff for the purposes of this by-law, in the absence of evidence to the contrary.

5.3 Authorized Staff may, at any reasonable time, enter and inspect all lands, buildings, structures or parts thereof that are subject to this by-law for the purposes of determining compliance with this by-law. Inspection of any dwelling unit shall be in accordance with the requirements of the *Municipal Act, 2001*.

5.4 For the purposes of this by-law, Authorized Staff may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to an inspection for the purposes of making copies or extracts;
- (c) require information from any person concerning a matter related to an inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of an inspection.

5.5 Despite section 5.4, no Authorized Staff shall request or require any Personal Health Information from any individual.

5.6 Where any person contravenes any provision of this by-law, Authorized Staff may direct such person, verbally or in writing, to comply with this by-law. Every person so directed shall comply with such direction without delay.

5.7 No person shall prevent, hinder or obstruct, or attempt to hinder or obstruct any Authorized Staff in the exercise of any power or the performance of any activity or duty under this by-law.

PART 6 – OFFENCES AND PENALTIES

- 6.1 Every person who contravenes any provision of this by-law is guilty of an offence and is liable to pay a fine, and such other penalties, as provided for in the *Provincial Offences Act* and the *Municipal Act, 2001*.
- 6.2 Every person, other than a corporation, who contravenes any provision of this by-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$10,000 for a first conviction; and not more than \$25,000 for any subsequent conviction.
- 6.3 Every corporation which contravenes any provision of this by-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$25,000 for a first conviction and not more than \$50,000 for any subsequent conviction.
- 6.4 If an offence under the by-law is continued on more than one day, the person who committed it is liable to be convicted for a separate offence for each day on which it is continued.
- 6.5 Without limiting the above, every person who contravenes this by-law may also be liable, upon issuance of a penalty notice, to pay an administrative penalty in an amount specified in the APS By-law.
- 6.6 An administrative penalty imposed by the City on a person under section 434.1 of the *Municipal Act, 2001*, constitutes a debt of the person to the municipality. If an administrative penalty is not paid within 15 days after the day that it becomes due and payable, the City may add the administrative penalty to the tax roll for any property in the city of Hamilton for which all of the owners are responsible for paying the administrative penalty and collect it in the same manner as municipal taxes.

PART 7 – AMENDMENTS TO THE APS BY-LAW

7.1 Schedule A of By-law No. 17-225 is amended by adding the following table:

TABLE 25: BY-LAW NO. XX- XXX to Require the Wearing of Face Coverings Within Enclosed Public Spaces				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
1	xx-xxx	2.1	As Operator failed to post mandatory Face Covering Sign at entrance of Establishment	\$500.00
2	xx-xxx	2.3	As Operator failed to prohibit entry to Establishment to person not wearing a Face Covering	\$500.00

TABLE 25: BY-LAW NO. XX- XXX to Require the Wearing of Face Coverings Within Enclosed Public Spaces				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
3	xx-xxx	2.4	As Operator, failed to ask person not wearing a Face Covering to leave Establishment	\$500.00
4	xx-xxx	2.7	As Operator failed to ensure person working in Establishment wears Face Covering	\$500.00
5	xx-xxx	5.7	Obstructing an Officer or Authorized Staff	\$500.00
6	xx-xxx	3.1	Fail to wear a required Face Covering in an Establishment	\$200.00
7	xx-xxx	3.2	Fail to ensure child under your care wears a required Face Covering in an Establishment	\$200.00

7.2 In all other respects the APS By-law is confirmed.

PART 8 – MISCELLANEOUS

8.1 Conflict: In the event a discrepancy between this by-law and any statute, regulation, rule, by-law, order or instrument of the Province of Ontario or the Government of Canada, the provision that is the most restrictive prevails. This by-law shall not be interpreted so as to conflict with a provincial or federal statute, regulation, or instrument of a legislative nature, including an order made under the *Emergency Management and Civil Protection Act*.

8.2 Severability: Should any section of this by-law be declared by a court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

8.3 Short Title: This by-law may be referred to as the Hamilton Face Covering By-law.

8.4 Effective Date: This by-law shall become effective at 12:01 a.m. on July 20, 2020.

PASSED this _____, _____, _____

F. Eisenberger
Mayor

A. Holland
City Clerk

Pilon, Janet

Subject: Helping community members living in Encampments in Hamilton

From: Laura Palumbo

Sent: July 14, 2020 12:57 PM

To: Office of the Mayor <mayor@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>

Subject: Helping community members living in Encampments in Hamilton

Dear Councillors,

I'm respectfully sharing the concerns around how to help folx living in the encampments in Hamilton as written by HAM SMaRT. I understand that some of you are already on board, and that is extremely promising. As a private citizen, I am going to be supporting these community members financially through donation to Keeping Six and ticket sales from the Hamilton Fringe. In addition, I'm going to participate in safe water drops for those living in my community of Corktown.

I hope that you please acknowledge these concerns and requests publicly, and if public support is needed to see any of this through, I am happy to be included in this.

Our requests are:

1. Stop ticketing people who are homeless.
2. Enact a moratorium on clearing encampments on public lands as per available public health guidance.
3. Work to quickly open more washrooms, showers, and physical spaces for people to safely be throughout downtown and east Hamilton.
4. Ensure that people have adequate access to potable water.
5. Take a housing first approach to helping people access non-congregate housing options.

Thank you,
Laura Palumbo

Pilon, Janet

Subject: Teachers

From: J.J. Clarke

Sent: Wednesday, July 15, 2020 12:00 PM

To: clerk@hamilton.ca

Subject: Fwd: Teachers

Good day,

I submitted the below email to the Premier of Ontario and that office suggested I share it with the city of Hamilton for discussion.

----- Forwarded message -----

From: J.J. Clarke

Date: Wed., Jul. 15, 2020, 11:44

Subject: Teachers

To: <doug.fordco@pc.ola.org>

Mr. Ford,

Ive heard that 66% of parents feel comfortable sending their kids back to school full time. Ive heard that 71% of students feel comfortable going back to school full time. Ive heard that a mere 41% of teachers feel comfortable going back to school full time.

Lets be frank here. Teachers have enjoyed their extra log vacation and the pay increase you gave them during a time when people were losing their jobs. Is it really a wonder why they don't want to go back to the classroom? COVID has nothing to do with this. I would argue that many of them have picked up side jobs because they have more liberties in their day.

All while parents have had to pick up the slack at the detriment of their own careers.

Now, I see the TDSB asking for more money to hire more teachers because of the reduced class sizes. This money could have come from the pay increase you gave them. What a mess Mr. Ford.

As it turns out, the teachers are getting all their demands met with more money and smaller class sizes. None of it to benefit our children.

Kids need to go back to school full time and the teachers don't need anymore money. They need to suck it up and do their jobs like the rest of us.

If I have to stay home to help teach my son, I deserve a portion of his teachers wage.

Let me also ask you this. What do you think gym teachers, music teachers, shop teachers, librarians, etc, have been doing this while time of remote learning? I can tell you that at my sons school, they have been doing nothing in the way of teaching the children.

Just food for thought Mr. Ford.



Hamilton

**MAYOR'S TASK FORCE ON ECONOMIC RECOVERY
REPORT 20-002**

Thursday, June 25, 2020

8:30 a.m.

Council Chamber

Hamilton City Hall

71 Main Street West

Present: R. McKerlie, President of Mohawk College (Chair)
 Mayor F. Eisenberger
 Councillors N. Nann; J.P. Danko
 M. Afinec, President & COO of Business Operations, Hamilton Tiger-Cats & Forge FC
 F. Bernstein, Executive Director, Workers Art & Heritage Centre
 R. Brown, Manager, Westfield Heritage Village
 K. Duffin, President and CEO, Amity Goodwill
 M. Ellerker, Business Manager, Hamilton-Brantford Building & Construction Trades Council (Building/Skilled Trades Sector)
 P. Hall, Executive Director, Stoney Creek Chamber of Commerce
 K. Jarvi, Executive Director, Downtown Hamilton BIA
 T. Johns, Board Member, West End Home Builders' Association
 L. La Rocca, Director of Operations, Sonic Unyon Records
 K. Loomis, President & CEO, Hamilton Chamber of Commerce
 B. Lubbers, General Manager, Courtyard by Marriott
 A. Marco, President, Hamilton & District Labour Council
 R. McCann, Founder, Clearcable Networks
 R. McKerlie, President of Mohawk College
 K. Martin, Executive Director, Social Planning and Research Council of Hamilton
 B. Munroe, Blacktop Recess
 M. Patricelli, Executive Director, Flamborough Chamber of Commerce
 C. Puckering, President and CEO, Hamilton International Airport
 T. Shattuck, Chair, Synapse Life Science Consortium, McMaster Innovation Park
 D. Spoelstra, Chair of Agriculture & Rural Affairs Committee
 J. Travis, Executive Director Workforce Planning Hamilton
 H. Wegiel, Director of Government and Trade Relations ArcelorMittal Dofasco
 G. Yuyitung, Executive Director of the McMaster Industry Liaison Office

Absent with

Regrets: Councillor T. Whitehead – Personal
E. Dunham, Owner, The Other Bird (Restaurant/Hospitality Sector)

THE MAYOR'S TASK FORCE ON ECONOMIC RECOVERY PRESENTS REPORT 20-002 AND RESPECTFULLY RECOMMENDS:

1. Formation of the Working Groups for the Mayor's Task Force on Economic Recovery (Item 6.1)

That the following list and membership of the Working Groups for the Mayor's Task Force on Economic Recovery, be approved:

(i) Small Businesses and Main Streets:

Focus:

Small businesses and main streets continue to be one of the most vulnerable and hardest hit areas during this crisis. These commercial corridors require new ideas to revive these key economic drivers across the city.

Potential Task Force Members participants:

- (1) BIA Representative -Kerry Jarvi/Downtown Hamilton
- (1) Stoney Creek Chamber of Commerce – Patti Hall
- (1) Restaurant/Hospitality sector – Erin Dunham/The Other Bird
- (1) Non-profit sector – Kelly Duffin/Goodwill

Staff Resource:

Kristin Huigenbos, Coordinator, Hamilton Business Centre
Julia Davis, Business Development & BIA Officer

(ii) Manufacturing and Life Sciences

Focus:

Covid-19 has affected global supply chains and disrupted many manufacturing operations. Exposed gaps in global supply chains have economic productivity implications.

Potential Task Force Members participants:

- (1) Manufacturing – Henry Wegiel/Arcelormittal Dofasco
- (1) Life Sciences – Ty Shattuck/Synapse Life Science Consortium
- (1) Post-secondary – Gay Yuyitung/McMaster University

Staff Resource:

Alfonso Principato, Business Development Consultant, Advanced Manufacturing
Carolynn Reid, Business Development Consultant, Life Sciences

(iii) Agriculture and Circular Economy

Focus:

Exploring solutions to minimize environmental impact while reducing operational efficiencies in industries that are growing during this crisis.

Potential Task Force Members participants:

- (1) Flamborough Chamber of Commerce – Matteo Patricelli
- (1) Agriculture/Food and Beverage Processing Sector – Drew Spoelstra

Staff Resource:

Brian Morris, Business Development Consultant, Agribusiness and Food Processing

(iv) Arts and Creative Economy

Focus:

Creative industries and cultural organizations are foundational to creativity, and drive innovation and entrepreneurship. This sector is important to the city's vitality as well as citizen engagement and retention.

Potential Task Force Members participants:

- (1) Arts and Culture Representative – Florencia Bernstein/Workers Art & Heritage Centre
- (1) Music Industry Sector – Lisa La Rocca/Sonic Unyon Records
- (1) Film Industry Sector – Bob Munroe

Staff Resource:

Debbie Spence, Business Development Consultant, Creative Industries
Kim Adrovez, Senior Project Manager, Creative Industries & Cultural Development

(v) Tourism and Hospitality

Focus:

Tourism and hospitality were of the hardest hit sectors globally and will be slow to recover. Regaining visitor confidence and positioning these sectors to reopen within restrictions will be challenging.

Potential Task Force Members participants:

- (1) Accommodation Sector – Brian Lubbers/Courtyard by Marriot
- (1) Tourism/Attractions Sector – Rondalyn Brown/Westfield Heritage Village
- (1) Sports/Entertainment Sector – Matt Afinec/Hamilton Tiger-Cats/ForgeFC

Staff Resource:

Sherry Lucia, Tourism Product Development Specialist, Tourism and Culture

Alana Henderson, Sport Tourism Product Development Specialist, Tourism and Culture

(vi) Workplace and Office

Focus:

Many companies are re-examining their real estate expenditures and workplace infrastructure in this new world. A new focus on opportunities for broadband capabilities and the growing remote worker environment.

Potential Task Force Members participants:

- (1) Hamilton Chamber of Commerce – Keanin Loomis
- (1) ICT Sector -Rob McCann/Clearcable Networks
- (1) Social Planning Council of Hamilton – Kim Martin

Staff Resource:

Carolynn Reid, Business Development Consultant, ICT/Digital Media
Karol Murillo, Senior Business Development Consultant, Commercial Districts/Finance, Insurance and Real Estate Sector

(vii) Transportation, Building and Infrastructure

Focus:

Transportation and infrastructure require innovative thinking for necessary social distancing and new policies for the reopening of facilities.

Potential Task Force Members participants:

- (1) Transportation/Logistics – Cathie Puckering/John C. Munro
Hamilton International Airport
- (1) Building/Skilled Trades – Mark Ellerker/Hamilton-Brantford
Building and Construction Trades Council
- (1) Building and Development Industry – Terri Johns/WEHBA

Staff Resource:

Sue Rimac, Business Development Consultant, Goods Movement
Karol Murillo, Senior Business Development Consultant, Finance,
Insurance, Real Estate Sector/Commercial Districts

2. Correspondence to the Federal and Provincial governments respecting the Funding Flow to Support the Reopening of Hamilton (Added Item 10.1)

That a letter be submitted to the Prime Minister and Premier of Ontario, on behalf of the Mayor's Task Force on Economic Recovery, seeking funding flow to support the re-opening of Hamilton.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the June 25, 2020 meeting of the Mayor's Task Force on Economic Recovery, was approved as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 4, 2020 (Item 3.1)

The Minutes of the June 4, 2020 meeting of the Mayor's Task Force on Economic Recovery, were approved, as presented.

(d) STAFF PRESENTATIONS (Item 6)

(i) Formation of the Working Groups for the Mayor's Task Force on Economic Recovery (Item 6.1)

Norm Schleeahn, Director of Economic Development addressed the Task Force respecting an overview of the Formation of the Working Groups for the Mayor's Task Force on Economic Recovery, with the aid of a PowerPoint Presentation.

The presentation respecting Formation of the Working Groups for the Mayor's Task Force on Economic Recovery, was received.

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

(ii) Resources for Members of the Mayor's Task Force on Economic Recovery (Item 6.2)

Carrie Brooks-Joiner, Director of Tourism and Culture, addressed the Task Force respecting Resources for Members of the Mayor's Task Force on Economic Recovery, with the aid of a PowerPoint Presentation.

The presentation respecting Resources for Members of the Mayor's Task Force on Economic Recovery, was received.

(e) ADJOURNMENT (Item 12)

There being no further business, the Mayor's Task Force on Economic Recovery adjourned at 9:59 a.m.

Respectfully submitted,

Ron McKerlie, Chair
Mayor's Task Force on Economic
Recovery

Loren Kolar
Legislative Coordinator
Office of the City Clerk



GENERAL ISSUES COMMITTEE REPORT 20-010

9:30 a.m.

Monday, July 6, 2020

Due to COVID 19 this meeting was Livestreamed only.

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

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-010, AND RESPECTFULLY RECOMMENDS:

1. Alectra Renewal Agreement (FCS19095(a)/LS19048(a)) (City Wide) (Item 5.1)

That Report FCS19095(a)/LS19048(a), respecting the Alectra Renewal Agreement, be received.

2. Commonwealth Games 2030 (PED19108(e)) (City Wide) (Item 5.2)

That Report PED19108(e), respecting the Commonwealth Games 2030, be received.

3. Placemaking Grant Pilot Program (PED20048) (City Wide) (Item 7.1)

- (a) That the proposed Placemaking Grant Pilot Program, as outlined in Appendix "A" attached to Report 20-010, be approved; and,
- (b) That the General Manager, Planning and Economic Development Department, and his authorized designates, be authorized and directed to initiate, negotiate and execute all agreements and documents, in a form satisfactory to the City Solicitor, necessary to:

- (i) Secure funding from The Patrick J. McNally Charitable Foundation (Foundation) for the Placemaking Grant Pilot Program; and,
- (ii) Finalize grant agreements with the individuals and organizations funded to conduct the activities contemplated by the Pilot Program.

4. CityLAB Annual Report (CM20006) (City Wide) (Item 7.2)

That Report CM20006, respecting the CityLAB Annual Report, be received.

5. Hamilton Tax Increment Program – 121 / 125 King Street East, Hamilton (PED20123) (Ward 2) (Item 8.1)

- (a) That a Hamilton Tax Increment Grant Program application submitted by Gore Park Lofts Development Corp. (Tyler Ross and David Horwood), for the property at 121/125 King Street East, Hamilton, estimated at \$275,512.68 over a maximum of a five-year period, and based upon the incremental tax increase attributable to the development of 121/125 King Street East, Hamilton, be authorized and approved in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to effect recommendation (a) of Report PED20123, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

6. Red Hill Valley Parkway Inquiry Update (LS19036(b)) (City Wide) (Item 8.3)

- (a) That Report LS19036(b), respecting the Red Hill Valley Parkway Inquiry Update, be received;
- (b) That the direction provided to staff in Confidential Appendix “A” attached to Report LS19036(a), be approved; and,

- (c) That the entirety of Confidential Appendix “A” to Report LS19036(a), respecting the Red Hill Valley Parkway Inquiry Update, remain confidential.

7. Commonwealth Games 2026 (Item 9.1)

WHEREAS, a local community consortium known as Commonwealth100 has come together to lead the development of a bid proposal to host the Commonwealth Games in Hamilton in 2030;

WHEREAS, Hamilton City Council has endorsed, in principle, to participate in a bid proposal for Hamilton to host the Commonwealth Games in 2030; and,

WHEREAS, the local consortium, Commonwealth100 now known as Hamilton2026 has worked with Commonwealth Sport Canada and the Commonwealth Games Federation on a potential pivot for Hamilton from hosting the 2030 Commonwealth Games to the 2026 Commonwealth Games;

THEREFORE, BE IT RESOLVED:

That the representatives from Hamilton2026, Commonwealth Sport Canada and the Commonwealth Games Federation be invited to attend the August 10, 2020 General Issues Committee to answer questions and provide additional information on a potential 2026 Hamilton proposal and next steps.

8. Stadium Update – Legal Issues (LS20015/PW20039) (City Wide) (Item 12.3)

- (a) That the direction provided to staff in Closed Session, respecting Report LS20015/PW20039, Stadium Update – Legal Issues, be approved; and,
- (b) That Report LS20015/PW20039, respecting Stadium Update – Legal Issues and its Appendix “A”, remain confidential.

9. Application for Approval to Expropriate Property in Ward 15 (LS19026(a)) (Ward 15) (Item 12.4)

- (a) That the inquiry officer’s report, attached as Confidential Appendix “B” to Report LS19026(a), as required by s. 8(1) of the *Expropriations Act*, be received;
- (b) That the Expropriation By-law, to Expropriate a Property in Ward 15, attached as Appendix “C” to Report LS19026(a), be enacted;

- (c) That, upon approval by Council, Report LS19026(a), respecting the Expropriation of a Property in Ward 15, and its appendices be made public; and,
- (d) That the direction provided to staff in Closed Session, respecting Report LS19026(a), respecting the Expropriation of a Property in Ward 15, be approved.

**10. Downtown Entertainment Precinct Status Update (PED18168(e)) (City Wide)
(Item 12.5)**

- (a) That the Memorandum of Understanding for the Downtown Entertainment Precinct assets, based substantially on the terms and conditions, outlined in Appendix "A" attached to Report PED18168(e), and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department, in consultation with the General Manager of Finance and Corporate Services Department, and in a form satisfactory to the City Solicitor, be approved;
- (b) That the City owned properties and interests related to the properties identified in Appendix "K" attached to Report PED18168(e) be declared surplus to the needs of the City for the purpose of disposition by way of sale, lease, easement or other instrument, on terms to be set out in the Master Agreement, and as provided in the Memorandum of Understanding for the Downtown Entertainment Precinct assets;
- (c) That the General Manager, Planning and Economic Development Department or their designate, acting on behalf of the City, be authorized and directed to provide any requisite consents, approvals and notices related to the administration of any leases or any other agreements including those necessary for any applications for land use approvals or works contemplated in the Memorandum of Understanding for the Downtown Entertainment Precinct assets;
- (d) That the City Solicitor be authorized and directed to take all necessary actions to complete the Memorandum of Understanding, the Master Agreement, and any other agreements required to fulfil the objectives of the Memorandum of Understanding for the Downtown Entertainment Precinct assets, including, without limitation, paying any necessary expenses, amending closing and other dates, conducting appropriate due diligence, and amending and waiving terms and conditions as she considers reasonable;

- (e) That the Mayor and the City Clerk be authorized and directed to execute the Memorandum of Understanding, the Master Agreement, and any related agreements and ancillary documents for the Downtown Entertainment Precinct assets, all in a form acceptable to the City Solicitor;
- (f) That staff be directed to report back to the General Issues Committee, as part of the 2021 budget process, on any operating budget, capital budget, and organizational changes required as a result of the implementation of the Memorandum of Understanding, the Master Agreement and any related agreements or documents;
- (g) That staff be authorized and directed to develop and carry out a communications strategy to appropriately advise the public on pertinent aspects of the Memorandum of Understanding and the Master Agreement;
- (h) That Report PED18168(e), respecting the Downtown Entertainment Precinct Status Update, and its appendices remain confidential and not be released as public documents;
- (i) That the presentation provided in Closed Session, respecting Report PED18168(e), respecting the Downtown Entertainment Precinct Status Update, be received and remain confidential; and,
- (j) That the direction provided to staff in Closed Session, respecting Report PED18168(e), regarding the Downtown Entertainment Precinct Status Update, be approved.

11. RHVP Litigation Update (LS20014) (City Wide) (Item 12.6)

- (a) That direction provided to staff in Closed Session, as outlined in Confidential Appendix "A" to Report LS20014, respecting the RHVP Litigation Update, be approved; and,
- (b) That Report LS20014, respecting the RHVP Litigation Update, and its Appendix "A" remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

4. COMMUNICATIONS

- 4.2 Correspondence from Kojo Dampsey and Karl Andrus, HCCI respecting the Commonwealth Games

Recommendation: Be received.

- 4.3 Correspondence from Elizabeth Seidl, respecting the Commonwealth Games (Item 4.3)

Recommendation: Be received.

- 4.4 Correspondence from Erin Shacklette respecting the Commonwealth Games

Recommendation: Be received.

10. NOTICES OF MOTION

- 10.1 Commonwealth Games 2026

The agenda for the July 6, 2020 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Wilson declared an interest to Item 12.5, Downtown Entertainment Precinct Status Update (PED18168(e)), as she has a spousal relationship with one of the parties.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 3)

(i) March 20, 2020 and June 15, 2020 (Items 3.1 and 3.2)

The minutes of the March 20, 2020 and June 15, 2020 General Issues Committee meetings were approved, as presented.

(d) COMMUNICATIONS (Item 4)

Communication Items 4.1 to 4.4 were approved, as follows:

(i) Correspondence from P. J. Mercanti, President, Hamilton2026 respecting the Commonwealth Games (Item 4.1)

Be received and referred to staff for appropriate action.

(ii) Correspondence from Kojo Dampsey and Karl Andrus, HCCI respecting the Commonwealth Games (Item 4.2)

Be received.

(iii) Correspondence from Elizabeth Seidl, respecting the Commonwealth Games (Item 4.3)

Be received.

(iv) Correspondence from Erin Shacklette respecting the Commonwealth Games (Item 4.4)

Be received.

(e) STAFF PRESENTATIONS (Item 7)

(i) Placemaking Grant Pilot Program (PED20048) (City Wide) (Item 7.1)

Carrie Brooks-Joiner, Director, Tourism and Culture, addressed Committee and provided a PowerPoint presentation overview of Report PED20048, respecting the Placemaking Grant Pilot Program.

The presentation, respecting the Placemaking Grant Pilot Program, was received.

For disposition of this matter, please see Item 3.

(ii) CityLAB Annual Report (CM20006) (City Wide) (Item 7.2)

Patrick Byrne, Project Manager, CityLab Hamilton, addressed Committee and provided a PowerPoint presentation overview of Report CM20006, respecting the CityLab Annual Report.

The presentation, respecting Report CM20006, respecting the CityLab Annual Report, was received.

For disposition of this matter, please see Item 4.

(f) DISCUSSION ITEMS (Item 8)

(i) Tim Hortons Field - End Guard Anchor Repair-Replacement (PW20039) (City Wide) (Item 8.2)

Consideration of Report PW20039, respecting Tim Hortons Field - End Guard Anchor Repair-Replacement, was DEFERRED until after Committee reconvened in Open Session.

Consideration of Report PW20039, respecting Tim Hortons Field - End Guard Anchor Repair-Replacement, was DEFERRED to the August 10, 2020 General Issues Committee meeting.

(ii) Red Hill Valley Parkway Inquiry Update (LS19036(b)) (City Wide) (Item 8.3)

Consideration of Report LS19036(b), respecting the Red Hill Valley Parkway Inquiry Update, was DEFERRED until after discussion of Appendix "A" to Report LS19036(b) had taken place in Closed Session.

(g) NOTICES OF MOTION (Item 10)

(i) Commonwealth Games 2026 (Item 10.1)

Councillor J. Partridge introduced a Notice of Motion respecting the Commonwealth Games 2026.

That the Rules of Order were waived to allow for the introduction of a Motion respecting the Commonwealth Games 2026.

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

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Item 11.1)

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

(a) Items to be removed:

- (i) Alectra Renewal Agreement (FCS19095(a) - LS19048(a) (City Wide) (Addressed as Item 5.1 on this agenda - Report FCS19095(a)/LS19048(a))**
- (ii) Commonwealth Games 2030 (PED19108(e)) (City Wide) (Addressed on this agenda as Item 5.2 - PED19108(e))**

(i) PRIVATE & CONFIDENTIAL (Item 12)

(i) Closed Session Minutes – March 20, 2020 and June 15, 2020 (Items 12.1 and 12.2)

- (a) The Closed Session Minutes of the March 20, 2020 and June 15, 2020 General Issues Committee meetings were approved, as presented; and,**
- (b) The Closed Session Minutes of the of the March 20, 2020 and June 15, 2020 General Issues Committee meetings shall remain confidential.**

Committee moved into Closed Session respecting Items 12.3 to 12.7, pursuant to Section 8.1, Sub-sections (c), (e), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (c), (e), (f), and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(ii) Appendix "A" to Report LS19036(b) - Red Hill Valley Parkway Inquiry Update (City Wide) (Item 12.7)

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

(j) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee adjourned at 7:28 p.m.

Respectfully submitted,

Deputy Mayor Esther Pauls
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

Placemaking Grant Pilot Program

Funding purpose:

- Funding will support community-led projects that propose new ways of interacting with public spaces¹ to address issues or realize opportunities. Projects may be imaginative and playful or address larger, more serious issues. Applicants are encouraged to reimagine every day public spaces and propose place-based temporary projects that are creative and experimental.

Timeline:

- Launch in the fourth quarter of 2020; funding awarded in 2021 to 2022; projects taking place in 2021 to 2023.

Total program budget:

- \$100 K

Funding source:

- The Patrick J. McNally Charitable Foundation

Eligibility:

- Funding is available to local non-profit organizations and groups of residents. Projects must be new or a project that is being tested at a different scale.

Funding available to applicants:

- Up to \$2,000 per project to fund place-based projects that are low-cost that result in meaningful impact on a place/community. Projects are temporary (up to one year) and may include a physical change to the place (signage, sculpture, garden planters, etc.) or may reimagine a space through repeated action (performances, gatherings, etc.). Approximately 20 grants may be awarded during the two-year grant program.
- \$5,000 to \$20 K per project to fund place-based projects that have a larger physical impact on the place/community with meaningful results. Projects are temporary (up to three years) and will include a physical change to the place (seating, sculpture, etc.). Approximately two to four grants may be awarded during the two-year grant program.

Assessment:

- All eligible applications will be reviewed and scored by an adjudication team made up of City staff and community members using the following assessment criteria:

1) Proposed project demonstrates a place-based experience. What the assessors will be looking for in the application:

- Project and place are described
- Project designed specifically for the place
- Project has the potential for meaningful impact on a place/community

¹ Public Spaces are places publicly owned or of public use, accessible and enjoyable, by all for free. Public spaces are a key element of individual and social well-being, the places of a community’s collective life, expressions of the diversity of their common natural and cultural richness and a foundation of their identity. (Adapted from The Charter of Public Space)

- 2) Project encourages collaboration and interaction. What the assessors will be looking for in the application:
 - Individuals and/or organizations involved in the project are identified and their roles described
 - Those involved with the project are diverse and represent more than one point of view
 - Project has the potential to increase community interaction

- 3) Project demonstrates a creative or experimental approach to create change. What the assessors will be looking for in the application:
 - Reason why project is needed is described
 - Project demonstrates a creative or experimental approach
 - Project changes how people can experience the place

- 4) Applicants demonstrate they have the resources to complete the project. What the assessors will be looking for in the application:
 - Budget is reasonable and suited to the proposed project
 - Major steps required to coordinate the project are identified
 - Plan to maintain the project through its lifecycle and retire it upon completion identified
 - Resources and capacity required to coordinate project demonstrated

Feasibility:

- Projects will be reviewed to ensure that they are technically feasible before funding is awarded. Any terms and conditions will be outlined in a funding agreement.



PLANNING COMMITTEE

REPORT

20-005

July 7, 2020

9:30 a.m.

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

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

Absent with Regrets: Councillor T. Whitehead – Personal

THE PLANNING COMMITTEE PRESENTS REPORT 20-005 AND RESPECTFULLY RECOMMENDS:

1. Ancaster Village Heritage Committee respecting Demolition Control as a Positive Force (Item 4.1)

That the letter from Ancaster Village Heritage Committee respecting Demolition Control as a Positive Force, be REFERRED to the Ward Councillor and the next Hamilton Municipal Heritage Committee meeting for consideration.

2. Paul Valeri, Valery Homes, requesting Deferral of Decision on the Designation of 828 Sanitorium Road (Added Item 6.4, Hamilton Municipal Heritage Committee Report 20-003, Recommendation #3) (Item 4.6)

That the Designation of 828 Sanitorium Road (Added Item 6.4, Hamilton Municipal Heritage Committee Report 20-003, Recommendation #3) be REFERRED back to the Hamilton Municipal Heritage Committee for consideration.

3. CONSENT ITEMS

That Consent Items 6.1, 6.2, 6.3, 6.4 be approved, as follows:

(i) Parking Master Plan Review/Update (PED20051) (City Wide) (Item 6.1)

That Report PED20051 respecting Parking Master Plan Review/Update, be received.

(ii) Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED20119) (City Wide) (Item 6.2)

That Report PED20119 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

(iii) Updates to Municipal Car Park By-Law 01-216, On-Street Parking By-Law 01-128 and Administrative Penalties By-law 17-225 (PED20116) (City Wide) (Item 6.3)

That the draft Amending By-laws for On-Street Parking By-law No. 01-216, Municipal Car Park By-law No. 01-218, and, Administrative Penalties By-law No. 17-225, attached as Appendix “A”, Appendix “B”, and Appendix “C” to Report PED20116, which has been prepared in a form satisfactory to the City Solicitor, be approved.

(iv) Hamilton Municipal Heritage Committee Report 20-003 (Added Item 6.4)

1. Recommendation to add properties within the Village Core of Ancaster to the City of Hamilton’s Register of Properties of Cultural Heritage Value or Interest (PED20112) (Item 10.1)

(a) That the following properties be added to City of Hamilton’s Register of Property of Cultural Heritage Value or Interest and staff’s Designation Work Plan and be assigned a high priority:

- 490 Old Dundas Rd
- 454 Wilson Street E
- 450 Wilson Street E
- 449 Wilson Street E
- 442 Wilson Street E
- 437 Wilson Street E
- 430 Wilson Street E
- 426 Wilson Street E
- 425 Wilson Street E
- 420 Wilson Street E
- 419 Wilson Street E
- 413 Wilson Street E
- 380 Wilson Street E
- 346 Wilson Street E
- 340 Wilson Street E
- 327 Wilson Street E
- 311 Wilson Street E
- 303 Wilson Street E
- 297 Wilson Street E
- 289 Wilson Street E
- 287 Wilson Street E
- 286 Wilson Street E
- 283 Wilson Street E
- 280 Wilson Street E
- 277 Wilson Street E
- 265 Wilson Street E

- 363 Wilson Street E
- 357 Wilson Street E
- 347 Wilson Street E
- 176 Wilson Street E
- 241 Wilson Street E

(b) That the property at 558 Wilson Street, Ancaster, be added to City of Hamilton's Register of Property of Cultural Heritage Value or Interest and staff's Designation Work Plan and be assigned a high priority; and,

(c) That staff continue discussions with the owners of the properties at 449 and 437 Wilson Street, Ancaster.

2. Hamilton Municipal Heritage Committee Working Groups Current Projects and 2020 Plans (Added Item 11.1)

WHEREAS, Council approved the resolution to hold virtual meetings for the Hamilton Municipal Heritage Committee, and all associated Working Groups, during their meeting on June 24, 2020;

WHEREAS, Heritage Working Groups will meet starting in July on an as needed basis;

WHEREAS, the Heritage Working Group's mandate includes reviewing work brought forward by Heritage Staff and conducting related project work; and,

WHEREAS, to best plan and facilitate virtual meetings moving forward, the Hamilton Municipal Heritage Committee and Heritage Staff need to have an understanding of each Working Group's plan of work and status of existing work;

THEREFORE, BE IT RESOLVED:

That that the Chairs of the Working Groups of the Hamilton Municipal Heritage Committee, being the Education and Communications Working Group, the Inventory and Research Working Group and the Policy and Design Working Group, report back at the next Hamilton Municipal Heritage Committee meeting with a plan of work for 2020 and an update on current projects.

3. Designation of 828 Sanatorium Road (Long & Bisby Building) (Added Item 11.2)

That this item be REFERRED back to the Hamilton Municipal Heritage Committee for consideration.

4. Application to Amend the Urban Hamilton Official Plan for Lands Located at 1329 and 1335 Barton Street, 339 and 347 Fifty Road, 16 to 30 Foothills Lane, 40 Zinfandel Drive, and Blocks 13, 14, 18 and part of Block 9 of Registered Plan 62M-1241 (PED20075) (Ward 10) (Item 7.1)

- (a) That Amended Urban Hamilton Official Plan Amendment application UHOPA-19-09 by MHBC Planning Inc., on behalf of 5000933 Ontario Inc., owner to redesignate the subject lands from “Low Density Residential 2” to “Low Density Residential 3”, removing the lands from “Area Specific Policy – Area H”, and adding lands to “Area Specific Policy – Area I” and to revise the text of “Area Specific Policy – Area I” to permit a density range of 40 to 49 units per hectare over the entirety of the Special Policy Area, to permit the development of a range of dwelling types within the Foothills of Winona - Phase 3 Subdivision, as shown on Appendix “A” to Report PED20075, be APPROVED on the following basis:
 - (i) That the Draft Official Plan Amendment attached as Appendix “B” to Report PED20075, be adopted by City Council; and,
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow Plan (2019).
- (b) There were no public submissions regarding this matter.

5. Application for Zoning By-law Amendment for Lands Located at 378 Harmony Hall Drive and Part of Block 117, Plan 62M-1122 (Ancaster) (PED20056) (Ward 12) (Item 7.2)

- (a) That Zoning By-law Amendment Application ZAR-19-034 by T. Johns Consulting Group on behalf of Gregorio Homes Inc., Owner, for a change in zoning from the Agricultural “A-216” Zone, Modified (Block 1), Public “P” Zone (Block 2), and Residential “R4-514” Zone, Modified (Block 3) to the Residential “R4 -709” Zone, Modified in the Town of Ancaster Zoning By-law No. 87-57 to facilitate the development of two residential building lots for single detached dwellings on lands located at 378 Harmony Hall Drive and Part of Block 117, Plan 62M-1122 (Ancaster), as shown on Appendix “A” to Report PED20056, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED20056, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019); and,

- (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan and the Garner Neighbourhood Secondary Plan.
 - (b) That the public submissions received regarding this matter did not affect the decision.
- 6. Application for Draft Plan of Subdivision for Lands Located at 43 Highway No. 5, Flamborough (PED20072) (Ward 15) (Item 7.3)**
 - (a) That Draft Plan of Subdivision Application 25T-201708 by WEBB Planning Consulting on Behalf of Frank Butty (Owner), to establish a Draft Plan of Subdivision on lands located at 43 Highway No. 5 (Flamborough), as shown on Appendix “A” to Report PED20072, be APPROVED:
 - (i) That this approval apply to the Draft Plan of Subdivision 25T-201708, prepared by S. Llewellyn and Associates Limited and certified by A.T. McLaren Limited - S. Dan McLaren, dated March 11, 2020, consisting of three industrial development blocks (Blocks 1-3), a block for a road reserve (Block 4), two blocks for a road widening (Blocks 5 and 6), 0.3 m reserve (Block 7) and two municipal roads (extension of Solar Drive and proposed Street “A”) subject to the owner entering into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions attached as Appendix “B” to Report PED20072;
 - (ii) There is no City Share for the costs of the servicing works within the Draft Plan of Subdivision lands;
 - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-law, as approved by Council.
 - (b) That there were no public submissions received regarding this matter.
- 7. City Initiative 19-H – Change in Zoning to Zoning By-law No. 05-200 - Nos. 328, 336 and 344 Beach Boulevard (west/bay side of Beach Boulevard) (PED19190(a)) (Ward 5) (Item 7.4)**
 - (a) That City Initiative 19-H to further amend Zoning By-law No. 05-200 to correct the underlying Zone and update the special exception for the properties located at Nos. 328, 336, 344 (south part) Beach Boulevard, in the former City of Hamilton, as shown on Appendix “A” to Report PED19190(a), be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “B” to Report PED19190(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019) and complies with the Urban Hamilton Official Plan.
 - (b) That City Initiative 19-H to amend Zoning By-law No. 05-200 to add lands and special exception to the property located at 344 (north part) Beach Boulevard to Zoning By-law No. 05-200, in the former City of Hamilton, as shown on Appendix “A” to Report PED19190(a), be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “B” to Report PED19190(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019) and complies with the Urban Hamilton Official Plan.
 - (c) That there were no public submissions received regarding this matter.
- 8. Appeal to the Local Planning Appeal Tribunal of the Urban Hamilton Official Plan: Proposed Approach to Settlement of Site Specific Appeal (313 Stone Church Road East) by DiCenzo Construction Company Ltd. of the Urban Hamilton Official Plan and Legal Direction (LS20018/PED20124) (Ward 7) (Item 13.1)**
- (a) That recommendations (a), (b), (c), and (d) contained in Report LS20018/PED20124, be approved;
 - (b) That recommendations (a), (b), (c), and (d) contained in Report LS20018/PED20124, and the appendices thereto, remain confidential except as necessary to implement these recommendations, at the discretion of the City Solicitor; and,
 - (c) That the balance of Report LS20018/PED20124 remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

1. COMMUNICATIONS (Item 4)

- 4.3 Correspondence from Heather Bond respecting Urban Hens
- 4.4 Correspondence from Joanne Fenbow respecting Urban Hens
- 4.5 Correspondence from Fred Patterson respecting Urban Hens
- 4.6 Paul Valeri, Valery Homes, requesting Deferral of Decision on the Designation of 828 Sanitorium Road (Item 6.4, Hamilton Municipal Heritage Committee, Recommendation #3)

2. CONSENT ITEMS (Item 6)

- 6.4 Hamilton Municipal Heritage Committee Report 20-003

3. PUBLIC HEARINGS/WRITTEN DELEGATIONS (Item 7)

- 7.2 Application for Zoning By-law Amendment for Lands Located at 378 Harmony Hall Drive and Part of Block 117, Plan 62M-1122 (Ancaster) (PED20056) (Ward 12)

(b) Written Submissions

- 1. Daniele and Teresa Cozzi

4. NOTICES OF MOTION (Item 11)

- 11.1 Waiving of all Road Widening at 20 East Avenue South

The agenda for the July 7, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 16, 2020 (Item 3.1)

The Minutes of the June 16, 2020 meeting were approved, as presented.

(d) COMMUNICATIONS (Item 4)

(i) Correspondence respecting Backyard/Urban Hens (Item 4.2 and Added Items 4.3, 4.4 and 4.5)

The following correspondence respecting Backyard/Urban Hens, were received:

- 4.2 Christina Sousa
- 4.3 Heather Bond
- 4.4 Joanne Fenbow
- 4.5 Fred Patterson

(e) PUBLIC HEARINGS/WRITTEN DELEGATIONS (Item 7)

In accordance with the *Planning Act*, Councillor Farr advised those viewing the virtual meeting that the public had been advised of how to pre-register to be a virtual delegate at the Public Meetings on today's agenda; and that no members of the public have pre-registered to be virtual delegate at any of the Public Meetings on today's agenda.

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

(i) Application to Amend the Urban Hamilton Official Plan for Lands Located at 1329 and 1335 Barton Street, 339 and 347 Fifty Road, 16 to 30 Foothills Lane, 40 Zinfandel Drive, and Blocks 13, 14, 18 and part of Block 9 of Registered Plan 62M-1241 (PED20075) (Ward 10) (Item 7.1)

No members of the public were registered as Delegations.

The public meeting was closed.

The staff presentation was waived.

Kelly Martel, MHBC Planning, Agent, was in attendance and indicated support for the staff report.

The delegation from Kelly Martel, MHBC Planning, Agent, was received.

- (a) That Amended Urban Hamilton Official Plan Amendment application UHOPA-19-09 by MHBC Planning Inc., on behalf of 5000933 Ontario Inc., owner to redesignate the subject lands from “Low Density Residential 2” to “Low Density Residential 3”, removing the lands from “Area Specific Policy – Area H”, and adding lands to “Area Specific Policy – Area I” and to revise the text of “Area Specific Policy – Area I” to permit a density range of 40 to 49 units per hectare over the entirety of the Special Policy Area, to permit the development of a range of dwelling types within the Foothills of Winona - Phase 3 Subdivision, as shown on Appendix “A” to Report PED20075, be APPROVED on the following basis:
 - (i) That the Draft Official Plan Amendment attached as Appendix “B” to Report PED20075, be adopted by City Council; and,
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow Plan (2019).

The recommendations in Report PED20075 were **amended** by adding the following sub-section (b):

- (b) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, see Item 4.

- (ii) **Application for Zoning By-law Amendment for Lands Located at 378 Harmony Hall Drive and Part of Block 117, Plan 62M-1122 (Ancaster) (PED20056) (Ward 12) (Item 7.2)**

No members of the public were registered as Delegations.

The public meeting was closed.

The staff presentation was waived.

Katelyn Gillis, T. Johns Consulting Group, was in attendance and indicated support for the staff report.

The delegation from the Katelyn Gillis, T. Johns Consulting Group, was received.

The following written submission was received:

1. Daniele and Teresa Cozzi
 - (a) That Zoning By-law Amendment Application ZAR-19-034 by T. Johns Consulting Group on behalf of Gregorio Homes Inc., Owner, for a change in zoning from the Agricultural “A-216” Zone, Modified (Block 1), Public “P” Zone (Block 2), and Residential “R4-514” Zone, Modified (Block 3) to the Residential “R4 -709” Zone, Modified in the Town of Ancaster Zoning By-law No. 87-57 to facilitate the development of two residential building lots for single detached dwellings on lands located at 378 Harmony Hall Drive and Part of Block 117, Plan 62M-1122 (Ancaster), as shown on Appendix “A” to Report PED20056, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED20056, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2014) and conforms to A Place to Grow (2019); and,
 - (iii) That the proposed changes in zoning comply with the Urban Hamilton Official Plan and the Garner Neighbourhood Secondary Plan.

The recommendations in Report PED20056 were **amended** by adding the following sub-section (b):

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

For disposition of this matter, see Item 5.

- (iii) Application for Draft Plan of Subdivision for Lands Located at 43 Highway No. 5, Flamborough (PED20072) (Ward 15) (Item 7.3)**

No members of the public were registered as Delegations.

The public meeting was closed.

The staff presentation was waived.

James Webb, Webb Planning, was in attendance and indicated support for the staff report.

The delegation from James Webb, Webb Planning, was received.

- (a) That Draft Plan of Subdivision Application 25T-201708 by WEBB Planning Consulting on Behalf of Frank Butty (Owner), to establish a Draft Plan of Subdivision on lands located at 43 Highway No. 5 (Flamborough), as shown on Appendix "A" to Report PED20072, be APPROVED:
- (i) That this approval apply to the Draft Plan of Subdivision 25T-201708, prepared by S. Llewellyn and Associates Limited and certified by A.T. McLaren Limited - S. Dan McLaren, dated March 11, 2020, consisting of three industrial development blocks (Blocks 1-3), a block for a road reserve (Block 4), two blocks for a road widening (Blocks 5 and 6), 0.3 m reserve (Block 7) and two municipal roads (extension of Solar Drive and proposed Street "A") subject to the owner entering into a Standard Form Subdivision Agreement as approved by City Council and with the Special Conditions attached as Appendix "B" to Report PED20072;
 - (ii) There is no City Share for the costs of the servicing works within the Draft Plan of Subdivision lands;
 - (iii) That payment of Cash-in-Lieu of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-law, as approved by Council.

The recommendations in Report PED20072 were **amended** by adding the following sub-section (b):

- (b) That there were no public submissions received regarding this matter.**

For disposition of this matter, see Item 6.

(iv) **City Initiative 19-H – Change in Zoning to Zoning By-law No. 05-200 - Nos. 328, 336 and 344 Beach Boulevard (west/bay side of Beach Boulevard) (PED19190(a)) (Ward 5) (Item 7.4)**

No members of the public were registered as Delegations.

The public meeting was closed.

The staff presentation was waived.

- (a) That City Initiative 19-H to further amend Zoning By-law No. 05-200 to correct the underlying Zone and update the special exception for the properties located at Nos. 328, 336, 344 (south part) Beach Boulevard, in the former City of Hamilton, as shown on Appendix “A” to Report PED19190(a), be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “B” to Report PED19190(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019) and complies with the Urban Hamilton Official Plan.

- (b) That City Initiative 19-H to amend Zoning By-law No. 05-200 to add lands and special exception to the property located at 344 (north part) Beach Boulevard to Zoning By-law No. 05-200, in the former City of Hamilton, as shown on Appendix “A” to Report PED19190(a), be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “B” to Report PED19190(a), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019) and complies with the Urban Hamilton Official Plan.

The recommendations in Report PED19190(a) were **amended** by adding the following sub-section (b):

- (c) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, see Item 7.

- (v) **Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 315 Dalgleish Trail, Glanbrook (PED20091) (Ward 9) (Item 7.5)**

No members of the public were registered as Delegations.

The public meeting was closed.

The staff presentation was waived.

Spencer Skidmore, A.J. Clarke and Associates, was in attendance and indicated that he is working with staff on a few required changes to the Conditions.

Report PED20091, respecting Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 315 Dalgleish Trail, Glanbrook was DEFERRED to the July 14, 2020 Planning Committee meeting to allow the Agent and staff to prepare the change in the Conditions.

- (f) **NOTICES OF MOTION (Item 11)**

- (i) **Waiving of all Road Widening at 20 East Avenue South (Added Item 11.1)**

Councillor Farr introduced the following Notice of Motion:

WHEREAS, the *Planning Act* and the Urban Official Plan state that the City shall reserve or obtain road widenings for rights-of-way as described in Schedule C2- Future Road Widenings;

WHEREAS, Transportation Planning staff have requested road widenings along the Main Street East frontage, the Victoria Ave North frontage, and the King Street East frontage;

THEREFORE BE IT RESOLVED:

That staff be directed to amend the site plan condition, (City file number DA-19-071) to waive all of the road widenings for the lands located at the north-west corner of Main Street East and East Avenue South, known municipally as 20 East Avenue South.

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 12)

(i) Outstanding Business List (Item 12.1)

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

(a) Items Requiring New Due Dates:

12A - Regulation of Rental Housing
Current Due Date: May 19, 2020
Proposed New Due Date: Q2 2021

12B - Request to Designate 437 Wilson Street East (Ancaster)
Current Due Date: May 5, 2020
Proposed New Due Date: December 8, 2020

14A - Adding 206, 208 and 210 King Street East to the Register of
Property of Cultural Value or Interest
Current Due Date: April 7, 2020
Proposed New Due Date: December 8, 2020

17B - Designation of the Gore District as a Heritage Conservation
District
Current Due Date: April 7, 2020
Proposed New Due Date: October 20, 2020

17C - Change to the Subdivision Plan for Vienna Orchard
Current Due Date: June 2020
Proposed New Due Date: September 2020

17E - Family Friendly Housing Policy
Current Due Date: February 2020
Proposed New Due Date: September 2020

18F - Hamilton Airshed Modelling System
Current Due Date: November 5, 2019
Proposed New Due Date: January 2021

18G - 8475 English Church Road - Zoning and OPA Amendments
Current Due Date: February 18, 2020
Proposed New Due Date: September 8, 2020

18L - Review of C6 and C7 Zoning Regulations
Current Due Date: February 18, 2020
Proposed New Due Date: March 2021

19L - Year Round Live-Aboards at West Harbour Marinas
Current Due Date: October 15, 2019
Proposed New Due Date: October 20, 2020

19Q - Application for Zoning By-law Amendment Lands Located at
116 and 120 Barnsdale Avenue North
Current Due Date: June 14, 2020
Proposed New Due Date: October 20, 2020

19R - 282 McNab Street North (Official Plan and Zoning By-law
Amendment)
Current Due Date: March 24, 2020
Proposed New Due Date: August 11, 2020

19S - 370 Concession Street (Zoning By-law Amendment)
Current Due Date: June 14, 2020
Proposed New Due Date: July 14, 2020

19X - Use of Surplus Parking Spaces by Third Parties in Downtown
Hamilton
Current Due Date: TBD
Proposed New Due Date: January 2021

19Y - Construction Hoarding (b)
Current Due Date: June 16, 2020
Proposed New Due Date: Q1 2021

19BB - Parking Fee Review
Current Due Date: TBD
Proposed New Due Date: November 17, 2020

19CC - Feasibility of Glanbrook Sports Park Being Included in the
Binbrook Village Urban Boundary
Current Due Date: TBD
Proposed New Due Date: Q3 2021

19GG - Implementation and Resources Required re: Corporate
Goals and Areas of Focus for Climate Mitigation and Adaptation
Current Due Date: TBD
Proposed New Due Date: February 2021

20A - Property Standards By-law - Rental Properties and
Apartments
Current Due Date: TBD
Proposed New Due Date: November 17, 2020

20B - Review of Problems Associated with Increased Visitors to Waterfalls

Current Due Date: TBD

Proposed New Due Date: September 8, 2020

20C - Dedicated Mohawk College Enforcement

Current Due Date: TBD

Proposed New Due Date: March 2021

(a) Items to be Removed:

20D - Petition requesting City Ownership of Windermere Road from the Hamilton Conservation Authority and a Private Owner (Addressed as Item 5.10 on the June 17, 2020 Public Works Committee agenda)

(ii) General Manager's Update (Added Item 12.2)

Jason Thorne, General Manager, Planning and Economic Development addressed the Committee to thank Planning and Clerks staff for their efforts in organizing virtual committee meetings and processing applications.

The General Manager's Update, was received.

(h) PRIVATE AND CONFIDENTIAL (Item 13)

Committee determined that discussion of Item 13.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

(i) Appeal to the Local Planning Appeal Tribunal of the Urban Hamilton Official Plan: Proposed Approach to Settlement of Site Specific Appeal (313 Stone Church Road East) by DiCenzo Construction Company Ltd. of the Urban Hamilton Official Plan and Legal Direction (LS20018/PED20124) (Ward 7) (Item 13.1)

For disposition of this matter, refer to Item 8.

(i) ADJOURNMENT (Item 14)

There being no further business, the Planning Committee was adjourned at 10:52 a.m.

Councillor Jason Farr
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator



PUBLIC WORKS COMMITTEE REPORT 20-005

9:30 a.m.

Wednesday, July 8, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

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

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 20-005 AND RESPECTFULLY RECOMMENDS:

1. Consent Items (Item 5)

(a) That Consent Items 5.1 to 5.5 be received, as presented:

(i) **Residential Encroachments onto the Pipeline Trail Corridor (PW20040/PED20122) (Ward 4) (Item 5.1)**

That Report PW20040/PED20122, respecting Residential Encroachments onto the Pipeline Trail Corridor, be received.

(ii) **Biosolids Management Project - Woodward Wastewater Treatment Plant (PW11098(f)) (City Wide) (Item 5.2) - REVISED**

That Report PW11098(f), respecting the Biosolids Management Project - Woodward Wastewater Treatment Plant, be received.

(iii) **Woodward Upgrade Project Construction and Progress Update (PW20043) (City Wide) (Item 5.3)**

That Report PW20043, respecting Woodward Upgrade Project Construction and Progress Update, be received.

(iv) Sewer Use By-law Program 2019 Annual Update (PW20042) (City Wide) (Item 5.4)

That Report PW20042, respecting the Sewer Use By-law Program 2019 Annual Update, be received.

(v) 2019 Annual Energy Report (PW20024) (City Wide) (Item 5.5)

That Report PW20024, respecting the 2019 Annual Energy Report, be received.

2. Decorative Crosswalks (PW20041) (City Wide) (Item 8.1)

That the installation of decorative crosswalks be permitted in the City of Hamilton and be implemented as per the Decorative Crosswalk Guideline, attached to attached to Public Works Committee Report 20-005 as Appendix "A".

3. Community Safety Zones (PW20045) (City Wide) (Item 8.2)

- (a) That the amendment of City of Hamilton By-law 01-215, being a by-law to Regulate Traffic ("City of Hamilton Traffic By-law"), to add the designation for community safety zones, attached to Report PW20045 as Appendix "A", and which has been prepared in a form satisfactory to the City Solicitor be approved;
- (b) That the Community Safety Zone Selection Guideline, attached to Public Works Committee Report 20-005 as Appendix "B", be received;
- (c) That the Mayor submit a letter to the Ministry of Transportation Ontario, on behalf of City Council, seeking legislative and regulatory amendments to allow municipalities to administer Automated Speed Enforcement and Red-Light Camera Enforcement programs through the Administrative Monetary Penalty system; and,
- (d) That staff report back to the Public Works Committee no later than Q4 2020 with an auxiliary list of potential Automated Speed Enforcement locations upon consultation with Ward Councillors.

4. Security Report on Theft and Vandalism Prevention in City-Owned Spaces (PW20046) (City Wide) (Item 8.4)

- (a) That Corporate Security be approved to deploy a Parks Security Patrol program under a 2-year pilot, to begin in the Spring of 2021;
- (b) That the operating costs associated with the Parks Security Patrol 2-year pilot program be referred to the 2021 operating budget deliberations; and,

- (c) That Corporate Security report back to the Public Works Committee, prior to the completion of the 2-year pilot, presenting the results of the program including the metrics used to measure the value, impacts and improvements as a result of the pilot program.

5. PRESTO Adoption (PW17033(e)) (City Wide) (Item 8.5)

- (a) That the Strategy For Legacy Paper Media Removal, be approved, as follows:

Product	Notice	Action	Marketing
Paper Monthly Passes	Provided August 2020 - 2 month	November 1, 2020 no paper passes	Provide literature with each pass sold advising of removal of paper pass and the benefits of PRESTO. Work with social agencies to implement the best solution for their client.
Paper Tickets and Day passes	Provided August 2020 - 3 months	November 1, 2020 no paper tickets or day passes at vendors	Promote the benefits of PRESTO to ticket users via web and social media, utilize vendor network to provide information. Day pass functionality will not be available on PRESTO.
Vendors	Provided August 2020 – 3 months	Remove all HSR paper media product from all vendor locations as of November 1, 2020	This change may be disruptive to the vendors business. Provide a 3 month notice period to allow for the adjustment.
Special Purpose Ticket	Provided August 2020 – 3 months	November 1, 2020 introduce special purpose ticket available at Customer Service Office located at Hunter GO Station for Social Agencies and to customers who are not connected with social agencies, limit of 2 tickets.	Advise agencies of the availability so they can continue to support clients. Work with agencies to determine the future functionality that will best suit their needs and work with PRESTO.

Product	Notice	Action	Marketing
		Tickets will remain until new functionality is available.	
Mobile e-ticketing	Projected release from PRESTO September 2020 – 2 months	November 1, 2020 PRESTO e-ticketing becomes available. Basic functionality is available, improvements will be available through a number of releases.	Campaign for customers to ensure understanding of what this product is and how it works. Mobile ticketing will allow customers to purchase one or two tickets at a time at the Council approved ticket prices without the need for a PRESTO card.

- (b) That the Golden Age fare policy consist of a one-time free PRESTO card and unlimited free transit in Hamilton to residents 80 years and older and the cost of the card be funded through current operating budget.

6. University/College Transit Pass Agreements (PW20022(a)) (City Wide) (Item 8.6)

- (a) That the General Manager of Public Works, or their designate, be authorized and directed to negotiate and execute on behalf of the City all necessary agreements and related documents to:
 - (i) Either temporarily suspend the Transit Pass Agreements (the “UCTP Agreements”) between the City and: (a) McMaster University (re: Undergraduate students); (b) McMaster University (re: Graduate students); (c) Redeemer University College; and (d) Mohawk College; or prorate the UCTP fees in relation to the respective UCTP Agreements, according to the requirements of each individual school at the discretion of the General Manager of Public Works for a period of time to be determined by the General Manager of Public Works, all in a form acceptable to the City Solicitor;
 - (ii) Subsequently revive the UCTP Agreements, at the discretion of the General Manager of Public Works, all in a form acceptable to the City Solicitor;
 - (iii) Further suspend/revive the UCTP Agreements or prorate the UCTP fees, as required at the discretion of the General Manager of Public Works, all in a form acceptable to the City Solicitor;

- (b) That Appendix “A” attached to Report PW20022(a) remain confidential; and,
- (c) That the General Manager of Public Works, or their designate, be authorized and directed to issue appropriate refunds for the UCTP Agreements as they relate to payments made in advance for the 2019/2020 agreements.

7. City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Paper (PW20048) (City Wide) (Item 8.7)

- (a) That each of the policy statements and implementation strategies contained in the City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Tables shown in Appendix “C” to Public Works Committee Report 20-005, be endorsed;
- (b) That the General Manager of Public Works, or their designate, be authorized and directed to adopt these statements as the guiding principles to identify servicing alternatives in the development of the City of Hamilton Water, Wastewater, and Stormwater Master Plans for the Lake Based Systems being developed under Growth Related Integrated Development Strategy 2; and,
- (c) That the General Manager of Public Works, or their designate, be authorized and directed to report to the Public Works Committee upon completion of the Water, Wastewater and Stormwater Master Plans, outlining any changes or additions to the policy statements resulting from public or key stakeholders’ consultations.

8. Installation of Speed Cushions on Eleanor Avenue, Hamilton, between Dulgaren Street and Eaglewood Drive (Ward 6) (Item 9.1)

WHEREAS, residents are requesting the installation of traffic calming measures along Eleanor Avenue, via petition to address roadway safety concerns as a result of speeding and cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to install up to three speed cushions on Eleanor Avenue, Hamilton, between Dulgaren Street and Eaglewood Drive, in 2020, at a total cost not to exceed \$20,000, to be funded from the Ward 6 Capital Reinvestment Account (3301909600); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents with such terms and conditions in a form satisfactory to the City Solicitor.

9. Installation of Speed Cushions on Acadia Drive, Hamilton, between Upper Sherman Avenue and Upper Wentworth Street, and between Rymal Road East and Stone Church Road East (Ward 7) (Item 9.2)

WHEREAS, residents are requesting the installation of traffic calming measures along Acadia Drive to address roadway safety concerns as a result of speeding and cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to install seven speed cushions on Acadia Drive, Hamilton, between Upper Sherman Avenue and Upper Wentworth Street, and between Rymal Road East and Stone Church Road East, in 2020, at a total cost not to exceed \$50,500, to be funded from the Ward 7 Area Rating Capital Reserve Fund (108057); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents with such terms and conditions in a form satisfactory to the City Solicitor.

10. Permanent Bump-Out Installation at Wellington Street North and Barton Street East (Ward 2) (Added Item 9.3)

WHEREAS, Report PED19187 On Street Parking Permits – Wellington Street North recommending changes to on-street parking regulations on Wellington Street North from Barton Street East to Robert Street was approved by Council on November 27, 2019;

WHEREAS, the November 27, 2019 report identified the need for a bump-out to be installed at on the South/West corner of Wellington Street North and Barton Street East to delineate the parking lane; and,

WHEREAS, staff have completed a design for the bump-out and recommend a permanent installation at an estimated cost of \$30,000 which is preferable to a temporary solution using bollards;

THEREFORE, BE IT RESOLVED:

- (a) That the estimated cost of \$30,000 to construct a permanent bump-out at Wellington Street North and Barton Street East be funded from Ward 2 Special Capital Re-Investment Reserve Account (108052); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

11. Hunter Street West Bike Lane Enhancements (Ward 2) (Added Item 9.4)

WHEREAS, the existing bi-directional cycle track on Hunter Street West between MacNab Street South and Queen Street South is delineated by signs and pavement markings only and lacks physical separation from motor vehicle traffic; and,

WHEREAS, Report PED20100/PW20034, respecting COVID-19 Recovery Phase Mobility Plan, was approved by Council on June 24, 2020 (see Item 10 of Public Works Committee Report 20-004) and recommended improvements to the City's existing cycling network including increased physical separation;

THEREFORE, BE IT RESOLVED:

- (a) That the estimated cost of \$40,000 to install concrete curbs and bollards on Hunter Street West between MacNab Street South and Queen Street South be funded from Ward 2 Special Capital Re-Investment Reserve Account (108052); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

4. COMMUNICATIONS (Item 4)

- 4.1 Correspondence from Caroline Mulroney, Minister of Transportation, respecting Financial Assistance to Support Enhanced Cleaning of Public Transit Systems

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

5. CONSENT ITEMS (Item 5)

- 5.2 Biosolids Management Project - Woodward Wastewater Treatment Plant (PW11098(f)) (City Wide) - **REVISED**

6. WRITTEN DELEGATIONS (Item 6)

- 6.1 Written Delegation from Garrett Blair and Wendy Rolfe, Mohawk Students' Association, respecting Item 8.6 - University/College Transit Pass Agreements (PW20022(a))
Recommendation: Be received and referred to the consideration of Item 8.6.

10. NOTICES OF MOTION (Item 10)

- 10.1 Permanent Bump-Out Installation at Wellington Street North and Barton Street East (Ward 2)
- 10.2 Hunter Street West Bike Lane Enhancements (Ward 2)

The agenda for the July 8, 2020 Public Works Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)

(i) June 17, 2020 (Item 3.1)

The Minutes of the June 17, 2020 meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATIONS (Item 4)

(i) Correspondence from Caroline Mulroney, Minister of Transportation, respecting Financial Assistance to Support Enhanced Cleaning of Public Transit Systems (Added Item 4.1)

The correspondence from Caroline Mulroney, Minister of Transportation, respecting Financial Assistance to Support Enhanced Cleaning of Public Transit Systems, was received and referred to the General Manager of Public Works for appropriate action.

(e) WRITTEN DELEGATIONS (Item 6)

(i) Written Delegation from Garrett Blair and Wendy Rolfe, Mohawk Students' Association, respecting Item 8.6 - University/College Transit Pass Agreements (PW20022(a)) (Added Item 6.1)

The Written Delegation from Garrett Blair and Wendy Rolfe, Mohawk Students' Association, respecting Item 8.6 - University/College Transit

Pass Agreements (PW20022(a)), was received and referred to the consideration of Item 8.6.

(f) DISCUSSION ITEMS (Item 8)

(i) Community Safety Zones (PW20045) (City Wide) (Item 8.2)

Report PW20045, respecting Community Safety Zones, was **amended** by adding recommendation (d), as follows:

(d) *That staff report back to the Public Works Committee no later than Q4 2020 with an auxiliary list of potential Automated Speed Enforcement locations upon consultation with Ward Councillors.*

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

(ii) Traffic Calming Management Policy (PW20044) (City Wide) (Item 8.3)

Report PW20044, respecting a Traffic Calming Management Policy, was DEFERRED to a future Public Works Committee meeting to allow staff the opportunity to meet with Ward Councillors and review their concerns.

The Public Works Committee was recessed at 1:00 p.m.

The Public Works Committee reconvened at 1:36 p.m.

(g) NOTICES OF MOTION (Item 10)

(i) Permanent Bump-Out Installation at Wellington Street North and Barton Street East (Ward 2) (Added Item 10.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting a Permanent Bump-Out Installation at Wellington Street North and Barton Street East (Ward 2).

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

(ii) Hunter Street West Bike Lane Enhancements (Ward 2) (Added Item 10.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Hunter Street West Bike Lane Enhancements (Ward 2).

For further disposition of this matter, refer to Item 11.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Item 11.1)

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

- (a) Items Considered Complete and Needing to be Removed:
- (i) Graffiti Management Strategy
Recommendation (g) addressed as Item 8.4 on today's agenda – Report PW20046.
Recommendation (h) addressed as Item 1 of Public Works Committee Report 19-009 – Report PW19050, Appendix "D".
Item on OBL: AAZ
 - (ii) PRESTO Operating Agreement
Addressed as Item 8.5 on today's agenda – Report PW17033(e)
Item on OBL: N
 - (iii) Theft and Vandalism Prevention in City-Owned Public Spaces
Addressed as Item 8.4 on today's agenda – Report PW20046
Item on OBL: AAH
- (b) Items Requiring a New Due Date:
- (i) Minimum Maintenance Standards Changes
Item on OBL: AC
Current Due Date: Q3 2020
Proposed New Due Date: October 5, 2020
 - (ii) Operations and Maintenance of the Central Composting Facility
Item on OBL: AV
Current Due Date: August 12, 2020
Proposed New Due Date: October 19, 2020
 - (iii) Review of Cycle Hamilton Recommendations Respecting the Cannon Street Resurfacing Project
Item on OBL: AAD
Current Due Date: July 2020
Proposed New Due Date: August 12, 2020

- (iv) Airport Employment Growth District (AEGD) Servicing Update
Item on OBL: AAI
Current Due Date: June 2020
Proposed New Due Date: September 11, 2020
- (v) Standardization of Enterprise Asset Management Systems
Item on OBL: AAV
Current Due Date: June 15, 2020
Proposed New Due Date: June 2024
- (vi) Management of the Aviary at 85 Oak Knoll Drive
Item on OBL: AAY
Current Due Date: Q2 2020
Proposed New Due Date: August 12, 2020

(i) PRIVATE AND CONFIDENTIAL (Item 12)

Committee determined that discussion of Item 12.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

(i) Appendix "A" to Report PW20022(a), University/College Transit Pass Agreements (City Wide) (Item 12.1)

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

(j) ADJOURNMENT (Item 13)

There being no further business, the Public Works Committee was adjourned at 2:37 p.m.

Respectfully submitted,

Councillor J.P. Danko
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



Decorative Crosswalk Guideline



Trans Flag Decorative Crosswalk, Stirling Avenue

Decorative Crosswalk Guideline

1.0 Introduction

Crosswalks are an integral component of the transportation network that distinctly indicates safe roadway crossing locations for pedestrians by means of lines or other markings on the surface of the roadway. Vehicle traffic is controlled at crosswalks with stop signs, pedestrian crossovers (PXO's), and partial or full traffic signals. Crosswalks exist at intersections, between intersections (mid-block) and on all road classification types throughout the City of Hamilton.

The size and colour of crosswalk pavement markings is governed by the Ontario Traffic Manual (OTM). The transverse lines, which are lines that run perpendicular to the roadway and establish the boundaries of the crosswalk, must be white and extend the entire length of the crosswalk. Ladder (also referred to as zebra) markings are suggested for crosswalks where higher visibility is desired. The longitudinal lines (rungs of the ladder) are also normally white; however, the OTM does not specify that they must be white.

The Highway Traffic Act (HTA), specifically Ontario Regulation 402/15: Pedestrian Crossover Signs, requires that PXO's include ladder pavement markings and that the longitudinal lines (rungs) are to the width and spacing as specified. Like OTM, the colour of the rungs are not mandated to be white.

The OTM does state that textured or coloured crosswalks should be "applied to increase the conspicuity of a pedestrian crossings and increase driver's awareness of potential conflicts". It goes on to state that the "materials should be designed to maintain visibility at night".

Decorative crosswalks are typically understood to be crosswalks that include elements (colour, design, imagery, texture and/or material) that are considered aesthetic enhancements above and beyond standard crosswalk treatments. In Hamilton, an example of a decorative crosswalk is the rainbow crosswalk located on Main Street West at Summers Lane in-front of City Hall, which was installed in 2018.

Crosswalks must always include two white transverse lines, and except for PXO's, the pavement marking treatment in between the transverse lines is not restricted. Therefore, decorative elements (artwork) can be legally applied to the road surface if they are 'framed' by the white transverse lines and the edge of the roadway (normally being curbs). However, it is implied that the design of the treatment would not negatively impact the safety of road users, visually or otherwise.

The Decorative Sidewalk Guideline is constructed to support and facilitate the installation of decorative crosswalks in the City of Hamilton. It directly aligns with the City of Hamilton Art in Public Places Policy which recognizes that "art in public places enriches the quality of life of its citizens adding cultural, social and economic value to our shared public spaces".

2.0 Process

The desire to install decorative crosswalks can be driven by external and internal interests. Individuals, communities, organizations or agencies may express interest to install a decorative crosswalk on a City roadway. Additionally, decorative crosswalks may be incorporated into City projects, such as roadway reconstruction or other similar initiatives.

Parties with an expressed interest to install a decorative crosswalk shall consult with the Public Works Department, Transportation Operations & Maintenance Division. An agreement between the applicant and the City may be necessary to formalize installation and maintenance cost terms and responsibilities.

Enabling the installation of decorative crosswalks aligns with the City of Hamilton Art in Public Places Policy. This policy provides a framework "to guide the conception, planning and implementation of successful art in public places projects". It includes five processes, specifically Publicly Commissioned Art, Donated Art, Community Art, Integrated Art and Temporary Art.

The Art in Public Places Policy is comprehensive and directly applicable to decorative crosswalks. Therefore, the Art in Public Places Policy shall be used to manage the application, selection and implementation of decorative crosswalks. Combined, the Art in Public Places Policy and the Decorative Crosswalk Guideline shall govern decorative crosswalks in the City of Hamilton.

3.0 Permitted Locations

Selecting a location for the installation of decorative crosswalks is important to ensure that they are appropriate, sustainable and safe. The primary consideration in approving a decorative crosswalk location is the safety of pedestrians, cyclists and motorists. Where safety may be negatively impacted, a decorative crosswalk will not be permitted to be installed.

Decorative crosswalks should be avoided, without special consideration and permission, across roadways that have high volumes of traffic and/or a high percentage of truck traffic, specifically, major and minor arterial roadways as classified by the Urban Hamilton Official Plan and the Rural Hamilton Official Plan. On arterial roadways,

maintenance is cost prohibitive given the amount of tire wear and marks from large trucks.

Decorative crosswalks can be installed on collector and local classified roadways. This includes collector and local roadways that intersect with, or immediately parallel to, major/minor arterial roadways permitting that the crosswalk is located on the secondary leg(s) of the intersection.

It is important that the roadways are in acceptable condition. The installation location surface must be free of potholes, fatigue cracking, loose debris or other similar degraded conditions which would inhibit the installation of surface treatments or perceivably shorten the operational life. Asphalt roadways are preferred, however concrete roads can be considered. Roadways that are constructed using unit pavers, stamped textures or comprised of mixed materials (such as adjoining asphalt and concrete surfaces) should be avoided. Roadways that are scheduled for reconstruction or re-surfacing within five (5) years or less from the time of decorative crosswalk installation must be avoided so that the treatments are not inadvertently removed earlier than intended or before their operational end-of-life.

4.0 Installation & Maintenance

Proper installation and maintenance of decorative crosswalk treatments protects their overall integrity and longevity. Therefore, they must be installed in a professional by forces that are sufficiently trained and skilled, using appropriate materials and methods, routinely monitored, repaired and maintained.

4.1 Decorative Crosswalk Specifications

- i. Artwork must be contained within the two white standard transverse lines of the crosswalk and the edge of the roadway. Treatment must be configured so that a pedestrian's first step is onto asphalt (the bare road surface), achieved by starting the artwork approximately 1.0 metre away from the curb/edge of road. It must not continue or extend onto median islands, curb gutters, curbs, sidewalks or other roadway features;
- ii. Artwork must not be applied to utility manhole covers, chamber lids, frames or other similar infrastructure;
- iii. Artwork should provide visual contrast and be reflective as per the requirements of the Ontario Traffic Manual;

- iv. Artwork that would be considered ladder (or zebra) markings, must dimensionally conform to the requirements of the HTA and Ontario Traffic Manual;
- v. Artwork shall respect community standards concerning appropriate subjects and imagery for display in public places. Further, commercial interests such as advertising and copyright protected content is not permitted without special consideration and explicit permission;
- vi. Artwork must not be comprised of any elements that road users, particularly pedestrians, would interact with such as hopscotch as an example;
- vii. Artwork must not directly or inadvertently mislead the general use or guidance of the crosswalk, especially users whom are visually impaired; and
- viii. Artwork shall comply with the City of Hamilton Art in Public Places Policy.

4.2 Material & Installation

- i. Durable skid resistant pavement markings, such as thermoplastic or cold plastic, must be used for artwork and as specified by the Public Works Department. The in-service operational life of durable pavement markings is approximately five (5) years, and dependent upon roadway surface conditions and traffic volumes.
- ii. Artwork must be reflective as per the requirements of the Ontario Traffic Manual;
- iii. Decorative crosswalks must be installed by the City of Hamilton, Public Works Department or by contractors as directed by the same;
- iv. Artwork designs shall be reasonable, easily reproduced and installed using the noted marking materials and their associated installation methods. Artwork must be acceptable and appropriate based upon the Art in Public Places policy process and requirements; and
- v. Installation shall be scheduled to occur seasonally in the late spring to early fall or as weather and conditions permit to ensure optimal adherence of materials to roadway surfaces.

4.3 Maintenance & Operations

- i. Decorative crosswalks shall be maintained (repaired, cleaned, etc.) by the City of Hamilton, Public Works Department;
- ii. It is recognized that decorative crosswalks do not have an attributed level of service as defined by Ontario Regulation 239/02: Minimum Maintenance Standards for Municipal Highways. However, decorative crosswalks shall generally be inspected by the City of Hamilton, Public Works Department, once per calendar year, typically in the late spring;
- iii. Maintenance of decorative crosswalks shall be safety focused, but also to maintain the integrity and longevity of the artwork. Maintenance shall be generally conducted on an as-needed basis;
- iv. Decorative crosswalks do not have an infinite life and would need to be removed (and replaced if appropriate) when deemed necessary or as required by any terms and/or agreements of their installation;
- v. Requestors of decorative crosswalks shall be responsible for installation costs and share maintenance costs with the City of Hamilton as described in Section 5.0 of this guideline.

5.0 Attributed Costs

The cost of installing and maintaining decorative crosswalks will have an impact on capital and existing operational budgets. Because of this, the person or agency requesting decorative crosswalks shall share in all or part of the costs. Table 5.1 outlines installation cost sharing.

Table 5.1 – Decorative Crosswalk Cost Sharing

Installation Cost	City Share	Requestor’s Share
Existing non-ladder crosswalk	40% (Cost of white durable pavement markings)	60% (Cost difference between standard ladder markings and artwork)
Existing ladder crosswalk (< = 3 years old)	None	100%
Existing ladder crosswalk (> = 3 years old)	40% (Cost of white durable pavement markings)	60% (Cost difference between standard ladder markings and artwork)
All other locations	None	100%

The cost of installing a decorative crosswalk is be dependent upon the intricacy, width of the roadway, coverage of the artwork and location. It is estimated that installation costs would be between \$5,000 and \$15,000 depending on the length of the crossing.

The ongoing maintenance of the decorative crosswalks shall be shared between the City of Hamilton and the requestor based upon the cost difference between standard crosswalks and decorative crosswalks. Costs would also be dependent upon the same primary cost drivers noted as part of installation (above).

Maintenance costs shall be determined at the time of approval and based upon the design of the decorative crosswalks and perceived attributed maintenance cost pressures.

Installation and maintenance costs which are shared with the City of Hamilton by requestors should be formalized by establishment of a written agreement.

Decorative crosswalks that are not requested by external people or agencies, but rather internal to the City of Hamilton, installation costs shall be funded from an appropriate capital budget. Maintenance and operation costs shall be funded from an appropriate operating budget and annual budgets shall be reasonably adjusted as decorative crosswalks are added or removed.

6.0 Roles & Responsibilities

- i. The General Manager of Public Works, or their delegate, shall be responsible for administering and recommending updates to this guideline;
- ii. Decorative crosswalk artwork approval shall be the responsibility of the Public Works Department, Transportation Operations & Maintenance Division and in collaboration with the Planning & Economic Development Department, Tourism & Culture Division.
- iii. The Public Works Department, Transportation Operations and Maintenance Division shall be responsible for coordinating, planning, implementing and maintaining decorative crosswalks in the City of Hamilton; and
- iv. Requestors shall share in the ownership and responsibility of decorative crosswalks as governed by any formal agreements or terms as they apply.



City of Hamilton
Community Safety Zone Selection Guideline

Community Safety Zone Selection Guideline

1.0 Introduction

A Community Safety Zone (CSZ) is a designated stretch of roadway marked with community safety zone signs which are recognized under Provincial legislation and allows the doubling of fines associated with speeding within the CSZ. Further, the Province of Ontario passed Bill 65, the Safer School Zones Act, which amended the Highway Traffic Act to facilitate the municipal adoption of Automated Speed Enforcement (ASE) technology on roads with speed limits under 80 km/h in designated school zones and CSZ's.

It is recognized that CSZ's help to change driver behaviour, including reducing speeding, distracted driving, and improving safety on roads where public safety is of special concern. This approach is in alignment with Vision Zero principals and the City of Hamilton Mission, Vision, values and goals.

This guideline has been developed to assist with the selection of CSZ's and is intended to provide a consistent, repeatable, transparent and defined method for designation and aid in responding to requests from Council and the public.

Scored ranking criteria is used to take roadway characteristics into account such as daily traffic volume, vehicle operating speed, pedestrian volumes, collision history, and the presence (or lack of) multi-modal amenities to determine areas that would benefit from being designated as a CSZ. The ranking of locations that meet the guideline will ensure that roadways with a greater number of vulnerable road users and higher exposures to roadway safety risk factors will receive priority designation.

This document is based on Provincial guidelines for the implementation of ASE and is comparable to criteria that is used by other municipalities in Ontario.

2.0 Selection Criteria

The Community Safety Zone Selection Guideline includes three criteria categories which are a) Risk Exposure, b) Collision Activity and c) Built Environment. Combined, the total score attained from review of each category is used to rank outcomes of reviewed roadways and prioritizes the implementation of CSZ designations.

2.1 Risk Exposure

Candidate locations are generally roadways with measurable poor speed limit compliance. In order to affect the largest population of drivers and benefit the largest number of vulnerable road users, a risk exposure index component is included in the site selection ranking. Risk exposure includes vehicle volume, 85th percentile vehicle speed, length of CSZ/school zone, school population and after school hour outdoor use data elements. While ASE may only be used during school hours, the after-hour use of the candidate location is an important exposure factor and is therefore included. The following ratings and weights, shall be utilized to obtain a scoring rank for the risk exposure criteria:

Table 2.1 – Risk Exposure Criteria

Component	Range	Rating	Weight
Traffic Volume (AADT)	< 1,000 v.p.d	1	3.0
"	1,001 to 3,000 v.p.d	2	
"	3001 to 5,000 v.p.d	3	
"	> 5,000 v.p.d	4	
Travel Speed	85 th percent - posted < 10 km/h	1	4.0
"	85 th percent - posted = 11 to 20 km/h	2	
"	85 th percent - posted = 21 to 30 km/h	3	
"	85 th percent - posted > 31 km/h	4	
Length of Zone	< 100 m	1	1.0
"	101 - 200 m	2	
"	201 - 300 m	3	
"	> 301 m	4	
School Population	<400 students	1	2.0
"	401 - 900 students	2	
"	901 - 1200 students	3	
"	> 1201 students	4	
After Hour Use	no	0	1.0
	yes	1	
2.1 Risk Exposure Total Score:			

2.2 Collision Activity

Collision history of candidate locations is an important consideration, however not all collisions are considered to have been speed related. Pedestrian - motor vehicle collisions and cyclist - motor vehicle collisions are included in the ranking process.

Collision data verification is required to determine which historical collisions occurred within the candidate location and which occurred beyond the zone. Rating only pedestrian – motorist and cyclist – motorist collisions equalizes local, collector and arterial roadways to some degree as arterial roadways tend to have higher numbers of collisions and more collision types than the lesser roadway classifications. The following ratings and weights, shall be used to obtain a scoring rank for the collision activity criteria:

Table 2.2 – Collision Activity Criteria

Component	Range	Rating	Weight
Prior 3 years Pedestrian - Motorist Collisions Only	0	0	4
"	1	2	
"	2	3	
"	3	4	
"	> 3	5	
Prior 3 years Cyclist - Motorist Collisions Only	0	0	4
"	1	2	
"	2	3	
"	3	4	
"	> 3	5	
2.2 Collision Activity Total Score:			

2.3 Built Environment

The absence of sidewalks, the presence of on-street bike lanes, the presence of on-street parking (whether permitted or prohibited), proximity to parks, the curvature of the roadway within and immediately adjacent to the candidate location and the presence of a speed limit transition within one kilometer of the candidate location are all factors which impact the comfort and safety of vulnerable road users. The applied scored criteria ensure that the environment of the candidate zone is reflected in the selection process. The following ratings and weights, shall be utilized to obtain a scoring rank for the built environment criteria:

Table 2.3 – Built Environment Criteria

Component	Range	Rating	Weight
Sidewalks	Both Sides	0	2.0
"	One Side Only	1	
"	None	2	
Bike Lanes	Both Sides	0	2.0
"	One Side Only	1	
"	None	2	
On Street Parking	None	1	1.0
	Present Although Prohibited	2	
	Present and Permitted	3	
Adjacent to Park	No	0	1.0
	Yes	3	
Roadway Curvature	None	0	2.0
	Present	1	
Speed Transition	None	0	2.0
	Present	1	
2.3 Built Environment Total Score:			

3.0 Application

Each of the three criteria categories (Risk Exposure, Collision Activity and Built Environment) shall be examined and total scores for each calculated, all three scores shall be combined to attain the total score for the candidate location.

Table 3.0 – Candidate Location Score

Criteria Category	Score
2.1 Risk Exposure Total Score:	
2.2 Collision Activity Total Score:	
2.3 Built Environment Total Score:	
Candidate Location Total Score:	

3.1 Minimum Score

A candidate location must achieve a minimum of 25 points in order to be considered for the designation of a CSZ.

3.2 Additional Influential Considerations

Other location specific considerations should be examined in addition to the scored criteria to determine if they should influence the priority ranking of the candidate location. These considerations include other vulnerable road users, types of schools, whether children or other vulnerable road users cross the road, percentage of students being driven to school versus walking, police and public input and whether schools have programs to actively encourage walking. Additional influential considerations shall be well documented and when viewed as elevating the priority of the candidate location, a validated explanation documented and provided.

3.3 Physical Feasibility Review

Prior to finalizing a candidate location's score and prioritization listing, a site audit must be conducted to ensure there are no physical impediments that may prevent or restrict the designation of a CSZ, including the full functionality of ASE equipment.

At a minimum, the following criteria should be reviewed at all candidate locations:

- There are no physical obstructions to signage or ASE equipment including on-street parking;
- If the location involves a change in the posted speed limit, the ability to accommodate a sufficient buffer;
- There is adequate boulevard space to accommodate ASE equipment; and
- There are no sharp curves in the road or extreme grading that may affect the operation of ASE equipment.

4.0 Ranking & Prioritization

Transportation Operations & Maintenance Division, Transportation Operations Section will maintain a master database of candidate location rankings, which shall be directly based upon the three criteria categories contained in the Community Safety Zone Selection Guideline. The database will contain the scored results for each candidate location and the total score attained. The ranking shall be sorted by highest scoring first and lowest scoring candidate locations last, additionally, a pass/fail indicator will be clearly established.

Additional influential considerations shall be included, and supplemental descriptions and documentation retained. A priority increase in ranking in the database shall be by approval by the Director after an assessment of information provided. Candidate locations that are given different ranking prioritization beyond the base criteria score must include a clear indicator on the master database.

5.0 Implementation

Implementation, meaning the formal designation of a CSZ via inclusion in the Traffic By-law and posting of signage, shall be incorporated into the Vision Zero Action Plan annual activities or as deemed necessary by the routine review of roadway safety.

The ASE pilot project, and/or future permanent establishment of an ASE program, will be coordinated with the implementation of CSZ's as required to support the pilot/program.

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Tables

NOTE: BOLD text represents the new and updated policies.

GENERAL				
Policy No.	NEW Policy No.	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
G.01	G.01	Planning and Servicing Policies	<i>"The City of Hamilton shall harmonize planning and servicing policies and processes within the City of Hamilton Planning and Public Works Departments"</i>	<ul style="list-style-type: none"> - The City will comply with the development and servicing requirements of the Greenbelt Protection Act and the Places to Grow Act. - Planning decisions should be made with recognition of the infrastructure requirements.
G.02	G.02	Planning and Servicing Policies	<i>"The City of Hamilton shall harmonize planning and servicing policies and strategies with provincial and regional policies and strategies"</i>	<ul style="list-style-type: none"> - The City should evaluate servicing strategies and requirements of neighbouring municipalities to determine potential impact to the City's servicing strategies - Where applicable, the City should consider harmonizing servicing strategies - Water and wastewater servicing strategies and needs in neighbouring municipalities could impact timing of the City's implementation program
G.03	G.03	New Development	<i>"The City of Hamilton shall not permit partial servicing for new development"</i>	<ul style="list-style-type: none"> - Consider guidelines established by the Ministry of Environment, Climate and Parks (MECP) and Ministry of Municipal Affairs and Housing (MMAH) as well as the Provincial Policy Statement - Municipal water and wastewater services best support sustainability and management of land uses
G.04	G.04	Servicing Strategy - Municipal Servicing	<i>"Provision of municipal water and wastewater servicing shall be considered a priority for growth areas within the City of Hamilton"</i>	<ul style="list-style-type: none"> - Consider economic and technical servicing viability of supporting growth with local rural supply or with extension of lake-based supply. - Phasing of the extension of municipal services shall be evaluated in conjunction with phasing of growth as identified in the Official Plan - Provide servicing to support urban intensification. - Avoid potential issues related to breakdown of private systems. - Servicing with new well-based supply will require evaluation of hydrogeological conditions to ensure long term viability of source.
G.05	G.05	Planning Horizon	<i>"The City of Hamilton shall ensure that the design of water and wastewater infrastructure recognizes the potential for growth beyond the time horizon of the Official Plan"</i>	<ul style="list-style-type: none"> - Recognize that the service life of infrastructure may be 30 years or more. - Consider, where appropriate, potential for growth beyond the time horizon of the Official Plan for the planning and sizing of infrastructure - Evaluate the value of oversizing versus future twinning of services. - Consider: <ul style="list-style-type: none"> - Potential ultimate site requirements - Potential for phasing implementation and construction - Potential need for infrastructure oversizing - Overall project life cycle cost
G.06	G.06	Existing Infrastructure	<i>"The City of Hamilton shall maximize the use of existing capacity, prior to the upgrading or expansion of infrastructure"</i>	<ul style="list-style-type: none"> - Planning and design of servicing strategies should utilize capacity of existing infrastructure where available.
G.07	G.07	Reserve Capacity	<i>"The City of Hamilton shall maintain sufficient reserve capacity in its water and wastewater infrastructure and facilities to provide operational flexibility and meet potential changes in servicing conditions"</i>	<ul style="list-style-type: none"> - Recognize the time frame required to implement expansion of the infrastructure and facilities and initiate planning, the EA process, design and construction for expansion with consideration of the in-service date. - Consider timing expansions to withstand impacts from: <ul style="list-style-type: none"> - Extreme conditions (such as power failures); - Equipment shutdowns (planned or unplanned); - Fluctuation in growth rates; - Fluctuating demand criteria; and, - Decreasing system and equipment performance - Day to day operation and maintenance of infrastructure and facilities requires flexibility for operating conditions, fluctuating flows, equipment shutdowns, maintenance, emergency operations and other unforeseen conditions - Inability to maintain adequate operating capacity may trigger future expansions or upgrades of the infrastructure - Additional capacity for infrastructure and facilities will consider full rated capacity and appropriate reserve capacity defined through design criteria
G.08	G.08	Standards and By-Laws	<i>"The City of Hamilton shall adopt city-wide development standards, design standards, and by-laws"</i>	<ul style="list-style-type: none"> - Ensure consistency with Best Practices. - Ensure consistency of processes and equipment within facilities. - Incorporate feedback from Operations and Maintenance.
G.09	G.09	Efficiency and Optimization	<i>"The City of Hamilton shall implement best practices and standards to ensure system efficiency and optimization through infrastructure planning, design, operation, and maintenance"</i>	<ul style="list-style-type: none"> - All aspects of planning, design, operation and maintenance should consider efficiency and optimization. - Where applicable, implementation of energy-efficient components and/or practices and their impact on the full life-cycle costing should be evaluated. - Maintenance management systems should be developed to ensure that equipment is properly maintained and operating efficiently. - Facilities will be planned and designed with consideration to minimize overall lifecycle costs, including capital and operating/maintenance costs - Attention to energy use will provide significant opportunity to optimize lifecycle costs - Alternative infrastructure strategies should be considered to minimize energy (ie: water storage vs pumping)
G.10	G.10	Communication	<i>"The City of Hamilton shall ensure open communications between the public, review agencies, and City Departments."</i>	<ul style="list-style-type: none"> - Master Plan will follow open communication process; points of contact will include, but not limited to: <ul style="list-style-type: none"> - Points of public contact; - Points of contact with regulatory agencies; or - Points of contact with internal staff and other departments. - Communication aligns with existing policies such as the Hamilton Public Engagement Charter - https://www.hamilton.ca/city-initiatives/priority-projects/hamilton-public-engagement
G.11	G.11	Services and Facility Location	<i>"The City of Hamilton shall endeavour to locate all of its services and facilities on public property or on municipally-owned easements"</i>	<ul style="list-style-type: none"> - The City should ensure that any new and existing infrastructure be located within road right-of-ways, or on City-owned property (including designated lots and easements). - Adequate property size should be maintained to facilitate all day-to-day activities and emergency response. - Where feasible, property is to be sized to allow for future expansion and/or end-of-life replacement while maintaining customer service with original asset.
G.12	G.12	Monitoring	<i>"The City of Hamilton shall continue to monitor water and wastewater system conditions and water production/wastewater collection flow information"</i>	<ul style="list-style-type: none"> - Monitor water production, water consumption, pumping station and reservoir data, billing records and data for residential and non-residential land uses. - Monitor wastewater flows to the plant, pumping station data, infiltration, and data for residential and non-residential land uses. - Use the data to gauge changes in trends in water use that might impact capital programs or billings. - Use the data to complete ongoing updates and calibration to hydraulic modelling tools

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Tables

GENERAL				
Policy No.	NEW Policy No.	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
NEW	G.13	Environmental Protection	<i>"The City of Hamilton shall consider, protect and endeavour to minimize impact to the natural, built and cultural environment and heritage of the community"</i>	<ul style="list-style-type: none"> - Servicing studies shall consider the City's Official Plan's Environmental and Heritage Policies - Services will be planned through the appropriate Environmental Assessment process to ensure full regard for the natural and cultural heritage
NEW	G.14	System Reliability and Security	<i>"City of Hamilton shall endeavor to provide operational flexibility, reliability, redundancy and security in its water and wastewater systems, prioritizing high risk and critical areas."</i>	<ul style="list-style-type: none"> - Recognize that all systems are susceptible to some level of failure or breakdown, or need to be taken out of service for regular maintenance. It is reasonable to provide a level of reliability to ensure an acceptable level of service is maintained - System reliability will be further defined through design criteria
NEW	G.15	Climate Change	<i>"The City of Hamilton shall consider the potential impact of climate change and ensure that it helps guide the planning and sizing of infrastructure, in line with the City's Climate Change Task Force Report."</i>	<ul style="list-style-type: none"> - Water and wastewater infrastructure and facilities will be designed with consideration to the potential impacts of climate change - The City's Drinking Water Quality Management Standard (DWQMS) must consider climate change during the review and risk assessment of infrastructure; - The Ministry of the Environment, Conservation and Parks' "Climate Ready: Adaptation Strategy and Action Plan" will provide direction to the City's climate change initiatives - Hamilton Water recognizes that Council has declared a Climate Emergency, and will consider/acknowledge this in Master Planning process and strategies - Collaboration with the City's Climate Change Task Force will be undertaken
NEW	G.16	Level of Service	<i>"The City of Hamilton shall outline the Level of Service Objectives through the Master Plan and endeavor to meet or exceed the minimum requirements as outlined in the objectives."</i>	<ul style="list-style-type: none"> - The City will review and evaluate strategies developed through the Master Plan based on their ability to meet requirements outlined in the Level of Service Objectives
NEW	G.17	Program Costing	<i>"The City of Hamilton shall utilize a transparent, traceable and consistent costing methodology to establish Master Plan level capital project costs"</i>	<ul style="list-style-type: none"> - Methodology for cost estimates will be documented as part of the Master Plan, which will be a process that can be used for subsequent analyses - City will periodically review the costing methodology and unit costs to ensure cost estimates are appropriate and as accurate as possible - City will consider life cycle cost analysis in Master Plan decision making process
NEW	G.18	Strategic Plan	<i>"The City of Hamilton will recommend Water and Wastewater Servicing Strategies that align with the City's 2016-2025 Strategic Plan"</i>	<ul style="list-style-type: none"> - Provide high quality, cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner
NEW	G.19	Operations	<i>"The City of Hamilton will consider City operating procedures when recommending Master Plan servicing strategies, location and sizing of infrastructure"</i>	<ul style="list-style-type: none"> - Servicing strategies will take into consideration operating protocols in place to reduce operating costs, maintain water quality and service pressure standards. Maintain adequate fire storage columns and maintain system redundancy necessary to facilitate maintenance or emergency operations. - System designs shall consider diurnal and seasonal fluctuations in demand to function efficiently within the the full range of low to high demand
NEW	G.20	Coordination	<i>"The City of Hamilton shall maintain current and update as needed the Water, Wastewater and Storm Water Master Plan to align with and inform the Development Charges Background Study updates"</i>	<ul style="list-style-type: none"> - Endeavour to complete timely updates - Ensure coordination with the Finance Department schedule for updates - Maintain tracking of implementation of DC projects to facilitate DC updates - Ensure DC funds are utilized through the State of Good Repair Program (CPMS)

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Tables

WATER				
Policy No.	NEW Policy No.	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
W.01	W.01	Raw Water Sources	"The City of Hamilton shall endeavour to protect its raw water sources"	<ul style="list-style-type: none"> - Applies to both lake-based and groundwater-based supplies. - Discharge a high quality effluent from Hamilton's wastewater treatment plants and comply with Hamilton Harbour RAP, Niagara River RAP, Welland River Watershed Strategy and F-5-5 targets, and/or new regulations as applicable. - Interact with the stormwater and water resources policies. - Monitor water quality of the lake and if necessary, evaluate and optimize the water treatment plant intake location. - Continue participation in the International Joint Commission on the Great Lakes and address water quality issues for Lake Ontario. - Continue coordination with the Halton-Hamilton Source Protection Region's (SPR) Source Protection Plan as mandated by the Clean Water Act
W.02	W.02	Water Supply and Distribution System - Water Quality	"The City of Hamilton shall meet or exceed legislated water quality criteria throughout the distribution system"	<ul style="list-style-type: none"> - Water quality should meet or exceed all legislated criteria - Water quality objectives should meet or exceed historical performance. - Maximize the potential capacity and performance of the facilities and equipment to achieve the best water quality on an on-going basis. - Review the economics, reliability and water quality impacts of implementing new technology. - Implement best practices to ensure sustainability of Operations and Maintenance, Maintenance Management, Systems, Training, Manuals, other monitoring/trending data is maintained - Objectives can be achieved through implementing best practices including the following: <ul style="list-style-type: none"> - Looping of watermains; - Regular and unidirectional flushing of the watermains; - Re-chlorination where necessary to maintain residual criteria; - Optimizing operational practices for storage facilities and booster pumping stations; - Examine use of back flow preventers (industrial vs other areas); - Replacement of cast iron watermains; and, - Monitoring of facilities for malfunction and for intrusion.
	W.03	Drinking Water Quality Management System	"The City of Hamilton owns, maintains and operates various drinking water systems and is committed to: Safe, high quality, consistent supply of drinking water; Always improving the Drinking Water Quality Management System; Following and complying with applicable legislation; Effective and open communication with the community concerning matters of drinking water quality"	<ul style="list-style-type: none"> - Objectives can be achieved through implementing best practices including the following: <ul style="list-style-type: none"> - Looping of watermains - Regular and unidirectional flushing of the watermains - Re-chlorination where necessary to maintain residual criteria; - Optimizing operational practices for storage facilities and booster pumping stations; - Examine use of back flow preventers (industrial vs other areas); - Replacement of cast iron watermains; and - Monitoring of facilities for malfunction and for intrusion.
W.03	W.04	Distribution Requirements	"The City of Hamilton shall provide potable water at adequate pressure and flow to its customers"	<p>Provide pressures and flows which meet current design criteria and standards. MECP Guidelines identify a typical recommended operating range of 275-700 kPa (40-100 psi). Evaluate impacts of tightening operating pressure range.</p> <ul style="list-style-type: none"> - Where possible design systems with the lowest reliable pressure to minimize Non-revenue Water Loss
W.04	W.05	Water Supply and Distribution System - Reliability and Security	"The City of Hamilton shall plan, design, construct, operate and maintain the water system to balance level of service and security of supply to the customers"	<ul style="list-style-type: none"> - The City shall continue to implement standards, criteria, and standard operating procedures for the water system - Objectives can be achieved through implementing best practices including the following: <ul style="list-style-type: none"> - Multiple supply points to service areas and pressure districts; - Twinning major feeder mains; - Looping of watermains; - Providing stand-by power; - Providing sufficient valves to ensure that critical watermains can be isolated for maintenance or repair; - Regular maintenance; - Repair and replacement programs; and, - Staff training. - Provide redundant network design and assets that allow prolonged outage for maintenance and rehabilitation of critical assets
W.06	W.06	Fire Flow	"The City of Hamilton will establish acceptable trunk infrastructure levels of service for fire flow and storage through consideration of land use and the Ministry of Environment, Conservation and Parks Design Guidelines"	<ul style="list-style-type: none"> - Provide pressures and flows which meet current design criteria and standards. - Consider establishing separate minimum criteria and standards for both urban and rural servicing - Dialogue with fire department, industry leaders and insurance industry.
W.08	W.07	Emergency Conditions	"The City of Hamilton shall have an adequate combination of reservoir capacity, pumping capacity, and stand-by power to meet the desired level of service under emergency conditions"	<p>Determine the level of service to be provided under emergency conditions including the following criteria:</p> <ul style="list-style-type: none"> - Water demand conditions to be met (i.e. average day vs. max day); - Acceptable pressures and flows; and - Duration to be met. <ul style="list-style-type: none"> - Adjust operating procedures that recognize seasonal variations in demands that ensure readiness for emergency (e.g. extend reservoir filling beyond off-peak hydro periods as needed to ensure adequate volume in the summer)

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Tables

WATER				
Policy No.	NEW Policy No.	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
W.09	W.08	Water Conservation, Efficiency and Consumption Trends	<i>"The City of Hamilton shall encourage and promote water conservation with an awareness of the impacts of efficiency and conservation on the water network"</i>	<p>Continue to assess water demand conditions and determine reasonableness of trends (potential lower water use and consumption)</p> <p>Utilize water efficiency studies where available</p> <p>Apply where appropriate demand trends (efficiency) into future design criteria and growth forecasts</p> <p>Consider the potential impact to design criteria, demand projections, servicing strategies and scheduling of future infrastructure</p> <p>Objectives can be achieved through implementing best practices including but not limited the following:</p> <ul style="list-style-type: none"> Restricted lawn watering by-law; Public education; Plumbing code requirements for new construction including low-flow aerators, shower heads and toilets; Use of rain barrels; Encouraging low-maintenance landscaping and native species; and, Implementing an increasing blockwater rate structure.
NEW	W.09	Health & Safety	<i>"The City of Hamilton will promote health, productivity and safety of the community through design, construction and maintenance of the City's potable water infrastructure"</i>	<ul style="list-style-type: none"> - The City will prepare a comprehensive strategy to manage existing and future water servicing needs - Ensure that planning and implementation of the potable water systems are consistent with legislative policies and guidelines - Municipal servicing will be implemented under typical standards (MECP Guidelines, City's criteria and standards)
NEW	W.10	Water Demand Projections	<i>"The City of Hamilton shall utilize a water demand projection methodology that uses City design criteria and recognizes recent water supply data and current consumption trends"</i>	<p>Forward-looking water demand projections in the Master Plan must reasonably estimate future water needs to ensure appropriate recommendations for infrastructure capacity and timing</p> <p>The City will utilize a methodology which accounts for recent historical water demands and usage to estimate a starting point from which to project growth demand</p> <p>The City will utilize current water design criteria for new growth demand</p> <p>All infrastructure to be designed in accordance with the City's Design Standards and Guidelines</p> <p>Where a conflict between projected in-service date for upgrades or new assets derived from A) PPS/GRIDS2 rate of development, versus B) actual rate of development, Hamilton Water will adjust in-service date (delay/accelerate) timing considering actual rate of development. A Capacity Accounting database will inform decisions on in-service timing</p>
NEW	W.11	Water Storage	<i>"The City of Hamilton shall adopt the MECP Guidelines as the minimum acceptable level/volume of water storage"</i>	<ul style="list-style-type: none"> - Provide adequate level/volume of storage which meets current design criteria and standards - Consider level of storage required under floating versus pumped conditions to meet equalization, fire and emergency storage as well as to meet operational flexibility requirements - Consider establishing separate minimum criteria and standards for both urban and rural servicing - Consider division of storage reservoirs into smaller cells to create operational flexibility satisfying water quality issues and LOS requirements at the same time
NEW	W.12	Operational Flexibility and Energy Management	<i>"City of Hamilton shall consider levels of storage beyond MECP Guidelines where appropriate in order to provide operational flexibility, energy management and system security"</i>	<ul style="list-style-type: none"> - Consideration should be given to optimizing lifecycle costs for the water system as storage can minimize pumping energy costs - Water storage can provide opportunities for optimization of pumping strategies - Water storage can provide additional level of service and security under emergency conditions, particularly for any areas across the Region with limited redundancy - The City's operating strategies will consider the City's Corporate Energy Policy and will ensure that there is no conflict between energy savings, service delivery (water quality), and minimum operational storage requirement - Consider division of storage reservoirs into smaller cells to create operational flexibility satisfying water quality issues and LOS requirements at the same time

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Tables

WASTEWATER				
Policy No.	NEW Policy No.	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
WW.01	WW.01	New Growth Areas - Separated System	"Provision of separate sanitary and storm sewer systems shall be considered a priority for all new growth areas"	Infilling within existing combined sewer service areas could proceed without having to provide separated sewers. Significant redevelopment may provide opportunities for sewer separation Separate sanitary and storm sewer to be provided within greenfield growth areas
WW.02	WW.02	Sewer Use Criteria	"City of Hamilton shall maintain a sewer use program that sets the appropriate limits and procedures to control discharge and maintains a suitable effluent and biosolids quality"	The City should adopt a monitoring program to detect sources of high strength or hazardous wastes. Where applicable, the City should stipulate pre-treatment to acceptable standards for discharge into municipal sewers based on the bylaw. Review and maintain a sewer use by-law, which is supported by Council The City shall consider over-strength discharge and surcharge permits to manage plant capacities
WW.03	WW.03	Wastewater Collection and Pumping Systems - Reliability and Security	"The City of Hamilton shall provide adequate reliability and security in wastewater pumping and collection systems"	Forcemain twinning should be examined to provide adequate velocities during different phases of development and also to provide security in operation The City should have adequate security in the pumping systems and will consider installation standby power. Adequate retention capacity should be provided in the sewer system. City shall endeavour to provide sewer capacity to agreed level of service as outlined in design criteria
WW.04	WW.04	Combined Sewer Overflow	"The City of Hamilton shall endeavour to meet or exceed the MECP Procedure F-5- 5 and HH- RAP for CSO control"	Best practices and criteria were developed through Wet Weather Control Policy Workshops and strategies will be further developed/refined through recommendations of the future Pollution Prevention Control Plan (PPCP) and future Flooding and Drainage Master Servicing Study (FDMSS)
WW.05	WW.05	Hamilton Harbour Loading	"The City of Hamilton shall meet the Hamilton Harbour Remedial Action Plan (RAP) initial loading objectives and work towards the refinement and achievement of the final stage loading objectives"	Best practices and criteria were developed through Wet Weather Control Policy Workshops and strategies will be further developed/refined through recommendations of the future Pollution Prevention Control Plan (PPCP) and future Flooding and Drainage Master Servicing Study (FDMSS)
WW.06	WW.06	Wastewater Treatment	"The City of Hamilton shall meet or exceed the requirements of the ECA and the appropriate legislated treatment criteria"	- The City should evaluate how the Hamilton Harbour Remedial Action Plan loading objectives impact the rated capacity of the plant and ascertain the need for technology upgrades
WW.08	WW.07	Biosolids Management	"The City of Hamilton shall ensure that there is a Biosolids Management Strategy that addresses the needs of all residents within the City boundary"	- The City should ensure that there is sufficient biosolids management capacity to address the lake-based system needs, as well as the private system needs for all residents within the development boundary - The City is currently in a long term contract for biosolids management and will ensure that it remains in compliance with the contract
NEW	WW.08	Health & Safety	"City of Hamilton will promote health, productivity and safety of the community through design, construction and maintenance of the City's wastewater infrastructure"	- The City will prepare, maintain and update comprehensive strategies to manage existing and future wastewater servicing needs - Ensure that planning and implementation of the wastewater systems are consistent with legislative policies and guidelines - Municipal servicing will be implemented under typical standards (MECP Guidelines, City's criteria and standards)
NEW	WW.09	Wastewater Flow Projections	"City of Hamilton shall utilize a wastewater flow projection methodology that uses City design criteria and recognizes recent wastewater flow and treatment data and current consumption trends"	- Forward-looking wastewater flow projections in the Master Plan must appropriately identify future wastewater needs to ensure the best estimate for infrastructure capacity and timing - The City will utilize a methodology which accounts for recent historical water demands and usage to estimate a starting point from which to project growth demand - The City will utilize current wastewater design criteria for projecting new growth flow - All infrastructure to be designed in accordance with the City's Design Standards and Guidelines
NEW	WW.10	Environmental Compliance	"City of Hamilton shall meet as a minimum the requirements of the Environmental Compliance Approvals set out by governing bodies and the appropriate legislated treatment and collection criteria."	- Wastewater quality (air and effluent) will meet as a minimum all legislated criteria. - Manage wet weather conditions (inflow / infiltration) through asset management programs to minimize extraneous flows and maximize efficient use of available wastewater infrastructure - Implement industry best practices to ensure effluent quality is maintained - Review the economics, reliability and effluent quality impacts of implementing new technology
NEW	WW.11	Wet Weather Flow Criteria	"City of Hamilton shall utilize current wet weather flow criteria to determine peak wet weather flows and size wastewater infrastructure"	- Existing systems across the City have a range of existing performance and levels of service under wet weather flow conditions. Notwithstanding existing conditions, City of Hamilton shall consider planning for new growth consistently across all systems - The desired level of service under wet weather conditions will be established through the Master Plan design criteria in conjunction with other related studies - Consideration to environmental, social and financial factors as well as the feasibility for implementation should be given when determining the wet weather criteria
NEW	WW.12	Wet Weather Strategies	"City of Hamilton shall review a combination of servicing strategies including infrastructure and non-infrastructure (e.g. VI reduction) solutions to meet wet weather level of service and provide sufficient wastewater capacity."	- The City's Master Plan will develop and evaluate a comprehensive list of alternatives against multiple-bottom-line criteria including lifecycle costs - The most cost-effective and beneficial strategy may include not providing additional infrastructure but creating additional capacity through flow reduction methods such as inflow/infiltration control
NEW	WW.13	Capacity Allocation	"City of Hamilton shall review opportunities to allocate capacity gained through implementation of wet weather strategies and system optimization for growth and non-growth benefit"	- Provision of additional capacity within the wastewater system will need to consider the desired benefit - Additional capacity may be required to meet regulatory requirements or to improve level of service in the system

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Table

STORMWATER				
Policy Ref. No.	Policy Document Reference	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
SW.01	SDP (3.1)	Quantity Control	Level of quantity control (flood and erosion control) for subject lands is governed by Watershed/Subwatershed Study or Master Drainage Plan, where they exist.	<ul style="list-style-type: none"> - Review available studies to confirm whether one is applicable to subject lands - Include Stormwater Master Plan criteria (watershed-based) - Where no such study is available, consult with City staff - City to provide a clear and organized list or inventory of applicable higher-level studies and their applicability to specific areas to provide clear guidance to practitioners
SW.02	CDG (G.5.3.1)	Quantity and Erosion Control	Runoff peak flows under post-development conditions are to be controlled to estimated pre-development levels or less (for the 2 through 100 year return periods at a minimum), unless the proponent can demonstrate through appropriate modelling and analysis that uncontrolled flows will not cause detrimental impacts on downstream properties. City may require peak flow control for the Regional Storm (Hurricane Hazel) in certain cases with higher downstream risks.	<ul style="list-style-type: none"> - Applies for the 2 through 100 year return periods - Default approach to quantity control in the absence of higher level studies - Should also consider erosion control requirements - Typically based on an event based analysis approach - Practitioner to assess changes in flows under existing and proposed conditions for the Regional Storm (Hurricane Hazel) and confirm significance of changes - Reference is made to TRCA Study (2016) on Approaches to Regional Flow Controls
SW.03	CDG (G.5.3.2)	Quantity and Erosion Control	Where no subwatershed plan exists, provide adequate erosion protection in accordance with Provincial Guidelines, unless it can be demonstrated through appropriate modelling and/or analysis that stream stability will not be adversely affected by the proposed development	<ul style="list-style-type: none"> - Undertake assessment of the downstream watercourse receiver to assess erosion susceptibility and critical flow values (event based or continuous simulation based) - In the absence of higher level guidance, provide extended detention of the 25 mm storm event as per the Ministry of the Environment's Stormwater planning and Design Manual (2003) - Ensure 25 mm storm event is retained for 24-48 hours, potentially 12 hours in constrained conditions to minimize downstream impacts - City and Conservation Authority to provide a clear scope of work to undertake an erosion assessment of the downstream watercourse receiver, or available information on previously completed assessments
SW.04	CDG (F.1.1)	Quantity and Erosion Control	Where the outlet is a combined sewer, the Consulting Engineer shall contact City Staff during the preliminary Engineering stage to determine specific constraints, if any, that may limit discharge. The City of Hamilton's typical requirements for combined sewer areas is control of the 100-year post development peak flow to the 2-year pre-development peak flow, or the capacity of the receiving sewer, whichever is less.	<ul style="list-style-type: none"> - Contact City staff to confirm constraints on discharge - Include an assessment of capacity of downstream receiver
SW.05	CDG (G.2.1.1)	Conveyance System	In the absence of senior study guidance, storm sewers shall be designed to a minimum one in five year unsurcharged standard (85% of pipe capacity), with a minimum pipe diameter of 300 mm. A more stringent design standard may be required at the discretion of the City of Hamilton in areas where a higher design standard has previously been applied, or areas with constrained major system (overland flow) capacity.	<ul style="list-style-type: none"> - Use City specified current IDF and approved methodologies to determine flow - Use storm sewer design sheet and/or hydraulic modelling to confirm pipe capacity

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Table

STORMWATER				
Policy Ref. No.	Policy Document Reference	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
SW.06	CDG (G2.1.1)	Conveyance System	Hydraulic analysis of the proposed and existing storm sewer system shall provide hydraulic grade lines based on the actual and proposed inlet capacity and/or one in 5 year standard and one in 100 year standard.	<ul style="list-style-type: none"> - HGL analysis would be expected to require hydraulic modelling, generally dual drainage modelling - May require consideration of inlet control devices, consult City staff - Inlet capacity analysis shall consider dynamic inlet capacity associated with different type of inlets and locations - Mandatory for any areas with directly connected foundation drains
SW.07	SDP (3.1.3)	Conveyance System	Basement floor elevations shall be constructed above the maximum 100-year hydraulic grade line, with a minimum freeboard of 0.30 m.	<ul style="list-style-type: none"> - HGL analysis would be expected to require hydraulic modelling, generally dual drainage modelling - May require consideration of inlet control devices, consult City staff - In the case of an already surcharged storm sewer, no increase in surcharge should result - Inlet capacity analysis shall consider dynamic inlet capacity associated with different type of inlets and locations - Mandatory for any areas with directly connected foundation drains
SW.08	CDG (G2.1.1)	Conveyance System	100 year HGL in the storm sewer system is to remain below the surface to ensure that there is no interference with the overland system	<ul style="list-style-type: none"> - HGL analysis would be expected to require hydraulic modelling, generally dual drainage modelling - May require consideration of inlet control devices consult City staff - In the case of a constrained system (shallow sewer), need to ensure the protection of private property and public safety - Inlet capacity analysis shall consider dynamic inlet capacity associated with different type of inlets and locations - Mandatory for any areas with directly connected foundation drains
SW.09	SDP (3.1.3)	Conveyance System	The City of Hamilton supports the policies of the local Conservation Authorities which generally require that no new building be subject to flood damages from the Regulatory Flood (greater of the Regional Storm or 100 year flood).	<ul style="list-style-type: none"> - Consult with appropriate Conservation Authority for most current floodplain mapping and guidance - 2-Dimensional hydraulic modelling may be appropriate in some cases, contact City staff
SW.10	SDP (3.1.3) and CDG (G.2.3..1)	Conveyance System	The roadway network in subdivisions, along with primary designated swales must be able to convey the 100 year flood without flooding private property , and without exceeding flooding depths above the roadway crown (0 mm for arterial and emergency routes, 150 mm for all other road classifications)	<ul style="list-style-type: none"> - Likely requires an HGL analysis with hydraulic modelling, specifically dual drainage modelling - More simplified analytical approaches may be possible however need to sufficiently consider inlet capacity as outlined in previous policies on HGL analyses - City may, in its sole discretion, require consideration of debris blockage of inlets in critical locations, including sag points - City may require 2-Dimensional hydraulic modelling in flat or poorly defined areas

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Table

STORMWATER				
Policy Ref. No.	Policy Document Reference	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
SW.11	NA	Climate Change	The City of Hamilton has recently adopted a Climate Change Task Force Report, which includes measures such as advocating to the Ministry of the Environment, Conservation and Parks for updated standards/guidance and pending Low Impact Development Guidelines. Direction is still pending on any potential modifications to the overall design of SWM features to reflect the expected impacts of Climate Change. In the absence of any formal direction or study, consult with City staff to determine the preferred approach to address the influence on stormwater system planning and associated resiliency requirements.	<ul style="list-style-type: none"> - Direction to be provided from future City Study - Interim direction also to be considered, including "stress test" approach/sensitivity analysis, or formal adjustments to approved IDF curves (direct inclusion in design) - Direction required on tools to be used or adjustment to be made - Periodic review of IDF curves in the interim (review in 2015 determined no update required) - Consideration of Regional IDF updates (multiple gauge sources) - City to advocate to Ministry of the Environment, Conservation and Parks for updated standards/guidance - Consideration of pending Low Impact Development Guidelines
SW.12	CDG (G.5.1.1)	Analytical Methods	The City of Hamilton will have to approve the selected temporal distribution (i.e. design storm) used by proponents for stormwater management analysis and design, based on a sensitivity analysis. For the design of any stormwater storage (quantity control) features, the design shall be based on a design storm with a duration of 24 hours, unless a shorter-duration storm event is shown to be the critical event with respect to required storage volume.	<ul style="list-style-type: none"> - Assess the various design storm distributions (AES, SCS, Chicago) for various durations (6, 12, 24 hour) to determine which yields the highest peak flow - Different storms may govern for pre-development and post-development conditions, should consider which yields the greatest SWM requirements
SW.13	CDG (G.2.1.5)	Drainage Connections	All roof leaders shall be discharged to surface, unless there is insufficient available space to infiltrate safely at source, using Low Impact Development (LID) design features if feasible. If connection to storm sewer is the only feasible alternative, LID design features (such as a "clean water collector" or exfiltration pipe systems) must be incorporated to reduce impacts where feasible, and storm sewer designs must include the impacts of direct flow contribution from roof leaders, including for more formative storm events.	<ul style="list-style-type: none"> - Intended to promote at source infiltration and reduced surface runoff - For Low Impact Development (LID) measures, roof water typically considered "clean" and preferred for infiltration (rear-yard soakaways) - Need to consider maintenance requirements and locations for soakaways (as per Table G.1 - "Discouraged in residential land use due to maintenance and impacts on use of rear yards") - Where roof leader connection is more logical, encourage sub-surface LID BMPs (clean water collector or exfiltration pipes), or where not feasible, over-sized storm sewers for sufficient conveyance - Reference to pending Low Impact Development Guidelines
SW.14	CDG (G.2.2)	Drainage Connections	Lowest building opening elevation (i.e. basement window sill) shall always be above the maximum ponding level above the rear yard catchbasin at which point there would be safe overland relief. Where it is demonstrated that it is not feasible to limit ponding to 0.33 m it shall be demonstrated that full capture of runoff from the 100-year event or a safe overland flow route can be achieved. These requirements shall be confirmed through a hydraulic gradeline (HGL) analysis.	<ul style="list-style-type: none"> - Need to ensure a fulsome HGL analysis of storm sewer system and surface grading/storage to assess potential implications - RYCBs should ideally be above roadway CBs; impacts to flooding to be considered as part of a fulsome HGL analysis

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Table

STORMWATER				
Policy Ref. No.	Policy Document Reference	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
SW.15	CDG (G.2.5.3)	SWM Controls Systems Design	Oil/grit separators are most appropriate for commercial/industrial land use and shall not be used as a stand-alone SWMP, but rather as part of a "treatment train" approach to achieve the required quality treatment. The "treatment train" approach (incorporation of two or more quality control measures in series) shall be required for all stormwater quality control measures, not only oil/grit separators.	<ul style="list-style-type: none"> - Ensure at least one other SWM quality control measure is implemented to ensure that treatment quality rate is achieved - Reference to pending Low Impact Development Guidelines
SW.16	CDG (G.2.5.3)	SWM Controls Systems Design	The City of Hamilton is prepared to accept the Canadian Environmental Testing Verification (CA-ETV) Program, that stand-alone oil-grit separator devices can achieve a TSS removal efficiency of between 50 and 60% based on the application of the CA-ETV particle size distribution (PSD). The City will credit the verified TSS removal rate determined from the CA-ETV program, to a maximum of 60% TSS removal. Only OGS units certified through the CA-ETV program are acceptable to the City.	<ul style="list-style-type: none"> - Reference is made to the CA-ETV website (etvcanada.ca)
SW.17	CDG (G.2.5.3)	SWM Controls System Design	The City of Hamilton supports the application of Low Impact Development Best Management Practices (LID BMPs) and Green Infrastructure (GI) subject to the completion of required site analyses to ensure long-term functionality. The City of Hamilton supports the retention and infiltration of the first 5 mm of rainfall (or other target as established by an available higher level study) for Industrial/Commercial/Institutional (ICI) lands, unless it can be clearly demonstrated why this is not technically feasible. The City may support this approach for other land uses on a case by case basis.	<ul style="list-style-type: none"> - Place onus on practitioner to demonstrate why infiltration is not feasible, rather than why it is feasible - Provide quantity control credit for proposed infiltration measures (erosion control and water budget only - not flood control) - City to update Tables G.1 and G.2 in CDG to reflect proposed approach - Reference to pending Low Impact Development Design Guidelines - Requires site plan agreement and bylaw to enforce operations and maintenance requirements for privately owned SWM infrastructure
SW.18	CDG (G.2.5.3)	SWM Controls System Design	The City of Hamilton supports the application of new and innovative technologies and techniques for stormwater management, where sufficient testing and information is available to support their application. Consult with City staff to review the most current information related to currently approved technologies and techniques, and the process for approval of new technologies and techniques.	<ul style="list-style-type: none"> - City to maintain a separate list of approved technologies under different categories (source control measures, water quality control measures, etcetera) - City to generate a separate defined procedure For the review and approval of potential new technologies and approaches

City of Hamilton Water, Wastewater and Stormwater Master Plans Policy Summary Table

STORMWATER				
Policy Ref. No.	Policy Document Reference	Policy Area	Policy Statement	Best Practices, Criteria and Potential Servicing Implications
SW.19	CDG (G.2.5.3)	SWM Controls Systems Design	The City of Hamilton supports the application of sub-surface storage chambers for the provision of site-level quantity control, provided that requirements for long-term functionality operation and maintenance are addressed to the City's satisfaction.	<ul style="list-style-type: none"> - City to maintain a separate list of approved technologies under different categories (source control measures, water quality control measures, etc.) - City to generate a separate defined procedure for the review and approval of potential new technologies and approaches

- SDP** City of Hamilton Storm Drainage Policy (Philips Engineering Ltd, May 2004)
- SMP** City of Hamilton Stormwater Master Plan (Aquafor Beech Limited, May 2007)
- CGID** City of Hamilton Criteria and Guidelines for Stormwater Infrastructure Design (Philips Engineering Ltd, September 2007)
- CDG** City of Hamilton Comprehensive Development Guidelines and Financial Policies Manual (2019)



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-005

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

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

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 20-005 AND RESPECTFULLY RECOMMENDS:

- 1. Parkland Dedication Reserve Status Report as of December 31, 2019 (FCS20056) (City Wide) (Item 8.1)**
 - (a) That Report FCS20056, respecting the Parkland Dedication Reserve Status Report as of December 31, 2019, be received and made available to the public; and,
 - (b) That Report FCS20056, respecting the Parkland Dedication Reserve Status Report as of December 31, 2019 be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

- 2. Development Charges Reserves Status Report as of December 31, 2019 (FCS20059) (City Wide) (Item 8.2)**
 - (a) That Report FCS20059, respecting the Development Charges Reserves Status Report as of December 31, 2019, be received and made available to the public; and,
 - (b) That Report FCS20059, respecting the Development Charges Reserves Status Report as of December 31, 2019 be forwarded, if requested, to the Ministry of Municipal Affairs and Housing.

- 3. Ward Specific Funding Initiatives Update as of December 31, 2019 (FCS20045) (City Wide) (Item 8.3)**
 - (a) That Report FCS20045, respecting the Ward Specific Funding Initiatives Update as of December 31, 2019, be received; and,
 - (b) That staff report back to the Audit, Finance & Administration Committee with additional information respecting Appendix D of Report FCS20045, Ward Specific Funding Initiatives Update as of December 31, 2019.

4. 2020 City Enrichment Funding Recommendations (GRA20003(a)) (City Wide) (Item 8.4)

- (a) That, the 2020 City Enrichment Fund recommended funding allocation in the amount of \$2,640,836 (as outlined in the attached Appendix “A” to Audit, Finance & Administration Report 20-005, be approved;
- (b) That Staff be directed to continue to work with organizations whose Events have been cancelled as listed in Appendix “B” to Audit, Finance & Administration Report 20-00,5 and report back with recommendations pending the submission of additional information;
- (c) That Staff be directed to continue to work with organizations whose Programs and Events status are Unknown, (as outlined in Appendix “C” to Audit, Finance & Administration Report 20-005, and report back regarding funding recommendations in a forthcoming report; and,
- (d) That, Appendix “D” to Report GRA20003(a), being the 2020 City Enrichment Fund Application Summary, be received.

5. Citizen Advisory Committees and Electronic Participation During the COVID-19 Emergency (FCS20061) (City Wide) (Added Item 8.5)

- (a) That the By-Law to Amend By-Law No. 18-270, the Council Procedural By-Law, attached as Appendix ‘A’ to Report FCS20061, be enacted;
- (b) That Council direct staff to proceed with scheduling Citizen Advisory Committee meetings in accordance with the Hamilton Reopens: The City of Hamilton’s COVID-19 Recovery Plan; as per the schedule outlined in the Citizen Advisory Committee Meeting Recovery Plan Phases Appendix ‘D’ to Audit, Finance & Administration Report 20-005;
- (c) That staff be directed to procure the necessary technology for Staff Liaisons to support Electronic Citizen Advisory Committees and that it be funded from Dept. ID 300100; and,
- (d) That the City Clerk be delegated the authority to establish and approve procedures and take all steps necessary to facilitate electronic participation by members of Citizen Advisory Committees.

6. City Auditor Reporting of Serious Matters to Council (AUD20006) (City Wide) (Item 12.1)

That the contents of Report AUD20006, respecting the City Auditor Reporting of Serious Matters to Council, be received and remain confidential.

FOR INFORMATION:

- (a) **CHANGES TO THE AGENDA (Item 1)**

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

8. DISCUSSION ITEMS (Item 8)

- 8.5 Citizen Advisory Committees and Electronic Participation During the COVID-19 Emergency (FCS20061) (City Wide)

11. GENERAL INFORMATION / OTHER BUSINESS (Item 11)

11.1(a) Item to be Removed:

City Council Correspondence requesting that City Council give the City's volunteer citizen committees the option to resume their meetings virtually until it is safe for them to meet again in person

Added: June 24, 2020 at Council - Item 4.19

Completed: July 9, 2020 AF&A - Item 8.5

OBL Item: 20-F

The agenda for the July 9, 2020 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 18, 2020 (Item 3.1)

The Minutes of the June 18, 2020 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DISCUSSION ITEMS (Item 8)

(i) Ward Specific Funding Initiatives Update as of December 31, 2019 (FCS20045) (City Wide) (Item 8.3)

Report FCS20045, respecting Ward Specific Funding Initiatives Update as of December 31, 2019, was **amended** by adding the following:

- (b) *That staff report back to the Audit, Finance & Administration Committee with additional information respecting Appendix D of Report FCS20045, Ward Specific Funding Initiatives Update as of December 31, 2019.***

(e) GENERAL INFORMATION / OTHER BUSINESS (Item 11)

(i) Amendments to the Outstanding Business List (Added Item 11.1)

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

(a) Item to be Removed (Item 11.1(a)):

City Council Correspondence requesting that City Council give the City's volunteer citizen committees the option to resume their meetings virtually until it is safe for them to meet again in person
Added: June 24, 2020 at Council - Item 4.19
Completed: July 9, 2020 AF&A - Item 8.5
OBL Item: 20-F

(f) PRIVATE AND CONFIDENTIAL (Item 12)

Committee moved into Closed Session respecting Item 12.1, pursuant to Section 8.1, Sub-sections (a), (b), (d), and (f) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (a), (b), (d), and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to the security of the property of the municipality or local board; personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**(i) City Auditor Reporting of Serious Matters to Council (AUD20006)
(City Wide) (Item 12.1)**

For disposition of this matter, refer to Item 6.

(g) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 11:22 a.m.

Respectfully submitted,

Councillor Wilson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**2020 CITY ENRICHMENT FUND
Phase 2 - Recommended Grants**

AGRICULTURE

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
AGR - Programs and Events								
AGR A-1	Ancaster Fair	Ancaster Agricultural Society	\$ 26,000	88	\$ 26,000	\$ 260,849	\$ 26,000	Modified
AGR A-4	Agriculture	Hamilton-Wentworth 4-H Association	\$ 6,000	82	\$ 7,500	\$ 35,600	\$ 6,120	Modified
AGR A-5	Time with the Herd	The Equestrian Association for the Disabled (TEAD)		81	\$ 11,500	\$ 432,065	\$ 8,625	Modified
AGR A-6	Online Education Coordinator	Hamilton Victory Gardens		78	\$ 23,000	\$ 62,220	\$ 11,500	Modified
AGR A-9	Farm Crawl Hamilton	Farm Crawls of Ontario	\$ 4,080	73	\$ 5,000	\$ 18,800	\$ 4,080	Modified
AGR A-10	Agriculture and the Arts	Canteen Destiny	\$ 8,800	72	\$ 12,000	\$ 45,899	\$ 8,800	Modified
AGR A-11	Advancing Agriculture in Hamilton 2.0	Hamilton-Wentworth Soil & Crop Improvement Association	\$ 2,923	71	\$ 4,980	\$ 15,600	\$ 2,923	Modified
AGR A-12	Wentworth District Women's Institute	Wentworth District W I	\$ 3,728	71	\$ 5,000	\$ 14,535	\$ 2,500	No Change
AGR A-14	To beautify Ancaster and educate the residents on horticultural and ecological issues	Ancaster Horticultural Society	\$ 4,000	69	\$ 4,000	\$ 14,535	\$ 4,000	Modified
		AGRICULTURE TOTAL	\$ 55,531		\$ 98,980	\$ 900,103	\$ 74,548	

ARTS

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
ART - Arts Festivals								
ART B-1	Poetic License	Hamilton Youth Poets	\$ 10,200	82	\$ 11,220	\$ 112,635	\$ 10,404	Modified
ART B-2	Decolonise Your Ears New Play Festival	Red Betty Theatre		82	\$ 10,000	\$ 33,590	\$ 7,500	No Change
ART B-3	FrancoFEST	Centre francophone Hamilton (Centre français Hamilton Inc.)	\$ 26,010	81	\$ 40,000	\$ 113,330	\$ 26,530	Modified
ART B-7	Summer Shakespeare Project Festival	Tottering Biped Theatre Inc.		DNQ	\$ 25,000	\$ 102,500	\$ -	No Change
					\$ 86,220	\$ 362,055	\$ 44,434	

ART -Capacity Building

ART C-1	Decolonize Centre[3]	Centre[3] for Artistic and Social Practice (Centre[3] for Artistic and Social Practice)		90	\$ 12,000	\$ 46,300	\$ 9,000	No Change
---------	----------------------	---	--	----	-----------	-----------	----------	-----------

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
ART C-2	Capacity Building	Carnegie Gallery (Dundas Art and Craft Association)		80	\$ 5,250	\$ 17,500	\$ 3,938	No Change
ART C-4	Marketing Initiative	Tottering Biped Theatre Inc.		66	\$ 6,000	\$ 20,000	\$ 3,000	No Change
ART C-5	Increasing Capacity: Growing the 'Hub' Instructional Model at the Gasworks	Hamilton Music Collective		61	\$ 25,000	\$ 85,000	\$ 9,875	No Change
					\$ 48,250	\$ 168,800	\$ 25,813	
ART - Creation and Presentation Grants for Arts Professionals								
ART D-1	Established Artist Project	Radha Sciara-Menon		98	\$ 10,000	\$ 94,300	\$ 10,000	No Change
ART D-2	Emerging Artist Project	Gillian Nicola - Gillian Alexander		96	\$ 3,123	\$ 8,767	\$ 2,630	Modified
ART D-3	Established Artist Project	Donna Akrey		93	\$ 10,000	\$ 30,665	\$ 9,200	No Change
ART D-4	Established Artist Project	Exchange Rate Collective - Claire Calnan		88	\$ 10,000	\$ 31,450	\$ 9,435	No Change
ART D-5	Established Artist Project	Christopher Stanton (Industry Performance Makers Arts Organization)		88	\$ 10,000	\$ 100,876	\$ 10,000	No Change
ART D-6	Emerging Artist Project	Adrian Underhill		87	\$ 5,000	\$ 16,700	\$ 5,000	Modified
ART D-7	Established Artist Project	Nancy Anne McPhee		86	\$ 10,000	\$ 35,000	\$ 10,000	No Change
ART D-8	Emerging Artist Project	Kirk Kastinger (Tim Page)		85	\$ 2,669	\$ 8,007	\$ 2,402	No Change
ART D-9	Established Artist Project	The Jazz Connection Big Band - Lindsay Paul		85	\$ 6,925	\$ 31,023	\$ 6,925	No Change
ART D-10	Emerging Artist Project	Aaron Hutchinson		82	\$ 4,230	\$ 14,174	\$ 4,230	No Change
ART D-11	Emerging Artist Project	lifeandthetribe - Aisha Barrow		82	\$ 1,900	\$ 6,845	\$ 1,900	Modified
ART D-12	Emerging Artist Project	Bee Box Collective - Susan Barton-Tait		81	\$ 4,000	\$ 23,600	\$ 4,000	No Change
ART D-13	Established Artist Project	Emma Rush		80	\$ 7,490	\$ 39,990	\$ 7,490	No Change
ART D-14	Established Artist Project	Hamilton Aerial Group - Lori Lemare		77	\$ 10,000	\$ 35,000	\$ 7,000	No Change
ART D-15	Emerging Artist Project	Chasing Shadows Productions - Susan Robinson		76	\$ 4,950	\$ 16,500	\$ 3,465	No Change
ART D-16	Emerging Artist Project	Stephen Near		76	\$ 3,900	\$ 13,900	\$ 2,730	No Change
ART D-17	Established Artist Project	Learie Mc Nicolls		74	\$ 5,000	\$ 15,200	\$ 3,500	No Change
ART D-20	Established Artist Project	Alejandro Tamayo		70	\$ 8,250	\$ 10,000	\$ -	No Change
ART D-21	Established Artist Project	Edgardo Moreno		70	\$ 5,050	\$ 16,500	\$ -	No Change
ART D-22	Established Artist Project	Nora Hutchinson		70	\$ 10,000	\$ 30,650	\$ -	No Change
ART D-23	Established Artist Project	Kelly Wolf		68	\$ 7,440	\$ 28,740	\$ -	No Change
ART D-24	Established Artist Project	Two Bodies - Lesley Loksi Chan		67	\$ 10,000	\$ 33,500	\$ -	No Change
ART D-25	Established Artist Project	John Noestheden		66	\$ 10,000	\$ 37,670	\$ -	No Change
ART D-26	Established Artist Project	Eileen Reilly		65	\$ 3,304	\$ 11,012	\$ -	No Change
ART D-27	Emerging Artist Project	Robecca Austin (Ginelle Colorado)		64	\$ 4,399	\$ 14,644	\$ -	No Change

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
ART D-28	Emerging Artist Project	Andrew Lee		63	\$ 2,005	\$ 6,685	\$ -	No Change
ART D-29	Established Artist Project	Steven Newberry		63	\$ 4,500	\$ 15,000	\$ -	No Change
ART D-30	Established Artist Project	Margaret Flood		62	\$ 5,000	\$ 17,500	\$ -	No Change
ART D-31	Emerging Artist Project	Andrea Flockhart		DNP	\$ 3,744	\$ 12,480	\$ -	No Change
ART D-32	Established Artist Project	Babak Lakghomi		DNP	\$ 6,168	\$ 20,560	\$ -	No Change
ART D-33	Emerging Artist Project	Because Design Matters		DNP	\$ 1,154	\$ 3,845	\$ -	No Change
ART D-34	Emerging Artist Project	Sara Heinonen		DNP	\$ 5,000	\$ 18,000	\$ -	No Change
ART D-35	Established Artist Project	Steve Strongman		DNP	\$ 10,000	\$ 45,400	\$ -	No Change
					\$ 205,201	\$ 844,183	\$ 99,907	
		ARTS TOTAL	\$ 36,210		\$ 339,671	\$ 1,375,038	\$ 170,154	
COMMUNITIES, CULTURE & HERITAGE								
Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CCH - Events and Established Activities								
CCH A-1	Concerts Presented in 2020	Dundas Valley Orchestra	\$ 5,100	93	\$ 5,000	\$ 33,225	\$ 5,000	No Change
CCH A-4	Pride Hamilton 2020	Pride Hamilton	\$ 7,650	86	\$ 50,000	\$ 7,500	\$ 2,250	Modified
CCH A-6	HAL Presents	Hamilton Arts & Letters magazine	\$ 7,283	84	\$ 9,000	\$ 38,801	\$ 7,429	No Change
CCH A-7	The Duet Club Concert Series 2020	The Duet Club of Hamilton		84	\$ 3,500	\$ 17,900	\$ 2,625	Modified
CCH A-9	Arts of August	The Living Rock Ministries	\$ 5,000	82	\$ 5,000	\$ 28,825	\$ 5,000	Modified
CCH A-12	Gore Park Summer Promenade	Downtown Hamilton BIA	\$ 9,762	78	\$ 13,500	\$ 59,762	\$ 9,762	Modified
CCH A-13	Exhibition Program	Dundas Historical Society Museum	\$ 10,200	77	\$ 11,000	\$ 80,724	\$ 10,200	Modified
CCH A-14	Concert Series	Musicata - Hamilton's Voices	\$ 3,000	77	\$ 5,000	\$ 25,899	\$ 3,000	Modified
CCH A-18	Dundas Cactus Festival	CACTUS FESTIVAL OF DUNDAS ONTARIO	\$ 35,700	76	\$ 50,024	\$ 59,929	\$ 17,978	Modified
CCH A-19	Communities, Culture & Heritage Program	Hamilton-Halton Chinese Choir		76	\$ 3,500	\$ 12,000	\$ 1,750	No Change
CCH A-28	Gandhi Peace Festival	India Canada Society	\$ 4,140	73	\$ 5,000	\$ 17,300	\$ 4,140	No Change
CCH A-35	Core Programs: Salsa on the Waterfront & SalsaSoul Sundays	SalsaSoul Productions		70	\$ 5,757	\$ 3,600	\$ 1,080	Modified
CCH A-37	Celebration of South Asian Heritage Month in Ontario – 'Spring Festival of South Asia'.	South Asian Heritage Association of Hamilton & Region	\$ 5,250	70	\$ 5,196	\$ 17,320	\$ 5,196	Modified
CCH A-38	Concession Sidewalk Sounds 2020	Concession Street BIA	\$ 2,822	69	\$ 6,000	\$ 7,449	\$ 2,235	Modified
CCH A-44	Hispanic Heritage Month 2020	Asociacion Fraternidad Hispana (Fraternity Hispanic Association)	\$ 3,000	60	\$ 3,000	\$ 11,500	\$ 3,000	No Change

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CCH A-46	Discover Your Historical Dundas: Community Historical Mapping Project	Dundas Historical Society Museum	\$ 5,100	60	\$ 10,000	\$ 44,500	\$ 5,100	No Change
CCH A-49	Waterfront Tours-Hamilton Waterfront Trolley/Hamiltonian Tour Boat	Hamilton Waterfront Trust	\$ 5,000	60	\$ 40,000	\$ 120,000	\$ 5,000	Modified
CCH A-50	100 th Anniversary of the Birth of St. John Poul II	Polish Symfonia Choir	\$ 4,038	60	\$ 16,130	\$ 16,130	\$ 4,038	Modified
CCH A-53	Birthday Gala for Sir John A. Macdonald	Sir John A. Macdonald Society(Hamilton)		58	\$ 2,000	\$ 7,000	\$ -	No Change
CCH A-54	Westdale LIVE!	West Village BIA		58	\$ 3,000	\$ 32,960	\$ -	No Change
CCH A-55	Chinese New Year Gala	Sunshine Seniors Association		50	\$ 5,000	\$ 22,480	\$ -	No Change
					\$ 256,607	\$ 664,804	\$ 94,782	
CCH - New Projects								
CCH B-5	The Linden Project's 2019-20 season	The Linden Project		78	\$ 3,000	\$ 7,925	\$ 1,500	Modified
CCH B-6	RAFIKI - Afro Fest Culture	RAFIKI-FICFA		72	\$ 5,000	\$ 16,740	\$ 2,500	Modified
CCH B-9	Celebrating The Young and Gold through the Arts	AFRO-CANADIAN CARIBBEAN ASSOCIATION OF HAMILTON & DISTRICT INC.	\$ 5,550	65	\$ 5,400	\$ 18,000	\$ 1,610	No Change
CCH B-10	Chinese Autumn Festival Celebration	IBALANCELIVING ASSOCIATION		65	\$ 4,845	\$ 16,150	\$ -	No Change
CCH B-11	Rainbow Mentors	Rainbow Mentors		62	\$ 30,000	\$ 418,549	\$ -	Withdrawn
CCH B-12	GPTOY Programs	Give Proof to Our Youth		28	\$ 10,000	\$ 10,000	\$ -	No Change
					\$ 58,245	\$ 487,364	\$ 5,610	
CCH - Capacity Building for Cultural Organizations								
CCH C-1	Collections Management Update Project	The Children's International Learning Centre (Hamilton)		70	\$ 5,000	\$ 16,700	\$ 2,500	No Change
CCH C-2	Concert Series	Musicata - Hamilton's Voices	\$ 3,000	54	\$ 5,000	\$ 28,565	\$ -	No Change
					\$ 10,000	\$ 45,265	\$ 2,500	
		Communities, Culture & Heritage	\$ 121,595		\$ 324,852	\$ 1,197,433	\$ 102,903	
COMMUNITY SERVICES								
Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CS - No one is Hungry or Without Shelter								
CS A-1	Good Food Centre	Mission Services of Hamilton Inc.	\$ 28,695	93	\$ 35,868	\$ 1,212,723	\$ 29,269	Modified

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CS A-2	Neighbour to Neighbour Food Bank	Neighbour 2 Neighbour Centre	\$ 30,151	87	\$ 31,659	\$ 211,404	\$ 30,754	Modified
CS A-3	Community Hot Meals	Good Shepherd Centre Hamilton	\$ 36,772	86	\$ 37,875	\$ 2,271,960	\$ 37,507	Modified
CS A-4	Marketplace	Good Shepherd Centre Hamilton	\$ 77,915	85	\$ 80,250	\$ 5,074,821	\$ 79,473	Modified
CS A-5	Transitional Living	YWCA Hamilton (The Hamilton Young Women's Christian Association)	\$ 21,979	83	\$ 43,857	\$ 879,094	\$ 22,419	Modified
CS A-6	Housing Stabilization	Housing Help Centre - Hamilton & Area	\$ 67,000	81	\$ 67,000	\$ 560,040	\$ 67,000	No Change
CS A-7	Neighbour to Neighbour Home Delivery Program	Neighbour to Neighbour Centre	\$ 17,669	79	\$ 18,553	\$ 68,574	\$ 17,669	Modified
CS A-8	The Salvation Army Food Bank Program	Governing Council of Salvation Army Canada	\$ 23,627	73	\$ 65,000	\$ 1,046,399	\$ 23,627	No Change
CS A-9	Soup Van Ministries	The Salvation Army Hamilton Booth Centre (The Governing Council Of The Salvation Army Of Canada And Bermuda)	\$ 26,590	61	\$ 30,000	\$ 163,148	\$ 26,590	Modified
					\$ 410,062	\$ 11,488,163	\$ 334,308	
CS - Everyone Feels Safe								
CS B-1	Counselling and Advocacy	Sexual Assault Centre (Hamilton and Area)	\$ 20,155	98	\$ 21,372	\$ 256,469	\$ 20,558	Modified
CS B-2	Abuse Prevention	Sexual Assault Centre (Hamilton and Area)	\$ 6,565	98	\$ 6,992	\$ 129,815	\$ 6,696	Modified
CS B-3	Crisis Support	Sexual Assault Centre (Hamilton and Area)	\$ 15,242	97	\$ 16,163	\$ 311,219	\$ 15,547	Modified
CS B-4	Diverse Communities Outreach	Sexual Assault Centre (Hamilton and Area)	\$ 11,951	95	\$ 12,673	\$ 154,369	\$ 12,190	Modified
CS B-5	Phoenix Place VAW Residential Program	YWCA Hamilton (The Hamilton Young Women's Christian Association)	\$ 15,000	90	\$ 15,000	\$ 139,331	\$ 15,000	Modified
CS B-6	Child and Youth Trauma Services (CYTS)	Thrive Child and Youth Trauma Services	\$ 86,060	81	\$ 90,363	\$ 424,063	\$ 87,781	Modified
CS B-7	Peer Support and Counselling	Interval House of Hamilton	\$ 47,014	80	\$ 49,363	\$ 165,028	\$ 47,954	Modified
CS B-8	Community Outreach, Counselling and Advocacy and Telephone Crisis	Interval House of Hamilton	\$ 25,240	79	\$ 26,502	\$ 926,884	\$ 25,240	No Change
CS B-9	2nd Stage Housing	Good Shepherd Centre Hamilton	\$ 59,619	76	\$ 61,408	\$ 768,900	\$ 59,619	Modified
					\$ 299,836	\$ 3,276,078	\$ 290,585	
CS - Every Child and Family Thrives								

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CS C-1	IWC Childcare Program	Immigrants Working Centre (Hamilton)	\$ 23,976	90	\$ 25,055	\$ 897,940	\$ 24,456	Modified
CS C-2	Wesley Children & Family Programs	Wesley Urban Ministries	\$ 43,872	85	\$ 44,750	\$ 219,200	\$ 44,749	Modified
CS C-3	Community Outreach Program	Boys and Girls Clubs of Hamilton (Hamilton East Kiwanis Boys and Girls Club)	\$ 39,065	80	\$ 40,000	\$ 135,019	\$ 39,846	Modified
CS C-4	Parent Education Outreach	Boys and Girls Clubs of Hamilton (Hamilton East Kiwanis Boys and Girls Club)	\$ 51,664	77	\$ 52,000	\$ 175,000	\$ 51,664	Modified
CS C-5	Group Mentoring for Boys (previously referred to as SOAR for BOYS)	Big Brothers Big Sisters of Halton and Hamilton	\$ 23,086	74	\$ 24,000	\$ 639,500	\$ 23,086	Modified
CS C-6	Matching Program	Big Brothers Big Sisters of Halton and Hamilton	\$ 24,480	73	\$ 25,000	\$ 364,732	\$ 24,480	Modified
CS C-7	Larch After School Program	Elliott Heights Baptist Church	\$ 5,202	73	\$ 20,000	\$ 97,490	\$ 5,202	Modified
CS C-8	Wellness Works	The Living Rock Ministries	\$ 33,428	72	\$ 40,000	\$ 146,954	\$ 33,428	Modified
CS C-9	Group Mentoring for Girls programs (previously referred to as SOAR for GIRLS)	Big Brothers Big Sisters of Halton and Hamilton	\$ 23,548	70	\$ 24,000	\$ 557,600	\$ 23,548	Modified
					\$ 294,805	\$ 3,233,435	\$ 270,459	
CS - No Youth is Left Behind								
CS D-1	Street Involved Outreach	AY/Alternatives for Youth Hamilton	\$ 40,625	94	\$ 42,656	\$ 180,625	\$ 41,438	Modified
CS D-2	AY Outreach	AY/Alternatives for Youth Hamilton	\$ 26,347	92	\$ 27,664	\$ 141,452	\$ 26,874	Modified
CS D-3	Wesley Youth Housing	Wesley Urban Ministries	\$ 40,669	89	\$ 41,483	\$ 557,527	\$ 41,482	Modified
CS D-4	Routes Youth Centre	Dundas Youth Chaplaincy	\$ 10,506	84	\$ 11,000	\$ 170,900	\$ 10,716	Modified
CS D-5	Evening Program Oasis Coffee House	The Living Rock Ministries	\$ 15,801	65	\$ 30,000	\$ 124,790	\$ 15,801	Modified
CS D-6	It's a New Day Breakfast Program	The Living Rock Ministries	\$ 15,660	64	\$ 25,000	\$ 98,012	\$ 15,660	Modified
					\$ 177,803	\$ 1,273,306	\$ 151,971	
CS - Everyone Can Age in Place								
CS E-1	Grocer-Ease	Banyan Community Services Inc.	\$ 19,145	99	\$ 19,900	\$ 275,557	\$ 19,528	Modified
CS E-2	Meals on Wheels	Ancaster Community Services (Ancaster Information Centre and Community Services Inc.)	\$ 5,306	97	\$ 5,571	\$ 144,786	\$ 5,412	Modified
CS E-3	Assisted Volunteer Driving Program	Ancaster Community Services (Ancaster Information Centre and Community Services Inc.)	\$ 9,417	93	\$ 9,700	\$ 46,358	\$ 9,605	Modified

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CS E-4	Community Supports Program	Glanbrook Community Services (Glanbrook Home Support Program Inc.)	\$ 11,326	92	\$ 11,326	\$ 121,627	\$ 11,326	Modified
CS E-5	Meals On Wheels	Victorian Order of Nurses for Canada-Ontario Branch	\$ 56,852	91	\$ 59,126	\$ 883,120	\$ 57,989	No Change
CS E-6	SAM Adult Day Program	Good Shepherd Centre Hamilton	\$ 68,940	90	\$ 71,100	\$ 855,365	\$ 70,319	Modified
CS E-7	Intensive Case Management for Seniors at Risk	Catholic Family Services of Hamilton	\$ 11,768	88	\$ 38,000	\$ 860,920	\$ 12,003	No Change
CS E-8	Seniors Support	Flamborough Connects (Flamborough Information and Community Services)	\$ 3,446	88	\$ 3,515	\$ 11,893	\$ 3,515	Modified
CS E-9	Meal Support Program	Glanbrook Community Services (GCS)- (Glanbrook Home Support Program Inc.)	\$ 23,962	88	\$ 23,962	\$ 194,743	\$ 23,962	Modified
CS E-10	Volunteer Visiting/Tele-Touch	Victorian Order of Nurses for Canada-Ontario Branch	\$ 52,191	87	\$ 54,278	\$ 240,880	\$ 53,235	Modified
CS E-11	A.C.T.I.V.E at the Villa Adult Day Program	St. Joseph's Villa	\$ 20,400	86	\$ 21,450	\$ 874,084	\$ 20,808	Modified
CS E-12	Health & Fitness Program	Glanbrook Community Services (GCS)- (Glanbrook Home Support Program Inc.)	\$ 16,574	85	\$ 16,574	\$ 82,813	\$ 16,574	Modified
CS E-13	Volunteer Assisted Transportation (VAT)	Glanbrook Community Services (GCS)- (Glanbrook Home Support Program Inc.)	\$ 12,993	85	\$ 12,993	\$ 62,263	\$ 12,993	Modified
CS E-14	Seniors Outreach Program	Wesley Urban Ministries	\$ 18,918	84	\$ 19,296	\$ 63,329	\$ 18,999	Modified
CS E-15	Adult Day Program	Victorian Order of Nurses for Canada-Ontario Branch	\$ 29,238	83	\$ 30,407	\$ 761,433	\$ 29,823	Modified
CS E-16	Services for Seniors	Dundas Community Services	\$ 45,016	79	\$ 45,916	\$ 328,950	\$ 45,016	Modified
CS E-17	Goldie's Place Adult Day Program	Shalom Village (Hamilton Jewish Home for the Aged)	\$ 24,088	78	\$ 24,088	\$ 382,000	\$ 24,088	Modified
CS E-18	The Salvation Army Mountberry Adult Day Program	The Salvation Army Mountberry Adult Day Services (The Governing Council of The Salvation Army)	\$ 6,200	75	\$ 6,300	\$ 409,087	\$ 6,200	Modified
CS E-20	Boys and Girls Clubs of Hamilton Adult Day Program	Boys and Girls Clubs of Hamilton Adult Day Program (Hamilton East Kiwanis Boys and Girls Club)	\$ 13,000	66	\$ 14,000	\$ 272,328	\$ 13,000	Modified
					\$ 487,502	\$ 6,871,536	\$ 454,395	

CS - Community Capacity Grows

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CS F-1	Lifelong Learning Opportunities and Pathways	Adult Basic Education Association (of Hamilton-Wentworth)	\$ 8,500	93	\$ 9,000	\$ 92,320	\$ 8,670	Modified
CS F-2	Community Outreach	Ancaster Community Services (Ancaster Information Centre and Community Services Inc.)	\$ 35,991	90	\$ 37,771	\$ 204,504	\$ 36,711	No Change
CS F-3	Literacy and Basic Skills for Adults	Hamilton Literacy Council (The Hamilton and District Literacy Council)	\$ 5,894	89	\$ 6,000	\$ 313,939	\$ 6,000	Modified
CS F-4	Community Outreach Program	Flamborough Connects (Flamborough Information and Community Services)	\$ 48,385	88	\$ 49,403	\$ 182,857	\$ 49,353	Modified
CS F-5	Community Outreach	Dundas Community Services	\$ 11,099	84	\$ 11,321	\$ 37,721	\$ 11,316	Modified
CS F-6	Middle East Outreach	Neighbour to Neighbour Centre	\$ 2,818	83	\$ 2,901	\$ 13,310	\$ 2,874	Modified
CS F-7	Community based research, planning and community development	Social Planning and Research Council of Hamilton	\$ 43,656	80	\$ 50,000	\$ 516,926	\$ 44,529	No Change
CS F-8	Medical First Responder Program	St. John Ambulance - Hamilton Branch (St. John Council for Ontario)	\$ 6,091	80	\$ 9,985	\$ 52,500	\$ 6,213	No Change
CS F-10	Peer Mentor and Volunteer Initiative	Elizabeth Fry Society Southern Ontario Region	\$ 11,373	64	\$ 13,500	\$ 88,000	\$ 11,373	Modified
CS F-11	Rotary Literacy in Action Program	Rotary Club of Hamilton	\$ 7,362	60	\$ 25,000	\$ 187,320	\$ 7,362	Modified
					\$ 214,881	\$ 1,689,397	\$ 184,401	
CS - Everyone Has Someone to Talk to								
CS G-1	Financial Wellness Credit Counselling	Catholic Family Services of Hamilton	\$ 48,502	96	\$ 48,500	\$ 206,500	\$ 48,500	Modified
CS G-3	Individual and Family Counselling Walk-In Clinic	Catholic Family Services of Hamilton	\$ 39,901	93	\$ 90,363	\$ 386,687	\$ 40,699	Modified
CS G-4	The Evening Social Recreation Rehabilitation Program	Canadian Mental Health Association, Hamilton	\$ 24,995	85	\$ 25,580	\$ 136,923	\$ 25,454	Modified
CS G-5	Counselling & Referral	Dundas Community Services	\$ 7,600	74	\$ 7,752	\$ 25,923	\$ 7,600	No Change
CS G-6	Community Reintegration and Support	The Bridge: From Prison to Community (Hamilton)	\$ 5,630	72	\$ 54,000	\$ 263,783	\$ 5,630	No Change
					\$ 226,195	\$ 1,019,816	\$ 127,883	
CS - Emerging Needs and Program Innovation								
CS H-1	Weekends without Hunger	Food4Kids Hamilton Halton	\$ 9,196	98	\$ 40,000	\$ 950,000	\$ 30,000	Modified
CS H-2	Frozen Meals	Ancaster Community Services (Ancaster Information Centre and Community Services Inc.)	\$ 7,946	97	\$ 8,105	\$ 51,361	\$ 6,079	No Change

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CS H-3	IWC Employment Services - Transitions to Work for RCs	Immigrants Working Centre (Hamilton)		97	\$ 29,979	\$ 374,926	\$ 22,484	Modified
CS H-4	Information and Peer Support for Cancer Patients and Families/Caregivers	Wellwood Resource Centre of Hamilton	\$ 27,300	95	\$ 27,300	\$ 265,800	\$ 20,475	No Change
CS H-5	Willow's Place	Mission Services of Hamilton Inc.	\$ 25,000	93	\$ 35,000	\$ 398,337	\$ 26,250	No Change
CS H-6	Launch Supported Affordable Housing - McQuesten Flats	Indwell (Indwell Community Homes)		93	\$ 90,801	\$ 394,753	\$ 68,101	Modified
CS H-7	Parent Education , Support and Skill Development Program	AY/Alternatives for Youth Hamilton	\$ 18,162	92	\$ 19,070	\$ 73,162	\$ 13,181	No Change
CS H-8	Youth Empowerment Program	Ancaster Community Services (Ancaster Information Centre and Community Services Inc.)	\$ 17,575	92	\$ 17,575	\$ 79,775	\$ 14,303	Modified
CS H-9	Launch Supported Affordable Housing - 500 James Street North	Indwell (Indwell Community Homes)		92	\$ 39,614	\$ 349,304	\$ 29,711	Modified
CS H-10	Supports for children and families with a serious/lifelimiting illness	Dr. Bob Kemp Hospice Foundation Inc.	\$ 37,500	89	\$ 37,500	\$ 170,000	\$ 28,125	Modified
CS H-12	Food Access Program	Welcome Inn Community Centre (of Hamilton)	\$ 16,482	87	\$ 21,000	\$ 575,220	\$ 15,750	Modified
CS H-13	Peer Support for Hamiltonians Living Blind or Partially Sighted	The Canadian National Institute for the Blind L'Institut national Canadien pour les aveugles	\$ 5,531	86	\$ 7,000	\$ 85,917	\$ 5,250	Modified
CS H-15	McQuesten Boys and Girls Club	Boys and Girls Clubs of Hamilton	\$ 22,500	80	\$ 24,400	\$ 82,500	\$ -	Modified
CS H-16	TripSpark Project Manager	Cancer Assistance Program		79	\$ 23,000	\$ 76,506	\$ -	Modified
CS H-17	Community Connections	St. Joseph's Home Care		78	\$ 63,722	\$ 1,114,870	\$ -	Modified
CS H-18	Indigenous Food Bank	Niwasa Kendaaswin Teg		78	\$ 18,885	\$ 63,957	\$ -	Modified
CS H-19	Advocacy Support for Youth With Learning Disabilities	Learning Disabilities Association of Halton-Hamilton		76	\$ 9,300	\$ 33,057	\$ -	Modified
CS H-20	Wesley Day Centre	Wesley Urban Ministries		76	\$ 150,000	\$ 530,000	\$ -	Modified
CS H-21	St. Matthew's House Older Adults Resource Centre	St. Matthew's House		75	\$ 75,000	\$ 496,766	\$ -	Modified
CS H-22	Civic Connections	ACORN Institute Canada		74	\$ 20,000	\$ 78,000	\$ -	Modified
CS H-23	The Eva Rothwell Centre Literacy Express Program	Eva Rothwell Centre	\$ 3,715	74	\$ 6,753	\$ 22,511	\$ -	Modified
CS H-24	Food Acquisition and Distribution Program - Hamilton Food Share	Greater Hamilton Food Share		74	\$ 48,000	\$ -	\$ -	Withdrawn

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
CS H-25	Good Beginnings	YWCA Hamilton (The Hamilton Young Women's Christian Association)		74	\$ 35,000	\$ 55,000	\$ -	Modified
CS H-26	OASIS	Thrive Child and Youth Trauma Services	\$ 41,700	72	\$ 41,700	\$ 18,877	\$ -	Modified
CS H-27	Food Purchasing Program - Hamilton Food Share	Greater Hamilton Food Share	\$ 33,600	70	\$ 50,000	\$ 1,082,060	\$ -	Withdrawn
CS H-28	Tackling Youth Hunger in Hamilton: Mealshare's \"Buy One Give One\" Program	Mealshare Aid Foundation		70	\$ 18,500	\$ 75,598	\$ -	Modified
CS H-30	Resonance Choir	Culture for Kids in the Arts		68	\$ 7,780	\$ 36,780	\$ -	Modified
CS H-31	Transitions	Hamilton & District Extend-A-Family		68	\$ 6,300	\$ 18,958	\$ -	Modified
CS H-32	Residential Treatment Program	Wayside House of Hamilton	\$ 21,000	67	\$ 30,000	\$ 637,817	\$ -	No Change
CS H-33	CityKidz Saturday Program 2020	City Kidz Ministry	\$ 10,000	64	\$ 25,000	\$ 571,150	\$ -	Modified
CS H-34	Refugee Claimant Assistance Program	COLOMBIAN REFUGEES ASSOCIATION		60	\$ 85,000	\$ 265,700	\$ -	No Change
CS H-36	Settlement in the City	Micah House Refugee Reception Services Inc.		47	\$ 17,880	\$ 59,615	\$ -	No Change
CS H-37	#a11yHAM meetup group	#a11yHAM meetup group		DNQ	\$ 8,071	\$ 26,904	\$ -	Modified
					\$ 1,137,235	\$ 9,115,181	\$ 279,708	
		COMMUNITY SERVICES TOTAL	\$ 2,088,957		\$ 3,248,319	\$ 37,966,912	\$ 2,093,710	

ENVIRONMENT

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
ENVR - Projects and Programs								
ENV B-1	Catch the Rain	Green Venture	\$ 24,545	91	\$ 25,000	\$ 123,082	\$ 25,000	Modified
ENV B-2	School and Volunteer Programming for Hamilton Harbour Restoration	Bay Area Restoration Council	\$ 14,382	89	\$ 35,000	\$ 175,150	\$ 26,250	Modified
ENV B-3	Expanded Energy Education	Green Venture	\$ 10,311	88	\$ 10,503	\$ 35,011	\$ 10,503	Modified
ENV B-4	Nature Ninjas	Green Venture		87	\$ 6,000	\$ 28,220	\$ 4,500	Modified
ENV B-5	Development of a Water Management Framework for Business Organizations	Sustainable Hamilton Burlington	\$ 14,000	84	\$ 27,740	\$ 105,300	\$ 20,805	Modified
ENV B-6	Biodiversity In Action in Hamilton	Hamilton Naturalists' Club		82	\$ 10,680	\$ 41,281	\$ 8,010	Modified
ENV B-7	EH Climate Action Campaign - Trees From Seeds Component	Environment Hamilton		79	\$ 25,004	\$ 105,004	\$ 9,660	Modified

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
ENV B-8	2020 Bruce Trail Enhancement and Environmental Protection Project	The Bruce Trail Conservancy	\$ 5,287	78	\$ 7,480	\$ 27,468	\$ 5,287	Modified
ENV B-9	A Rocha Hamilton's Environmental Education and Conservation Activities	A Rocha Canada	\$ 10,000	66	\$ 35,000	\$ 161,100	\$ 10,000	Modified
ENV B-10	Trees For Hamilton	Trees For Hamilton	\$ 1,400	64	\$ 3,030	\$ 20,155	\$ 1,400	No Change
ENV B-11	Birge Street Parkette	Beautiful Alleys		49	\$ 3,945	\$ 30,270	\$ -	Modified
		ENVIRONMENT TOTAL	\$ 79,925		\$ 189,382	\$ 852,041	\$ 121,415	
SPORT & ACTIVE LIFESTYLES								
Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
SAL - Sport Awareness								
SAL B-3	SportHamilton Communication Strategy Project	SportHamilton		80	\$ 7,500	\$ 25,000	\$ 5,625	No Change
					\$ 7,500	\$ 25,000	\$ 5,625	
SAL -Capacity Building								
SAL C-1	Golden Horseshoe Track & Field Council - Capacity Growth Program	The Golden Horseshoe Track & Field Council	\$ 2,250	84	\$ 7,500	\$ 42,500	\$ 2,295	Modified
SAL C-3	JUNIOR LEAGUE U/10 U/12 RESTRUCTURE	Hamilton Aquatic Water Polo Club	\$ 5,982	81	\$ 7,500	\$ 30,000	\$ 6,102	Modified
					\$ 15,000	\$ 72,500	\$ 8,397	
SAL - Sport Development/Inclusion								
SAL D-1	Wesley Youth Centre at Beasley	Wesley Urban Ministries	\$ 7,500	92	\$ 7,500	\$ 26,707	\$ 7,500	Modified
SAL D-2	Mildnight Basketball	Boys and Girls Clubs of Hamilton	\$ 7,500	90	\$ 7,500	\$ 72,500	\$ 7,500	Modified
SAL D-3	Community Para Athletics Program	Golden Horseshoe Track & Field Council		90	\$ 7,500	\$ 15,000	\$ 4,500	Modified
SAL D-5	Jimmy Thompson Swimmer Participation Program	Hamilton-Wentworth Aquatic Club	\$ 7,500	84	\$ 7,500	\$ 28,000	\$ 7,500	Modified
SAL D-6	Dragon Boat Sport Development and Wellness Program	Knot A Breast	\$ 7,500	84	\$ 7,500	\$ 18,830	\$ 5,649	Modified
SAL D-7	Health Active Vibrant Energetic Seniors HAVES	Sherman Boys and Girls Club (Formerly HARRRP)	\$ 7,500	84	\$ 7,500	\$ 22,700	\$ 6,810	Modified
					\$ 45,000	\$ 183,737	\$ 39,459	
SAL - Accessibility								

Ref #	Program Name	Organization	2019 Funded	Rating	2020 Amount Requested	Total Program Budget	2020 Funding Recommended	Program Status
SAL E-1	T.E.A.D. Scholarship Program	The Equestrian Association for the Disabled (T.E.A.D.)	\$ 7,500	93	\$ 7,500	\$ 25,328	\$ 7,500	No Change
					\$ 7,500	\$ 25,328	\$ 7,500	
SAL - Active for Life								
SAL F-1	FAB Girls 5K Challenge Program	Fit Active Beautiful Foundation	\$ 7,500	93	\$ 7,500	\$ 51,669	\$ 7,500	Modified
SAL F-4	Let's Get Moving	Boys and Girls Clubs of Hamilton		90	\$ 7,500	\$ 432,500	\$ 5,625	Modified
SAL F-6	Rock-in-Action	The Living Rock Ministries	\$ 4,058	85	\$ 10,000	\$ 37,720	\$ 4,000	Modified
					\$ 25,000	\$ 521,889	\$ 17,125	
		SPORT & ACTIVE LIFESTYLES TOTAL	\$ 64,790		\$ 100,000	\$ 828,454	\$ 78,106	
	GRAND TOTAL		\$ 2,447,008		\$ 4,301,204	\$ 43,119,981	\$ 2,640,836	

**2020 CITY ENRICHMENT FUND
Phase 2 - Cancelled Programs/ Events**

Ref #	Funding Program	Funding Stream	Program Name	Organization	2019 Funded	2020 Amount Requested	Original Program Budget	Program Status
AGR A-2	Agriculture	Programs and Events	Rockton World's Fair	Rockton Agricultural Society	\$ 27,139	\$ 35,000	\$ 797,509	Cancelled
AGR A-8	Agriculture	Programs and Events	Southwenthworth Plowmen's Association	Southwenthworth Plowmen's Association	\$ 1,428	\$ 2,000	\$ 7,000	Cancelled
AGR A-13	Agriculture	Programs and Events	Locke Street Farmers Market Community Programming	Locke Street Farmers' Market	\$ 1,950	\$ 3,000	\$ 11,395	Cancelled
AGR A-16	Agriculture	Programs and Events	Farm Safety Matters	Hamilton-Wentworth Federation of Agriculture		\$ 5,000	\$ 7,000	Cancelled
AGR A-17	Agriculture	Programs and Events	Nutritional Education	Ottawa Street Farmers' Market		\$ 9,000	\$ 33,000	Cancelled
ART B-5	Arts	Arts Festivals	Festival of Friends	Festival of Friends (Hamilton-Wentworth)	\$ 90,000	\$ 100,000	\$ 488,000	Cancelled
CCH A-2	Communities, Culture & Heritage	Events and Established Activities	Barton Village Festival 2020	Barton Village Business Improvement Area	\$ 3,433	\$ 5,000	\$ 35,350	Cancelled
CCH A-3	Communities, Culture & Heritage	Events and Established Activities	Winona Peach Festival - Communities, Culture & Heritage Program	Winona Peach Festival	\$ 86,700	\$ 97,000	\$ 342,400	Cancelled
CCH A-8	Communities, Culture & Heritage	Events and Established Activities	PPD Hamilton Annual Harvesfest	Pagan Pride Day Hamilton	\$ 1,156	\$ 1,107	\$ 3,690	Cancelled
CCH A-21	Communities, Culture & Heritage	Events and Established Activities	Sew Hungry	Ottawa Street BIA	\$ 7,892	\$ 11,068	\$ 36,892	Cancelled
CCH A-15	Communities, Culture & Heritage	Events and Established Activities	Imagine in the Park Children's Arts Festival- 10th Annual Event	Rotary Club of Hamilton AM	\$ 5,100	\$ 6,000	\$ 32,500	Cancelled
CCH A-16	Communities, Culture & Heritage	Events and Established Activities	Waterdown's Oh Canada Rotary Ribfest	Waterdown's Oh Canada Rotary Ribfest	\$ 2,500	\$ 35,000	\$ 280,500	Cancelled
CCH A-17	Communities, Culture & Heritage	Events and Established Activities	Ancaster Heritage Days (Summer Event)	Ancaster Heritage Days	\$ 26,550	\$ 16,140	\$ 53,800	Cancelled
CCH A-20	Communities, Culture & Heritage	Events and Established Activities	Locke Street Festival	Locke Street BIA		\$ 12,000	\$ 42,500	Cancelled
CCH A-23	Communities, Culture & Heritage	Events and Established Activities	Lynden Canada Day Celebration	Lynden Canada Day Committee	\$ 7,500	\$ 7,500	\$ 40,000	Cancelled
CCH A-26	Communities, Culture & Heritage	Events and Established Activities	Communities, Culture & Heritage Program	Hamilton Folk Arts Heritage Council	\$ 58,905	\$ 84,881	\$ 282,938	Cancelled
CCH A-33	Communities, Culture & Heritage	Events and Established Activities	Concession Streetfest 2020	Concession Street BIA	\$ 6,450	\$ 10,500	\$ 46,120	Cancelled
CCH A-34	Communities, Culture & Heritage	Events and Established Activities	Dundas Cactus Parade	Dundas Cactus Parade Inc.	\$ 10,649	\$ 10,649	\$ 35,580	Cancelled
CCH A-39	Communities, Culture & Heritage	Events and Established Activities	Racalmutese Festival Maria Del Monte	Comunità Racalmutese Maria SS Del Monte Inc.	\$ 6,000	\$ 11,500	\$ 88,302	Cancelled
CCH A-40	Communities, Culture & Heritage	Events and Established Activities	Springfest 2020	The Malhar Group	\$ 3,400	\$ 3,400	\$ 13,312	Cancelled
CCH A-51	Communities, Culture & Heritage	Events and Established Activities	Culture & Heritage	Rotary Club of Dundas	\$ 790	\$ 1,000	\$ 5,200	Cancelled
CCH A-52	Communities, Culture & Heritage	Events and Established Activities	2020 Stoney Creek Santa Claus Parade	Stoney Creek Santa Claus Parade	\$ 2,155	\$ 5,000	\$ 29,000	Cancelled
CCH B-1	Communities, Culture & Heritage	New Projects	Hamilton Harbourfront Night Market	Sprout Organization		\$ 20,000	\$ 71,482	Cancelled
CCH B-3	Communities, Culture & Heritage	New Projects	Arohi 2020	The Malhar Group		\$ 1,500	\$ 6,134	Cancelled
CCH B-8	Communities, Culture & Heritage	New Projects	PLAY! It's Universal!	The Children's International Learning Centre (Hamilton)	\$ 12,227	\$ 20,000	\$ 67,900	Cancelled

Ref #	Funding Program	Funding Stream	Program Name	Organization	2019 Funded	2020 Amount Requested	Original Program Budget	Program Status
SAL A-6	Sport & Active Lifestyles	Long-Term Athlete Development Planning & Implementation	Improving Player and Coaches Skill Development	Croatian Sports and Community Centre of Hamilton (Hamilton Croatia)	\$ 3,500	\$ 7,500	\$ 25,000	Cancelled
SAL C-2	Sport & Active Lifestyles	Capacity Building	HRDownloads	The Equestrian Association for the Disabled (T.E.A.D.)		\$ 7,500	\$ 25,235	Cancelled
SAL D-4	Sport & Active Lifestyles	Sport Development / Inclusion	Rally Cap Program	Binbrook Minor Baseball Association	\$ 5,414	\$ 5,000	\$ 20,500	Cancelled
SAL D-8	Sport & Active Lifestyles	Sport Development / Inclusion	Equine-Assisted Social and Relational Skills Building	The Equestrian Association for the Disabled (T.E.A.D.)		\$ 7,500	\$ 16,650	Cancelled
SAL E-3	Sport & Active Lifestyles	Accessibility	RHYC Able Sail	Royal Hamilton Yacht Club	\$ 6,120	\$ 7,500	\$ 31,096	Cancelled
SAL G-1	Sport & Active Lifestyles	Multi-Sport Hosting	Paris Ancaster Bicycle Race	Ontario Cycling Association Incorporated	\$ 12,546	\$ 13,300	\$ 220,000	Cancelled
				TOTAL	\$ 389,504	\$ 561,545	\$ 3,195,985	

**2020 CITY ENRICHMENT FUND
Phase 2 - Unknown Status**

Ref #	Funding Program	Funding Stream	Program Name	Organization	2019 Funded	2020 Amount Requested	Original Program Budget	Program Status
AGR A-3	Agriculture	Programs and Events	Binbrook Fair 2020	Binbrook Agricultural Society	\$ 10,200	\$ 20,000	\$ 266,650	Unknown
AGR A-7	Agriculture	Programs and Events	Ancaster Farmers Market	Ancaster Farmers' Market	\$ 3,000	\$ 3,000	\$ 30,000	Unknown
AGR A-15	Agriculture	Programs and Events	Golden Horseshoe Beekeepers Public Education Program	Golden Horseshoe Beekeepers Association	\$ 1,475	\$ 2,200	\$ 7,525	Unknown
AGR A-18	Agriculture	Programs and Events	Agriculture	North Wentworth Plowmen's Association	\$ 1,000	\$ 1,437	\$ 4,791	Unknown
ART B-4	Arts	Arts Festivals	Strange Day at the Bay 2020	Shush Inc.	\$ 4,937	\$ 10,000	\$ 35,600	Unknown
ART B-6	Arts	Arts Festivals	ArtsFest	Greater Hamilton Arts and Events	\$ 25,000	\$ 60,000	\$ 272,000	Unknown
ART C-3	Arts	Capacity Building	Arts Capacity Building	Hamilton Youth Poets		\$ 10,000	\$ 30,000	Unknown
ART D-18	Arts	Creation and Presentation Grants for Arts Professionals	Established Artist Project	Luckystickz - Dejehan Hamilton		\$ 3,195	\$ 10,650	Unknown
ART D-19	Arts	Creation and Presentation Grants for Arts Professionals	Jamila B. - Suit EP Album	Jamila Bello		\$ 8,055	\$ 8,055	Unknown
CCH A-5	Communities, Culture & Heritage	Events and Established Activities	Dundas International Buskerfest	Downtown Dundas Business Improvement Area	\$ 28,886	\$ 29,950	\$ 101,150	Unknown
CCH A-10	Communities, Culture & Heritage	Events and Established Activities	Chorus Hamilton 2019-2020 Season	Chorus Hamilton	\$ 5,000	\$ 5,000	\$ 39,365	Unknown
CCH A-11	Communities, Culture & Heritage	Events and Established Activities	A Village Christmas	Ancaster Heritage Days	\$ 1,995	\$ 2,115	\$ 7,050	Unknown
CCH A-22	Communities, Culture & Heritage	Events and Established Activities	Winterfest/EasterEggHunt/Pumpkinfest/MovieNight	Gourley Park Community Association	\$ 2,765	\$ 3,520	\$ 11,736	Unknown
CCH A-24	Communities, Culture & Heritage	Events and Established Activities	Stoney Creek Saturdays in the Creek - Strawberry & Pumpkin Fests and Jazz in the Creek	Stoney Creek BIA	\$ 3,000	\$ 5,000	\$ 43,392	Unknown
CCH A-25	Communities, Culture & Heritage	Events and Established Activities	Assyrian Festival of Nusardil	Bet Nahrain Assyrian Heritage Centre	\$ 1,196	\$ 4,200	\$ 14,004	Unknown
CCH A-27	Communities, Culture & Heritage	Events and Established Activities	Communities, Culture and Heritage	Durand Neighbourhood Association Inc.	\$ 1,378	\$ 1,414	\$ 4,714	Unknown
CCH A-29	Communities, Culture & Heritage	Events and Established Activities	Movie Night in the Village & Victorian Night in the Village	International Village BIA	\$ 2,180	\$ 4,500	\$ 16,500	Unknown
CCH A-30	Communities, Culture & Heritage	Events and Established Activities	7th Annual Something Else! Festival (June 18-21, 2020)	Zula Music & Arts Collective Hamilton	\$ 10,200	\$ 28,000	\$ 117,600	Unknown
CCH A-31	Communities, Culture & Heritage	Events and Established Activities	Festitalia 2020	FESTITALIA CORPORATION	\$ 18,750	\$ 22,500	\$ 120,000	Unknown
CCH A-32	Communities, Culture & Heritage	Events and Established Activities	2020 Labour Day Parade & Picnic	Hamilton and District Labour Council—CLC	\$ 10,000	\$ 10,000	\$ 38,545	Unknown
CCH A-36	Communities, Culture & Heritage	Events and Established Activities	Sinfonia Ancaster	Sinfonia Ancaster (part of Ancaster Society for the Performing Arts)	\$ 8,231	\$ 11,796	\$ 39,320	Unknown
CCH A-41	Communities, Culture & Heritage	Events and Established Activities	Community Development & Networking Events	ACFO - Régionale Hamilton		\$ 4,000	\$ 16,100	Unknown
CCH A-42	Communities, Culture & Heritage	Events and Established Activities	Dickens of a Christmas	Downtown Dundas Business Improvement Area		\$ 15,594	\$ 92,130	Unknown
CCH A-43	Communities, Culture & Heritage	Events and Established Activities	Binbrook Santa Claus Parade	Binbrook Parade Committee		\$ 3,000	\$ 19,000	Unknown

Ref #	Funding Program	Funding Stream	Program Name	Organization	2019 Funded	2020 Amount Requested	Original Program Budget	Program Status
CCH A-45	Communities, Culture & Heritage	Events and Established Activities	Promoting Culture and Diversity by Cameroonians in Hamilton	CAMEROONIAN ASSOCIATION IN HAMILTON	\$ 3,000	\$ 5,000	\$ 12,000	Unknown
CCH A-47	Communities, Culture & Heritage	Events and Established Activities	Flamborough Santa Claus Parade	Flamborough Santa Claus Parade	\$ 15,000	\$ 15,000	\$ 58,400	Unknown
CCH A-48	Communities, Culture & Heritage	Events and Established Activities	The Hamilton Santa Claus Parade	Hamilton Santa Claus Parade Committee	\$ 46,231	\$ 55,000	\$ 95,560	Unknown
CCH B-2	Communities, Culture & Heritage	New Projects	Barton First Fridays	Barton Village Business Improvement Area		\$ 13,500	\$ 45,470	Unknown
CCH B-4	Communities, Culture & Heritage	New Projects	Kadimah - Winter Camp at the J	Hamilton Jewish Community Centre		\$ 2,340	\$ 7,800	Unknown
CCH B-7	Communities, Culture & Heritage	New Projects	Something Else! Composite Arts Series: Watch it Burn!	Zula Music & Arts Collective Hamilton		\$ 28,000	\$ 94,000	Unknown
CS E-19	Community Services	Everyone Can Age in Place	Famee Furlane of Hamilton	Everyone Can Age in Place	\$ 5,719	\$ 5,044	\$ 150,000	Unknown
CS F-9	Community Services	Community Capacity Grows	Hamilton Council on Aging	Seniors' Engagement	\$ 8,323	\$ 8,511	\$ 149,000	Unknown
CS G-2	Community Services	Everyone Has Someone to Talk to	Multiple Sclerosis Society of Canada	Supports for Wellness	\$ 12,000	\$ 12,000	\$ 40,583	Unknown
CS H-11	Community Services	Emerging Needs and Program Innovation	Mission Services of Hamilton Inc.	Youth Afterschool Meal Program	\$ 27,587	\$ 33,222	\$ 225,853	Unknown
CS H-14	Community Services	Emerging Needs and Program Innovation	Habitat for Humanity Hamilton (Hamilton Habitat for Humanity)	Youth Build Program		\$ 30,000	\$ 108,542	Unknown
CS H-29	Community Services	Emerging Needs and Program Innovation	B'nai Brith National Organization of Canada	City of Hamilton - Community Services Grant - Emerging Needs		\$ 20,920	\$ 69,750	Unknown
CS H-35	Community Services	Emerging Needs and Program Innovation	L'Arche Hamilton	Everyone Can Age in Place		\$ 13,025	\$ 43,418	Unknown
ENV B-12	Environment	Projects and Programs	Getting and Keeping Cootes and Red Hill Watersheds Clean	Stewards of Cootes Watershed	35000 (Held)	\$ 35,000	\$ 200,000	Unknown
SAL A-1	Sport & Active Lifestyles	Long-Term Athlete Development Planning & Implementation	FDSC Follows LTPD for Grassroots Soccer	Flamborough Dundas Soccer Club	\$ 3,902	\$ 7,500	\$ 35,500	Unknown
SAL A-2	Sport & Active Lifestyles	Long-Term Athlete Development Planning & Implementation	Grassroots Development Program	Ancaster Soccer Club	\$ 7,500	\$ 7,500	\$ 205,552	Unknown
SAL A-3	Sport & Active Lifestyles	Long-Term Athlete Development Planning & Implementation	HSC LTAD Education and Information Sessions Year 2	Hamilton Skating Club	\$ 7,500	\$ 7,500	\$ 25,000	Unknown
SAL A-4	Sport & Active Lifestyles	Long-Term Athlete Development Planning & Implementation	H&DSA - Grass Roots Soccer Program - Continuance of Program Initiatives	The Hamilton and District Soccer Association	\$ 7,500	\$ 7,500	\$ 50,000	Unknown
SAL A-5	Sport & Active Lifestyles	Long-Term Athlete Development Planning & Implementation	Learn to Skate/U8	Hamilton Ringette Association		\$ 7,500	\$ 25,000	Unknown
SAL A-7	Sport & Active Lifestyles	Long-Term Athlete Development Planning & Implementation	LTAD Mission – Academy Player Development Program	The Saltfleet Stoney Creek Soccer Club	\$ 3,825	\$ 7,500	\$ 150,000	Unknown
SAL B-1	Sport & Active Lifestyles	Sport Awareness	T.E.A.D. Communications Person	The Equestrian Association for the Disabled (T.E.A.D.)		\$ 7,500	\$ 25,700	Unknown
SAL B-2	Sport & Active Lifestyles	Sport Awareness	Sport Awareness - Rugby	Hamilton Hornets Rugby Football Club	\$ 5,722	\$ 7,500	\$ 26,834	Unknown
SAL B-4	Sport & Active Lifestyles	Sport Awareness	Continued Enhancement of the Match Official Mentorship Program	The Hamilton and District Soccer Association		\$ 7,500	\$ 34,000	Unknown
SAL B-5	Sport & Active Lifestyles	Sport Awareness	GrassRoots - Leading the Training For The Youth	The Saltfleet Stoney Creek Soccer Club	\$ 5,355	\$ 7,500	\$ 300,000	Unknown
SAL B-6	Sport & Active Lifestyles	Sport Awareness	FDSC New Club Awareness	Flamborough Dundas Soccer Club	\$ 7,491	\$ 7,500	\$ 30,200	Unknown
SAL C-4	Sport & Active Lifestyles	Capacity Building	FDSC Builds Capacity	Flamborough Dundas Soccer Club	\$ 7,500	\$ 7,500	\$ 30,000	Unknown
SAL D-9	Sport & Active Lifestyles	Sport Development / Inclusion	Krav Maga at the J	Hamilton Jewish Community Centre		\$ 2,100	\$ 7,002	Unknown
SAL D-10	Sport & Active Lifestyles	Sport Development / Inclusion	Multicultural Championships	Afghan Sports Federation of Canada	\$ 3,600	\$ 7,500	\$ 25,000	Unknown
SAL D-11	Sport & Active Lifestyles	Sport Development / Inclusion	Physical Activation Program	The Jump In Foundation		\$ 7,500	\$ 30,000	Unknown

Ref #	Funding Program	Funding Stream	Program Name	Organization	2019 Funded	2020 Amount	Original Program	Program Status
SAL D-12	Sport & Active Lifestyles	Sport Development / Inclusion	Hamilton Cardinals Summer Camps and Clinics	Hamilton Cardinals Intercounty Baseball League Group Inc.		\$ 6,150	\$ 25,828	Unknown
SAL D-13	Sport & Active Lifestyles	Sport Development / Inclusion	Active For Life	HAMILTON BLACK TIGERS		\$ 3,000	\$ 7,002	Unknown
SAL E-2	Sport & Active Lifestyles	Accessibility	FDSC Special Soccer Program	Flamborough Dundas Soccer Club	\$ 6,900	\$ 7,500	\$ 24,600	Unknown
SAL E-4	Sport & Active Lifestyles	Accessibility	Ancaster All Abilities	Ancaster Soccer Club	\$ 195	\$ 1,400	\$ 5,110	Unknown
SAL E-5	Sport & Active Lifestyles	Accessibility	SSC - Special Team for Special Needs/All Abilities	The Saltfleet Stoney Creek Soccer Club		\$ 5,000	\$ 42,000	Unknown
SAL F-2	Sport & Active Lifestyles	Active for Life	Rookie Riders	The Equestrian Association for the Disabled (T.E.A.D.)		\$ 7,350	\$ 24,501	Unknown
SAL F-3	Sport & Active Lifestyles	Active for Life	Rugby for newcomers and at-risk youth	Hamilton Hornets Rugby Football Club		\$ 7,500	\$ 44,975	Unknown
SAL F-5	Sport & Active Lifestyles	Active for Life	FDSC Soccer for Life	Flamborough Dundas Soccer Club		\$ 7,500	\$ 24,000	Unknown
SAL F-7	Sport & Active Lifestyles	Active for Life	HBA 2019-20 Season	Hamilton Basketball Association	\$ 4,266	\$ 7,500	\$ 101,200	Unknown
SAL F-8	Sport & Active Lifestyles	Active for Life	Sports and Active Lifestyles Program	Hamilton Bay Sailing Club	\$ 7,500	\$ 7,500	\$ 43,560	Unknown
SAL F-9	Sport & Active Lifestyles	Active for Life	Go to Play	Hamilton Chinese Sports Association	\$ 2,283	\$ 5,469	\$ 18,230	Unknown
TOTAL					\$ 338,092	\$ 718,007	\$ 4,007,047	

Citizen Advisory Committee Meeting Recovery Plan Phases

Advisory Committee	Staff	Phase	Rationale
Agriculture and Rural Affairs Advisory Committee	Alicia Davenport (Clerks)	3	As per the Agriculture and Rural Affairs Advisory Committee's Terms of Reference, regular meetings will not be scheduled during the months of July, August.
Art Advisory Commission	Ken Coit (Tourism)	2	The commission will be participating in Covid related relief work and will want to provide input into the Mayor's Task Force on Economic Recovery
Aboriginal Advisory Committee Hamilton Mundialization Committee Hamilton Status of Women Committee Seniors Advisory Committee Immigrant and Refugee Committee Accessibility Committee for Persons with Disabilities	Jodi Koch (Talent and Diversity, Human Resources)	3	Administrative support staff have been redeployed to COVID-19 duties and would need to be recalled to support this work. There is currently a staff vacancy that is also impacting the ability to support committees ahead of Phase 3.
Business Improvement Area Advisory Committee	Angela McRae (Clerks)	3	Staff advised the only necessity to meet in 2020 would be to approve their expenditure requests for the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905) and the Shared Parking Revenue Program (Parking Revenue Account 815010-45559). This could be done in a motion to GIC instead of meeting.
Cleanliness & Security in the Downtown Core	Alicia Davenport (Clerks)	3	The Cleanliness & Security in the Downtown Core Task Force is not currently engaged in any projects, so there is no urgency to meet.
Committee Against Racism –	John Ayrio (City Manager's Office)	2	Relaunching non-physical public engagement activities for Hate Mitigation & Prevention and the

LGBTQ Advisory Committee	John Ayrio (City Manager's Office)	2	Hamilton Anti-Racism Resource Centre projects. The Committee Against Racism will be a key stakeholder to engage and contribute to these community-equity projects
Expanding Housing and Support Services for Women, Non-Binary, and Transgender Community Sub-Committee	Tamara Bates (Clerks)	3	Committee members are currently involved in housing support services during COVID-19.
Food Advisory Committee	Heather Harvey (Public Health)	3	Administrative support staff have been redeployed to COVID-19 duties and would need to be recalled to support this work. Public Health staff will be supporting the emergency during all phases of the emergency.
Greater Bay Area Sub-Committee	Tamara Bates (Clerks)	3	This Committee meets at the call of the Chair, and there is no pressing business to attend to at this time.
Hamilton Cycling Committee	Rachel Johnson (Planning & Ec Dev)	2	<ol style="list-style-type: none"> 1. The impact of physical distancing and lack of public events will affect the Committee. The Committee would like to meet to discuss alternatives to their planned work for 2020 2. The Committee is interested in providing input on upcoming cycling infrastructure projects and initiatives
Hamilton Future Fund	Alicia Davenport (Clerks)	3	The Hamilton Future Fund Board of Governors advises Council on how to use the Future Fund money to create and protect a permanent legacy for current and future generations of Hamiltonians to enjoy economic prosperity and improved quality of life. The Board was conducting a review of their grant process, following which they intended to assess whether or not to open the Future Fund for applications. Given that the Board is not currently engaged in an application cycle, there is no time sensitivity to meet.

HWDSB Liaison Committee	Tamara Bates (Clerks)	3	This Committee meets at the call of the Chair, and there is no pressing business to attend to at this time.
HWCDSD Liaison Committee	Tamara Bates (Clerks)	3	This Committee meets at the call of the Chair, and there is no pressing business to attend to at this time.
Hamilton Veteran's Committee	Brydie Huffman (Planning & Ec Dev)	2	<p>The Veterans Committee and staff liaison are responsible for the planning and delivery of 8 City of Hamilton funded services of Remembrances in November, including the official service at Gore Park. Planning for this typically begins in August, with the September AC meeting requiring the final voting on procedures and roles. This is also the meeting where the military units are tasked with the Parade Orders, road closures are submitted, and large contracts are finalized with external media vendors for the services.</p> <p>September would be the latest date in order to plan the services accordingly, however if there is still a health warning on large events the AC (and staff) would need time to create a digital plan of commemoration.</p>
Housing and Homelessness Advisory Committee	James O'Brien (Healthy & Safe Communities)	2	The group would have a public consultation role with work that Housing Services is doing with the implantation of the Action Plan and housing and homelessness services in Hamilton.
Keep Hamilton Clean Green Committee	Raffaella Morello (Public Works)	2	<p>The Keep Hamilton Clean and Green Committee is interested in holding their meetings so they can address the following items as soon as possible:</p> <ol style="list-style-type: none"> 1. Approval of the Clean & Green Community Grants. This is to help fund community-related volunteer projects, some of which are currently planned for the summer/autumn months. Without

			<p>funding, many of these projects will not be able to proceed.</p> <ol style="list-style-type: none"> 2. Planning requirements to re-launch the “Team Up to Clean-Up” program. This is a City-wide program to help clean-up neighbourhoods which helps to promote community well-being. 3. Address a recent resignation of a KHCG member in coordination with the Office of City Clerk’s Citizen Committee appointment process.
<p>Waste Management Advisory Committee</p>	<p>Hayley Court-Znottka (Public Works)</p>	<p>2</p>	<p>Waste staff have three reports scheduled for fall PWC meetings and all of them require input from the WMAC to advance them.</p> <ol style="list-style-type: none"> 1. The Waste By-law update requires input from WMAC as it speaks, in part, to how changes to appendices of the by-law will be made and how the WMAC will be involved in making these changes moving forward. 2. The single-use plastic strategy report needs input from the WMAC as they need to confirm that they are satisfied with the strategy prior to it being presented to the PWC. There is the chance that the WMAC may not agree with some of the proposed action items included in the strategy and so this is their opportunity to voice these and ask for revisions. Aside from these reasons, one of the Councillor members of the WMAC put forward the motion of the strategy. 3. The Solid Waste Management Master Plan (SWMMP) report requires significant input from the WMAC as this maps out our waste work plan for the next 5 years and it’s crucial to receive the WMAC’s

			approval of this plan before taking it to the PWC. Part of the mandate of the WMAC is to give guidance and direction on the SWMMP.
Wentworth Lodge Heritage Trust Fund Sub-Committee	Tamara Bates (Clerks)	3	This Committee meets at the call of the Chair, and there is no pressing business to attend to at this time.
Physician Recruitment and Retention Steering Committee	Tamara Bates (Clerks)	3	This Committee meets at the call of the Chair, and there is no pressing business to attend to at this time.



BOARD OF HEALTH REPORT 20-004

9:30 a.m.

Friday, July 10, 2020

Council Chambers

Hamilton City Hall

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

**Absent with
Regrets:** T. Whitehead - Personal

THE BOARD OF HEALTH PRESENTS REPORT 20-005 AND RESPECTFULLY RECOMMENDS:

1. Communications (Items 5.1 and 5.2)

That the following Communications, be endorsed:

- (i) Correspondence from the Association of Public Health Agencies respecting their March 6, 2020 Submission to the Provincial Government: COVID-19 and Reconsiderations Related to Public Health Modernization (Item 5.1)
- (ii) Correspondence from the County of Lambton respecting Clarification on Ministry's Criteria to Move to Stage 3 in the - Framework for Reopening Our Province (Item 5.2)

2. Nurse Family Partnership Program Funding and Service Level Update (BOH07035(i)) (City Wide) (Item 10.1)

That the Board of Health authorize and direct the Medical Officer of Health to extend the existing agreement with the Hamilton Community Foundation and accept funding from the Hamilton Community Foundation in the amount of \$41,000 to support the Nurse Family Partnership© program for 2020, and that the Medical Officer of Health or delegate be authorized and directed to receive, utilize and report on the use of these funds.

3. Arrell Youth Centre Secondment (BOH17008(b)) (City Wide) (Item 10.2)

- (a) That the Board of Health authorize the reduction of the Public Health Services School Program complement by 0.34 FTE resulting from the termination of the Secondment Agreement between Banyan Community Services Inc. and the City of Hamilton Public Health Services; and
- (b) That the Board of Health authorize Public Health Services to reassign the seconded Public Health Nurse, to a budgeted vacancy in the Public Health Services School Program.

4. COVID-19 Response and Health Equity Update (BOH20012) (City Wide) (Item 10.3)

That Report BOH20012 respecting the COVID-19 Response and Health Equity Update, be received.

5. Interim Plan to Resource and Structure Public Health Services During COVID-19 (BOH20013) (City Wide) (Item 10.4)

- (a) That the Board of Health authorize a temporary increase of up to 75.14 FTE (\$2.08M for the remainder of 2020) to continue responding to COVID-19 while reopening Public Health Services programs and services;
- (b) That the Board of Health approve a temporary increase of 17.0 FTE as part of an application to Ontario Health West to provide scheduling and booking support for the assessment centres;
- (c) That the Board of Health approve up to \$265,000 in one-time funding for the extension of Kronos software to Public Health Services to support staff scheduling, time, attendance and activity tracking; and
- (d) That a letter be sent to the Minister of Health to request funding to cover 100% of the costs for the COVID-19 response that exceed the 2020 PHS Annual Service Plan & Budget.

6. Face Coverings in Enclosed Public Spaces (BOH20014) (City Wide) (Added Item 10.5)

- (a) That City Council enact a by-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces and to amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties”, as outlined in Appendix “A” to Report BOH20014:
 - (i) Requiring all person(s) or organization(s) with custody or control over an enclosed space open to the public to ensure that all persons attending wear face coverings (e.g. masks) as a condition of entry to the enclosed space. The by-law shall also require the

posting of sufficient and appropriate signage notifying staff and members of the public of this requirement;

- (ii) Requiring all person(s) attending an enclosed space open to the public, to ensure that they wear face coverings (e.g. masks) as a condition of entry to the enclosed space; and,
 - (iii) That permits appropriate exemptions for individuals who are unable to wear a face covering for medical reasons, children under two years old (or up to five years old if the child refuses), and other reasonable accommodations;
- (b) That the by-law shall come into force at 12:01 a.m. on July 20, 2020 and shall be reviewed by the Board of Health every 3 months unless directed otherwise by City Council;
 - (c) That the Mayor be directed to request that the Province of Ontario impose requirements substantially similar to those outlined in this by-law to all public spaces and facilities regulated or owned by the Province within the City of Hamilton; and
 - (d) That the Mayor be directed to request that the federal government impose requirements substantially similar to those outlined in this by-law to all public spaces and facilities regulated or owned by the federal government within the City of Hamilton.

7. Request to the Province respecting and Increase in Resources for COVID-19 Testing (Added Item 11.1)

WHEREAS, the Provincial requirements to visit loved ones in Long Term Care facilities within the Province of Ontario require proof of negative testing within 14 days; and

WHEREAS, the turnaround-time in Hamilton is currently taking up to 10 days for negative results.

THEREFORE BE IT RESOLVED:

That a letter be sent to the Premier, the Provincial Chief Officer of Health and the Minister of Health and Long Term Care, to express the challenges with COVID-19 testing turn-around times, and request that the Province provide the resources or make adjustments to their testing processes, to meet the demands of the volume of tests, in order to comply with the requirements by Long Term Care facilities for continued testing by family members of residences.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised the Board of the following changes:

5. COMMUNICATIONS

5.5 Correspondence respecting Face Coverings in Enclosed Public Spaces (BOH20014) (City Wide):

- (a) J. Hickey and D. Rancourt, Ontario Civil Liberties Association
- (b) M. Saskin
- (c) J. Mullin
- (d) A. Simic
- (e) K. Morrison
- (f) S. Covelli
- (g) K. Pontes
- (h) J. Brown
- (i) A. Michaluk
- (j) J. Newton
- (k) C. Siena
- (l) C. R. Gent
- (m) E. King
- (n) A. Newton
- (o) C. Act
- (p) E. Davis
- (q) D. Morgan
- (r) L. Moore
- (s) N. Devcic

Recommendation: Be received and referred to the consideration of Item 10.5, respecting Face Coverings in Enclosed Public Spaces (BOH20014) (City Wide).

10. DISCUSSION ITEMS

10.4 Interim Plan to Resource and Structure Public Health Services During COVID-19 (BOH20013) (City Wide)

10.5 Face Coverings in Enclosed Public Spaces (BOH20014) (City Wide)

The agenda for the July 10, 2020 Board of Health was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) June 16 , 2020 (Item 4.1)

The Minutes of the June 16, 2020 meeting of the Board of Health were approved, as presented.

(e) COMMUNICATIONS (Item 5)

The following Communications were approved as presented:

- (i) Correspondence from the Chair of the Board of Health for the Grey Bruce Health Unit respecting the Ontario Health Reporting Inaccuracy COVID-19 Enhanced Surveillance of Long-Term Care (Item 5.3).

Recommendation: Be received.

- (ii) Correspondence from the Honourable Christine Elliott, Deputy Premier and Minister of Health, and Dr. David Williams, Chief Medical Officer of Health respecting 2020-21 One-Time Funding Temporary Pandemic Pay Approval (Item 5.4).

Recommendation: Be received.

- (iii) Correspondence respecting Face Coverings in Enclosed Public Spaces (BOH20014) (City Wide) (Item 5.5):

- (a) J. Hickey and D. Rancourt, Ontario Civil Liberties Association
- (b) M. Saskin
- (c) J. Mullin
- (d) A. Simic
- (e) K. Morrison
- (f) S. Covelli
- (g) K. Pontes
- (h) J. Brown
- (i) A. Michaluk
- (j) J. Newton
- (k) C. Siena
- (l) C. R. Gent
- (m) E. King
- (n) A. Newton
- (o) C. Act
- (p) E. Davis

- (q) D. Morgan
- (r) L. Moore
- (s) N. Devcic

Recommendation: Be received and referred to the consideration of Item 10.5, respecting Face Coverings in Enclosed Public Spaces (BOH20014) (City Wide).

(f) DISCUSSION ITEMS (Item 10)

(i) Interim Plan to Resource and Structure Public Health Services During COVID-19 (BOH20013) (City Wide) (Item 10.4)

Sub-sections (a) and (b) of Report BOH20013 were **amended** to include the word “**temporary**” before the word increase, to read as follows:

- (a) That the Board of Health authorize a **temporary** increase of up to 75.14 FTE (\$2.08M for the remainder of 2020) to continue responding to COVID-19 while reopening Public Health Services programs and services;
- (b) That the Board of Health approve a **temporary** increase of 17.0 FTE as part of an application to Ontario Health West to provide scheduling and booking support for the assessment centres;

The following Amendment was DEFEATED:

That sub-section (d) of Report BOH20013 be **amended** to include “**be contingent upon 100% funding from the Province**”, to read as follows:

- (d) That a letter be sent to the Minister of Health to request funding to cover 100% of the costs for the COVID-19 response that exceed the 2020 PHS Annual Service Plan & Budget final approval **be contingent upon 100% funding from the Province.**

For further disposition of this matter, refer to Item 5

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

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

The following item was added to the Outstanding Business List:

Consumption and Treatment Services and Wesley Day Centre
(Referred to the Board of Health from the Emergency and Community Services Committee on June 19, 2020)

(h) ADJOURNMENT (Item 15)

(Wilson/Nann)

There being no further business, the Board of Health was adjourned at 1:51 p.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 20-004

9:30 a.m.

Monday, July 13, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 20-004 AND RESPECTFULLY RECOMMENDS:

1. Ministry of Health Consultation Meetings (HSC20014) (City Wide) (Item 5.1)

That Report HSC20014, respecting Ministry of Health Consultation Meetings, be received and the following recommendations, be endorsed:

- (a) Operational responsibility for land ambulance dispatch should be transitioned to the Land Ambulance Service Provider and core dispatch funding should remain a Ministry responsibility;
- (b) Accreditation should be pursued as a replacement for the existing Ambulance Service Review (ASR) process;
- (c) Delays in transfer of care on arrival at hospital continue to create systemic pressures as paramedics perform hospital hallway medicine. Cost of this hallway staffing should be reimbursed by the Ministry to the ambulance service provider, removing the additional cost burden from the municipal tax base;
- (d) Inter-facility transfers should be the subject of a fully integrated Provincial working group:
 - (i) Terms of reference from successful implementation in another provincial jurisdiction is provided;

- (ii) All inter-facility transfers should be coordinated through the respective CACC and the process of booking and scheduling should be automated;
 - (iii) Legislation should be considered to provide for the capacity to contract out delivery of low acuity non-urgent patient transfers to an appropriately qualified patient transfer service; and,
 - (iv) The Ministry should fully fund the cost of all inter-facility patient transfer service.
- (e) Community Paramedic programs should continue to be developed to match specific community needs. These programs should be integrated fully with the respective Ontario Health Teams and funded through the respective Ontario Health regional delivery program;
- (f) Ministry funding of land ambulance delivery should continue at a minimum level of 50% of the respective council approved operational budget inclusive of municipal overhead costs. The current one-year lag in funding should be eliminated through implementation of one-time funding processes; and,
- (g) A College of Paramedicine should be established under the Regulated Health Care Practitioners Act. The scope of paramedic practice, and the performance of delegated medical acts should be revised to reflect a Certification – Registration – Authorization paradigm. Base hospital funding should be redistributed to the respective land ambulance service providers who would then be required to establish appropriate medical oversight for both delegation and quality review.

2. Consent Items (Items 5.2-5.4)

That the following Consent Items be approved, as presented:

- (a) **Paramedic Service Data Sharing and Network Services Agreement with Health Shared Services Ontario (HHSO) (HSC20017) (Item 5.2)**
- (i) That the Chief, Hamilton Paramedic Service be authorized to enter into and execute the agreement for participation in the Paramedic Bi-directional eNotification web-service interface with Interdev Technologies, Shared Services Ontario, and Ontario Health – West.
- (b) **Leveraging a Provincial Contract for Digitizing Ontario Works Client Files (HSC20023) (City Wide) (Item 5.3)**
- (i) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements with Nimble Information Strategies Inc., at an estimated cost of

\$580,839, for the digitization of Ontario Works active case files and that the General Manager, Healthy and Safe Communities Department or designate be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto, in a form satisfactory to the City Solicitor; and,

- (ii) That Appendix "A" of Report HSC20023 remain confidential and not be released as a public document.

(c) Child Care Reopening Framework (HSC20027) (Item 5.4)

That Report HSC20027, respecting the Child Care Reopening Framework, be received.

3. Hamilton Paramedic Service 2019 Annual Report (HSC20021) (City Wide) (Item 7.1)

That Report HSC20019, respecting Hamilton Paramedic Service 2019 Annual Report, be received.

4. Home for the Holidays Wrap Up (HSC20024) (City Wide) (Item 8.1)

That Report HSC20024, respecting Home for the Holidays Wrap Up, be received.

5. Provision of Conditional Grants for the Purposes of Paying Development Charges for Two Non-Profit Affordable Rental Housing Projects (HSC19060(a)) (Ward 3) (Item 8.2)

- (a) That a conditional grant in the total amount of the development charges (DCs) for the 40 units of the 60-unit Hamilton East Kiwanis Non-Profit Homes Inc., 6 – 14 Acorn Street affordable rental housing development project that are not receiving funding under the Ontario Priorities Housing Initiative (OPHI) ("Kiwanis Project"), in the approximate amount of \$1,000,903 be approved in accordance with the terms and conditions contained in the Conditional Grant Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "A");
- (b) That a conditional grant in the total amount of the development charges (DCs) for the 43-unit building of the 95-unit Indwell Community Homes, 225 East Avenue North affordable rental housing development project that are not receiving funding under Ontario Priorities Housing Initiative (OPHI) ("Indwell Project"), in the approximate amount of \$379,260 be approved in accordance with the terms and conditions contained in the Conditional Grant Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "B");
- (c) That the conditional grants in the total amount of the development charges (DCs) payable for both projects in the approximate amount of \$1,380,163 as well as the deficit of approximately \$43,227 in the Social Housing

Stabilization Reserve (110041) once all 2020 commitments have been met, be funded from the Affordable Housing Property Reserve (112256), to the applicable DC Reserve;

- (d) That the General Manager of the Healthy and Safe Communities Department or designate be directed and authorized to enter into a Conditional Grant Agreement respecting the Kiwanis Project with the terms and conditions contained in the Conditional Grant Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "A") in a form satisfactory to the City Solicitor, and that the General Manager of the Healthy and Safe Communities Department be authorized to execute any such agreements and ancillary documentation;
- (e) That the General Manager of the Healthy and Safe Communities Department or designate be directed and authorized to enter into a Conditional Grant Agreement respecting the Indwell Project with the terms and conditions contained in the Conditional Grant Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "B") in a form satisfactory to the City Solicitor, and that the General Manager of the Healthy and Safe Communities Department be authorized to execute any such agreements and ancillary documentation;
- (f) That the development charges payable for the Kiwanis Project be payable in 20 equal annual instalments without interest in accordance with the terms and conditions contained in the Payment Agreement Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "C");
- (g) That the development charges payable for the Indwell Project be payable in 20 equal annual instalments without interest in accordance with the terms and conditions contained in the Payment Agreement Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "D");
- (h) That the General Manager of the Finance and Corporate Services Department be directed and authorized to enter into a Development Charge Payment Agreement respecting the Kiwanis Project, under section 27 of the *Development Charges Act, 1997*, to require the payment of development charges otherwise payable under Development Charges By-law 19-142 and By-law 11-174, the earlier of the date of first occupancy or issuance of an occupancy permit, on such terms as the General Manager of the Finance and Corporate Services Department may require and including those on the Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "C"), without interest, in a form satisfactory to the City Solicitor, and that the General Manager of the Finance and Corporate Services Department be directed and authorized to execute any such agreements and ancillary documentation; and,

- (i) That the General Manager of the Finance and Corporate Services Department be directed and authorized to enter into a Development Charge Payment Agreement respecting each of the Indwell Project, under section 27 of the *Development Charges Act, 1997*, to require the payment of development charges otherwise payable under Development Charges By-law 19-142 and By-law 11-174, the earlier of the date of first occupancy or issuance of an occupancy permit, on such terms as the General Manager of the Finance and Corporate Services Department may require and including those on the Term Sheet (attached to Emergency and Community Services Report 20-004 as Appendix "D"), without interest, in a form satisfactory to the City Solicitor, and that the General Manager of the Finance and Corporate Services Department be authorized to execute any such agreements and ancillary documentation.

6. Adaptation and Transformation of Services for People Experiencing Homelessness Update 1 (HSC20020(a)) (City Wide) (Added Item 8.3)

- (a) That Council approve:
 - (i) The authority of the General Manager of the Healthy and Safe Communities Department continue to enter into contracts necessary to secure access and purchase of service of the rental of hotel rooms for expanded temporary housing during the Coronavirus pandemic as well as cleaning, food and associated services from vendors and providers satisfactory to the General Manager of the Healthy and Safe Communities Department;
 - (ii) Conditional grants up to a maximum of \$2.0 M in total to shelter providers for the provision of staffing and additional supports to homeless clients receiving emergency shelter in these hotel rooms;
 - (iii) A conditional grant in the maximum amount of \$550 K to the Good Shepherd Centre Hamilton to renovate 378 Main Street East (the former Cathedral Boys School) into a temporary shelter for 45 men;
 - (iv) A conditional grant in the maximum amount of \$700 K to the Good Shepherd Centre Hamilton to operate 378 Main Street East (the former Cathedral Boys School) as a temporary shelter for 45 men for the period of September 1, 2020 to June 30, 2021;
 - (v) A conditional grant in the maximum amount of \$120 K to Mission Services of Hamilton Inc. to renovate their shelter at 325 James St. N. to allow for appropriate physical distancing and to return the shelter to an occupancy of 58 persons; and,
 - (vi) A conditional grant in the maximum amount of \$930 K to Wesley Urban Ministries Inc. to operate its Isolation Centre for people experiencing homelessness for the period of July 6, 2020 to June 30, 2021;

- (b) That all such purchases and grants outlined in Recommendation (a) that are approved by Council be funded from any available source jointly deemed appropriate by the General Manager of the Healthy and Safe Communities Department and the General Manager of the Finance and Corporate Services Department including, but not limited to, one or more of the following sources: Reaching Home, Community Homelessness Prevention Initiative, any available provincial or federal funding, or any available funds from the general levy; and,
- (c) That the General Manager of the Healthy and Safe Communities Department be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined in Recommendation (a) on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department and in a form satisfactory to the City Solicitor.

7. Signing of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Local Municipality and Friendship Centre Support (Added Item 10.1)

WHEREAS the City of Hamilton is working with the local Indigenous Friendship Centre, the Hamilton Regional Indian Centre;

WHEREAS the Indigenous Friendship Centre, the Hamilton Regional Indian Centre, has been an active contributor to the wellbeing of residents in the community;

WHEREAS the City of Hamilton has a good and ongoing relationship with the local Indigenous Friendship Centre, the Hamilton Regional Indian Centre, and wants to set a leading example in the area of Indigenous relations by demonstrating overlapping community interest and work;

WHEREAS the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC) Declaration of Mutual Commitment and Friendship reflects the municipality's understanding of and working relationship with Indigenous people in the community; and,

WHEREAS the local Indigenous Friendship Centre is contemplating the signing of this declaration and participation in related concurrent activities during the virtual AMO Conference in August of 2020;

THEREFORE, IT BE RESOLVED

- (a) that the City of Hamilton Council authorizes the Mayor to sign in conjunction with the local Indigenous Friendship Centre, the Hamilton Regional Indian Centre, the joint AMO-OFIFC Declaration of Mutual Commitment and

Friendship on behalf of the municipality and participate in related concurrent activities during the AMO 2020 Conference; and,

- (b) That Council direct staff to work with AMO in order to coordinate the declaration signing and related concurrent activities in advance of the AMO 2020 Conference.

8. Potential Litigation Report (LS20019) (City Wide) (Added Item 12.2)

That Report LS20019, respecting Potential Litigation Report, be received and remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

6. WRITTEN DELEGATIONS (Items 6.1-6.3)

- 6.1 Kevin Gonci, Hamilton Collaborative Partnership Group, respecting Response to City of Hamilton Staff Report HSC20026 (City Wide) dated June 19, 2020
- 6.2 Dr. Jill Wiwcharuk and Dr. Tim O'Shea, Hamilton Social Medicine Response Team, respecting the City's strategy about homeless encampments
- 6.3 Jody Ans and Lisa Nussey, Keeping Six, respecting request that the City re-evaluate and change its approach to encampments
- 6.4 Sharon Crowe, Nadine Watson, and Wade Poziomka, Hamilton Community Legal Clinic, respecting Dismantlement of Homeless Encampments

8. DISCUSSION ITEMS (Item 8.3)

- 8.3 Adaptation and Transformation of Services for People Experiencing Homelessness Update 1 (HSC20020(a)) (City Wide)

10. NOTICES OF MOTION (Item 10.1)

- 10.1 Signing of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Local Municipality and Friendship Centre Support

12. PRIVATE & CONFIDENTIAL (Item 12.2)

- 12.2 Potential Litigation Report (LS20019) (City Wide)

The agenda for the July 13, 2020 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) June 19, 2020 (Item 3.1)

(Merulla/Nann)

The Minutes of the June 19, 2020 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) WRITTEN DELEGATIONS (Item 6)

(i) Encampment: Legal Brief

The Emergency and Community Services Committee directed the City Solicitor to review and present a brief to the Emergency and Community Services Committee on the impacts to Hamilton of the following court decisions:

- (a) Victoria (City) v. Adams, 2009 BCCA 563; and,
- (b) Abbotsford (City) v. Shantz, 2016 BCSC 1909.

(ii) Encampment Strategy

- (a) The Emergency and Community Services Committee received and referred the following Written Delegations to Housing staff, respecting an update on the Encampment Strategy Report:
 - (i) Dr. Jill Wiwcharuk and Dr. Tim O'Shea, Hamilton Social Medicine Response Team, respecting the City's strategy about homeless encampments (Added Item 6.2);
 - (ii) Jody Ans and Lisa Nussey, Keeping Six, respecting request that the City re-evaluate and change its approach to encampments (Added Item 6.3); and,
 - (iii) Sharon Crowe, Nadine Watson, and Wade Poziomka, Hamilton Community Legal Clinic, respecting Dismantlement of Homeless Encampments; and,
- (b) The Encampment Strategy Report shall include an analysis of United Nations Special Rapporteur on Right to Adequate Housing

National Protocol for Homeless Encampments in Canada: A
Human Rights Approach.

- (iii) Kevin Gonci, Hamilton Collaborative Partnership Group, respecting Response to City of Hamilton Staff Report HSC20026 (City Wide) dated June 19, 2020 (Added Item 6.1)**

The Written Delegation, from Kevin Gonci, Hamilton Collaborative Partnership Group, respecting Response to City of Hamilton Staff Report HSC20026 (City Wide) dated June 19, 2020, was received.

(e) STAFF PRESENTATIONS (Item 7)

- (i) Hamilton Paramedic Service 2019 Annual Report (HSC20021) (City Wide) (7.1)**

The presentation from Chief Sanderson, respecting Hamilton Paramedic Service 2019 Annual Report, was received.

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

(f) NOTICES OF MOTION (Item 10)

- (i) Signing of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Local Municipality and Friendship Centre Support (Added Item 7.1)**

The Rules of Order were waived to allow for the introduction of a motion respecting signing of the AMO-OFIFC Declaration of Mutual Commitment and Friendship with Local Municipality and Friendship Centre Support.

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

(g) PRIVATE AND CONFIDENTIAL (Item 12)

Committee determined that discussion of Appendix "A" to Report HSC20023, Leveraging a Provincial Contract for Digitizing Ontario Works Client Files (City Wide) was not required in Closed Session, so the item was addressed in Open Session, as follows:

- (i) Appendix "A" to Report HSC20023, Leveraging a Provincial Contract for Digitizing Ontario Works Client Files (City Wide)**

For disposition of this matter, refer to Item 2.

The Emergency and Community Services Committee moved into Closed Session respecting Item 12.2, pursuant to Section 8.1, Sub-section (e) and (f) of the City's Procedural By-law 18-270, and Section 239(2), Sub-section (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.

(ii) Potential Litigation Report (LS20019) (City Wide)

For disposition of this matter, refer to Item 8.

(h) ADJOURNMENT (Item 13)

There being no further business, the Emergency and Community Services Committee was adjourned at 12:27 p.m.

Result: Motion CARRIED by a vote of 5 to 0, as follows:

YES - Ward 3 Councillor Nrinder Nann
YES - Ward 6 Councillor Tom Jackson
YES - Chair – Ward 7 Councillor Esther Pauls
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Councillor E. Pauls
Chair, Emergency and Community Services
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

Term Sheet for Conditional Grant Agreement

6 – 14 Acorn Street

Borrower: Hamilton East Kiwanis Non-Profit Homes ("Kiwanis")

Project: Kiwanis – the 40-units not funded under the Ontario Priorities Housing Initiative (OPHI) of the 60-unit affordable housing building currently under development by Kiwanis on the property municipally known as 8 and 14 Acorn Street, and legally defined as Part Lots 13 and 14 on Plan 46, designated as Parts 1 and 2 on Plan 62R-8132, in the city of Hamilton, province of Ontario and Lots 11 and 12, Plan 46, Part Lot 10, Plan 46, Part Lot 13, Plan 46, as in VM103496, in the city of Hamilton, province of Ontario hereinafter referred to as the “Project”

Lender: City of Hamilton ("City")

Type of Grant: Conditional grant to secure long-term affordable housing commitments as set out in this term sheet, Appendix “A” to Report HSC19060(a), below hereinafter referred to as the “Grant”

Grant Conditions

1. The Grant will be subject to the recipient entering into a conditional grant agreement (“CGA”) with the City containing such terms and conditions as set out in this term sheet, Appendix “A” to Report HSC19060(a).
2. The Grant will be subject to the recipient entering into a Development Charges (“DCs”) deferral agreement (“DCDA”) with the City, prior to the issuance of any building permits for works beyond the building foundation, on such terms as set out in Appendix “C” to Report HSC19060(a).
3. The amount of the Grant shall equal the municipal DCs owing for the 40 units of the 6 – 14 Acorn Street affordable housing development project that are not receiving Ontario Priorities Housing Initiative (OPHI) funding, for a term of 20 years from date of first occupancy.
4. The CGA will have a term of 20 years consistent with the period of affordability, commencing from the date any of the 40 affordable housing units in the Project are cleared for occupancy.
5. No assignment of the Grant, other than to the City, the CGA, or the DCDA will be permitted unless consented to by the General Manager of the Healthy and Safe

Communities Department ("GM") in his sole discretion and only in the following circumstances: (a) the property is sold to another provider of "non-profit housing" as defined in the DCDA who enters into an assignment agreement with the City and Kiwanis agreeing to be subject to all of the terms and conditions of the CGA and the DCDA for the remainder of the term of those agreements and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate; (b) the property is sold to another provider of "non-profit housing" as defined in the *Development Charges Act, 1997* ("DCs Act") who enters into an assignment agreement with the City and Kiwanis agreeing to be subject to all of the terms and conditions of the CGA and the DCDA for the remainder of the term of those agreements and the assignee agrees to complete the Project in accordance with the Kiwanis plans approved by the City and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate.

6. Requirement to provide the City with original insurance certificates for "Property All Risks" insurance, Broad Form Boiler and Machinery insurance, and insurance against loss of Rent, rental value and other payments required to be paid or made by tenants, or business interruption and profits from the business, to the satisfaction of the Manager of Legal and Risk Management Services.

Rent Requirements & Maximum Allowable Rent

7. At all times during the term of the CGA the rents for these 40 units will at no time be above the maximum allowable rent level, stated in a percentage of CMHC Average or Median Market Rent for the City of Hamilton, to be determined by the GM in his sole discretion when the final construction and operating budgets are produced, but prior to signing of the construction contract. The maximum allowable rent level determined by the GM will be as affordable as possible given the financial conditions at the time of determination, and considering the reasonableness of the construction and operating budgets, the financial viability of the Project both during construction and throughout the affordability period, and the long-term financial viability of Kiwanis, but shall not be above 125% of CMHC Average or Median Market Rent for the unit type. The City shall provide Kiwanis with a conditional grant in the maximum principal amount of the municipal and Go Transit DCs payable by Kiwanis to the City for the development of the 40 units of the Acorn Street North affordable housing development project that are not receiving OPHI funding.
8. Units subject to the CGA may increase rents annually within a tenancy by the Provincial Guideline amount as specified annually by the Ontario Ministry of Municipal Affairs and Housing. Higher increases may be permitted at the sole discretion of the GM following submission of a business case justifying the

increase. At vacant possession, rents may be increased up to the maximum allowable rent level for the unit type as determine in accordance with Section 1.

Events of Default

9. Events of default shall include but not be limited to:
 - a. Within the term of the Agreement the housing is no longer “non-profit housing” as defined under the *DC Act O.Reg.82/98*;
 - b. Failure to observe any of the conditions for advance of a grant payment;
 - c. Breach of any provision of the CGA or DCDA;
 - d. If any part of the Project to which the Grant and DC deferral applies is changed so that it no longer consists of a non-profit housing;
 - e. Any disposition of the property not consented to by the GM in his sole discretion which consent may include such conditions as the GM determines in his sole discretion;
 - f. Failure to obtain an occupancy permit by December 2023;
 - g. Failure to rent 95% of the units that are subject to the Agreement by July 2024;
 - h. Failure to submit required documentation by 30 days past the March 1 deadline in this agreement;
 - i. Failure to notify the City about any change in that could lead to failure of the Project either during or post construction; and,
 - j. Failure to notify the City about any default of the agreement within 30 days.

10. Consequences of an event of default, unless permitted to be remedied in such time and manner as the GM determines in his sole discretion, shall include, but not be limited to: the payment of any unpaid DCs, no further deferral of unpaid DCs, no further Grant payments, and unpaid DCs shall be added to the tax roll.

Advance and Payment Provisions

11. The grant will be advanced in 20 payments (“Advance”) yearly on [insert date and month] each equal to 1/20th of the DCs payable subject to all conditions for an Advance being met.

12. The grant will be assigned to the City and no Advance will be paid directly to Kiwanis. The grant will be irrevocably assigned to the City and at the time of each Advance will be transferred by the Housing Services Division to the appropriate DC reserve. The total amount of the Grant will equal the DCs payable.

13. The performance of the conditions for the Grant will be secured by the following:
 - (a) the CGA, (b) the DCDA, (c) if permitted, registering restrictions on the sale of

the land without the consent of the City; and such other security as the GM determines appropriate.

Monitoring Provisions

14. During the term of the CGA and DCDA at and following initial occupancy, Kiwanis will monitor their respective Projects annually to ensure the obligations under the CGA and DCDA have been met for the previous year. During the term of the payment period Kiwanis will submit the following documents for the previous year to the Housing Services Division annually on or before March 1:
- a) Rent rolls for all of the units that are subject to the CGA and DCDA;
 - b) Proof of income for any new tenants (entire household) of the units subject to the Agreement, generally in the form of a Notice of Assessment from the Canada Revenue Agency, or alternative documentation to the satisfaction of the City;
 - c) Confirmation of insurance on the affordable units; and,
 - d) By request only, annual financial statements (audited if available).

Other Provisions

15. Any out-of-pocket expenses incurred for the preparation of the CGA, over and above staff costs, are the responsibility of the proponent.
16. Any other terms deemed appropriate by the City Solicitor and GM.

Term Sheet for Conditional Grant Agreement

225 East Avenue North

Borrower: Indwell Community Homes ("Indwell")

Project: The 43-one-bedroom unit affordable housing building being developed by Indwell, which is the southernmost building of the two currently under development on the property municipally known as 223-227 East Avenue North, and legally defined as Lots 39, 40 and 41, Plan 286, Lots 88, 89, 90 and 91, Robert Land Survey, (aka OM1433), being on the west side of East Avenue, designated as Part 2 on Plan 62R-12181, in the city of Hamilton, province of Ontario hereinafter referred to as the “Project”

Lender: City of Hamilton ("City")

Type of Grant: Conditional grant to secure long-term affordable housing commitments as set out in this term sheet, Appendix “B” to Report HSC19060(a), below hereinafter referred to as the “Grant”

Grant Conditions

1. The Grant will be subject to the recipient entering into a conditional grant agreement (“CGA”) with the City containing such terms and conditions as set out in this term sheet, Appendix “B” to Report HSC19060(a).
2. The Grant will be subject to the recipient entering into a Development Charges (“DCs”) deferral agreement (“DCDA”) with the City, prior to the issuance of any building permits for works beyond the building foundation, on such terms as set out in Appendix “D” to Report HSC19060(a).
3. The amount of the Grant shall equal the municipal DCs owing for the 43 units of the 225 East Avenue North affordable housing development project that are not receiving Ontario Priorities Housing Initiative (OPHI) funding, for a term of 20 years from date of first occupancy.
4. The CGA will have a term of 20 years consistent with the period of affordability, commencing from the date any of the 43 affordable housing units in the Indwell Project are cleared for occupancy.
5. No assignment of the Grant, other than to the City, the CGA , or the DCDA will be permitted unless consented to by the General Manager of the Healthy and Safe

Communities Department (“GM”) in his sole discretion and only in the following circumstances: (a) the property is sold to another provider of “non-profit housing” as defined in the DCDA who enters into an assignment agreement with the City and Indwell agreeing to be subject to all of the terms and conditions of the CGA and the DCDA for the remainder of the term of those agreements and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate; (b) the property is sold to another provider of “non-profit housing” as defined in the *Development Charges Act, 1997 (“DCs Act”)* who enters into an assignment agreement with the City and Indwell agreeing to be subject to all of the terms and conditions of the CGA and the DCDA for the remainder of the term of those agreements and the assignee agrees to complete the Project in accordance with the Indwell plans approved by the City and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate.

6. Requirement to provide the City with original insurance certificates for “Property All Risks” insurance, Broad Form Boiler and Machinery insurance, and insurance against loss of Rent, rental value and other payments required to be paid or made by tenants, or business interruption and profits from the business, to the satisfaction of the Manager of Legal and Risk Management Services.

Rent Requirements & Maximum Allowable Rent

7. At all times during the term of the CGA the rents for these 43 units will at no time be above the maximum allowable rent level, stated in a percentage of CMHC Average or Median Market Rent for the City of Hamilton, to be determined by the GM in his sole discretion when the final construction and operating budgets are produced, but prior to the issuance of any building permits for works beyond the building foundation. The maximum allowable rent level determined by the GM will be as affordable as possible given the financial conditions at the time of determination, and considering the reasonableness of the construction and operating budgets, the financial viability of the Project both during construction and throughout the affordability period, and the long-term financial viability of Indwell, but shall not be above 125% of CMHC Average or Median Market Rent for the unit type. The City shall provide Indwell with a conditional grant in the maximum principal amount of the municipal and Go Transit DCs payable by Indwell to the City for the development of the 43 units of the 225 East Avenue North affordable housing development project that are not receiving OPHI funding.
8. Units subject to the CGA may increase rents annually within a tenancy by the Provincial Guideline amount as specified annually by the Ontario Ministry of Municipal Affairs and Housing. Higher increases may be permitted at the sole discretion of the GM following submission of a business case justifying the

increase. At vacant possession, rents may be increased up to the maximum allowable rent level for the unit type as determine in accordance with Section 1.

Events of Default

9. Events of default shall include but not be limited to:
 - a. Within the term of the Agreement the housing is no longer “non-profit housing” as defined under the *DC Act O.Reg.82/98*;
 - b. Failure to observe any of the conditions for advance of a grant payment;
 - c. Breach of any provision of the CGA or DCDA;
 - d. If any part of the Project to which the Grant and DC deferral applies is changed so that it no longer consists of a non-profit housing;
 - e. Any disposition of the property not consented to by the GM in his sole discretion which consent may include such conditions as the GM determines in his sole discretion;
 - f. Failure to obtain an occupancy permit by **[insert date and month]**;
 - g. Failure to rent 95% of the units that are subject to the Agreement by **[insert date and month]**;
 - h. Failure to submit required documentation by 30 days past the March 1 deadline in this agreement;
 - i. Failure to notify the City about any change in that could lead to failure of the Project either during or post construction; and,
 - j. Failure to notify the City about any default of the agreement within 30 days.

10. Consequences of an event of default, unless permitted to be remedied in such time and manner as the GM determines in his sole discretion, shall include, but not be limited to: the payment of any unpaid DCs, no further deferral of unpaid DCs, no further Grant payments, and unpaid DCs shall be added to the tax roll.

Advance and Payment Provisions

11. The grant will be advanced in 20 payments (“Advance”) yearly on **[insert date and month]** each equal to 1/20th of the DCs payable subject to all conditions for an Advance being met.

12. The grant will be assigned to the City and no Advance will be paid directly to Indwell. The grant will be irrevocably assigned to the City and at the time of each Advance will be transferred by the Housing Services Division to the appropriate DC reserve. The total amount of the Grant will equal the DCs payable.

13. The performance of the conditions for the Grant will be secured by the following:
 - (a) the CGA, (b) the DCDA, (c) if permitted, registering restrictions on the sale of

the land without the consent of the City; and such other security as the GM determines appropriate.

Monitoring Provisions

14. During the term of the CGA and DCDA at and following initial occupancy, Indwell will monitor their respective Projects annually to ensure the obligations under the CGA and DCDA have been met for the previous year. During the term of the payment period Indwell will submit the following documents for the previous year to the Housing Services Division annually on or before March 1:
- a) Rent rolls for all of the units that are subject to the CGA and DCDA;
 - b) Proof of income for any new tenants (entire household) of the units subject to the Agreement, generally in the form of a Notice of Assessment from the Canada Revenue Agency, or alternative documentation to the satisfaction of the City;
 - c) Confirmation of insurance on the affordable units; and,
 - d) By request only, annual financial statements (audited if available).

Other Provisions

15. Any out-of-pocket expenses incurred for the preparation of the CGA, over and above staff costs, are the responsibility of the proponent.
16. Any other terms deemed appropriate by the City Solicitor and GM.

Term Sheet for Development Charges Payment Agreement

6 – 14 Acorn Street

Borrower: Hamilton East Kiwanis Non-Profit Homes ("Kiwanis")

Project: Kiwanis – the 40-units not funded under the Ontario Priorities Housing Initiative (OPHI) of the 60-unit affordable housing building currently under development by Kiwanis on the property municipally known as 8 and 14 Acorn Street, and legally defined as Part Lots 13 and 14 on Plan 46, designated as Parts 1 and 2 on Plan 62R-8132, in the city of Hamilton, province of Ontario and Lots 11 and 12, Plan 46, Part Lot 10, Plan 46, Part Lot 13, Plan 46, as in VM103496, in the city of Hamilton, province of Ontario hereinafter referred to as the “Project”

Lender: City of Hamilton ("City")

Type of Agreement: Development Charges Payment Agreement (“DCPA”) to require payment of Development Charges (“DCs”) payable for the Project as set out in this term sheet, Appendix “C” to Report HSC19060(a), below hereinafter referred to as the “Payment Arrangement”

Agreement Conditions

1. The Payment Arrangement will be subject to the recipient entering into a development charges payment agreement (“DCPA”) with the City containing such terms and conditions as set out in this term sheet, Appendix “C” to Report HSC19060(a).
2. The Payment Arrangement will be subject to the recipient entering into a conditional grant agreement (“CGA”) with the City, prior to the issuance of any building permits for works beyond the building foundation, on such terms as set out in Appendix “A” to Report HSC19060(a).
3. The DCPA will have a term of 20 years consistent with the period of affordability, commencing from the date any of the 40 affordable housing units in the Project are cleared for occupancy.
4. No assignment of the DCPA will be permitted unless consented to by the General Manager of the Healthy and Safe Communities Department and the General Manager of Corporate Services (“GMS”) in the GMS sole discretion and only in the following circumstances: (a) the property is sold to another provider of “non-profit housing” as defined in the DCPA who enters into an assignment agreement

with the City and Kiwanis agreeing to be subject to all of the terms and conditions of the CGA and the DCPA for the remainder of the term of those agreements and such other terms and conditions as the GMS and City Solicitor in their sole discretion deem appropriate; (b) the property is sold to another provider of “non-profit housing” as defined in the *Development Charges Act, 1997 (“DCs Act”)* who enters into an assignment agreement with the City and Kiwanis agreeing to be subject to all of the terms and conditions of the CGA and the DCPA for the remainder of the term of those agreements and the assignee agrees to complete the Project in accordance with the Kiwanis plans approved by the City and such other terms and conditions as the GMS and City Solicitor in their sole discretion deem appropriate.

5. Requirement to provide the City with original insurance certificates for “Property All Risks” insurance, Broad Form Boiler and Machinery insurance, and insurance against loss of Rent, rental value and other payments required to be paid or made by tenants, or business interruption and profits from the business, to the satisfaction of the Manager of Legal and Risk Management Services.

Development Charge and PDCs

6. Kiwanis covenants to pay to the City, in respect of the Project, a total City development charge in the amount of \$ **[insert # here]** or a revised amount as approved by the Council of the City (the “DCs”). Payment of **\$0.00** shall be made prior to the issuance of the Building Permit. Payment of the balance of the DCs in the amount of \$ **[insert # here]**, the Payable Development Charges (“PDCs”) shall be made in accordance with this Term Sheet.

Payment to Coincide with Conditional Grant Payments

7. The payment of the PDCs shall be made to the City annually, at commencement of, and concurrently with, the Conditional Grant Payments (“CGPs”). The required annual payment amount shall be the higher of:
 - (a) the annual PDCs payment;
 - (b) 1/20 of the approved conditional grant; or,
 - (c) 1/20 of the PDCs;

and if any portion of the PDCs remains unpaid on the date the last CGP payment occurs said unpaid portion shall be due and payable on the date the last CGP payment occurs except where, pursuant to the terms of this Term Sheet, the said payment is required and due in full prior to the said date (the aforesaid payment requirements shall be referred to as the “Payment Agreement”).

Payable To

8. Payment will be made via assignment of the annual CGP until the PDCs are paid in full. Where the annual CGP is less than the required annual payment the difference shall be paid by Kiwanis within sixty (60) days from the date of the CGP payment. If the difference remains unpaid after sixty (60) days the difference shall be added to the Property Tax Roll.

Interest

9. Kiwanis shall not pay interest on any portion of the PDCs including any unpaid portion of the PDCs.

Events of Default

10. Events of default shall include but not be limited to:
 - a. Within the term of the DCPA and CGA the housing is no longer “non-profit housing” as defined under the *DC Act O.Reg.82/98*;
 - b. Failure to observe any of the conditions for advance of a grant payment;
 - c. Breach of any provision of the CGA or DCPA;
 - d. If any part of the Project to which the Grant and DCPA applies is changed so that it no longer consists of a non-profit housing;
 - e. Any disposition of the property not consented to by the GM in the GM’s sole discretion which consent may include such conditions as the GM determines in his sole discretion;
 - f. Failure to notify the City about any default of the DCPA or CGA within 30 days.
 - g. Where a mortgage, charge, lien, execution or other Encumbrance affecting the Property becomes enforceable against the Property; or
 - h. Where Kiwanis becomes bankrupt, whether voluntary or involuntary, or becomes insolvent or a receiver/manager is appointed with respect to the Property; or
 - i. Where Kiwanis certificate of incorporation is cancelled, or Kiwanis is otherwise wound up or dissolved as a corporation or there is any other change in the ownership or corporate status of Kiwanis not approved by the City in advance;
 - j. Kiwanis:
 - (i) decides to not receive the Grant;
 - (ii) becomes ineligible for any reason to receive the Grant;
 - (iii) does not enter into a CGA with the City prior to the issuance of a building permit for the Project;

- (iv) the CGA, required to be entered into between the City and Kiwanis in order to obtain the Grant, is terminated for any reason prior to the PDCs being paid in full; and,
 - (v) Kiwanis fails to pay, on the date last Grant payment occurs, the portion of the PDCs that are not paid through the application of the Grant payments;
- k. Such further events as the City Solicitor deems appropriate in her sole discretion.

11. Consequences of an event of default, unless permitted to be remedied in such time and manner as the GM determines in his sole discretion, shall include, but not be limited to: all future DC instalments becoming payable immediately and to be paid on demand, no further CGPs, and unpaid DCs shall be added to the tax roll.

Advance and Payment Provisions

12. The Payment Arrangement commences as of the date of initial issuance of the Building Permit (the "Commencement Date"), and the Payment Arrangement continues until the earlier of the date on which the final payment of the Grant occurs or, such earlier date payment in full is made of the PDCs, in accordance with the terms of the DCPA. The DCPA shall remain in force and effect until the PDCs are repaid and Kiwanis has performed all of its obligations under the DCPA.

The Development Charge

13. Kiwanis acknowledges and agrees that:

- a) the said amounts of the DCs and PDCs (or a revised amount as approved by the Council of the City) is the correct amount calculated and applied to the Kiwanis Application with the City for the Project.
- b) Kiwanis has not and will not file a complaint pursuant to the *DCs Act* with the City or in any other forum, with respect to the determination and application of the Development Charge By-laws, including the quantum of the charges;
- c) the PDCs referred to herein for payment by Kiwanis to the City may not be all of the DCs that may become applicable in respect of the Property as there may be further DCs applicable in respect of other development permitted on the Property such as the DCs imposed by a Board of Education, to which the DCPA does not apply.
- d) the Property is recorded under the following tax roll number(s) **[insert # here]** ("Tax Rolls") and that in the event the PDCs becomes payable and remains unpaid, in whole or in part, or, on its due date remains unpaid, then in addition to any other remedy available to the City at law or in the DCPA, the amount of unpaid PDCs may be added to the Tax Rolls and to any tax roll number which

the City may in its sole and unfettered discretion determine applies to the Property ("Additional Tax Roll") and collected as realty taxes.

Other Provisions

14. Any out-of-pocket expenses incurred for the preparation of the DCPA, over and above staff costs, are the responsibility of the proponent.
15. Any other terms deemed appropriate by the City Solicitor and GM.

Term Sheet for Development Charges Payment Agreement

225 East Avenue North

Borrower: Indwell Community Homes ("Indwell")

Project: Indwell - the 43-one-bedroom unit affordable housing building being developed by Indwell, which is the southernmost building of the two currently under development on the property municipally known as 223-227 East Avenue North, and legally defined as Lots 39, 40 and 41, Plan 286, Lots 88, 89, 90 and 91, Robert Land Survey, (aka OM1433), being on the west side of East Avenue, designated as Part 2 on Plan 62R-12181, in the city of Hamilton, province of Ontario hereinafter referred to as the “Project”

Lender: City of Hamilton ("City")

Type of Agreement: Development Charges Payment Agreement (“DCPA”) to require payment of Development Charges (“DCs”) payable for the Project as set out in this term sheet, Appendix “D” to Report HSC19060(a), below hereinafter referred to as the “Payment Arrangement”

Agreement Conditions

1. The Payment Arrangement will be subject to the recipient entering into a development charges payment agreement (“DCPA”) with the City containing such terms and conditions as set out in this term sheet, Appendix “D” to Report HSC19060(a).
2. The Payment Arrangement will be subject to the recipient entering into a conditional grant agreement (“CGA”) with the City, prior to the issuance of any building permits for works beyond the building foundation, on such terms as set out in Appendix “B” to Report HSC19060(a).
3. The DCPA will have a term of 20 years consistent with the period of affordability, commencing from the date any of the 43 affordable housing units in the Project are cleared for occupancy.
4. No assignment of the DCPA will be permitted unless consented to by the General Manager of the Healthy and Safe Communities Department and the General Manager of Corporate Services (“GMS”) in the GMS sole discretion and only in the following circumstances: (a) the property is sold to another provider of “non-profit housing” as defined in the DCPA who enters into an assignment agreement

with the City and Indwell agreeing to be subject to all of the terms and conditions of the CGA and the DCPA for the remainder of the term of those agreements and such other terms and conditions as the GMS and City Solicitor in their sole discretion deem appropriate; (b) the property is sold to another provider of “non-profit housing” as defined in the *Development Charges Act, 1997 (“DCs Act”)* who enters into an assignment agreement with the City and Indwell agreeing to be subject to all of the terms and conditions of the CGA and the DCPA for the remainder of the term of those agreements and the assignee agrees to complete the Project in accordance with the Indwell plans approved by the City and such other terms and conditions as the GMS and City Solicitor in their sole discretion deem appropriate.

5. Requirement to provide the City with original insurance certificates for “Property All Risks” insurance, Broad Form Boiler and Machinery insurance, and insurance against loss of Rent, rental value and other payments required to be paid or made by tenants, or business interruption and profits from the business, to the satisfaction of the Manager of Legal and Risk Management Services.

Development Charge and PDCs

6. Indwell covenants to pay to the City, in respect of the Project, a total City development charge in the amount of \$ **[insert # here]** or a revised amount as approved by the Council of the City (the “DCs”). Payment of **\$0.00** shall be made prior to the issuance of the Building Permit. Payment of the balance of the DCs in the amount of \$ **[insert # here]** the Payable Development Charges (“PDCs”) shall be made in accordance with this Term Sheet.

Payment to Coincide with Conditional Grant Payments

7. The payment of the PDCs shall be made to the City annually, at commencement of, and concurrently with, the Conditional Grant Payments (“CGPs”). The required annual payment amount shall be the higher of:
 - (a) the annual PDCs payment;
 - (b) 1/20 of the approved conditional grant; or,
 - (c) 1/20 of the PDCs;

and if any portion of the PDCs remains unpaid on the date the last CGP payment occurs said unpaid portion shall be due and payable on the date the last CGP payment occurs except where, pursuant to the terms of this Term Sheet, the said payment is required and due in full prior to the said date (the aforesaid payment requirements shall be referred to as the “Payment Agreement”).

Payable To

8. Payment will be made via assignment of the annual CGP until the PDCs are paid in full. Where the annual CGP is less than the required annual payment the difference shall be paid by Indwell within sixty (60) days from the date of the CGP payment. If the difference remains unpaid after sixty (60) days the difference shall be added to the Property Tax Roll.

Interest

9. Indwell shall not pay interest on any portion of the PDCs including any unpaid portion of the PDCs.

Events of Default

10. Events of default shall include but not be limited to:
 - a. Within the term of the DCPA and CGA the housing is no longer “non-profit housing” as defined under the *DC Act O.Reg.82/98*;
 - b. Failure to observe any of the conditions for advance of a grant payment;
 - c. Breach of any provision of the CGA or DCPA;
 - d. If any part of the Project to which the Grant and DCPA applies is changed so that it no longer consists of a non-profit housing;
 - e. Any disposition of the property not consented to by the GM in the GM’s sole discretion which consent may include such conditions as the GM determines in his sole discretion;
 - f. Failure to notify the City about any default of the DCPA or CGA within 30 days.
 - g. Where a mortgage, charge, lien, execution or other Encumbrance affecting the Property becomes enforceable against the Property; or
 - h. Where Indwell becomes bankrupt, whether voluntary or involuntary, or becomes insolvent or a receiver/manager is appointed with respect to the Property; or
 - i. Where Indwell’s certificate of incorporation is cancelled, or Indwell is otherwise wound up or dissolved as a corporation or there is any other change in the ownership or corporate status of Indwell not approved by the City in advance;
 - j. Indwell:
 - (i) decides to not receive the Grant;
 - (ii) becomes ineligible for any reason to receive the Grant;
 - (iii) does not enter into a CGA with the City prior to the issuance of a building permit for the Project;

- (iv) the CGA, required to be entered into between the City and Indwell in order to obtain the Grant, is terminated for any reason prior to the PDCs being paid in full; and,
 - (v) Indwell fails to pay, on the date last Grant payment occurs, the portion of the PDCs that are not paid through the application of the Grant payments;
- k. Such further events as the City Solicitor deems appropriate in her sole discretion.

11. Consequences of an event of default, unless permitted to be remedied in such time and manner as the GM determines in his sole discretion, shall include, but not be limited to: all future DC instalments becoming payable immediately and to be paid on demand, no further CGPs, and unpaid DCs shall be added to the tax roll.

Advance and Payment Provisions

12. The Payment Arrangement commences as of the date of initial issuance of the Building Permit (the "Commencement Date"), and the Payment Arrangement continues until the earlier of the date on which the final payment of the Grant occurs or, such earlier date payment in full is made of the PDCs, in accordance with the terms of the DCPA. The DCPA shall remain in force and effect until the PDCs are repaid and Indwell has performed all of its obligations under the DCPA.

The Development Charge

13. Indwell acknowledges and agrees that:
- a) the said amounts of the DCs and PDCs (or a revised amount as approved by the Council of the City) is the correct amount calculated and applied to the Indwell's Application with the City for the Project.
 - b) Indwell has not and will not file a complaint pursuant to the *DCs Act* with the City or in any other forum, with respect to the determination and application of the Development Charge By-laws, including the quantum of the charges;
 - c) the PDCs referred to herein for payment by Indwell to the City may not be all of the DCs that may become applicable in respect of the Property as there may be further DCs applicable in respect of other development permitted on the Property such as the DCs imposed by a Board of Education, to which the DCPA does not apply.
 - d) the Property is recorded under the following tax roll number(s) **[insert # here]** ("Tax Rolls") and that in the event the DCs becomes payable and remains unpaid, in whole or in part, or, on its due date remains unpaid, then in addition to any other remedy available to the City at law or in the DCPA, the amount of unpaid PDCs may be added to the Tax Rolls and to any tax roll number which

the City may in its sole and unfettered discretion determine applies to the Property (“Additional Tax Roll”) and collected as realty taxes.

Other Provisions

14. Any out-of-pocket expenses incurred for the preparation of the DCPA, over and above staff costs, are the responsibility of the proponent.
15. Any other terms deemed appropriate by the City Solicitor and GM.



PLANNING COMMITTEE

REPORT

20-006

July 14, 2020

9:30 a.m.

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

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

Absent with Regrets: Councillor T. Whitehead – Personal

THE PLANNING COMMITTEE PRESENTS REPORT 20-006 AND RESPECTFULLY RECOMMENDS:

1. Matt Johnston, Urban Solutions, respecting a Request for a Minor Variance for 125-127 Young Street and 122-126 Augusta Street (Added Item 4.1)

That the request to allow the owner of 125-127 Young Street and 122-126 Augusta Street to file a Minor Variance application within two years of the passing of Zoning By-law 19-102, despite Sub-section 45(1.3) of the *Planning Act*, be approved.

2. Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 1218 and 1226 Barton Street, and 1219 Highway No. 8 (Stoney Creek) (PED20055) (Ward 10) (Item 6.1)

- (a) That Revised Zoning By-law Amendment Application ZAC-17-076, by Branthaven Winona Hills Inc., (Owner) for a change in zoning from the Agricultural Specialty “AS” Zone to the Single Residential “R4-35” Zone, Modified (Block 1); from the Rural Residential “RR” Zone to the Single Residential “R4-35” Zone, Modified (Block 2); from the Single Residential “R1” Zone to the Single Residential “R4-35” Zone, Modified (Block 3); from the Agricultural Specialty “AS” Zone to the Single Residential “R4-36” Zone, Modified (Block 4); from the Agricultural Specialty “AS” Zone to the Single Residential “R4-36(H)” Zone, Modified, Holding (Block 5); from the Agricultural Specialty “AS” Zone to the Single Residential “R4-37” Zone,

Modified (Block 6); and, from the Agricultural Specialty “AS” Zone to the General Commercial “GC-30(H)” Zone, Modified, Holding (Block 7), to permit the development of 50 single detached dwellings, a temporary stormwater management pond, and residential reserve blocks on the lands known as 1218 and 1226 Barton Street, and 1219 Highway No. 8 (Stoney Creek), as shown on Appendix “A” to Report PED20055, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “B” to Report PED20055, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning for the following:

The Holding Provisions for the Single Residential “R4-36(H)” Zone, Modified, Holding, shall be removed conditional upon:

- i. That the Owner prepare and implement an Emergency Overland Flow Route and dedicate an easement of suitable width for the Emergency Overland Flow Route to the City, all to the satisfaction of the Manager of Development Approvals;

The Holding Provisions for the General Commercial “GC-30(H)” Zone, Modified, Holding, shall be removed conditional upon:

- i. That land assembly occur in order to provide commercial zoned frontage, to the satisfaction of the Director of Planning and Chief Planner; and,
 - (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.
- (b) That Revised Draft Plan of Subdivision 25T-201711, by Branthaven Winona Hills Inc., (Owner) to establish a Draft Plan of Subdivision on the lands known as 1218 and 1226 Barton Street, and 1219 Highway No. 8 (Stoney Creek), as shown on Appendix “A” to Report PED20055, be APPROVED, subject to the following:
- (i) That this approval apply to the Draft Plan of Subdivision 25T-201711, prepared by Glen Schnarr & Associates Inc., and certified by S.D. McLaren, O.L.S., dated January 14, 2020, consisting of 50 lots for single detached dwellings (Lots 1-50), one temporary multi-use path block (Block 51), ten residential reserve blocks (Blocks 52-

61), two residential reserve blocks for a temporary stormwater management pond (Blocks 62-63), future road for a temporary stormwater management pond (Block 64), three road widenings (Blocks 65-67), two 0.3 m reserve blocks (Blocks 68-69), and a public road (Street 'A'), attached as Appendix "D" to Report PED20055, subject to the Owner entering into a standard form subdivision agreement as approved by City Council and with Special Conditions attached as Appendix "E" to Report PED20055;

- (ii) In accordance with the City's Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision, including all interim or temporary works; and,
 - (iii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City's Parkland Dedication By-laws, as approved by Council.
- (c) That the Real Estate Section be authorized to transfer back to Branthaven Winona Hills Inc. Blocks 51 to 56 and Blocks 58 to 61 for interim temporary works (temporary road connection to Barton Street, temporary turning circle, and temporary pedestrian walkway to Highway No. 8) at such time that the adjacent lands are developed and permanent access and services are established.
- (d) That there were no public submissions received regarding this matter.

3. Application for a Zoning By-law Amendment for Lands located at 323 Rymal Road East (Hamilton) (PED20060) (Ward 7) (Item 6.2)

- (a) That Zoning By-law Amendment Application ZAC-19-031, by 1333664 Ontario Inc., Owners, for a change in zoning from the "AA" (Agricultural) District to the "DE-2/S-1798-H" (Multiple Dwellings) District, Modified, Holding to permit the development of a three storey, 21 unit multiple dwelling with 26 surface parking spaces for lands located at 323 Rymal Road East, as shown on Appendix "A" to Report PED20060, be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix "B" to Report PED20060, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by

introducing the Holding 'H' as a suffix to the proposed zoning for 323 Rymal Road East as shown on Schedule "A" of Appendix "B" to Report PED20060.

The Holding Provision "DE-2/S-1798-H" (Multiple Dwellings) District, Modified, Holding, be removed conditional upon:

- (1) The owner achieving Ministry of the Environment Conservation and Parks (MECP) Noise Guidelines NPC-300 by screening the Turner Park Library HVAC equipment, and/or providing an updated Noise Feasibility Study which provides further evaluation of the Turner Park Library's HVAC, equipment to the satisfaction of the Director of Planning and Chief Planner.
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan with regard to matters including compatibility with the immediate area and providing an alternative housing form.
 - (b) That upon finalization of the implementing By-law, the Barnstown Neighbourhood Plan be amended by changing the designation of the subject lands from "Single and Double" to "Medium Density Apartments" to accommodate the proposed residential development; and,
 - (c) That the public submissions received regarding this matter did not affect the decision.
- 4. Application to Amend Zoning By-law No. 6593 Respecting Lands Located at 370 Concession Street (PED19158(a)) (Ward 7) (Item 8.1)**
- (a) That Revised Zoning By-law Amendment Application ZAC-18-008, by 370 Concession (Hamilton) Ltd., Owners, for a further modification to the "DE-2/S-5" (Multiple Dwellings) District, Modified (Block 1); for changes in zoning from the "C" (Urban Protected Residential, etc.) District to the "DE-2/S-5a-H1" (Multiple Dwellings) District, Modified, Holding (Block 2); and, from the "DE-2/S-5" (Multiple Dwellings) District, Modified to the "RT-30/S-178-H2" (Street – Townhouses) District, Modified, Holding (Block 3); to permit the development of three street townhouse dwellings along East 15th Street and the expansion of the parking area for the existing five storey multiple dwelling for lands located at 370 Concession Street, as shown on Appendix "A" to Report PED19158a, be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED19158a, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding ‘H’ as a suffix to the proposed zoning for the subject lands as shown on Schedule “A” of Appendix “B” to Report PED191958a.

The Holding Provision “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding applicable to Blocks 1 and 2, as shown on Schedule “A” to Appendix “B” to Report PED19158a, be removed conditional upon:

- (1) The Owner applying for a Building Permit to legalize the two (2) units that were not part of the original 39 unit multiple dwelling, to the satisfaction of the City’s Chief Building Official.
- (2) The Owner receiving Conditional Site Plan Approval for the proposed changes to the parking lot, to the satisfaction of the Manager of Development Planning, Heritage and Design.

The Holding Provision “RT-30/S-1781-H2” (Street – Townhouses) District, Modified, Holding applicable to Block 3, as shown on Schedule “A” to Appendix “B” to Report PED19158a, be removed conditional upon:

- (1) The Owner receiving Conditional Site Plan Approval, to the satisfaction of the Manager of Development Planning, Heritage and Design.

- (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement, conform to A Place to Grow Plan (2019), and comply with the Urban Hamilton Official Plan.
- (iv) That in accordance with Subsection 34(17) of the *Planning Act*, no additional public meeting notice is required.

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

5. Recommendation to Designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act (PED20050) (Ward 2) (Item 8.2)

- (a) That the designation of 127 Hughson Street North, Hamilton (Firth Brothers Building), shown in Appendix “A” to Report PED20050, as a property of cultural heritage value pursuant to the provisions of Part IV of the Ontario Heritage Act, be approved;
- (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “A” to Report 20-002, be approved;
- (c) That the foyer of the 1929 building located at 127 Hughson Street North, Hamilton (Firth Brothers Building), displays a high degree of artistic merit and is therefore considered to meet the Design and Physical Value Evaluation Criteria under O. Reg 9/06 for craftsmanship or artistic merit;
- (d) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “A” to Report 20-002, be amended and approved, to include the following:
 - (i) inclusion of the operation of windows; and,
- (e) That the City Clerk be directed to take appropriate action to designate 127 Hughson Street North, Hamilton (Firth Brothers Building) under Part IV of the Ontario Heritage Act, in accordance with the Notice of Intention to Designate, attached as Appendix “C” to Report PED20050.

6. Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 315 Dalglish Trail, Glanbrook (PED20091) (Ward 9) REVISED (Item 8.3)

- (a) That Draft Plan of Condominium Application 25CDM-201906, by A.J. Clarke and Associates Ltd. on behalf of 1356715 Ontario Inc., Owner to establish a Draft Plan of Condominium (Common Element) to create a private road, sidewalks, landscaped areas, an amenity area and 65 visitor parking spaces for 216 townhouse units on lands located at 315 Dalglish Trail (Glanbrook), as shown on Appendix “A”, attached to Report PED20091, be APPROVED subject to the following conditions:
 - (i) That the approval for Draft Plan of Condominium (Common Element) application 25CDM-201906 applies to the plan prepared by A.J. Clarke and Associates Ltd., certified by Nicholas P. Muth, and dated March 24, 2020 consisting of a private road, sidewalks, landscaped areas, an amenity area and 65 visitor parking spaces for 216 townhouse units, attached as Appendix “B” to Report PED20091;

(ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201906, attached as REVISED Appendix "C" to Report PED20091, be received and endorsed by City Council.

(b) That there were no public submissions received regarding this matter.

7. Waiving of all Road Widening at 20 East Avenue South (Item 9.1)

WHEREAS, the Planning Act and the Urban Official Plan state that the City shall reserve or obtain road widenings for rights-of-way as described in Schedule C2-Future Road Widenings;

WHEREAS, Transportation Planning staff have requested right of way widenings along the Main Street East frontage, the Victoria Ave North frontage, and the King Street East frontage;

THEREFORE BE IT RESOLVED:

That staff be directed to amend the site plan condition, (City file number DA-19-071) to waive the right of way widenings for Main Street East and Victoria Avenue North for the lands located at the north-west corner of Main Street East and East Avenue South, known municipally as 20 East Avenue South.

8. 1 Jarvis Alleyway Agreement (Added Item 10.1)

WHEREAS, a Site Plan Application DA-20-035 has been received for the lands municipally known as 1 Jarvis Street and the applicant proposes to construct a 14 storey mixed use building, containing 314 sq. m of commercial space and 377 dwelling units;

WHEREAS, due to site constraints and the need to protect a heritage building, the applicant proposes to utilize a portion of the Assumed Alleyway that extends between Jarvis Street and Ferguson Avenue for access to the lower level parking garage;

WHEREAS, under current policy assumed alleyways are maintained by the City, but are not subject to minimum maintenance standards and therefore unlikely to be maintained to the level that would be expected by future Condo owners;

WHEREAS, staff are currently undertaking the next phase of the Alleyway State of the Infrastructure Report & Asset Management Strategy as outlined in Report (PW17008(a)) Alleyway Management Strategy – Classification System which will identify the desired Level of Service for alleyways;

WHEREAS, this alleyway has been classified as Category A and is intended to provide a critical role to support surrounding businesses, commercial parking,

delivery and public waste collection, but would not typically serve as a primary access to a residential building;

WHEREAS, a number of alternatives were considered to minimize risk to the City should the alleyway be used for residential access including close up and sale, City maintains alleyway with fee, or developer/condominium corporation maintains alley at its cost;

WHEREAS, the option that results in the least risk to the City, while allowing the development to proceed, is to establish a maintenance agreement whereby the developer implements upgrades to the alleyway and the condominium corporation to be incorporated maintains it to a defined standard.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed prepare a condition of approval for Site Plan Application DA-20-035 which sets out the parameters of an alleyway maintenance agreement;
 - (b) That agreement for the maintenance of the alleyway, whereby the Condo Corporation for 1 Jarvis maintains the alleyway in its entirety from Jarvis Street to Ferguson Avenue at its cost, be subject to the satisfaction of the Director of Transportation Operations and Maintenance;
 - (c) That the Owner must, at is own expense, improve the surface condition and drainage of the alleyway between Jarvis Street and the west limit of the parking access, subject to the satisfaction of the Senior Director of Growth Management
 - (d) That notwithstanding this draft approval, City policy shall remain to not allow access to assumed alleyways for site plan applications, subject to exceptional circumstances at the City's unfettered discretion; and,
 - (e) That the City is directed to enter into the agreement on such terms that are satisfactory to the General Manager of Planning and Economic Development, and that the General Manager of Planning and Economic Development be authorized to sign the agreement.
- 9. Appeal to the Local Planning Appeal Tribunal (LPAT) on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law No. 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) (LS18050(a)/PED18212(a)) (Ward 10) (Item 12.1)**
- (a) That recommendations (a), (b) and (c) contained in Report LS18050(a)/PED18212(a), be approved;

- (b) That recommendations (a), (b) and (c) contained in Report LS18050(a)/PED18212(a), and the appendices thereto, remain confidential except as necessary to implement these recommendations, at the discretion of the City Solicitor; and,
- (c) That the balance of Report LS18050(a)/PED18212(a) remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

1. COMMUNICATIONS (Item 4)

- 4.1 Matt Johnston, Urban Solutions, respecting a Request for a Minor Variance for 125-127 Young St and 122-126 Augusta Street
- 4.2 Mike Bozzo respecting Backyard Hens Pilot Project

2. PUBLIC HEARINGS/WRITTEN DELEGATIONS (Item 6)

- 6.2 Application for a Zoning By-law Amendment for Lands located at 323 Rymal Road East (Hamilton) (PED20060) (Ward 7)
 - (b) Written Submissions:
 - 1. George Lilly
- 6.4 Terry Brown respecting 370 Concession Street (Item 8.1)
- 6.5 Ian Ludbrook respecting 370 Concession Street (Item 8.1)
- 6.6 Pearl Davie respecting 370 Concession Street (Item 8.1)
- 6.7 Jackie Beaudin respecting 370 Concession Street (Item 8.1)
- 6.8 Elva Davenport respecting 370 Concession Street (Item 8.1)

The agenda for the July 14, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) **July 7, 2020 (Item 3.1)**

The Minutes of the July 7, 2020 meeting were approved, as presented.

(d) **COMMUNICATIONS (Item 4)**

(i) **Matt Johnston, Urban Solutions, respecting a Request for a Minor Variance for 125-127 Young Street and 122-126 Augusta Street (Added Item 4.1)**

Councillor Farr relinquished the Chair to Councillor Danko in order to move a motion with respect to Item 4.1.

For disposition of this matter, see Item 1.

Councillor Farr assumed the Chair.

(ii) **Mike Bozzo respecting Backyard/Urban Hens (Added Item 4.2)**

The correspondence from Mike Bozzo respecting Backyard Hens Pilot Project, was received.

(e) **PUBLIC HEARINGS/WRITTEN DELEGATIONS (Item 6)**

In accordance with the *Planning Act*, Councillor Farr advised those viewing the virtual meeting that the public had been advised of how to pre-register to be a virtual delegate at the Public Meetings on today's agenda; and that no members of the public have pre-registered to be virtual delegate at any of the Public Meetings on today's agenda.

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

(i) **Applications for Zoning By-law Amendment and Draft Plan of Subdivision for Lands Located at 1218 and 1226 Barton Street, and 1219 Highway No. 8 (Stoney Creek) (PED20055) (Ward 10) (Item 6.1)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Mark Condello, GSAI, Agent, was in attendance and indicated support for the staff report.

The delegation from Mark Condello, GSAI, Agent, was received.

The public meeting was closed.

- (a) That Revised Zoning By-law Amendment Application ZAC-17-076, by Branthaven Winona Hills Inc., (Owner) for a change in zoning from the Agricultural Specialty “AS” Zone to the Single Residential “R4-35” Zone, Modified (Block 1); from the Rural Residential “RR” Zone to the Single Residential “R4-35” Zone, Modified (Block 2); from the Single Residential “R1” Zone to the Single Residential “R4-35” Zone, Modified (Block 3); from the Agricultural Specialty “AS” Zone to the Single Residential “R4-36” Zone, Modified (Block 4); from the Agricultural Specialty “AS” Zone to the Single Residential “R4-36(H)” Zone, Modified, Holding (Block 5); from the Agricultural Specialty “AS” Zone to the Single Residential “R4-37” Zone, Modified (Block 6); and, from the Agricultural Specialty “AS” Zone to the General Commercial “GC-30(H)” Zone, Modified, Holding (Block 7), to permit the development of 50 single detached dwellings, a temporary stormwater management pond, and residential reserve blocks on the lands known as 1218 and 1226 Barton Street, and 1219 Highway No. 8 (Stoney Creek), as shown on Appendix “A” to Report PED20055, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “B” to Report PED20055, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding symbol ‘H’ as a suffix to the proposed zoning for the following:

The Holding Provisions for the Single Residential “R4-36(H)” Zone, Modified, Holding, shall be removed conditional upon:

- (i) That the Owner prepare and implement an Emergency Overland Flow Route and dedicate an easement of suitable width for the Emergency Overland Flow Route to the City, all to the satisfaction of the Manager of Development Approvals;

The Holding Provisions for the General Commercial “GC-30(H)” Zone, Modified, Holding, shall be removed conditional upon:

- (i) That land assembly occur in order to provide commercial zoned frontage, to the satisfaction of the Director of Planning and Chief Planner; and,
 - (iii) That the proposed amendment is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan.
- (b) That Revised Draft Plan of Subdivision 25T-201711, by Branthaven Winona Hills Inc., (Owner) to establish a Draft Plan of Subdivision on the lands known as 1218 and 1226 Barton Street, and 1219 Highway No. 8 (Stoney Creek), as shown on Appendix “A” to Report PED20055, be APPROVED, subject to the following:
- (i) That this approval apply to the Draft Plan of Subdivision 25T-201711, prepared by Glen Schnarr & Associates Inc., and certified by S.D. McLaren, O.L.S., dated January 14, 2020, consisting of 50 lots for single detached dwellings (Lots 1-50), one temporary multi-use path block (Block 51), ten residential reserve blocks (Blocks 52-61), two residential reserve blocks for a temporary stormwater management pond (Blocks 62-63), future road for a temporary stormwater management pond (Block 64), three road widenings (Blocks 65-67), two 0.3 m reserve blocks (Blocks 68-69), and a public road (Street ‘A’), attached as Appendix “D” to Report PED20055, subject to the Owner entering into a standard form subdivision agreement as approved by City Council and with Special Conditions attached as Appendix “E” to Report PED20055;
 - (ii) In accordance with the City’s Comprehensive Development Guidelines and Financial Policies Manual (2017) there will be no cost sharing for this subdivision, including all interim or temporary works; and,
 - (iii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-laws, as approved by Council.

- (c) That the Real Estate Section be authorized to transfer back to Branthaven Winona Hills Inc. Blocks 51 to 56 and Blocks 58 to 61 for interim temporary works (temporary road connection to Barton Street, temporary turning circle, and temporary pedestrian walkway to Highway No. 8) at such time that the adjacent lands are developed and permanent access and services are established.

The recommendations in Report PED20055 were **amended** by adding the following sub-section (d):

- (d) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, see Item 2.

(ii) Application for a Zoning By-law Amendment for Lands located at 323 Rymal Road East (Hamilton) (PED20060) (Ward 7) (Item 6.2)

No members of the public were registered as Delegations.

The staff presentation was waived.

Tracy Tucker, IBI Group, was in attendance and indicated support for the staff report.

The delegation from the Tracy Tucker, IBI Group, was received.

The following written submission was received:

1. George Lilly

The public meeting was closed.

- (a) That Zoning By-law Amendment Application ZAC-19-031, by 1333664 Ontario Inc., Owners, for a change in zoning from the “AA” (Agricultural) District to the “DE-2/S-1798-H” (Multiple Dwellings) District, Modified, Holding to permit the development of a three storey, 21 unit multiple dwelling with 26 surface parking spaces for lands located at 323 Rymal Road East, as shown on Appendix “A” to Report PED20060, be APPROVED, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED20060, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject lands by introducing the Holding 'H' as a suffix to the proposed zoning for 323 Rymal Road East as shown on Schedule "A" of Appendix "B" to Report PED20060.

The Holding Provision "DE-2/S-1798-H" (Multiple Dwellings) District, Modified, Holding, be removed conditional upon:

- (1) The owner achieving Ministry of the Environment Conservation and Parks (MECP) Noise Guidelines NPC-300 by screening the Turner Park Library HVAC equipment, and/or providing an updated Noise Feasibility Study which provides further evaluation of the Turner Park Library's HVAC, equipment to the satisfaction of the Director of Planning and Chief Planner.
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow (2019), and complies with the Urban Hamilton Official Plan with regard to matters including compatibility with the immediate area and providing an alternative housing form.
- (b) That upon finalization of the implementing By-law, the Barnstown Neighbourhood Plan be amended by changing the designation of the subject lands from "Single and Double" to "Medium Density Apartments" to accommodate the proposed residential development.

The recommendations in Report PED20060 were **amended** by adding the following sub-section (c):

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

For disposition of this matter, see Item 3.

(iii) Written Delegations (Item 6.3 and Added Items 6.4 – 6.8)

The following written delegations respecting 370 Concession Street (Item 8.1), were received and referred to the consideration of Item 8.1:

1. Kevin Hunt (Item 6.3)
2. Terry Brown (Added Item 6.4)
3. Ian Ludbrook (Added Item 6.5)
4. Pearl Davie (Added Item 6.6)

5. Jackie Beaudin (Added Item 6.7)
6. Elva Davenport (Added Item 6.8)

(f) DISCUSSION ITEMS (Item 8)

(i) Application to Amend Zoning By-law No. 6593 Respecting Lands Located at 370 Concession Street (PED19158(a)) (Ward 7) (Item 8.1)

Melanie Schneider, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Amber Lindsay, Urban Solutions, was in attendance and indicated support for the staff report.

The delegation from the Agent, was received..

The following written submissions, were received:

1. Kevin Hunt
2. Terry Brown
3. Ian Ludbrook
4. Pearl Davie
5. Jackie Beaudin
6. Elva Davenport

(a) That Revised Zoning By-law Amendment Application ZAC-18-008, by 370 Concession (Hamilton) Ltd., Owners, for a further modification to the “DE-2/S-5” (Multiple Dwellings) District, Modified (Block 1); for changes in zoning from the “C” (Urban Protected Residential, etc.) District to the “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding (Block 2); and, from the “DE-2/S-5” (Multiple Dwellings) District, Modified to the “RT-30/S-178-H2” (Street – Townhouses) District, Modified, Holding (Block 3); to permit the development of three street townhouse dwellings along East 15th Street and the expansion of the parking area for the existing five storey multiple dwelling for lands located at 370 Concession Street, as shown on Appendix “A” to Report PED19158a, be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED19158a, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject

lands by introducing the Holding ‘H’ as a suffix to the proposed zoning for the subject lands as shown on Schedule “A” of Appendix “B” to Report PED191958a.

The Holding Provision “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding applicable to Blocks 1 and 2, as shown on Schedule “A” to Appendix “B” to Report PED19158a, be removed conditional upon:

- (1) The Owner applying for a Building Permit to legalize the two (2) units that were not part of the original 39 unit multiple dwelling, to the satisfaction of the City’s Chief Building Official.
- (2) The Owner receiving Conditional Site Plan Approval for the proposed changes to the parking lot, to the satisfaction of the Manager of Development Planning, Heritage and Design.

The Holding Provision “RT-30/S-1781-H2” (Street – Townhouses) District, Modified, Holding applicable to Block 3, as shown on Schedule “A” to Appendix “B” to Report PED19158a, be removed conditional upon:

- (1) The Owner receiving Conditional Site Plan Approval, to the satisfaction of the Manager of Development Planning, Heritage and Design.
- (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement, conform to A Place to Grow Plan (2019), and comply with the Urban Hamilton Official Plan.
- (iv) That in accordance with Subsection 34(17) of the *Planning Act*, no additional public meeting notice is required.

The recommendations in Report PED19158(a) were **amended** by adding the following sub-section (b):

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

For disposition of this matter, see Item 4.

- (ii) **Application for Approval of a Draft Plan of Condominium (Common Element) for Lands Located at 315 Dalglish Trail, Glanbrook (PED20091) (Ward 9) REVISED (Item 8.3)**

Spencer Skidmore, A.J. Clarke and Associates, was in attendance and indicated that he is in support of the changes to the Conditions.

The Agent's delegation, was received.

- (a) That Draft Plan of Condominium Application 25CDM-201906, by A.J. Clarke and Associates Ltd. on behalf of 1356715 Ontario Inc., Owner to establish a Draft Plan of Condominium (Common Element) to create a private road, sidewalks, landscaped areas, an amenity area and 65 visitor parking spaces for 216 townhouse units on lands located at 315 Dalgleish Trail (Glanbrook), as shown on Appendix "A", attached to Report PED20091, be APPROVED subject to the following conditions:
 - (i) That the approval for Draft Plan of Condominium (Common Element) application 25CDM-201906 applies to the plan prepared by A.J. Clarke and Associates Ltd., certified by Nicholas P. Muth, and dated March 24, 2020 consisting of a private road, sidewalks, landscaped areas, an amenity area and 65 visitor parking spaces for 216 townhouse units, attached as Appendix "B" to Report PED20091;
 - (ii) That the conditions of Draft Plan of Condominium Approval 25CDM-201906, attached as REVISED Appendix "C" to Report PED20091, be received and endorsed by City Council.

The recommendations in Report PED20091 were **amended** by adding the following sub-section (b):

- (b) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, see Item 6.

(g) NOTICES OF MOTION (Item 11)

(i) 1 Jarvis Alleyway Agreement (Added Item 11.1)

Councillor Farr relinquished the Chair to Councillor Danko.

Councillor Farr introduced a Notice of Motion respecting 1 Jarvis Alleyway Agreement.

The Rules of Order were waived to allow for the introduction of a Motion respecting 1 Jarvis Alleyway Agreement.

For disposition of this matter, see Item 8.

Councillor Farr assumed the Chair.

(h) PRIVATE AND CONFIDENTIAL (Item 12)

Committee determined that discussion of Item 12.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

- (i) Appeal to the Local Planning Appeal Tribunal (LPAT) on Urban Hamilton Official Plan Amendment Application and Stoney Creek Zoning By-law No. 3692-92 Amendment Application for Lands Located at 261 King Street East (Stoney Creek) (LS18050(a)/PED18212(a)) (Ward 10) (Item 12.1)**

For disposition of this matter, refer to Item 9.

(i) ADJOURNMENT (Item 14)

There being no further business, the Planning Committee was adjourned at 10:52 a.m.

Councillor Jason Farr
Chair, Planning Committee

Lisa Chamberlain
Legislative Coordinator

CITY OF HAMILTON

MOTION

Council: June 24, 2020

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

SECONDED BY COUNCILLOR.....

Reconsideration of Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007) respecting Report PED20057, Demolition Permit - 393 Rymal Road West

That Item 6.4 (a) of the April 15, 2020 Council Minutes (20-007), respecting Report PED20057, Demolition Permit - 393 Rymal Road West, which was approved by Council on April 15, 2020 and reads as follows, be reconsidered:

6.4 (a) Demolition Permit - 393 Rymal Road West (PED20057) (Ward 8)

- (a) That the Chief Building Official be authorized to issue a demolition permit for 393 Rymal Road West in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act, subject to the following conditions:
 - (i) That the applicant has applied for and received a building permit for a replacement building on this property;
 - (ii) That the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
 - (a) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes; and
 - (b) is a lien or charge on the property until paid; and
 - (iii) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

CITY OF HAMILTON MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR.....

Waive the Notice Provision for Amendments to the Procedural By-law

WHEREAS it is necessary to amend By-law 18-270, as amended, further to update sections of By-law 18-270, as amended, which apply to Electronic participation by citizen Committee members at electronic Committee meetings during an emergency when attending in-person is not possible with respect to the Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status of Women Committee, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing and Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean and Green Committee, Agriculture and Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security in the Downtown Core, Advisory Committee for Persons with Disabilities and Waste Management Advisory Committee in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation;

WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, when members of the public are participating at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible with respect to the General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation;

WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, to amend the membership of the Planning Committee;

WHEREAS, By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice, requires that public notice is required to advise of a Committee meeting to consider the enactment of a procedure bylaw in the form of one notice published in a newspaper a minimum of 14 days prior to the Committee meeting; and

WHEREAS, By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice also notes that Council may direct that other notice is to be given as Council considers adequate and when the City Manager determines that an emergency situation exists;

THEREFORE, BE IT RESOLVED:

That Council waive the notice provision within By-law 07-351, a By-Law to Adopt and Maintain a Policy with Respect to the Provision of Public Notice in order for amendments to be made to the Procedural By-law effective immediately.

CITY OF HAMILTON

MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR T. WHITEHEAD.....

SECONDED BY COUNCILLOR

Planning Committee Resignation

- (a) That Councillor T. Whitehead's resignation from the Planning Committee, be received;
- (b) That Section 5.3 (a) of By-law 18-270, A By-Law to Govern the Proceedings of Council and Committees of Council, be amended to reflect that the Planning Committee shall be comprised of a minimum of 7 Members of Council; and
- (c) That the By-Law to Amend By-Law No. 18-270, the Council Procedural By-Law, attached as Appendix 'A', be enacted.

Authority: Item 6.3 - Motion
CM: July 17, 2020
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend By-law No. 18-270, the Council Procedural By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

AND WHEREAS it is necessary to amend By-law 18-270, as amended, to reflect that the Planning Committee shall be comprised of a minimum of 7 Members of Council.

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

1. That By-law No. 18-270, be amended:
 - (i) By **amending** Section 5.3 (3), as follows:

5.3 Standing Committee Membership

- (3) Planning Committee shall be comprised of a minimum of **7** Members of Council.

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON MOTION

Council: July 17, 2020

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

SECONDED BY COUNCILLOR.....

To Amend the Procedural By-Law to Permit Virtual Delegations at the General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee, Board of Health and Emergency and Community Services Committee Meetings

WHEREAS Council on March 20, 2020 amended the Procedural By-law to permit Electronic Participation at Council and/or Committee Meetings during an emergency when attending in-person is not possible;

WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, when members of the public are participating at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible with respect to appearing as a delegation at the General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee, Board of Health and Emergency and Community Services Committee meetings in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation.

THEREFORE BE IT RESOLVED:

That the By-law to Amend By-law No. 18-270, the By-Law to Govern the Proceedings of Council and Committees of Council in the form attached as Appendix 'A', be enacted by Council.

Authority: Item 6.4 - Motion
CM: July 17, 2020
Ward: City Wide

Bill No.

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend By-law No. 18-270, the Council Procedural By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

WHEREAS Council enacted an amendment to By-law 18-270, as amended, to allow for electronic participation pursuant to s. 238(3.1) of the *Municipal Act, 2001* on March 20, 2020;

AND WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, when members of the public are participating at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible with respect to appearing as a delegation at the General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee meetings in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation.

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

1. That By-law No. 18-270, be amended:
 - (i) By **amending** Section 9.2 (3), as follows:

9.2 Electronic Participation During an Emergency

- (3) Electronic participation, that is consistent with the obligation to hold public meetings in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, **or at a Standing Committee of Council** is permitted by members of public at the Planning Committee, Hamilton Municipal Heritage Committee, Cross-Melville District Heritage Committee, Heritage Permit Review Committee, **General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee.** (Refer to **Revised** Appendix 'K' for UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED as they would apply to Electronic participation by members of Council at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible)

2. That By-law No. 18-270, as amended, be further amended:

- (i) To include the further Revised Appendix K, Conducting an Electronic Meeting – Public for the Mayor’s Task Force on Economic Recovery, Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee, Heritage Permit Review Committee, **General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee**, attached hereto.

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

Revised Appendix K

CONDUCTING AN ELECTRONIC MEETING – PUBLIC

MAYOR'S TASK FORCE ON ECONOMIC RECOVERY, PLANNING COMMITTEE, HAMILTON MUNICIPAL HERITAGE COMMITTEE AND ASSOCIATED WORKING GROUPS (EDUCATION AND COMMUNICATIONS WORKING GROUP, POLICY AND DESIGN WORKING GROUP, INVENTORY AND RESEARCH WORKING GROUP), CROSS-MELVILLE DISTRICT HERITAGE COMMITTEE, HERITAGE PERMIT REVIEW COMMITTEE, *GENERAL ISSUES COMMITTEE, PUBLIC WORKS COMMITTEE, AUDIT, FINANCE AND ADMINISTRATION COMMITTEE BOARD OF HEALTH AND EMERGENCY AND COMMUNITY SERVICES COMMITTEE*

The following UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED applies to Electronic participation by citizen Committee members and members of the public at ELECTRONIC Committee meetings during an emergency when attending in-person is not possible with respect to the Mayor's Task Force on Economic Recovery, Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee, Heritage Permit Review Committee, ***General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee*** only:

- 21** The rules of procedure shall be observed in all ELECTRONIC proceedings of Council and shall be the rules for the order and dispatch of business in Council and unless specifically provided, with necessary modifications, apply to all Committees.
- 22** All matters relating to the ELECTRONIC proceedings of Council and Committees for which rules have not been provided for in this By-law and its Appendices shall be decided, as far as is reasonably practicable, with reference to the parliamentary rules as contained in the most recent edition of *Bourinot's Rules of Order*, Geoffrey H. Stanford, Fourth Edition.

5.4 Quorum

- (5) If Quorum cannot be maintained during an ELECTRONIC meeting, DUE TO A LOSS OF ELECTRONIC CONNECTION, the Clerk will advise the Chair that quorum is lost and the MEETING WILL BE RECESSED UNTIL THE ELECTRONIC CONNECTION IS RESUMED, WHICH COULD RESULT IN A DELAY TO THE NEXT AVAILABLE BUSINESS DAY. THE CLERK WILL ENSURE THAT THE PROPER MESSAGING RESPECTING THE

CONTINUATION OF A COMMITTEE MEETING TO THE FOLLOWING OR NEXT AVAILABLE DAY IS ON THE CITY'S WEBSITE.

5.10 Order of Business

- (i) The general Order of Business for the ELECTRONIC meetings of Standing Committees, unless changed by the Standing Committee in the course of the meeting, shall be as follows:
 - (a) Approval of Agenda
 - (b) Declarations of Interest
 - (c) Approval of Minutes of Previous Meeting
 - (d) Communications
 - (e) Consent Items
 - (f) Public Hearings/Written Delegations/*Virtual Delegations***
 - (g) Staff Presentations
 - (h) Discussion Items
 - (i) Motions
 - (j) Notice of Motions
 - (k) General Information/Other Business
 - (l) Private and Confidential
 - (m) Adjournment

5.11 WRITTEN Delegations/VIRTUAL Delegations

- (1) Persons who wish to APPEAR VIRTUALLY as a delegation **at a Standing Committee of Council** or at a public meeting held in accordance with applicable legislation, in a manner that is consistent with the obligation to hold public meetings at electronic Committee meetings during an emergency when attending in- person is not possible with respect to the Planning Committee, Hamilton Municipal Heritage Committee, Cross-Melville District Heritage Committee, Heritage Permit Review Committee, **General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee**, shall make a request in writing to be listed as a delegation, such request to be received by the Clerk no later than 12:00 noon the business day before the meeting. If the Committee is meeting on a Monday, the deadline will be 12:00 noon on the Friday.

The "Request to Speak to a Committee of Council - VIRTUALLY" form is available on the City's website at <https://www.hamilton.ca/council-committee/council-committee-meetings/request-speak-committee-council>

- (2) Persons who wish to delegate to Committee on matters that don't require the holding of a public meeting in accordance with applicable legislation, **may** submit their delegation in WRITING to the Clerk, the Clerk will list the delegation on the Committee's upcoming agenda. Such WRITTEN delegations must be received by the Clerk no later than 12:00 noon the business day before the meeting.
- (3) A request to APPEAR VIRTUALLY as a delegation **at a Standing Committee of Council** or at a public meeting held in accordance with applicable legislation, shall include the person's name, reason(s) for the delegation, and if applicable the name, address and telephone number of any person, corporations or organizations which they represent. Requests to appear virtually will only be accepted for items listed on the agenda.
- (4) Upon receipt of a request to APPEAR VIRTUALLY as a delegation **or at a Standing Committee of Council** or at a public meeting held in accordance with applicable legislation, the Clerk shall list the delegation request on the next appropriate agenda for the relevant Committee.
- (5) A VIRTUAL delegation of one or more persons, being made at a public meeting held in accordance with applicable legislation, will be limited to five (5) minutes.
- (6) Notwithstanding subsection 5.11(5), an extension of a specific allotment of time to the five-minute speaking restriction may be granted with the approval of a majority of the members of the Committee present.
- (7) Delegates appearing Virtually will adhere to Section 7 – Order and Decorum of the Procedural By-law 18-270 as amended.
- (8) A VIRTUAL delegation may provide additional written material regarding the subject matter, for the public record, by providing a copy of such written material to the Clerk at least 5 days in advance of the meeting.
- (9) Except as required by by-law, any VIRTUAL Delegations who have previously appeared before a particular Committee on a subject matter shall be limited to providing only new information in their second and subsequent appearances at that Committee.

5.12 Public Hearings

- (1) Public Hearings shall be held at Standing Committee meetings.
- (2) Advertising or notice of a Public Hearing shall be undertaken as required by applicable legislation, by-law, or according to City policy, to advise interested persons.

- (3) Public Hearings shall follow the following order:
 - (a) an introduction of the subject matter by the Chair or by staff;
 - (b) the staff presentation, if any and if not waived by the members of the Standing Committee; and
 - (c) presentations by delegations who have registered to APPEAR VIRTUALLY, will be heard.
 - (4) Persons who wish to appear as a delegation VIRTUALLY to address Committee on a matter that is the subject of a Public Hearing may make a delegation in accordance with section 5.11 of Appendix K.
 - (5) VIRTUAL delegations made at a Public Hearing will be limited to 5 minutes.
 - (6) Where a delegation wishes to provide written material to the members of the Standing Committee at a Public Hearing, which will become public record, the delegation shall:
 - (a) comply with subsection 5.11(8) of Appendix K.
- 10.1** The Clerk shall MAKE the agendas of ELECTRONIC Council and Committee meetings AVAILABLE to members of Council and Senior Leadership Team at least 5 days prior to the scheduled meetings ON THE CITY'S WEBSITE.
- 10.2** The Clerk shall make the agendas of ELECTRONIC Council and Committee meetings, available to the media and general public, simultaneously with the distribution set out in subsection 10.1.

CITY OF HAMILTON

MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR E. PAULS.....

SECONDED BY COUNCILLOR

Amendment to sub-section (a) to Item 6 of the General Issues Committee Report 20-009, respecting Installation of Urban Braille along Cannon Street East (PW20018) (Ward 2)

WHEREAS, staff inadvertently prepared the report, respecting the Installation of Urban Braille along Cannon Street East, with a duplicate report number;

THEREFORE, BE IT RESOLVED:

That sub-section (a) to Item 6 of the General Issues Committee Report 20-009, respecting Installation of Urban Braille along Cannon Street East (PW20018) (Ward 2), which was approved by Council on June 24, 2020, be amended by deleting the report number "PW20018" and replacing it with the report number "**PW20049**", to read as follows:

6. Advisory Committee for Persons with Disabilities Report 20-003, March 10, 2020 (Item 8.3)

(a) Installation of Urban Braille along Cannon Street East (PW20018) (PW20049) (Ward 2) (Outstanding Business List Item) (Item 10.1)

WHEREAS, urban braille is a system of tactile information serving the needs of people with vision loss by using both colour and texture contrast to provide warning signals and clues related to orientation;

WHEREAS, a number of people with disabilities (especially with visual limitations) live in the Cannon Street area;

WHEREAS, existing urban braille at the corners do not include all accessible features at the three heavily used intersections on Cannon Street East at Wellington Street North, Catherine Street North, and John Street North;

WHEREAS, City staff determined that it is feasible to install urban braille at all four corners of the intersection at Cannon Street East/Catherine Street North and Cannon Street East/John Street North and at three corners (North East, South East, and North West) of the intersection at Cannon Street East/Wellington Street North; and,

WHEREAS, urban braille is already installed at the South West corner of the intersection at Cannon Street East/Wellington Street North with the exception of the tactile strip due to an existing hydro manhole located in the sidewalk;

THEREFORE, BE IT RESOLVED:

That urban braille, including 150mm shorelines, street name plates, and tactile strips with directional lines be installed at all four corners of the intersection at Cannon Street East/Catherine Street North and Cannon Street East/John Street North and at three corners (North East, South East, and North West) of the intersection at Cannon Street East/Wellington Street North, as per City of Hamilton drawing no. RD-124 detail (Urban Braille Sidewalk – Typical Details (Size 24" x 36")).

CITY OF HAMILTON MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR B. CLARK.....

SECONDED BY MAYOR / COUNCILLOR

Special Enforcement Area with Increased Fines – Devil’s Punchbowl

WHEREAS, illegal parking by visitors to Devil’s Punchbowl is affecting traffic and pedestrian safety along Ridge Road

WHEREAS, the installation of “No Parking” signs, extra staff, proactive by-law enforcement on weekends, and use of existing parking enforcement by-laws/fine structures have not been sufficient to address traffic and parking issues; and,

WHEREAS, staff, in consultation with the Ward 9 Councillor, have recommended adopting the Special Enforcement Area utilizing an increased fine structure and enforcement strategy.

THEREFORE, BE IT RESOLVED:

That the By-Law to Amend By-law 01-218 (being a By-law to Regulate On-Street Parking) to enforce parking related matters utilizing a Special Enforcement Area be amended to include Appendix “A”, and By-law 17-225 (being a By-Law to Establish a System of Administrative Penalties) Item 91, Section 12.1(1), apply.

Authority: Item____(Motion)
CM:

Bill No.

**CITY OF HAMILTON
BY-LAW NO.**

**Being a by-law to amend On-Street Parking By-law No. 01-218, and Administrative
Penalty By-law No. 17-255 to create Special Enforcement Areas**

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

1. The On-Street Parking By-law No. 01-218 is amended by adding to Schedule 23, as follows:

(a) B – Devil’s Punchbowl Area

Schedule 23 - Special Enforcement Areas			
B – Devil’s Punchbowl Area			
Highway	Side	Location	Increased Fine in Effect
Ridge Road	Both	Upper Centennial Parkway to New Mountain Road	March 15 - November 15
First Road East	Both	Ridge Road to 200m southerly	March 15 - November 15

2. That Table 3 of the Administrative Penalty By-law No. 17-255 be applied to all streets in Schedule 23 of By-Law No. 01-128 “B - Devil’s Punchbowl Area”

Item	Column 1 Designated By-law & Section		Column 2 Short Form Wording	Column 3 Set Penalty
91	01-218	12.1(1)	Park, Stand or Stop in Contravention in a Special Enforcement Area	\$250.00

3. This By-law comes into force on the day it is passed.

PASSED this 17th Day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

NOTICE OF MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR T. JACKSON.....

Amending the Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations

WHEREAS in late 2018 the Council of the City of Hamilton permitted Cannabis Retail Stores to operate in accordance with the *Cannabis Licence Act, 2018*;

WHEREAS in late 2018 the Council of the City of Hamilton submitted the City of Hamilton Cannabis Policy Statement to the Province of Ontario, along with a request that it be used to guide the Province in making decisions on the approval of cannabis licenses in the City of Hamilton;

WHEREAS the City of Hamilton Cannabis Policy Statement states that Cannabis Retail Stores should not be permitted in areas that already have a high concentration of Cannabis Retail Stores (ie. “clustering” of stores should be avoided);

WHEREAS the Province of Ontario passed O.Reg 468/18 under the *Cannabis Licence Act, 2018* which outlines considerations for issuing Cannabis Retail Stores, but does not include high concentration or radial separation of Cannabis Retail Stores as a consideration;

WHEREAS in early 2019 the Province of Ontario announced that the Alcohol and Gaming Commission of Ontario (AGCO) would conduct a lottery to permit 25 private cannabis retail store authorizations two of which went to City of Hamilton locations;

WHEREAS in late 2019 the Province of Ontario announced that the AGCO had been given regulatory authority to open the market for retail cannabis stores beginning in January 2020, without the need for a lottery;

WHEREAS the AGCO has continued to send Cannabis Retail Store applications to the City of Hamilton for the required 15-day comment period;

WHEREAS the City has reviewed 49 Cannabis Retail Store applications for comment since January 2020; and

WHEREAS the AGCO does not take into consideration radial separation for Cannabis Retail Stores.

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor contact the Premier of Ontario, Ministry of Attorney General, and local Members of Provincial Parliament to ask that the Province consider amending its licensing and application process for Cannabis Retail Stores to consider radial separation from other cannabis locations.
- (b) That the request be sent to other municipalities in Ontario, including the Association of Municipalities of Ontario for their endorsement.
- (c) That Staff be requested to submit heat maps outlining the location of all proposed AGCO Cannabis Retail Store in the City on all AGCO Cannabis Retail Store applications.

CITY OF HAMILTON

NOTICE OF MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR T. JACKSON.....

Amendment to the Bill List

WHEREAS, at its meeting of July 6, 2020, the General Issues Committee approved the following, which is before Council for consideration, as Item 9 of the General Issues Committee Report 20-010, at the July 17, 2020 Council meeting:

9. Application for Approval to Expropriate Property in Ward 15 (LS19026(a)) (Ward 15) (Item 12.4)

(Partridge/Pearson)

- (a) That the inquiry officer’s report, attached as Confidential Appendix “B” to Report LS19026(a), as required by s. 8(1) of the *Expropriations Act*, be received;
- (b) That the Expropriation By-law, to Expropriate a Property in Ward 15, attached as Appendix “C” to Report LS19026(a), be enacted;**
- (c) That, upon approval by Council, Report LS19026(a), respecting the Expropriation of a Property in Ward 15, and its appendices be made public; and,**
- (d) That the direction provided to staff in Closed Session, respecting Report LS19026(a), respecting the Expropriation of a Property in Ward 15, be approved.

THEREFORE, BE IT RESOLVED:

That the Bill list be amended by adding Bill No. 20-157, being the by-law to to Expropriate a Property in Ward 15, attached as Appendix “C” to Report LS19026(a).

CITY OF HAMILTON

MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR E. PAULS.....

SECONDED BY MAYOR / COUNCILLOR

That the Rules of Order be waived to allow for the introduction of a Motion respecting an amendment to the Bill list.

CITY OF HAMILTON

MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR E. PAULS.....

SECONDED BY MAYOR / COUNCILLOR

Amendment to the Bill List

WHEREAS, at its meeting of July 6, 2020, the General Issues Committee approved the following, which is before Council for consideration, as Item 9 of the General Issues Committee Report 20-010, at the July 17, 2020 Council meeting:

9. Application for Approval to Expropriate Property in Ward 15 (LS19026(a)) (Ward 15) (Item 12.4)

(Partridge/Pearson)

- (a) That the inquiry officer's report, attached as Confidential Appendix "B" to Report LS19026(a), as required by s. 8(1) of the *Expropriations Act*, be received;
- (b) That the Expropriation By-law, to Expropriate a Property in Ward 15, attached as Appendix "C" to Report LS19026(a), be enacted;
- (c) That, upon approval by Council, Report LS19026(a), respecting the Expropriation of a Property in Ward 15, and its appendices be made public; and,
- (d) That the direction provided to staff in Closed Session, respecting Report LS19026(a), respecting the Expropriation of a Property in Ward 15, be approved.

THEREFORE, BE IT RESOLVED:

That the Bill list be amended by adding Bill No. 20-157, being the by-law to to Expropriate a Property in Ward 15, attached as Appendix "C" to Report LS19026(a).

CITY OF HAMILTON

NOTICE OF MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR T. WHITEHEAD.....

Building Security Plan for the Long and Bisby Building

WHEREAS the City of Hamilton Fence By-law restricts the height of fences in residential and open space areas to 2.0m in height;

WHEREAS an exemption to the height can be approved where a plan or Planning Act approval has been granted by the City of Hamilton; and

WHEREAS City of Hamilton staff have been working with the owner of 828 Sanatorium Rd, known as the Long and Bisby building, to secure the building as a result of vandalism and fire damage to develop a plan to provide for the protection of the building and to secure the building from unauthorized entry;

THEREFORE BE IT RESOLVED

That the General Manager of Planning and Economic Development be authorized to approve a building security plan for the Long and Bisby building, including the provision of security fencing that exceeds 2.0m in height and any other required measures to secure the building from unauthorized entry, including, at minimum, motion sensor lighting, video camera and alarm system.

CITY OF HAMILTON

NOTICE OF MOTION

Council: July 17, 2020

MOVED BY COUNCILLOR B. JOHNSON.....

Waiving of the Marriage Licence Fee

WHEREAS, By-law No. 19-160 A By-Law To Establish Certain 2019 User Fees and Charges For Services, Activities or the Use of Property, requires that fees and charges contained in the By-Law be applied to the issuance of Marriage Licences;

WHEREAS, By-law No. 19-160 A By-Law To Establish Certain 2019 User Fees and Charges For Services, Activities or the Use of Property does not give staff the authority to waive the fees and charges;

WHEREAS, the Ontario Government has recently introduced *Bill 197, The COVID-19 Economic Recovery Act* and plans to amend the *Act* to provide that if the three-month validity period includes a period in which there is an emergency declared throughout Ontario, the licence remains valid throughout the period of emergency and until 24 months after the emergency ends;

WHEREAS, if the proposed amendments to the *Marriage Act* receive Royal Assent, Ontario will waive the provincial fee for licences if a couple requires a new licence because critical information on the licence purchased during that timeframe is no longer accurate, or the original unused licence has been lost or destroyed;

WHEREAS, Royal Assent of *Bill 197, The COVID-19 Economic Recovery Act* is expected in August of 2020;

WHEREAS, Couples with an existing expired marriage licence who plan to marry prior to *Bill 197, The COVID-19 Economic Recovery Act* receiving Royal Assent will need to purchase a new marriage licence; and

WHEREAS, the Province will not waive the provincial fee for the replacement of expired licences prior to *Bill 197, The COVID-19 Economic Recovery Act* receiving Royal Assent;

THEREFORE, BE IT RESOLVED:

That Council delegate the authority to the City Clerk to waive the Marriage Licence fee as outlined in By-Law No. 19-160 A By-Law To Establish Certain 2019 User Fees and Charges For Services for the replacement of expired licences purchased in the City of Hamilton for couples who plan to marry prior to *Bill 197, The COVID-19 Economic Recovery Act* receiving Royal Assent.

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 - No Parking	E	Annopolis Way	East	22 metres north of Beverton Drive to 7 metres north thereof	Anytime	Adding
8 - No Parking	E	Brookstream	South & East	Glen Vista to southerly end	Anytime	Deleting
8 - No Parking	E	Brookstream Court	South	Glen Vista Drive to Renner Court	Anytime	Adding
8 - No Parking	E	Brookstream Court	South & East	75 metres west of Renner Court to 35 metres west thereof	Anytime	Adding
8 - No Parking	E	Brucedale Avenue East	North	21 metres west of East 27th Street to 6 meters west thereof	Anytime	Adding
8 - No Parking	E	Dickson	East	Brant to 173 ft. northerly	Anytime	Deleting
8 - No Parking	E	Dickson	West	Brant to Burlington	Anytime	Deleting

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

Page 2 of 4

8 - No Parking	E	Dickson Street	East	Brant Street to Burlington Street	Anytime	Adding
8 - No Parking	F	Edgeview Drive	North	28 metres east of Edenrock Drive to 6 metres easterly	Anytime	Adding
8 - No Parking	F	Galileo Drive	South	27 metres east of Tidemore Heights to 6 metres east thereof	Anytime	Adding
8 - No Parking	F	Galileo Drive	South	24 metres west of Tidemore Heights to 7 metres west thereof	Anytime	Adding
8 - No Parking	E	Jacqueline Boulevard	West & North	133 metres south of Meadowpoint Drive to 37 metres south thereof	Anytime	Adding
8 - No Parking	C	Middletown Road	Both	160 metres north of Highway 8 to 950 metres north thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 - Permit	E	Aikman Av.	North	from 15.7m east of Sanford Av. to 5.4m easterly	Anytime	Deleting
12 - Permit	E	Campbell	South	from 16m east of Rosslyn to 5.4m easterly	Anytime	Deleting
12 - Permit	E	Canada Street	North	46 metres east of Locke Street South to 5.5 metres east thereof	Anytime	Adding
12 - Permit	E	Carrick	West	from 55.3m north of Dunsmure to 5.5m northerly	Anytime	Deleting
12 - Permit	E	Carrick	East	from 61.4m north of Dunsmure to 5.5m northerly	Anytime	Deleting
12 - Permit	E	Catharine	East	156 feet north of Ferrie to 18 feet northerly	Anytime	Deleting
12 - Permit	E	Crosthwaite Avenue North	East	29 metres south of Roxborough Avenue to 6 metres south thereof	Anytime	Adding
12 - Permit	E	Dickson St.	East	36m south of Burlington St. to 6m southerly	Anytime	Deleting
12 - Permit	E	Dickson St.	East	66m south of Burlington St. to 5.5m southerly	Anytime	Deleting
12 - Permit	E	Dickson St.	East	18m south of Burlington St. to 6m southerly	Anytime	Deleting
12 - Permit	E	Dickson Street	West	59 metres south of Burlington Street to 6 metres south thereof	Anytime	Adding
12 - Permit	E	East	East	from 25.8 south of Robert to 6m southerly	Anytime	Deleting
12 - Permit	E	Keith	North	from 9.5m east of Douglas to 6m easterly	Anytime	Deleting
12 - Permit	E	Keith	South	from 27.3m east of Douglas to 6m easterly	Anytime	Deleting

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

12 - Permit	E	Mars Avenue	North	3.3 metres west of Douglas Avenue to 6 metres west thereof	Anytime	Adding
12 - Permit	E	Mary Street	North	28 metres south of Wood Street East to 6 metres thereof	Anytime	Adding
12 - Permit	E	Milton Avenue	East	54 metres north of Barton Street to 6 metres north thereof	Anytime	Adding
12 - Permit	E	Niagara	West	from 83.6m south of Brant to 6m southerly	Anytime	Deleting
12 - Permit	E	Niagara	East	from 75.9m north of Munroe to 6m northerly	Anytime	Deleting
12 - Permit	E	Tragina	West	from 86.1m south of Barton to 5.4m southerly	Anytime	Deleting
12 - Permit	E	Tragina	East	from 80m south of Barton to 6.2m southerly	Anytime	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 - No Stopping	F	Morrissey Boulevard	West	Southern Intersection of Crafter Crescent to 32 metres north thereof	Anytime	Adding
13 - No Stopping	C	Rock Chapel Road	Both	Valley Road to 400 metres east of Sydenham Road	Anytime	Adding
13 - No Stopping	E	Rolston	West	Lynbrook to 263m southerly	7 am - 6 pm Mon - Fri	Deleting
13 - No Stopping	E	Rolston Drive	West	Lynbrook Drive to 322 metres south thereof	7:00 a.m. to 6:00 p.m. Monday to Friday	Adding
13 - No Stopping	E	Wycliffe Av.	South	from 62.5m west of Belvidere Av. to 34.3m westerly	Anytime	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 - Wheelchair LZ	E	Tragina Avenue North	West	155 metres south of Barton Street to 3.5 metres south thereof	8:00 a.m. to 5:00 p.m. Monday to Friday	Adding

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

Page 4 of 4

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
20 - School Bus LZ	E	Rolston	West	from 118.4m west of Sarasota to 22.2m northerly	7:00 a.m. to 6:00 p.m. Monday to Saturday	Deleting
20 - School Bus LZ	E	Rolston Drive	West	from 142 metres west of Sarasota Avenue to 38 metres north thereof	7:00 a.m. to 6:00 p.m. Monday to Saturday	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 17th day of July, 2020.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend City of Hamilton By-law No. 01-216, being a By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities

WHEREAS Council enacted a By-law Respecting the Construction, Maintenance, Operation, Management and Regulation of Municipal Parking Facilities within the limits of the City of Hamilton, being By-law 01-216;

AND WHEREAS this amending by-law amends By-law 01-216 to allow for more modern technology to be used as parking meters and to address housekeeping matters as hereinafter described and depicted;

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

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. That the definition of “parking meter” be deleted and replaced with the following definition:

(w) “parking meter” means a device and/or software application that shall indicate thereon or therein the interval of time during which a vehicle may be parked in a parking space in a metered car park, and which shall have a receptacle or system for receiving payment, and which shall also indicate when said interval of time shall have elapsed.
3. That subsection 2 (2) be deleted and replaced with the following:

(2) Provisions requiring payment of parking fees and prohibitions against using a parking space when the time has expired for that parking space shall only apply on those days and during such periods of time as are indicated on the parking meter or on signs erected in the car park.
4. That section 8 be deleted and replaced with the following:

8 (1) Except as provided in subsection (2), no person shall, in any car park where parking meters are installed:

 - (a) park or stop any vehicle without activating the parking meter related to the parking space that is occupied by their vehicle either by:

- (i) Inserting a valid credit or debit card into the parking meter, in cases where the meter is designed to accept payment in this manner;
- (ii) depositing money of Canadian or United States of America currency in the amount of the parking fee prescribed by sign or otherwise;
- (iii) online payment as indicated in writing on or around the parking meter.

This provision shall not be deemed to apply when it is shown that the parking meter is out of order.

This provision shall not be deemed to apply where a parking meter was previously activated and has not yet expired as shown on the subject parking meter.

- (b) park a vehicle or leave a vehicle parked at any parking space, at any time during the days and times posted on or around the parking meter indicating when the parking meter regulations are in force and effect, when the time has expired for that parking space, save and except that this provision shall not be deemed to apply when it is shown that the parking meter is out of order.
- (c) park or stop any vehicle in any area of any car park where pre-paid parking meters have been provided without first purchasing a ticket in accordance with the prescribed parking fees and displaying the ticket in the windshield on the driver's side of the vehicle in full and clear view from the exterior of the vehicle, when required to do so.
- (d) open or attempt to open a parking meter unless authorized to do so.

(2) A vehicle may be parked, or stopped in a car park without activating the parking meter:

- (a) For a period of time, if any, which is paid for and unexpired as shown on the parking meter;
- (b) Where there is displayed in or upon the vehicle a valid permit issued by the Parking Operations Section for use in the car park in which the vehicle is parked.
- (c) Where there is displayed in or upon the vehicle a Disabled Person Parking Permit, issued by the Ministry of Transportation Ontario, clearly identifying the vehicle as being operated by, in the service of, or on behalf of, a physically disabled person.

5. That subsection 18 (3) be deleted and the following subsections added:

(3) Pursuant to the City's Administrative Penalties by-law, certain sections of this By-law have been designated as a by-law to which the City's Administrative Penalties by-law applies.

(4) The owner of a vehicle that is parked, stopped or left standing in contravention of the designated sections of this By-law, when given a penalty notice in accordance with the City's Administrative Penalties By-law, shall be liable to pay the City an administrative penalty in the amount specified in Schedule A of the City's Administrative Penalty By-law and any fees related thereto, unless the owner proves to the satisfaction of the City that at the time of the offence, the vehicle was in the possession of another person without the owner's consent, expressed or implied.

(5) Any person who violates a designated section of this By-law, when given a penalty notice in accordance with the City's Administrative Penalties By-law, shall be liable to pay the City an administrative penalty in the amount specified in Schedule A of the City's Administrative Penalty By-law and any fees related thereto.

6. That in all other respects By-law 01-216 is confirmed; and
7. That the provisions of this by-law shall become effective on the date approved by City Council.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend City of Hamilton By-law No. 01-218, being a By-law to Regulate On-Street Parking

WHEREAS Council enacted a By-law to Regulate On-Street Parking within the limits of the City of Hamilton, being By-law 01-218;

AND WHEREAS this amending by-law amends By-law 01-218 to allow for more modern technology to be used as parking meters and to address housekeeping matters as hereinafter described and depicted;

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

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. That the definition of “parking meter” be deleted and replaced with the following definition:

(w) “parking meter” means a device and/or software application that shall indicate thereon or therein the interval of time during which a vehicle may be parked in a parking meter space or parking meter zone, and which shall have a receptacle or system for receiving payment, and which shall also indicate when said interval of time shall have elapsed.
3. That the words “adjacent” in paragraphs 8. (3) (a) be deleted.
4. That subsection 8. (5) (a) be deleted and replaced with the following:

(a) No person shall park a vehicle at a parking meter space for a period of time greater than the parking time limit indicated by a sign, sticker, software application or otherwise, either affixed to the parking meter related to the parking meter space or otherwise posted in proximity to the parking meter space.
5. That subsection 8. (5) (b) be deleted and replaced with the following:

(b) No person shall park a vehicle in a location indicated in Schedule 5 without activating the parking meter related to the parking space that is occupied by their vehicle at any time during the days and times posted on or around the parking meter indicating when the parking meter regulations are in force and effect, either by:

- (i) inserting a valid credit card or debit card into the parking meter, in cases where the meter is designed to accept payment in this manner;
- (ii) depositing money of Canadian or United States of America currency in the amount of the parking fee prescribed in said Schedule 5 into the meter, if any, to an extent sufficient to activate the meter; or
- (iii) online payment as indicated in writing on or around the parking meter.

This provision shall not be deemed to apply when it is shown that the parking meter is out of order.

This provision shall not be deemed to apply where a parking meter was previously activated and has not yet expired as shown on the subject parking meter.

6. That subsection 8. (5) (c) be deleted and replaced with the following:

(c) No person shall park a vehicle or leave a vehicle parked at any parking meter space, at any time during the days and times posted on or around the parking meter indicating when the parking meter regulations are in force and effect, when the time has expired for that parking meter space, save and except that this provision shall not be deemed to apply when it is shown that the parking meter is out of order.

7. That subsection 8. (5) (d) be deleted and replaced with the following:

(d) No person shall deposit or cause to be deposited in any parking meter anything save such money in Canadian or United States of America Currency as is indicated on the parking meter as being acceptable, save and except in cases where the parking meter is designed to be activated by a credit card or debit card, whereupon the use of such a card to pay the parking fee, in lieu of money, shall be permitted.

8. The subsection 8. (5) (e) be deleted.

9. That the following subsections be added to Section 31:

31. (3) Pursuant to the City's Administrative Penalties by-law, certain sections of this By-law have been designated as a by-law to which the City's Administrative Penalties by-law applies.

(4) The owner of a vehicle that is parked, stopped or left standing in contravention of the designated sections of this By-law, when given a penalty notice in accordance with the City's Administrative Penalties By-law, shall be liable to pay the City an administrative penalty in the amount specified in Schedule A of the City's Administrative Penalty By-law and any fees related thereto, unless the owner proves to the satisfaction of the City that at the time of the offence, the vehicle was in the possession of another person without the owner's consent, expressed or implied.

(5) Any person who violates a designated section of this By-law, when given a penalty notice in accordance with the City's Administrative Penalties By-law, shall be liable to pay the City an administrative penalty in the amount specified in Schedule A of the City's Administrative Penalty By-law and any fees related thereto.

10. That in all other respects By-law 01-218 is confirmed; and

11. That the provisions of this by-law shall become effective on the date approved by City Council.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 5, Planning Committee Report
20-005 (PED20056)
CM: July 17, 2020
Ward: 12

Bill No. 143

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 87-57

Respecting Lands Located at 378 Harmony Hall Drive and Part of Block 117, Plan 62M-1122

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 5 of Report 20-005 of the Planning Committee at its meeting held on the 17th day of July 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.

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

1. That Map No. 1-B of Schedule “A”, appended to and forming part of Zoning By-law No. 87-57 (Ancaster) is amended, by changing the zoning from the Agricultural “A-216” Zone, Modified (Block 1), Public “P” Zone (Block 2), and Residential “R4-514” Zone, Modified (Block 3) to the Residential “R4-709” Zone, Modified on the lands to 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-section:

“R4 – 709”

That notwithstanding the provisions of Section 12.2 (c), (d) and (e) the following special provisions shall apply to the lands zoned "R4-709":

REGULATIONS

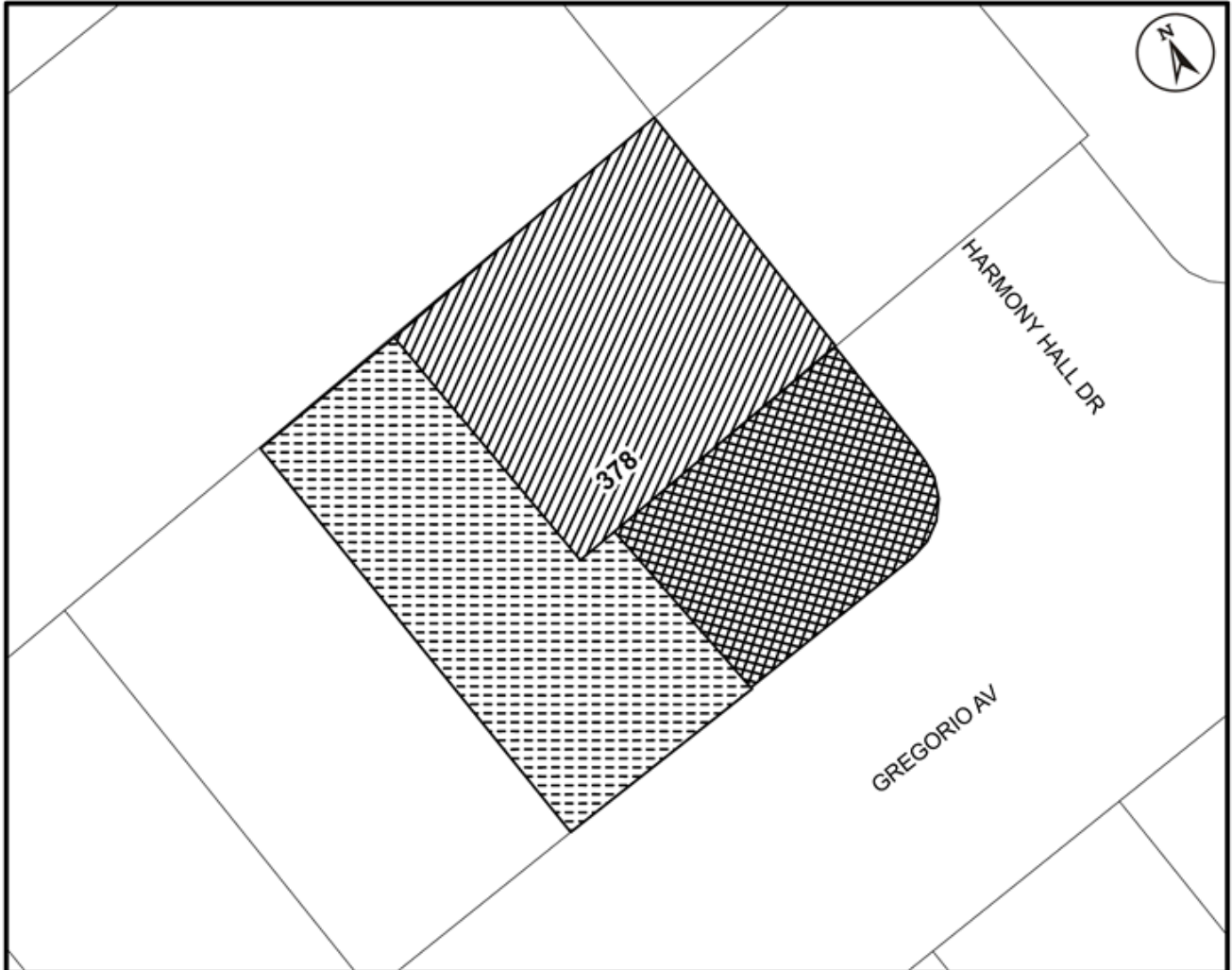
- | | |
|---------------------------|--|
| (c) Maximum Lot Coverage: | 40% |
| (d) Minimum Front Yard: | 6 metres |
| (e) Minimum Side Yard | 1.2 metres; except on a corner lot, the minimum side yard abutting a street shall be 4.5 metres or 6 metres to an attached garage or attached carport. |
3. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential "R4" Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
 4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAR-19-034



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**
- 378 Harmony Hall Drive and Part of Block 117,
 Plan 62M-1122, Ancaster
-  Block 1 - Change in zoning from the Agricultural "A-216" Zone, Modified to the residential "R4-709" Zone, Modified
 -  Block 2 - Change in zoning from the Public "P" Zone to the Residential "R4-709" Zone, Modified
 -  Block 3 - Change in zoning from the Residential "R4-514" Zone, Modified to the Residential "R4-709" Zone, Modified

Scale: N.T.S	File Name/Number: ZAR-19-034
Date: February 5, 2020	Planner/Technician: MA/VS
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 7, Planning Committee
Report 20-005 (PED191909(a))
CM: July 17, 2020
Ward: 5

Bill No. 144

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 05-200 with respect to lands located at 328, 336 and 344 Beach Boulevard, Hamilton

WHEREAS Council approved Item 7 of Report 20-005 of the Planning Committee, at its meeting held on July 17, 2020;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

NOW THEREFORE Council amends Zoning By-law No. 05-200 as follows:

1. That Map 834 of Schedule "A" – Zoning Maps be amended and boundaries of which are shown on Schedule "A", as follows:
 - a) to change the zoning from the Neighbourhood Commercial (C2, 499) Zone to the Residential Character Commercial (C1, 499) Zone for the lands attached as Schedule "A" to this By-law; and,
 - b) to add and zone lands as Residential Character Commercial (C1, 499) Zone for the lands attached as Schedule "A" to this By-law.
2. That Schedule "C" - Special Exception 499 is amended by adding the following new clause:
 - "g) For the properties located at 328, 336 and 344 Beach Boulevard, the following regulation shall also apply to a single detached dwelling or duplex dwelling:
 - i) Notwithstanding, Section 10.1.4 a), the maximum front yard setback abutting a street shall be 11.2 m.
 - ii) a minimum height of 0.75 metres between the ground and the bottom of a fence or wall.

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

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

CI-19-H



<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>
--	---

<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 20-_____</p> <p>to Amend By-law No. 05-200 Map 834</p>	<p>Subject Property</p> <p>328, 336 and 344 Beach Boulevard, Hamilton</p> <p> Change in Zoning from Neighbourhood Commercial (C2, 499) Zone to Residential Character Commercial (C1, 499) Zone</p> <p> Lands to be added to Zoning By-law No.05-200 and zoned Residential Character Commercial (C1, 499) Zone</p>
--	--

<p>Scale: N.T.S</p>	<p>File Name/Number: CI-19-H</p>	
<p>Date: April 30, 2020</p>	<p>Planner/Technician: TL/NB</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

Authority: Item 5, Audit Finance &
Administration Committee Report
(FCS20061)
Council: July 17, 2020
Ward: City Wide
Bill No. 145

CITY OF HAMILTON
BY-LAW NO. 20-

To Amend By-law No. 18-270, the Council Procedural By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

WHEREAS Council enacted an amendment to By-law 18-270, as amended, to allow for electronic participation pursuant to s. 238(3.1) of the *Municipal Act, 2001* on March 20, 2020;

AND WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, to permit members of Citizen Advisory Committees to participate ELECTRONICALLY at the Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status of Women Committee, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing and Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean and Green Committee, Agriculture and Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security in the Downtown Core, Advisory Committee for Persons with Disabilities and Waste Management Advisory Committee meetings during an emergency when attending in-person is not possible.

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

1. That By-law No. 18-270, be amended:
 - (i) By adding Sections 9.2 (4), as follows:

9.2 Electronic Participation During an Emergency

- (4) Electronic participation, in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, is permitted by Citizen Committee members at the Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status of

Women Committee, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing and Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean and Green Committee, Agriculture and Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security in the Downtown Core, Advisory Committee for Persons with Disabilities and Waste Management Advisory Committee meetings during an emergency when attending in-person is not possible. (Refer to Appendix 'L' for UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED as they would apply to Electronic participation by Citizen Advisory Committee Members at ELECTRONIC Citizen Advisory meetings during an emergency when attending in-person is not possible)

2. That By-law No. 18-270, as amended, be further amended:

- (i) To include Appendix L, Conducting An Electronic Meeting – Citizen Advisory Committees for the Advisory Committee For Immigrants And Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status Of Women Committee, Lesbian, Gay, Bisexual, Transgender And Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing And Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean And Green Committee, Agriculture And Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security In The Downtown Core, Advisory Committee For Persons With Disabilities And Waste Management Advisory Committee, attached hereto.

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix L

**CONDUCTING AN ELECTRONIC MEETING –
Citizen Advisory Committees**

ADVISORY COMMITTEE FOR IMMIGRANTS AND REFUGEES, COMMITTEE AGAINST RACISM, HAMILTON ABORIGINAL ADVISORY COMMITTEE, HAMILTON STATUS OF WOMEN COMMITTEE, LESBIAN, GAY, BISEXUAL, TRANSGENDER AND QUEER ADVISORY COMMITTEE, MUNDIALIZATION COMMITTEE, FOOD ADVISORY COMMITTEE, HAMILTON VETERANS COMMITTEE, HOUSING AND HOMELESSNESS ADVISORY COMMITTEE, SENIORS ADVISORY COMMITTEE, ARTS ADVISORY COMMITTEE, HAMILTON CYCLING COMMITTEE, KEEP HAMILTON CLEAN AND GREEN COMMITTEE, AGRICULTURE AND RURAL AFFAIRS ADVISORY COMMITTEE, HAMILTON FUTURE FUND, BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE, CLEANLINESS & SECURITY IN THE DOWNTOWN CORE, ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES AND WASTE MANAGEMENT ADVISORY COMMITTEE

The following UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED applies to Electronic participation by ***Citizen Advisory Committee Members*** at ELECTRONIC Citizen Advisory Committee meetings during an emergency when attending in-person is not possible with respect to the ***Advisory Committee for Immigrants and Refugees, Committee Against Racism, Hamilton Aboriginal Advisory Committee, Hamilton Status of Women Committee, Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee, Mundialization Committee, Food Advisory Committee, Hamilton Veterans Committee, Housing and Homelessness Advisory Committee, Seniors Advisory Committee, Arts Advisory Committee, Hamilton Cycling Committee, Keep Hamilton Clean and Green Committee, Agriculture and Rural Affairs Advisory Committee, Hamilton Future Fund, Business Improvement Area Advisory Committee, Cleanliness & Security in the Downtown Core, Advisory Committee for Persons with Disabilities and Waste Management Advisory Committee*** only:

- 2.1 The rules of procedure shall be observed in all ELECTRONIC proceedings of Council and shall be the rules for the order and dispatch of business in Council and unless specifically provided, with necessary modifications, apply to all Committees.
- 2.2 All matters relating to the ELECTRONIC proceedings of Council and Committees for which rules have not been provided for in this By-law and its Appendices shall be decided, as far as is reasonably practicable, with reference to the parliamentary rules as contained in the most recent edition of *Bourinot's Rules of Order*, Geoffrey H. Stanford, Fourth Edition.

5.4 Quorum

- (5) if quorum cannot be met or maintained during an ELECTRONIC meeting, for whatever reason, the Clerk/Staff Liaison will advise the Chair that quorum has not been reached or has been lost and the meeting will be recessed for up to 15 minutes, or until quorum is reached. If quorum cannot be reached within 15 minutes, the meeting will be considered adjourned. The Committee will meet at the next regularly scheduled meeting date.
- (6) If Quorum cannot be obtained, the Committee Secretary shall record the names of the Committee members present in the minutes of the meeting.

5.10 Order of Business

- (iii) The general Order of Business for the ELECTRONIC meetings of Citizen Advisory Committees, unless changed by the Committee in the course of the meeting and shall be as follows:
 - (a) Changes to the Agenda
 - (b) Declarations of Interest
 - (c) Approval of Minutes of Previous Meeting
 - (d) Communications
 - (e) Delegations
 - (f) Consent Items
 - (g) Presentations
 - (h) Discussion Items
 - (i) Notices of Motion
 - (j) Motions
 - (k) Other Business
 - (l) Adjournment

5.11 WRITTEN Delegations

- (1) Persons who wish to delegate to ELECTRONIC Citizen Advisory Committee shall submit their delegation in WRITING to the Clerk/Staff Liaison, the Clerk/Staff Liaison will list the delegation on the Committee's upcoming agenda. Such WRITTEN delegations must be received by the Clerk/Staff Liaison no later than 12:00 noon the business day before the meeting. If the Committee is meeting on a Monday, the deadline will be 12:00 noon on the Friday.

- 10.1** The Clerk/Staff Liaison shall MAKE the agendas of ELECTRONIC Citizen Advisory Committee meetings available to members of the committee 3 days prior to the scheduled meetings ON THE CITY'S WEBSITE.

- 10.2** The Clerk/Staff Liaison shall make the agendas of ELECTRONIC Citizen Advisory Committee meetings, available to the media and general public, simultaneously with the distribution set out in subsection 10.1.

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend By-law No. 18-270, the Council Procedural By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

WHEREAS Council enacted an amendment to By-law 18-270, as amended, to allow for electronic participation pursuant to s. 238(3.1) of the *Municipal Act, 2001* on March 20, 2020;

AND WHEREAS it is necessary to amend By-law 18-270, as amended, further to provide for updated sections of the By-law 18-270, as amended, when members of the public are participating at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible with respect to appearing as a delegation at the General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee meetings in a manner that is consistent with the obligation to hold public meetings in accordance with applicable legislation.

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

1. That By-law No. 18-270, be amended:
 - (i) By **amending** Section 9.2 (3), as follows:

9.2 Electronic Participation During an Emergency

(3) Electronic participation, that is consistent with the obligation to hold public meetings in accordance with the *Municipal Act, 2001* and/or any other applicable legislation, **or at a Standing Committee of Council** is permitted by members of public at the Planning Committee, Hamilton Municipal Heritage Committee, Cross-Melville District Heritage Committee, Heritage Permit Review Committee, **General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee.** (Refer to **Revised** Appendix 'K' for UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED as they would apply to Electronic participation by members of Council at ELECTRONIC Council and/or Committee meetings during an emergency when attending in-person is not possible)

2. That By-law No. 18-270, as amended, be further amended:

- (i) To include the further Revised Appendix K, Conducting an Electronic Meeting – Public for the Mayor’s Task Force on Economic Recovery, Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee, Heritage Permit Review Committee, **General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee**, attached hereto.

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

CONDUCTING AN ELECTRONIC MEETING – PUBLIC

MAYOR’S TASK FORCE ON ECONOMIC RECOVERY, PLANNING COMMITTEE, HAMILTON MUNICIPAL HERITAGE COMMITTEE AND ASSOCIATED WORKING GROUPS (EDUCATION AND COMMUNICATIONS WORKING GROUP, POLICY AND DESIGN WORKING GROUP, INVENTORY AND RESEARCH WORKING GROUP), CROSS-MELVILLE DISTRICT HERITAGE COMMITTEE, HERITAGE PERMIT REVIEW COMMITTEE, *GENERAL ISSUES COMMITTEE, PUBLIC WORKS COMMITTEE, AUDIT, FINANCE AND ADMINISTRATION COMMITTEE BOARD OF HEALTH AND EMERGENCY AND COMMUNITY SERVICES COMMITTEE*

The following UPDATED SECTIONS OF BY-LAW 18-270, AS AMENDED applies to Electronic participation by citizen Committee members and members of the public at ELECTRONIC Committee meetings during an emergency when attending in-person is not possible with respect to the Mayor’s Task Force on Economic Recovery, Planning Committee, Hamilton Municipal Heritage Committee and associated Working Groups (Education and Communications Working Group, Policy and Design Working Group, Inventory and Research Working Group), Cross-Melville District Heritage Committee, Heritage Permit Review Committee, ***General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee*** only:

21 The rules of procedure shall be observed in all ELECTRONIC proceedings of Council and shall be the rules for the order and dispatch of business in Council and unless specifically provided, with necessary modifications, apply to all Committees.

22 All matters relating to the ELECTRONIC proceedings of Council and Committees for which rules have not been provided for in this By-law and its Appendices shall be decided, as far as is reasonably practicable, with reference to the parliamentary rules as contained in the most recent edition of *Bourinot’s Rules of Order*, Geoffrey H. Stanford, Fourth Edition.

5.4 Quorum

- (5) If Quorum cannot be maintained during an ELECTRONIC meeting, DUE TO A LOSS OF ELECTRONIC CONNECTION, the Clerk will advise the Chair that quorum is lost and the MEETING WILL BE RECESSED UNTIL THE ELECTRONIC CONNECTION IS RESUMED, WHICH COULD RESULT IN A DELAY TO THE NEXT AVAILABLE BUSINESS DAY. THE CLERK WILL ENSURE THAT THE PROPER MESSAGING RESPECTING THE

CONTINUATION OF A COMMITTEE MEETING TO THE FOLLOWING OR NEXT AVAILABLE DAY IS ON THE CITY'S WEBSITE.

5.10 Order of Business

- (i) The general Order of Business for the ELECTRONIC meetings of Standing Committees, unless changed by the Standing Committee in the course of the meeting, shall be as follows:
 - (a) Approval of Agenda
 - (b) Declarations of Interest
 - (c) Approval of Minutes of Previous Meeting
 - (d) Communications
 - (e) Consent Items
 - (f) Public Hearings/Written Delegations/*Virtual Delegations***
 - (g) Staff Presentations
 - (h) Discussion Items
 - (i) Motions
 - (j) Notice of Motions
 - (k) General Information/Other Business
 - (l) Private and Confidential
 - (m) Adjournment

5.11 WRITTEN Delegations/VIRTUAL Delegations

- (1) Persons who wish to APPEAR VIRTUALLY as a delegation **at a Standing Committee of Council** or at a public meeting held in accordance with applicable legislation, in a manner that is consistent with the obligation to hold public meetings at electronic Committee meetings during an emergency when attending in- person is not possible with respect to the Planning Committee, Hamilton Municipal Heritage Committee, Cross-Melville District Heritage Committee, Heritage Permit Review Committee, **General Issues Committee, Public Works Committee, Audit, Finance and Administration Committee Board of Health and Emergency and Community Services Committee**, shall make a request in writing to be listed as a delegation, such request to be received by the Clerk no later than 12:00 noon the business day before the meeting. If the Committee is meeting on a Monday, the deadline will be 12:00 noon on the Friday.

The "Request to Speak to a Committee of Council - VIRTUALLY" form is available on the City's website at <https://www.hamilton.ca/council-committee/council-committee-meetings/request-speak-committee-council>

- (2) Persons who wish to delegate to Committee on matters that don't require the holding of a public meeting in accordance with applicable legislation, **may** submit their delegation in WRITING to the Clerk, the Clerk will list the delegation on the Committee's upcoming agenda. Such WRITTEN delegations must be received by the Clerk no later than 12:00 noon the business day before the meeting.
- (3) A request to APPEAR VIRTUALLY as a delegation **at a Standing Committee of Council** or at a public meeting held in accordance with applicable legislation, shall include the person's name, reason(s) for the delegation, and if applicable the name, address and telephone number of any person, corporations or organizations which they represent. Requests to appear virtually will only be accepted for items listed on the agenda.
- (4) Upon receipt of a request to APPEAR VIRTUALLY as a delegation **or at a Standing Committee of Council** or at a public meeting held in accordance with applicable legislation, the Clerk shall list the delegation request on the next appropriate agenda for the relevant Committee.
- (5) A VIRTUAL delegation of one or more persons, being made at a public meeting held in accordance with applicable legislation, will be limited to five (5) minutes.
- (6) Notwithstanding subsection 5.11(5), an extension of a specific allotment of time to the five-minute speaking restriction may be granted with the approval of a majority of the members of the Committee present.
- (7) Delegates appearing Virtually will adhere to Section 7 – Order and Decorum of the Procedural By-law 18-270 as amended.
- (8) A VIRTUAL delegation may provide additional written material regarding the subject matter, for the public record, by providing a copy of such written material to the Clerk at least 5 days in advance of the meeting.
- (9) Except as required by by-law, any VIRTUAL Delegations who have previously appeared before a particular Committee on a subject matter shall be limited to providing only new information in their second and subsequent appearances at that Committee.

5.12 Public Hearings

- (1) Public Hearings shall be held at Standing Committee meetings.
- (2) Advertising or notice of a Public Hearing shall be undertaken as required by applicable legislation, by-law, or according to City policy, to advise interested persons.

- (3) Public Hearings shall follow the following order:
 - (a) an introduction of the subject matter by the Chair or by staff;
 - (b) the staff presentation, if any and if not waived by the members of the Standing Committee; and
 - (c) presentations by delegations who have registered to APPEAR VIRTUALLY, will be heard.
 - (4) Persons who wish to appear as a delegation VIRTUALLY to address Committee on a matter that is the subject of a Public Hearing may make a delegation in accordance with section 5.11 of Appendix K.
 - (5) VIRTUAL delegations made at a Public Hearing will be limited to 5 minutes.
 - (6) Where a delegation wishes to provide written material to the members of the Standing Committee at a Public Hearing, which will become public record, the delegation shall:
 - (a) comply with subsection 5.11(8) of Appendix K.
- 10.1** The Clerk shall MAKE the agendas of ELECTRONIC Council and Committee meetings AVAILABLE to members of Council and Senior Leadership Team at least 5 days prior to the scheduled meetings ON THE CITY'S WEBSITE.
- 10.2** The Clerk shall make the agendas of ELECTRONIC Council and Committee meetings, available to the media and general public, simultaneously with the distribution set out in subsection 10.1.

Authority: Item 3, Public Works Committee
Report 20-005 (PW20045)
CM: July 17, 2020
Ward: City Wide
Bill No. 147

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend City of Hamilton By-law No. 01-215, being a By-law to Regulate Traffic, to designate Community Safety Zones in Hamilton

WHEREAS Council enacted a By-law to Regulate Traffic in the City of Hamilton, By-law 01-215;

AND WHEREAS this amending by-law amends By-law 01-215 to designate Community Safety Zones as hereinafter described and depicted;

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

1. That the amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. That the following definition be added in Part 1, Definitions & Interpretations:

“Community Safety Zone” means a part of a highway which is designated by an authorized sign as a community safety zone and is listed in Schedule 34 of this By-law, being areas where public safety is of special concern, as identified by the City, and where fines imposed upon conviction of a moving violation, are increased.

3. That Part 2 – Traffic Regulations, be amended by adding the following section:

COMMUNITY SAFETY ZONES DESIGNATION

- 7.1 Community Safety Zones are established where an Authorized Sign to that effect has been posted on any Highway set out in Column 1 of Schedule 34 between the limits set out in Column 2, during the time of day set out in Column 3.
4. That the following Schedule 34 be included in and form part of By-law 01-215:

Schedule 34: Designated Community Safety Zones		
Column 1 Highway	Column 2 Between	Column 3 Times of day
Bellagio Avenue	Fletcher Road and Kingsborough Drive	Anytime
Broker Drive	Upper Ottawa Street to Mountain Brow Boulevard	Anytime
Gage Avenue	Lawrence Road to Main Street East	Anytime
Glancaster Road	Rymal Road West and Book Road	Anytime
Greenhill Avenue	Quigley Road and Mount Albion Road	Anytime
Harvest Road	Brock Road and Ofield Road South	Anytime
Lawrence Road	Gage Avenue South and Ottawa Street South	Anytime
Lawrence Road	Cochrane Road and Mount Albion Road	Anytime
Lewis Road	Barton Street East and Highway 8	Anytime
Main Street North	Parkside Drive and Dundas Street East	Anytime
Stone Church Road East	Dartnall Road and Pritchard Road	Anytime
Trinity Church Road	Binbrook Road and 500 m south of Rymal Road	Anytime
2nd Street North	Charles Street and King Street West	Anytime

4. That in all other respects By-law 01-215 is confirmed; and
5. That the provisions of this by-law shall become effective on the date approved by City Council.

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 7, Economic Development
and Planning Committee
Report 10-005 (PED10051)
CM: March 10, 2010
Ward: 15

Bill No. 148

CITY OF HAMILTON

BY-LAW NO. 20-

**To Establish City of Hamilton Land
Described as Block 677 on Plan 62M-1266
as Part of Valley Trail Place**

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Block 677 on Plan 62M-1266, is established as a public highway, forming part of Valley Trail Place.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 4, Planning Committee
Report: 20-005 (PED20075)
CM: July 17, 2020
Ward: 10

Bill No. 149

CITY OF HAMILTON

BY-LAW NO. 20-

To Adopt:

**Official Plan Amendment No. 133 to the
Urban Hamilton Official Plan**

Respecting:

**1329 & 1335 Barton Street, 339 & 347 Fifty Road, 40 Zinfandel Drive, 16 to 30
Foothills Lane, and Blocks 13, 14, 18 and part of Block 9 in Registered Plan 62M-
1241**

(Stoney Creek)

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

1. Amendment No. 133 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 133

The following text, together with Appendix “A” – Volume 2: Map B.7.4-1 – Fruitland-Winona Secondary Plan Land Use Plan, attached hereto, constitutes Official Plan Amendment No. 133 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to change the land use designation and amend both Area Specific Policy mapping and text to permit a maximum net residential density of 49 units per hectare.

2.0 Location:

The lands affected by this Amendment are known municipally as 1329 and 1335 Barton Street, 339 and 347 Fifty Road, 40 Zinfandel Drive, 16 to 30 Foothills Lane, and Blocks 13, 14, 18 and part of Block 9 in Registered Plan 62M-1241, in the former City of Stoney Creek.

3.0 Basis:

The basis for permitting this Amendment is:

- To provide a more accurate reflection of the former OMB (now LPAT) Decision PL120721, which permitted a maximum density of 49 units per hectare;
- The proposed Amendment is consistent with the established permitted uses for the subject lands; and,
- 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.7 – Stoney Creek Secondary Plans – Section B.7.4 – Fruitland-Winona Secondary Plan

- a. That Volume 2: Chapter B.7.0 – Stoney Creek Secondary Plans, Section B.7.4 – Fruitland-Winona Secondary Plan, Policy B.7.4.18.8 be amended by adding the word “and,” between “ii) 970 Barton Street;” and “iii) 1360 Barton Street;” and by deleting the words “and, iv) 347 Fifty Road;”, so that the policy reads, as follows:

“B.7.4.18.8 For the lands located at:

- i) Glover Road, Barton Street, Concession 1, dividing Lots 11 and 12 and Highway No. 8;
- ii) 970 Barton Street; and,
- iii) 1361 Barton Street;

and as shown as Area Specific Policy – Area H on Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan, the following policy shall apply: ...”

- b. That Volume 2: Chapter B.7.0 – Stoney Creek Secondary Plans, Section B.7.4 – Fruitland-Winona Secondary Plan be amended by replacing Area Specific Policy – Area I with the following:

“Area Specific Policy – Area I

B.7.4.18.9 The following policies shall apply to the lands located at 1329 and 1335 Barton Street, 16-30 Foothills Lane, 40 Zinfandel Drive, and Block Nos. 13, 14, 18 and part of Block No. 9 within Registered Plan No. 62M-1241, and 339 and 347 Fifty Road, designated Low Density Residential 3 and identified as Area Specific Policy – Area I on Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan:

- a) In addition to Policies B.1.6 d) and B.1.7 of Volume 2, for

the purposes of calculating net residential density, the development area shall be all the lands subject to Area Specific Policy – Area I;

- b) In addition to Policy B.7.4.4.5 a), grade-oriented attached housing and low rise apartments shall also be permitted; and,
- c) Notwithstanding Policy E.3.4.4 of Volume 1 and B.7.4.4.5 b) of Volume 2, the net residential density shall be greater than 40 units per hectare and shall not exceed 49 units per hectare.
- d) It is the intent of Council that a Draft Plan of Subdivision is not required to facilitate the orderly development of the lands per Policy F.1.14.1.1 of Volume 1, and that the extension of Sonoma Lane to Fifty Road may proceed by way of a deposited reference plan and deeming by-law and be designed in accordance with Policy Section C.4.5 of Volume 1, provided the City receives all necessary assurances and related securities respecting the construction and dedication of the road extension, to the satisfaction of the City.

Maps

4.1.2 Map

- a. That Volume 2: Map B.7.4-1 – Fruitland-Winona Secondary Plan – Land Use Plan be amended by:
 - i) redesignating lands from “Low Density Residential 2” to “Low Density Residential 3”;
 - ii) removing lands from Area Specific Policy – Area H; and,
 - iii) adding lands to Area Specific Policy – Area I,as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

Implementing Site Plans will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule "1" to By-law No. 20-149 passed on the 17th day of July, 2020.

**The
City of Hamilton**

F. Eisenberger
MAYOR

A. Holland
CITY CLERK

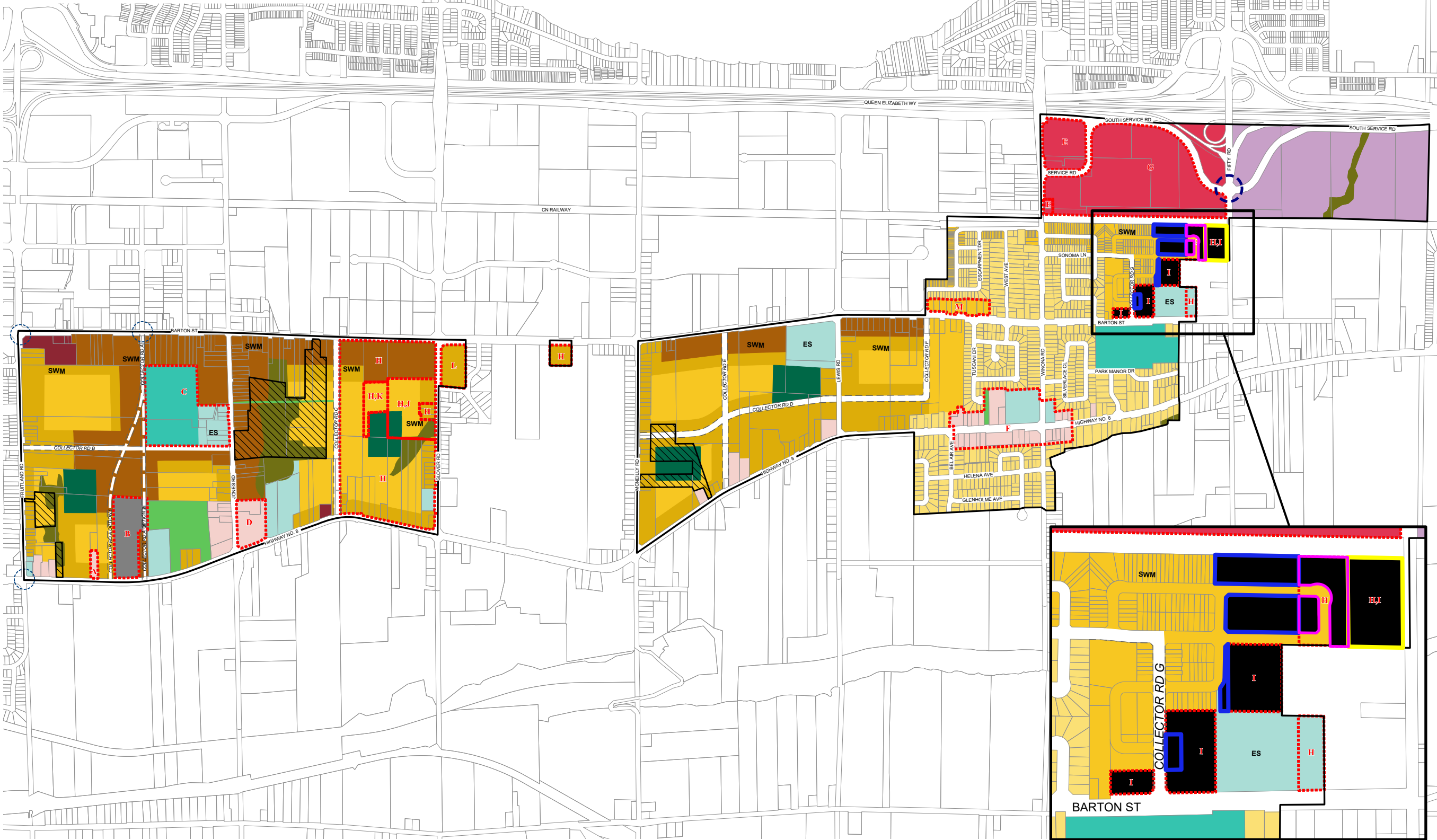
Appendix A
 APPROVED Amendment No. 133
 to the Urban Hamilton Official Plan

- Lands to be redesignated from "Low Density Residential 2" to "Low Density Residential 3"
- Lands to be removed from Area Specific Policy - Area H and added to Area Specific Policy - Area I
- Lands to be added to Area Specific Policy - Area I
- Lands to be removed from Area Specific Policy - Area H

Date:
July 10, 2020

Revised By:
MS/NB

Reference File No.:
OPA-U-133(S)



APPEALS

- Lands Under Appeal
 - 238, 252 Jones Road
 - 820, 822 Barton Street East
 - 212 Fruitland Road
 - 228, 244 McNeilly Road
 - 667, 1069 Highway No. 8

Legend

- Residential Designations**
 - Low Density Residential 1
 - Low Density Residential 2
 - Low Density Residential 3
 - Medium Density Residential 2
- Commercial and Mixed Use Designations**
 - Local Commercial
 - District Commercial
 - Arterial Commercial
- Parks and Open Space Designations**
 - Neighbourhood Park
 - Community Park
 - General Open Space
 - Natural Open Space
- Other Designations**
 - Employment Area - Business Park
 - Institutional
 - Elementary School
 - Utility
 - Storm Water Management
- Other Features**
 - Area or Site Specific Policy
 - Major Gateway
 - Minor Gateway
 - Proposed Roads
 - Secondary Plan Boundary

Urban Hamilton Official Plan
 Fruitland-Winona
 Secondary Plan
 Land Use Plan
 Map B.7.4-1

**CITY OF HAMILTON
BY-LAW NO. 20-**

**Being a by-law to amend On-Street Parking By-law No. 01-218, and Administrative
Penalty By-law No. 17-255 to create Special Enforcement Areas**

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

1. The On-Street Parking By-law No. 01-218 is amended by adding to Schedule 23, as follows:
 - (a) B – Devil’s Punchbowl Area

Schedule 23 - Special Enforcement Areas			
B – Devil’s Punchbowl Area			
Highway	Side	Location	Increased Fine in Effect
Ridge Road	Both	Upper Centennial Parkway to New Mountain Road	March 15 - November 15
First Road East	Both	Ridge Road to 200m southerly	March 15 - November 15

2. That Table 3 of the Administrative Penalty By-law No. 17-255 be applied to all streets in Schedule 23 of By-Law No. 01-128 “B - Devil’s Punchbowl Area”

Item	Column 1 Designated By-law & Section		Column 2 Short Form Wording	Column 3 Set Penalty
91	01-218	12.1(1)	Park, Stand or Stop in Contravention in a Special Enforcement Area	\$250.00

3. This By-law comes into force on the day it is passed.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON
BY-LAW NO. 20-
To Amend By-law No. 18-270, the Council Procedural
By-law

WHEREAS Council enacted a Council Procedural By-law being City of Hamilton By-law No. 18-270;

AND WHEREAS it is necessary to amend By-law 18-270, as amended, to reflect that the Planning Committee shall be comprised of a minimum of 7 Members of Council.

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

1. That By-law No. 18-270, be amended:
 - (i) By ***amending*** Section 5.3 (3), as follows:

5.3 Standing Committee Membership

- (3) Planning Committee shall be comprised of a minimum of **7** Members of Council.

PASSED this 17th day of July, 2020

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

**To Amend Zoning By-law No. 3692-92
Respecting Lands Located at 1218 and 1226 Barton Street & 1219 Highway No. 8,
Stoney Creek**

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. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 2 of Report 20-006 of the Planning Committee at its meeting held on the 17th day of July, 2020, which recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

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

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

1. That Map No. 8 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:

- (a) by changing the zoning from the Agricultural Specialty “AS” Zone to the Single Residential “R4-35” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 1);
- (b) by changing the zoning from the Rural Residential “RR” Zone to the Single Residential “R4-35” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 2);
- (c) by changing the zoning from the Single Residential “R1” Zone to the Single Residential “R4-35” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 3);
- (d) by changing the zoning from the Agricultural Specialty “AS” Zone to the Single Residential “R4-36” Zone, Modified, on the lands to the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 4);
- (e) by changing the zoning from the Agricultural Specialty “AS” Zone to the Single Residential “R4-36(H)” Zone, Modified, Holding, on the lands to the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 5); and,
- (f) by changing the zoning from the Agricultural Specialty “AS” Zone to the Single Residential “R4-37” Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 6);
- (g) by changing the zoning from the Agricultural Specialty “AS” Zone to the General Commercial “GC-30(H)” Zone, Modified, Holding, on the lands to the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A” (Block 7).

2. That Subsection 6.5.7, "Special Exemptions" of Section 6.5, Single Residential "R4" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R4-35", as follows:

**"R4-35" 1218 and 1226 Barton Street and 1219 Highway No. 8, Schedule "A"
Map No. 8 (Blocks 1, 2 and 3)**

Notwithstanding the meaning of "Lot – Corner" in Part 2, Definitions, on those lands zoned "R4-35" by this By-law, the following shall apply:

Lot - Corner

Means:

- (a) A lot situated at the intersection of and abutting on two or more streets and which streets have an angle of intersection of not more than 135 degrees, but does not include streets which have 0.3 metre reserves; or
- (b) A lot abutting a curve of a street the adjacent sides of which curve contain an angle facing the lot of not more than 135 degrees, and such angle shall be formed by their tangents drawn from the points where the side lot lines meet the lot line abutting a street but does not include a lot abutting the bulb of a cul-de-sac or a turning circle, but does not include streets which have 0.3 metre reserves.

In addition to Part 2, Definitions, on those lands zoned "R4-35" by this By-law, the following shall apply:

Swale

Means a graded or engineered landscape feature, appearing as a linear, shallow, open channel for the purpose of conveying surface stormwater drainage, and includes an emergency overland flow route.

Notwithstanding any other provision of this By-law, no building or structure shall be located within a swale.

Notwithstanding the provisions of Paragraphs (a), (b), (c), (d), and (g) of Subsection 6.5.3 of Section 6.5, Single Residential “R4” Zone, on those lands zoned “R4-35” by this By-law, the following shall apply:

(a) Minimum Lot Area

Interior Lot	-	310 square metres
Corner Lot	-	370 square metres

(b) Minimum Lot Frontage

Interior Lot	-	11.0 metres
Corner Lot	-	12.7 metres

(c) Minimum Front Yard

For Lots Fronting onto Barton Street and Highway No. 8 -

9.5 metres to the dwelling, except 10.0 metres to an attached garage.

For All Other Lots -

4.5 metres to the dwelling, except 6.0 metres to an attached garage.

(d) Minimum Side Yard - 1.2 metres, except:

1. On an interior lot where a swale is provided in the side yard, the minimum side yard shall be 0.6 metres measured from the uppermost interior edge of the swale's slope to the nearest wall of any building or structure on the lot, provided that the distance between the side lot line and the nearest wall of the principal building on the lot shall not be less than 1.2 metres.
2. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line.

(g) Maximum Lot Coverage - 48 percent

In addition to Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone, on those lands zoned "R4-35" by this By-law, the following shall apply:

(h) The minimum width of the front elevation of a dwelling, not including the attached garage, shall be 2.4 m measured along the foundation of the porch.

Notwithstanding the provision of Paragraph a) of Subsection 4.10.3 "Dimensions of Parking Spaces" and the provision of Paragraph d) of Subsection 6.1.8 "Parking

Restrictions in Residential Zones”, on those lands zoned “R4-35” by this By-law, the following shall apply:

- (a) Parking spaces for 90° perpendicular parking and parking spaces located within a residential garage shall have a minimum width of 3.0 metres and minimum length of 6.0 metres. Stairs, to a maximum height of 0.54 m, up to 0.6 metres, shall be permitted to encroach into an interior garage parking space.

Notwithstanding the provisions of Section 4.13.1 “Special Setbacks - Daylight Triangles” and Paragraphs a) and d) of Subsection 4.19 “Yard Encroachments”, the following shall apply:

- (a) Sills, belt courses, cornices, chimney breasts, decorative brick facing or pilasters, which may project into any required yard a distance of not more than 0.5 metres.
- (b) Canopies and decks, including a cold cellar underneath same, may project into any required front yard 1.5 metres. Canopies and decks may project into any required rear yard not more than 4 metres. Notwithstanding the foregoing, any deck or patio which is less than 0.3 metres in height may be located in any required yard.
- (c) Unenclosed porches may project into a required front yard a distance of not more than 3.0 metres and into a required flankage yard a distance of not more than 1.8 metres, exclusive of eaves and gutters.
- (d) Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a

building; 0.5 metres for a porch, including porch foundations walls; and, 0.0 metres for eaves or gutters.

- (e) Bay windows, either with or without foundations, may project into a required front, rear, or flankage yard not more than 0.9 metres.
- (f) Balconies may project into any required front yard a distance of not more than 2.0 metres.

In addition to the regulations of Subsections 4.19 "Yard Encroachments", the following encroachments shall be permitted:

- (a) Stairs may project into a required front yard not more than 4.5 metres.
3. That Subsection 6.5.7, "Special Exemptions" of Section 6.5, Single Residential "R4" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R4-36", as follows:

**"R4-36" 1218 and 1226 Barton Street and 1219 Highway No. 8, Schedule "A"
Map No. 8 (Blocks 4 and 5)**

All provisions of the "R4-35" Zone provisions in Section 2 above shall also apply on those lands zoned "R4-36" by this By-law.

In addition to Subsection 6.5.3 of Section 6.5, Single Residential "R4" Zone and Subsection 6.5.7, "Special Exemptions" of Section 6.5, Single Residential "R4-35" Zone, Modified, on those lands zoned "R4-36" by this By-law, the following shall apply:

(i) The maximum width of a driveway and the maximum interior width of an attached garage or an attached carport shall not be more than 4.5 metres.

4. That Subsection 6.5.7, "Special Exemptions" of Section 6.5, Single Residential "R4" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R4-36(H1, H2)", as follows:

"R4-36(H)" 1218 and 1226 Barton Street and 1219 Highway No. 8, Schedule "A" Map No. 8 (Block 5)

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "R4-36(H)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "R4-36" Zone provisions in Section 4 above, upon completion of the following:

(a) That the Owner prepare and implement an Emergency Overland Flow Route and dedicate an easement of suitable width for the Emergency Overland Flow Route to the City, all to the satisfaction of the Manager of Development Approvals.

5. That Subsection 6.5.7, "Special Exemptions" of Section 6.5, Single Residential "R4" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "R4-37", as follows:

"R4-37" 1218 and 1226 Barton Street and 1219 Highway No. 8, Schedule "A" Map No. 8 (Block 6)

All provisions of the "R4-35" Zone provisions in Section 2 above shall also apply on those lands zoned "R4-37" by this By-law.

In addition to the uses permitted in Subsection 6.5.2 of Section 6.5, Single Residential "R4" Zone, those lands zoned "R4-37" may also be used for a storm water management pond.

6. That Subsection 8.3.8, "Special Exemptions" of Section 8.3, General Commercial "GC" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "GC-30(H)", as follows:

"GC-30(H)" 1223 Highway No. 8, Schedule "A", Map No. 8 (Block 7)

Notwithstanding the provision of Section 3.8 "Holding Zones", on those lands zoned "GC-30(H)" by this By-law, the Holding (H) symbol may be removed and thereby give effect to the "GC-30" Zone provisions, upon completion of the following:

- (a) That land assembly occur in order to provide commercial zoned frontage, to the satisfaction of the Director of Planning and Chief Planner.
7. 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 Single Residential "R4" Zone and the General Commercial "GC" Zone provisions, subject to the special requirements referred to in Sections 2 through 6 of this By-law.
8. 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 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-17-076



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. 3692-92

Subject Property

1218 and 1226 Barton Street & 1219 Highway No. 8



Block 1 - Change in Zoning from the Agricultural Specialty "AS" Zone to the Single Residential "R4-35" Zone, Modified



Block 2 - Change in Zoning from the Rural Residential "RR" Zone to the Single Residential "R4-35" Zone, Modified



Block 3 - Change in Zoning from the Single Residential "R1" Zone to the Single Residential "R4-35" Zone, Modified



Block 4 - Change in Zoning from the Agricultural Specialty "AS" Zone to the Single Residential "R4-36" Zone, Modified



Block 5 - Change in Zoning from the Agricultural Specialty "AS" Zone to the Single Residential "R4-36(H)" Zone, Modified, Holding



Block 6 - Change in Zoning from the Agricultural Specialty "AS" Zone to the Single Residential "R4-37" Zone, Modified



Block 7 - Change in Zoning from the Agricultural Specialty "AS" Zone to the General Commercial "GC-30(H)" Zone, Modified, Holding

Scale:
N.T.S.

File Name/Number:
ZAC-17-076 / 25T-201711

Date:
February 21, 2020

Planner/Technician:
JL/VS



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Authority: Item 3, Planning Committee
Report 20-006 (PED20060)
CM: July 17, 2020
Ward: 8

Bill No. 153

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 6593, Respecting Lands Located at 323 Rymal Road East, 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 2 of Report 20-006 of the Planning Committee, at its meeting held on the 17th day of July, 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. E18e of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from “AA” (Agricultural) District, to the “DE-2/S-1798-H” (Multiple Dwellings) 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 “DE-2/S-1798-H” (Multiple Dwellings) District, Modified, provisions as contained within Section 10B of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following special requirements:

- a) Notwithstanding Section 10B(3)(i)(b), for every multiple dwelling, a front yard of a depth of at least 3 metres.
 - b) Notwithstanding Section 10B(3)(ii)(b), for every other building or structure, a westerly side yard width of not less than 3 metres.
 - c) Notwithstanding Section 10B(3)(iii)(b), for every other building or structure, a rear yard of a depth of at least 15 metres.
 - d) Notwithstanding Section 18(3)(vi)(cc)(i) and (ii), the following provisions shall apply:
 - (i) A bay, balcony or dormer may project into a required front yard not more than 1.5 metres, provided that no such projection shall be closer to street line than 1.5 metres.
 - (ii) A bay, balcony or dormer may project into a required rear yard not more than 1.5 metres.
 - e) Notwithstanding Section 18A(1)(a) and Section 18A(1)(b) Table 1 and 2, a parking ratio of 1.23 spaces per dwelling unit shall be provided.
 - f) Section 18A(1)(c) shall not apply.
 - g) Section 18A(32) shall not apply.
 - h) Section 18A(33) shall not apply.
3. That the 'H' symbol applicable to the lands referred to in Section 1 of this By-law, shall be removed conditional upon:
- i) The Owner achieving Ministry of the Environment Conservation and Parks (MECP) Noise Guidelines NPC-300 by screening the Turner Park Library HVAC equipment, and/or providing an updated Noise Feasibility Study which provides further evaluation of the Turner Park Library's HVAC, equipment to the satisfaction of the Director of Planning and Chief Planner; and,
4. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-2/S-1798-H" (Multiple Dwellings) District, Modified, Holding, subject to the special requirements referred to in Section 2.

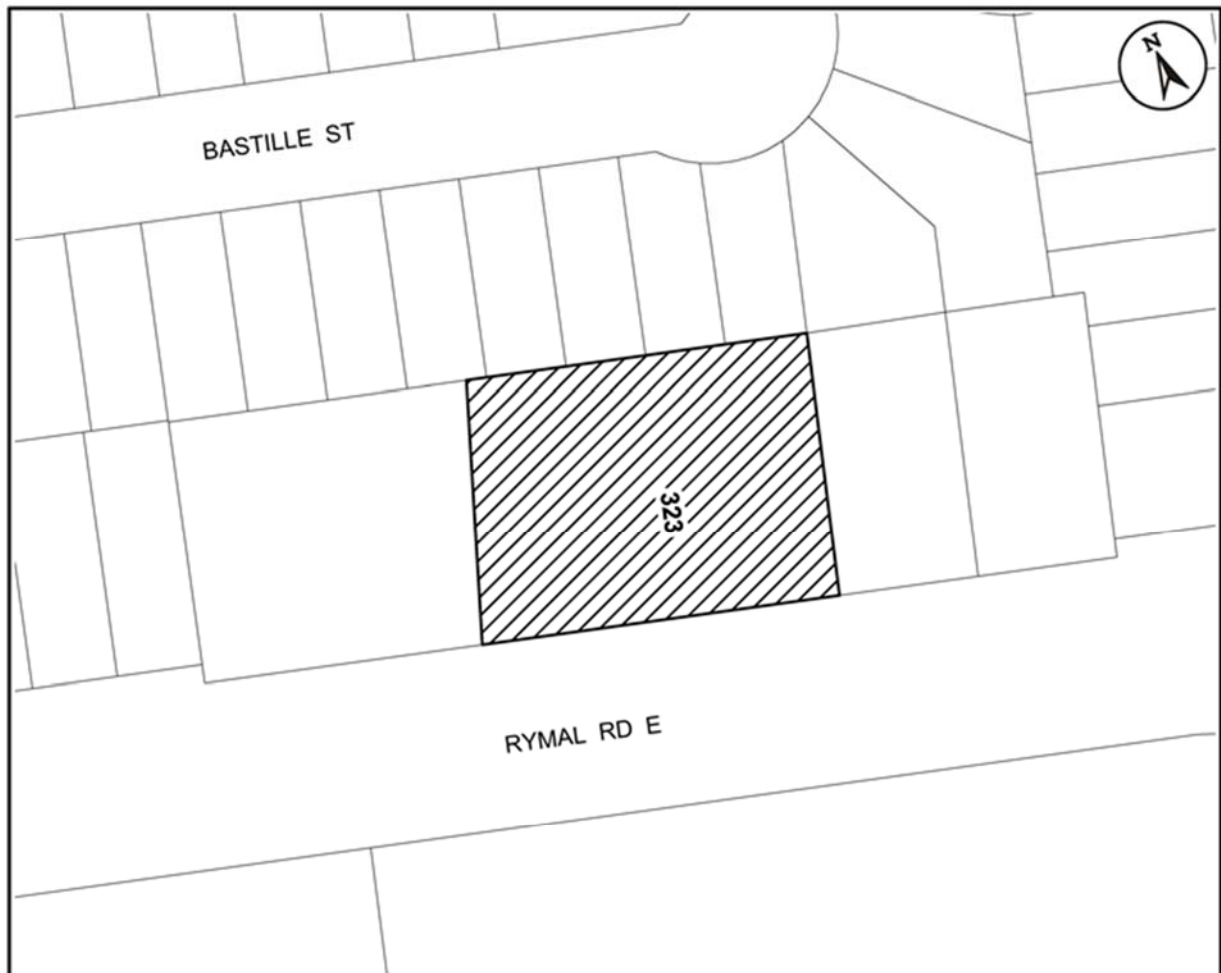
5. That Sheet No. E18e of the District Maps is amended by marking the lands referred to in Section 2 of the By-law as “DE-2/S-1798-H” (Multiple Dwellings) District, Modified, Holding.
6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

PASSED this 17th day of July , 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-19-031



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- Mayor ----- Clerk
---	--------------------------------------

<h2 style="margin: 0;">Schedule "A"</h2> Map Forming Part of By-law No. 20-_____ to Amend By-law No. 6593	Subject Property 323 Rymal Road East Change in Zoning from the "AA" (Agricultural) District to the "DE-2/S-1798-H" (Multiple Dwelling) District, Modified, Holding
--	---

Scale: N.T.S.	File Name/Number: ZAC-19-031
Date: Dec. 17, 2019	Planner/Technician: JVR/NB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Authority: Item 4, Planning Committee
Report 20-006 (PED19158(a))
CM: July 17, 2020
Ward: 7

Bill No. 154

CITY OF HAMILTON

BY-LAW NO. 20- To Amend Zoning By-law No. 6593, Respecting Lands Located at 370 Concession Street, 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 4 of Report 20-006 of the Planning Committee, at its meeting held on the 17th day of July, 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. E15 of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended as follows:
 - a) By changing the zoning from “DE-2/S-5” (Multiple Dwellings) District, Modified to the “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding (Block 1);
 - b) By changing the “C” (Urban Protected Residential, etc.) District to the “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding (Block 2); and,

- c) By changing the “DE-2/S-5” (Multiple Dwellings) District, Modified to the “RT-30/S-1781-H2” (Street – Townhouses) District, Modified, Holding (Block 3);

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

2. That the “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding provisions as contained within Section 10B of Zoning By-law No. 6593 applicable to the subject lands (Blocks 1 and 2), be modified to include the following special requirements:

- a) Schedule A of By-law No. 10637 shall not apply.
- b) Notwithstanding Section 10B(3)(i)(b), the existing multiple dwelling shall have a front yard depth of not less than 7.15 metres.
- c) Notwithstanding Section 10B(5), the existing gross floor area of 2,995.3 square metres for the existing multiple dwelling on the subject land shall be deemed to conform as of the date of the passing of the By-law.
- d) Notwithstanding Section 18(3)(vi)(b)(i) and (ii), and (cc)(i) and (ii), the following provisions apply:
- a. A canopy, cornice, eave or gutter may project into a required front yard not more than 5.23 metres;
- b. A canopy, cornice, eave or gutter may project into a required rear yard not more than 1.6 metres;
- c. A bay, balcony or dormer may project into a required front yard not more than 1.6 metres;
- d. A bay, balcony or dormer may project into a required rear yard not more than 1.6 metres.
- e) Notwithstanding Section 18A(1)(a) and Section 18A(1)(b) Table 1 and 2, 0.9 parking spaces per Class A dwelling unit shall be provided.
- f) Section 18A(1)(b) shall not apply.
- g) Section 18A(1)(c) shall not apply.
- h) Notwithstanding Section 18A(7), a maximum 23 parking spaces, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long.

- i) Notwithstanding Section 18A(11), the boundary of every parking area and loading space on a lot containing five or more parking spaces located on the surface of a lot adjoining a residential district shall be fixed:
 - i) not less than 1.0 metre from the western adjoining “C” (Urban Protected Residential, etc.) District and “E-2” (Multiple Dwellings) District, boundary;
 - ii) not less than 4.0 metres from the southern adjoining “C” (Urban Protected Residential, etc.) District boundary;
 - iii) not less than 1.0 metre from the eastern adjoining “C” (Urban Protected Residential, etc.) District boundary; and,
 - iv) not less than 1.0 metre from the “RT-30” (Street - Townhouse) District boundary;
 - j) Section 18A(25) shall not apply.
3. That the “RT-30/S-1781-H2” (Street - Townhouses) District, Modified, Holding provisions as contained within Section 10F of Zoning By-law No. 6593 applicable to the subject lands (Block 3), be modified to include the following special requirements:
- a) Notwithstanding Section 10F(4)(b), a rear yard depth of not less than 6.0 metres shall be provided.
 - b) Notwithstanding Section 10F(4)(c), a side yard abutting a wall that is not a party wall, along each side lot line of a width of not less than,
 - i) 1.0 metre from the lot line for a Street Townhouse Dwelling, not exceeding two storeys in height.
 - c) Notwithstanding Section 10F(6)(c)(i), in a “RT-30” District every lot or tract of land upon which Street Townhouse Dwelling is erected, altered extended or enlarged shall have a lot area not less than 140.0 square metres.
 - d) Notwithstanding Section 18(3)(vi)(cc)(i), a balcony may project into a required front yard not more than 1.5 metres.
 - e) Section 18(3)(vi)(e), shall not apply.
4. That the ‘H’ symbol applicable to the lands referred to in Section 1 of this By-law, shall be removed conditional upon:

- a) The holding provision “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding applicable to Blocks 1 and 2 be removed conditional upon:
 - i) The Owner applying for a Building Permit to legalize the two (2) units that were not part of the original 39 unit multiple dwelling, to the satisfaction of the City’s Chief Building Official.
 - ii) The Owner receiving Conditional Site Plan Approval for the proposed changes to the parking lot, to the satisfaction of the Manager of Development Planning, Heritage and Design.
 - b) The holding provision “RT-30/S-1781-H2” (Street – Townhouses) District, Modified, Holding applicable to Block 3 be removed conditional upon:
 - i) The Owner receiving Conditional Site Plan Approval, to the satisfaction of the Manager of Development Planning, Heritage and Design.
5. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding and “RT-30/S-1781-H2” (Street - Townhouses) District, Modified, Holding the provisions, subject to the special requirements referred to in Sections 2 and 3.
 6. That Sheet No. E15 of the District Maps is amended by marking the lands referred to in Section 2 of the By-law as “DE-2/S-5a-H1” (Multiple Dwellings) District, Modified, Holding and “RT-30/S-1781-H2” (Street - Townhouses) District, Modified, Holding.
 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 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- Mayor ----- Clerk
---	--------------------------------------

<h2 style="margin: 0;">Schedule "A"</h2> <p style="margin: 10px 0 0 0;">Map Forming Part of By-law No. 20-_____</p> <p style="margin: 10px 0 0 0;">to Amend By-law No. 6593</p>		<p>Subject Property</p> <p>370 Concession Street, Hamilton</p> <p> Block 1 - Change in zoning from the "DE-2/S-5" (Multiple Dwellings) District, Modified to the "DE-2/S-5a-H1" (Multiple Dwellings) District, Modified, Holding</p> <p> Block 2 - Change in zoning from the "C" (Urban Protected Residential, etc.) District to the "DE-2/S-5a-H1" (Multiple Dwellings) District, Modified, Holding</p> <p> Block 3 - Change in zoning from the "DE-2/S-5" (Multiple Dwellings) District, Modified to the "RT-30/S-1781-H2" (Street-Townhouses) District, Modified, Holding</p>				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Scale: N.T.S.</td> <td style="width: 50%; padding: 2px;">File Name/Number: ZAC-18-008</td> </tr> <tr> <td style="padding: 2px;">Date: March 5, 2020</td> <td style="padding: 2px;">Planner/Technician: MS/VS</td> </tr> </table>	Scale: N.T.S.	File Name/Number: ZAC-18-008	Date: March 5, 2020	Planner/Technician: MS/VS		
Scale: N.T.S.	File Name/Number: ZAC-18-008					
Date: March 5, 2020	Planner/Technician: MS/VS					
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT						

CITY OF HAMILTON
BY-LAW NO. 20-

A By-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces and to amend City of Hamilton By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS under section 10 of the *Municipal Act, 2001*, the City may pass by-laws respecting health, safety, and well-being of persons and the economic, social, and environmental well-being of the City;

AND WHEREAS the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus (“**COVID-19 Pandemic**”);

AND WHEREAS on March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* related to the COVID-19 Pandemic and has been extended pursuant to section 7.0.7 of the *Emergency Management and Civil Protection Act* due to the health risks to Ontario residents arising from COVID-19;

AND WHEREAS the Province of Ontario has enacted O. Reg. 263/20 (STAGE 2 CLOSURES) under Subsection 7.0.2 (4) of the *Emergency Management and Civil Protection Act* to permit certain businesses to reopen for attendance by members of the public subject to conditions, including the advice, recommendations and instructions of public health officials;

AND WHEREAS Novel Coronavirus is present within the city of Hamilton, and it causes the disease COVID-19 that is readily communicable from person to person and carries a risk of serious complications such as pneumonia or respiratory failure, and may result in death;

AND WHEREAS 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;

AND WHEREAS it is believed that the existence of an enforceable by-law requirement will help educate the public on the importance of a properly worn Face Covering and encourage voluntary compliance;

AND WHEREAS the City considers it desirable to enact a by-law to impose the following regulations requiring businesses and organizations that have enclosed spaces open to the public to ensure that persons wear a Face Covering as it is a necessary, recognized, practicable, and effective method to limit the spread of COVID-19 and thereby help protect

the health, safety and well-being of the residents of the city of Hamilton;

NOW THEREFORE the Council of the City enacts as follows:

PART 1- DEFINITIONS

1.1 For the purposes of this by-law:

“APS By-law” shall mean the City’s Administrative Penalties By-law No. 17-225;

“Authorized Staff” means a Municipal Law Enforcement Officer or any employee of the City whose duties include those provided for or assigned under this by-law, and shall include without limitation the Director, the Medical Officer of Health, any public health inspector, and any Police Officer;

“City” means the City of Hamilton;

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

“Enclosed” means any enclosed space, whether or not doors, windows, or other parts of the enclosed space have been opened;

“Emergency Management and Civil Protection Act” means the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E. 9 and any regulations or Orders thereunder;

“Establishment” means any municipal bus or transit shelter and any enclosed space where members of the public are ordinarily invited or permitted access, either expressly or by implication, and whether or not a fee is charged for entry and shall include without limitation:

- (a) premises or any portion thereof which are used as a place of business for the sale or offering for sale of goods or services and includes a mall or similar structure which contains multiple places of business;
- (b) churches, mosques, synagogues, temples, or other places of worship;
- (c) community centres including indoor recreational facilities;
- (d) libraries, art galleries, museums, aquariums, zoos, and other similar facilities;
- (e) facilities operated by community service agencies which are attended by members of the public;
- (f) banquet halls, convention centres, arenas, stadiums, and other enclosed event spaces;

- (g) premises utilized as an open house, presentation centre, or other facility for real estate purposes;
- (h) common areas of hotels, motels, and other multi-unit short term rentals, such as lobbies, elevators, meeting rooms, or other common use facilities;
- (i) concert venues, theatres, cinemas, casinos, and other entertainment facilities;
- (j) homeless shelters; and
- (k) municipal public transportation facilities including, for clarity, all vehicles owned or operated by Hamilton Street Railway and DARTS Transit;

For clarity “**Establishment**” shall not include:

- (a) airports or other facilities under the jurisdiction of the federal government;
- (b) provincial public transportation facilities;
- (c) schools or post-secondary institutions;
- (d) child care facilities;
- (e) portions of an Establishment that are not open to members of the public;
- (f) hospitals, independent health facilities, or offices of regulated health professionals; and
- (g) any portion of a property used primarily as a private dwelling;

“**Face Covering**” means a medical or non-medical mask or other face covering such as a balaclava, bandana, scarf, cloth, or other similar item that covers the nose, mouth, and chin without gapping;

“**Medical Officer of Health**” means the City’s Medical Officer of Health or their designate(s);

“**Human Rights Code**” means the *Human Rights Code*, R.S.O. 1990, c. H. 19;

“**Municipal Act, 2001**” means the *Municipal Act, 2001*, S.O. 2001, c. 25;

“**Operator**” means a person or organization who/which is responsible for or otherwise has custody, or control over the operation, of an Establishment and shall include without limitation a supervisor, manager, or owner of an Establishment;

“**Personal Health Information**” shall mean personal health information as defined by the *Personal Health Information Protection Act, 2004*, S.O. 2003, c. 3, Sched. A;

“**Police Officer**” includes an officer of the Hamilton Police Service; and

“**Provincial Offences Act**” means the *Provincial Offences Act*, R.S.O. 1990, c. P33.

PART 2 – OPERATOR REQUIREMENTS

2.1 Every Operator shall ensure that a clearly visible sign is posted at all entrances to their Establishment that contains the following wording:

All persons entering or remaining in these premises shall wear a face covering which covers the nose, mouth, and chin as required under City of Hamilton By-law No. 20-155 (unless exempt).

Please also respect the rights of those persons who are exempt from the requirement to wear a face covering in accordance with this By-law.

2.2 To assist with visual recognition, the wording in the signage referred to in section 2.1 shall be in a colour that contrasts with the sign’s background such as black text on white background, shall be in a sans serif font such as Arial or Verdana, and shall have a font size of at least 24 points.

2.3 Notwithstanding the above, the Director may approve any signage that meets the intent of this By-law.

2.4 Every Operator shall take reasonable steps to ensure that no member of the public is permitted entry to, or otherwise remains within, the Establishment unless the member of the public is wearing a Face Covering in a manner which covers their mouth, nose, and chin. This requirement shall not apply to members of the public that state that they fall within an exemption of this by-law or appear to fall within one of the exemptions.

2.5 Every Operator shall ensure that any person who refuses to comply with the requirements of this by-law is promptly asked to leave their Establishment and is reported to Authorized Staff upon failure to comply with this direction.

2.6 Every Operator shall ensure that a person responsible for ensuring compliance with this by-law is present at the Establishment at all times when it is open to the public.

2.7 Every Operator shall ensure that all persons working at the Establishment are aware of the requirements of this by-law.

2.8 Every Operator shall ensure that its employees and every person working within the Establishment wears a Face Covering while working in any part of the Establishment that is open to members of the public.

2.9 For the purposes of this by-law, no Operator shall require any employee or member of the public to provide proof that any exemption set out in section 4.1 applies to that

employee or member of the public or request any Personal Health Information from any individual.

PART 3 – PERSONAL REQUIREMENTS

- 3.1 Every person shall wear a Face Covering while in an Establishment.
- 3.2 Every parent, guardian, caregiver or person accompanying a child of at least two years of age to an Establishment shall ensure that the child wears a Face Covering while in an Establishment.

PART 4 - EXEMPTIONS

- 4.1 The requirements of sections 3.1 and 3.2 shall not apply to a person who:
- (a) is a child under the age of two;
 - (b) is a child at least two years of age but under the age of 5 years who refuses to wear a Face Covering and cannot be persuaded to do so by their caregiver;
 - (c) has an underlying medical condition which inhibits their ability to wear a Face Covering;
 - (d) is unable to place or remove a Face Covering without assistance;
 - (e) is an employee or agent of the Operator and is within an area designated for them and not for public access, or is within or behind a physical barrier;
 - (f) is reasonably accommodated by not wearing a Face Covering in accordance with the *Human Rights Code* including a person with a disability that makes it difficult to wear, or communicate while wearing, a Face Covering;
 - (g) is in a swimming pool;
 - (h) is actively engaged in an athletic or fitness activity;
 - (i) who removes the Face Covering for the period necessary to provide, or receive, services or treatment;
 - (j) who is sleeping or in bed at a homeless shelter; or
 - (k) states that one of the exemptions of this by-law applies to them.
- 4.2 The requirements of sections 2.4 and 2.5 shall not apply to an Operator with respect to a person who is exempt from wearing a Face Covering in accordance with this by-law.

PART 5 - ADMINISTRATION AND ENFORCEMENT

- 5.1 The Director is responsible for the administration and enforcement of this by-law and may appoint delegates or assign duties to City staff under this by-law.
- 5.2 City staff who carry out any action under this by-law are deemed to be Authorized Staff for the purposes of this by-law, in the absence of evidence to the contrary.
- 5.3 Authorized Staff may, at any reasonable time, enter and inspect all lands, buildings, structures or parts thereof that are subject to this by-law for the purposes of determining compliance with this by-law. Inspection of any dwelling unit shall be in accordance with the requirements of the *Municipal Act, 2001*.
- 5.4 For the purposes of this by-law, Authorized Staff may:
- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to an inspection for the purposes of making copies or extracts;
 - (c) require information from any person concerning a matter related to an inspection; and
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of an inspection.
- 5.5 Despite section 5.4, no Authorized Staff shall request or require any Personal Health Information from any individual.
- 5.6 Where any person contravenes any provision of this by-law, Authorized Staff may direct such person, verbally or in writing, to comply with this by-law. Every person so directed shall comply with such direction without delay.
- 5.7 No person shall prevent, hinder or obstruct, or attempt to hinder or obstruct any Authorized Staff in the exercise of any power or the performance of any activity or duty under this by-law.

PART 6 – OFFENCES AND PENALTIES

- 6.1 Every person who contravenes any provision of this by-law is guilty of an offence and is liable to pay a fine, and such other penalties, as provided for in the *Provincial Offences Act* and the *Municipal Act, 2001*.

- 6.2 Every person, other than a corporation, who contravenes any provision of this by-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$10,000 for a first conviction; and not more than \$25,000 for any subsequent conviction.
- 6.3 Every corporation which contravenes any provision of this by-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$25,000 for a first conviction and not more than \$50,000 for any subsequent conviction.
- 6.4 If an offence under the by-law is continued on more than one day, the person who committed it is liable to be convicted for a separate offence for each day on which it is continued.
- 6.5 Without limiting the above, every person who contravenes this by-law may also be liable, upon issuance of a penalty notice, to pay an administrative penalty in an amount specified in the APS By-law.
- 6.6 An administrative penalty imposed by the City on a person under section 434.1 of the *Municipal Act, 2001*, constitutes a debt of the person to the municipality. If an administrative penalty is not paid within 15 days after the day that it becomes due and payable, the City may add the administrative penalty to the tax roll for any property in the city of Hamilton for which all of the owners are responsible for paying the administrative penalty and collect it in the same manner as municipal taxes.

PART 7 – AMENDMENTS TO THE APS BY-LAW

7.1 Schedule A of By-law No. 17-225 is amended by adding the following table:

TABLE 25: BY-LAW NO. 20-155 to Require the Wearing of Face Coverings Within Enclosed Public Spaces				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
1	20-155	2.1	As Operator failed to post mandatory Face Covering Sign at entrance of Establishment	\$500.00
2	20-155	2.3	As Operator failed to prohibit entry to Establishment to person not wearing a Face Covering	\$500.00
3	20-155	2.4	As Operator, failed to ask person not wearing a Face Covering to leave Establishment	\$500.00

TABLE 25: BY-LAW NO. 20-155 to Require the Wearing of Face Coverings Within Enclosed Public Spaces				
ITEM	COLUMN 1 DESIGNATED BY-LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
4	20-155	2.7	As Operator failed to ensure person working in Establishment wears Face Covering	\$500.00
5	20-155	5.7	Obstructing an Officer or Authorized Staff	\$500.00
6	20-155	3.1	Fail to wear a required Face Covering in an Establishment	\$200.00
7	20-155	3.2	Fail to ensure child under your care wears a required Face Covering in an Establishment	\$200.00

7.2 In all other respects the APS By-law is confirmed.

PART 8 – MISCELLANEOUS

8.1 Conflict: In the event a discrepancy between this by-law and any statute, regulation, rule, by-law, order or instrument of the Province of Ontario or the Government of Canada, the provision that is the most restrictive prevails. This by-law shall not be interpreted so as to conflict with a provincial or federal statute, regulation, or instrument of a legislative nature, including an order made under the *Emergency Management and Civil Protection Act*.

8.2 Severability: Should any section of this by-law be declared by a court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

8.3 Short Title: This by-law may be referred to as the Hamilton Face Covering By-law.

8.4 Effective Date: This by-law shall become effective at 12:01 a.m. on July 20, 2020.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 9, Public Works Committee Report
07-016 (PW07153)
CM: December 12, 2007
Ward: 1, 2, 3

Bill No. 156

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

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

1. Schedule 6 (One-Way Streets) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "G" (Former Regional Roads) thereof the following items, namely:

Queen Street	Southerly	Barton Street	Main Street
Locke Street	Northerly	Main Street	King Street

And by adding to section "G" (Former Regional Roads) thereof the following items, namely;

Queen Street North	Southerly	Barton Street West	King Street West
-----------------------	-----------	--------------------	------------------

2. Schedule 8 (No Right Turns) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following items, namely:

Hunter Street	Westerly	Queen Street	Anytime
---------------	----------	--------------	---------

3. Schedule 9 (No Right Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following item, namely:

Herkimer Street	Easterly	Queen Street	Anytime
-----------------	----------	--------------	---------

And by removing from Section "G" (Former Regional Roads) thereof the following item, namely;

Queen Street	Northerly	Herkimer Street	Anytime
--------------	-----------	-----------------	---------

And by adding to Section "G" (Former Regional Roads) thereof the following item, namely;

Queen Street South	Northerly	Main Street West	Anytime
-----------------------	-----------	------------------	---------

4. Schedule 10 (No Left Turns) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "G" (Former Regional Roads) thereof the following item, namely:

Queen Street	Northerly	Jackson Street	Anytime
--------------	-----------	----------------	---------

And by adding to Section "E" (Hamilton) thereof the following item, namely;

Herkimer Street	Easterly	Queen Street South	Anytime
-----------------	----------	-----------------------	---------

5. Schedule 11 (No Left Turns on Red) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "G" (Former Regional Roads) thereof the following item, namely:

Queen Street	Southbound	Main Street	Anytime
--------------	------------	-------------	---------

And by adding to Section "E" (Hamilton) thereof the following item, namely;

Bay Street South	Northbound	Charlton Avenue	Anytime
------------------	------------	-----------------	---------

And by adding to Section "G" (Former Regional Roads) thereof the following item, namely;

King Street West Westbound Queen Street North Anytime

6. Schedule 13 (Designated Traffic Lanes) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following item, namely:

Locke Street	100 ft. south of King and King	West	Anytime	Northerly to Westerly
--------------	--------------------------------	------	---------	-----------------------

And by removing from Section "G" (Former Regional Roads) thereof the following item, namely;

Queen Street	50 m south of Main Street and Main Street	East	Anytime	Northerly to Easterly
Queen Street	50 m south of Main Street and Main Street	East	Anytime	Southerly to Easterly
Queen Street	200 ft. north of King and King	2 nd lane from west curb	Anytime	Southerly and Southerly to Westerly
Sherman Avenue	30 m south of Cannon Street to Cannon Street	2 nd lane from east curb	Anytime	Northerly to Easterly

And by adding to Section "E" (Hamilton) thereof the following items, namely:

Hunter Street West	Queen Street South and 50 m east of Queen Street South	North	Anytime, Buses Excepted	Westerly to Southerly
--------------------	--	-------	-------------------------	-----------------------

And by adding to Section "E" (Hamilton) thereof the following items, namely:

Barton Street East	24 m west of Wellington Street East and Wellington Street East	South curb lane	Anytime	Easterly to Southerly
--------------------	--	-----------------	---------	-----------------------

And by adding to Section "G" (Former Regional Roads) thereof the following items, namely:

Queen Street	45 m south of King Street and King Street	East	Anytime	Northerly to Westerly
--------------	---	------	---------	-----------------------

7. Schedule 18 (Bicycle Lanes) of By-law No. 01-215, as amended, is hereby further amended by removing thereof the following items, namely:

Locke Street	George Street to Hunter Street	East curb lane	Anytime	Northbound
--------------	--------------------------------	----------------	---------	------------

Locke Street	George Street to Hunter Street	West curb lane	Anytime	Southbound
--------------	--------------------------------	----------------	---------	------------

And by adding to thereof the following item, namely:

Locke Street	Hunter Street West to King Street West	East curb lane	Anytime	Northbound
--------------	--	----------------	---------	------------

Locke Street	Hunter Street West to King Street West	West curb lane	Anytime	Southbound
--------------	--	----------------	---------	------------

8. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

9. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 9, General Issues
Committee Report 20-010
(LS19029(a))
CM: July 17, 2020
Ward: 15

Bill No. 157

CITY OF HAMILTON

BY-LAW NO. 20-157

Being a By-law to Expropriate a Portion of 347 Parkside Drive, Hamilton, Being Part of Lot 6, Concession 4, East Flamborough, as in CD 260033, S/T & T/W CD260033, S/T EF23444, Flamborough, City of Hamilton, Designated as Part 2 on Plan 62R-20823, being Part of PIN 17514-0100(LT), known municipally as 347 Parkside Drive, Hamilton, for the purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)

WHEREAS Section 6 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended empowers a municipality to expropriate land in accordance with the *Expropriations Act*.

AND WHEREAS the City of Hamilton, as expropriating authority, made application to the Council of the City of Hamilton on the 12th day of July, 2019 for approval to expropriate, 347 Parkside Drive, Hamilton, being Part of Lot 6, Concession 4 East Flamborough, as in CD260033, S/T & T/W CD260033, S/T EF23444, Flamborough, in the City of Hamilton, designated as Part 2 on Plan 62R-20823 , being Part of PIN 17514—0100 (LT), being the land described in Schedule “A” attached hereto (and forming part of this by-law) in accordance with the *Expropriations Act*, R.S.O. 1990, Chapter E.26;

AND WHEREAS the City of Hamilton as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator; a newspaper having general circulation in the City of Hamilton, in accordance with the *Expropriations Act*,

AND WHEREAS 2441066 Ontario Inc. and 2441069 Ontario Inc., being registered owners of the land described in Schedule “A”, requested an Inquiry Hearing pursuant to the *Expropriations Act* and the same was held on June 3, 2020.

AND WHEREAS the inquiry officer’s report was considered by City of Hamilton Council at its meeting on July 17, 2020 and its approval to proceed with expropriation was granted on the same date.

AND WHEREAS the Council of the City of Hamilton, as approving authority deems it expedient to grant the Application to Expropriate the said lands.

NOW THEREFORE THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

1. That, as approving authority under the *Expropriations Act*, the said Application for Approval to Expropriate the lands more particularly

Being a By-law to Expropriate a Portion of 347 Parkside Drive, Hamilton, Being Part of Lot 6, Concession 4, East Flamborough, as in CD 260033, S/T & T/W CD260033, S/T EF23444, Flamborough, City of Hamilton, Designated as Part 2 on Plan 62R-20823, being Part of PIN 17514-0100(LT), known municipally as 347 Parkside Drive, Hamilton, for the purposes of Development and Construction of North Waterdown Drive (Waterdown East-West Arterial Road)

Page 2 of 3

described in Schedule "A" attached hereto (and forming part of this By-law), made by the City of Hamilton as expropriating authority, be and the same is hereby granted and Part Lot 6, Concession 4 East Flamborough, as in CD260033, S/T & T/W CD260033, S/T EF23444, Flamborough, in the City of Hamilton, designated as Part 2 on Plan 62R-20823, being Part of PIN 17514-0100 (LT) is hereby expropriated for the purposes of development and construction of North Waterdown Drive (Waterdown East-West Arterial Road).

2. That the Mayor, Clerk and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

PASSED this 17th day of July 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

SCHEDULE "A" TO BY-LAW NO. 20-147

CITY OF HAMILTON EXPROPRIATION OF PART OF 347 PARKSIDE DRIVE,
HAMILTON, BEING:

Part Lot 6, Concession 4 East Flamborough, as in CD260033, S/T & T/W CD260033,
S/T EF23444, Flamborough, in the City of Hamilton, designated as Part 2 on Plan 62R-
20823, being Part of PIN 17514-0100 (LT).

CITY OF HAMILTON

BY-LAW NO. 20-

To Confirm the Proceedings of City Council at its meeting held on July 17th, 2020.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 17th day of July, 2020, in respect of each recommendation contained in

Mayor's Task Force on Economic Recovery Report 20-002 – June 25, 2020,
General Issues Committee Report 20-010 – July 6, 2020,
Planning Committee Report 20-005 – July 7, 2020,
Public Works Committee Report 20-005 – July 8, 2020,
Audit, Finance & Administration Committee Report 20-005 – July 9, 2020,
Board of Health Report 20-004 – July 10, 2020,
Emergency & Community Services Committee Report 20-004 – July 13, 2020,
and
Planning Committee Report 20-006 – July 14, 2020

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 17th day of July, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk