



City of Hamilton

CITY COUNCIL REVISED

20-022

Wednesday, October 14, 2020, 9:30 A.M.

Due to COVID-19 Hamilton Police Services Board Meetings Will Temporarily be Taking Place Virtually - All electronic meetings can be viewed at:

Hamilton Police Services Board Website: City's Website: <https://hamiltonpolice.on.ca/about/police-services-board> (under meetings)

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

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. September 30, 2020

4. COMMUNICATIONS

- 4.1. Correspondence from the Regional Municipality of York requesting support for their resolution asking the federal and provincial governments for a commitment to fund further, future costs resulting from fare integration in the Greater Toronto

and Hamilton Area, as a means of accelerating the required economic and transit ridership recovery following the COVID-19 pandemic.

Recommendation: Be received.

- 4.2. Correspondence from Darren Mullin requesting improvements to the bus service to Ancaster and for bus stops on Garner at Munay Lane, Ancaster.

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

- 4.3. Correspondence in response to Council's decision respecting the Integrity Commissioner's Report at the September 30, 2020 Council meeting:

4.3.a. Graham Crawford

4.3.b. Doreen Stermann

4.3.c. Hugh Tye, Executive Director, Hamilton Community Legal Clinic and Michael Blashko, Project Lead, Queer Justice Project

*4.3.d. Lyla Miklos

Recommendation: Be received.

- 4.4. Correspondence from Joseph Minor respecting big, toxic mess of PFAS/PFOS at the Hamilton International Airport (43.1668 - 79.9398)

Recommendation: Be received.

- 4.5. Correspondence from Selena Visser respecting the debate about de-funding police in the City of Hamilton.

Recommendation: Be received,

- 4.6. Correspondence from the Honourable Sylvia Jones, Solicitor General, Minister Responsible for Anti-Racism respecting the anti-racism initiatives of the Solicitor General and the Anti-Racism Directorate, the regulatory work being done to bring the Community *Safety and Policing Act, 2019*, into force, new police oversight measures, police training as it related to de-escalation, mental health and diverse communities, mental health and addictions initiatives and investments, Community Safety and Well-Being (CSWB) Planning and the police-hospital transition protocol.
- Recommendation: Be received.
- 4.7. Correspondence from Danny Kraftcheck M.D. respecting winter washroom facilities.
- Recommendation: Be received.
- 4.8. Correspondence from Sheila Drury respecting the Application for a City-wide Amendment to the Urban Hamilton Official Plan and an Area-Specific Amendment for Lands Located in the Twenty Road West Area (PED20163) (Citywide).
- Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee Report 20-011.
- 4.9. Correspondence respecting the Climate Change Declaration:
- 4.9.a. Carole Arsenault
- 4.9.b. Valerie Cousens
- 4.9.c. Glen Brown
- 4.9.d. Hibbert "Fawn" Briscoe
- Recommendation: Be received and referred to Item 3 of Public Works Committee Report 20-009.
- 4.10. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the Safe Restart Agreement.
- Recommendation: Be received.
- 4.11. Correspondence from the Honourable Doug Downey, Attorney General in response to the Mayor's letter regarding radial separation of authorized cannabis retail stores.
- Recommendation: Be received.
- 4.12. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the Helping Tenants and Small Businesses Act, 2020, which received Royal Assent on October 1, 2020.
- Recommendation: Be received.

- 4.13. Correspondence from John Mills requesting that Council press the federal government to make immediate investments in housing and ending homelessness.
Recommendation: Be received.
- 4.14. Correspondence from the Township of Asphodel-Norwood requesting support for their resolution requesting that the governing body in cannabis production enact legislation to support local governments with land use management and enforcement issues.
Recommendation: Be received.
- *4.15. Report FCS20086(a) respecting the Integrity Commissioner Follow-Up.
Recommendation: Be received.
- *4.16. Correspondence from the Ministry of the Solicitor General and the Ministry of Municipal Affairs and Housing respecting the Enforcement of Orders under the Reopening Act, 2020.
Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

5. COMMITTEE REPORTS

- 5.1. Public Works Committee Report 20-009 - October 5, 2020
- 5.2. Planning Committee Report 20-011 - October 6, 2020
- 5.3. General Issues Committee Report 20-015 - October 7, 2020
- 5.4. Audit, Finance and Administration Committee Report 20-008 - October 8, 2020
- 5.5. Emergency and Community Services Committee Report 20-008 - October 8, 2020
- 5.6. Hamilton Enterprises Holding Corporation Shareholder Annual General Meeting Report 20-001 - October 13, 2020
- 5.7. Hamilton Utilities Corporation Shareholder Annual General Meeting Report 20-001 - October 13, 2020

6. MOTIONS

- 6.1. Demolition Permit and Development Charges Credit Extension for 696, 716, 718 and 720 Barton Street in Stoney Creek
- 6.2. Demolition Permit and Development Charges Credit Extension for 832 Barton Street, Stoney Creek

7. NOTICES OF MOTIONS

- *7.1. Reconsideration of the decision that was approved at the September 30, 2020 Council meeting respecting Item 4.8, the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member that, that formally reprimanded Cameron Kroetsch as it relates to the breach of privacy under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

8. STATEMENTS BY MEMBERS

9. PRIVATE AND CONFIDENTIAL

- 9.1. Closed Minutes - September 30, 2020

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

- 9.2. City of Hamilton Transfer Stations and Community Recycling Centres Contract Update (PW20068) (City Wide)

Pursuant to to Section 8.1, Sub-sections (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

10. BY-LAWS AND CONFIRMING BY-LAW

- 10.1. 20-207

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Garner Road West from Hamilton Drive to Approximately 420m Westerly, in the City of Hamilton

Ward: 12

- 10.2. 20-208
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic
Schedule 31 – Designated Areas – Reduced Speed Limit – 40KM/h
Schedule 2 – Speed Limits
Schedule 3 – Flashing School Zones
Ward: City Wide
- 10.3. 20-209
To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking
Schedule 5 – Parking Meters
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 15 – Commercial Vehicle Loading Zone
Ward: 1,2,3,15
- 10.4. 20-210
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic
Schedule 2 – Speed Limits
Schedule 3 – Flashing School Zones
Schedule 13 – Designated Traffic Lanes
Schedule 18 – Bike Lanes
Ward: 2,3,6,7,8,9,12,14
- 10.5. 20-211
Respecting: Removal of Part Lot Control
Block 89 (Parts 1-8), Registered Plan No. 62M-1249 “Empire Caterini, Phase 1”,
municipally known as 240, 242, 244, 246, 248, 250, 252 and 254 Kinsman Drive
Ward: 11

10.6. 20-212

To Adopt:

Amendment No. 244 to the City of Hamilton Official Plan Respecting: 282 MacNab Street North, Hamilton

Ward: 2

10.7. 20-213

To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, Hamilton

Ward: 2

10.8. 20-214

Respecting Temporary Use By-law for Temporary Tents

Ward: City wide

10.9. 20-215

To Amend By-law No. 05-200 As amended by By-law No. 20-181

Respecting an Addition to and an Extension of the

Temporary Use By-law for Outdoor Commercial Patios

Ward: City Wide

10.10. 20-216

To Repeal By-law No. 78-237 and to Amend Zoning By-law No. 6593 Respecting Lands Located at 175 Catharine Street South and 117 Forest Avenue, Hamilton

10.11. 20-217

To Designate Land Located at 127 Hughson Street North, City of Hamilton as Property of Cultural Heritage Value

Ward: 2

10.12. 20-218

To Confirm Proceedings of Council

11. ADJOURNMENT



CITY COUNCIL MINUTES 20-021

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

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

Absent: Councillor S. Merulla - 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

- 4.11 Correspondence from Abbie Roberts respecting the mandating the use of masks in Hamilton.

Recommendation: Be received and referred to the consideration of Item 2 of Board of Health Report 20-005.

- 4.12 Correspondence respecting Report FCS20086 respecting the Submission of Integrity Commissioner Investigation Report - Complaint Filed Against a Citizen Committee Member (Item 4.8):

(a) Victoria Daniels

- (b) Liz Jackson
- (c) Lyla Miklos
- (d) Lauren Stephen
- (e) Lauren Stephen
- (f) Maureen McDougall
- (g) Chris Erl
- (h) Haley Reap
- (i) Tanya Ritchie
- (j) Amy Hondronicols
- (k) Rachel Cuthill
- (l) Noelle Allen
- (m) Jason Allen
- (n) Doreen Stermann
- (o) Michael Hutchings
- (p) Jessica Claus
- (q) Lauren Stephen
- (r) Craig Burley
- (s) Sarah Kovacs
- (t) Amanda Ayer
- (u) Sienna DiGiuseppe
- (v) Dana Hansen
- (w) Ashley Daniels

Recommendation: Be received and referred to the consideration of Item 4.8.

- 4.13 Correspondence from Deborah Tomlinson-Veit respecting street safety neglected at Main Street and Sherman Avenue.

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

9. PRIVATE & CONFIDENTIAL

- 9.2 Encampment Litigation Update (LS20023(c)) (City Wide)

(Pearson/Clark)

That the agenda for the September 30, 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge

YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Clark declared an interest to Item 4 of Planning Committee Report 20-010 respecting a Request for Direction to Proceed with Appeal of Committee of Adjustment Consent Applications AN/B-20:30, AN/B-20:31 and AN/B-20:32 for the Properties Located at 822 Book Road W, 914 Book Road W, and 1276 Shaver Road (Ancaster) (PED20160) (Ward 12), due to his son's business interest with Sergio Manchia.

Councillor Clark declared an interest to Item 5 of Planning Committee Report 20-010 respecting Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-16-18) and Township of Glanbrook Zoning By-law No. 464 Amendment Application (ZAC-16-051) for Lands Located at 3033, 3047, 3055, 3063 Binbrook Road (Glanbrook) (LS19003(b)/PED19031(b)) (Ward 11), due to his son's business interest with Sergio Manchia.

Councillor Pauls declared an interest to Item 4.8, respecting Report FCS20086 respecting the Submission of Integrity Commissioner Investigation Report - Complaint Filed Against a Citizen Committee Member, as her son is employed with the Hamilton Police Service.

Councillor Pearson declared an interest to Item 3 of Planning Committee Report 20-010 respecting Second Dwelling Units – Options to Increase Housing Supply in Hamilton's Existing Low Density Housing Stock (PED20093) (City Wide), as she is a landlord.

Councillor VanderBeek declared an interest to Item 3 of Planning Committee Report 20-010 respecting Second Dwelling Units – Options to Increase Housing Supply in Hamilton's Existing Low Density Housing Stock (PED20093) (City Wide),, as she is a landlord.

Councillor Pauls declared an interest to Item 9 respecting the Hamilton Police Service Budget Process PSB 20-061, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 10 respecting the Hamilton Police Service Response regarding the Use of Force Inquiries ("8 Can't Wait") PSB 20-062, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 11 respecting the Hamilton Police Service Year End Report – Use of Force 2019 PSB 20-043, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 12 respecting the Hamilton Police Services Equity, Diversity and Inclusion Plan PSB 20-060, as her son is employed with the Hamilton Police Service.

Councillor Pauls declared an interest to Item 13 respecting the Hate Prevention and Mitigation Initiative Update (LS19031 / PW19068(c) / CM19006(c)), as her son is employed with the Hamilton Police Service.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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3. September 16, 2020 (Item 3.1)

(Ferguson/Partridge)

That the Minutes of the September 16, 2020 meeting of Council be approved, as presented.

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

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

COMMUNICATIONS

Jeff Abrams of Principles Integrity provided Council with an overview of Item 4.8 respecting the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member.

(Whitehead/Clark)

That having been found to have breached the Hamilton Advisory Committee/Task Force Code of Conduct as per Item 4.8, respecting the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that Cameron Kroetsch be and is hereby formally reprimanded as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

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

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

NO - Ward 5 Councillor Chad Collins
NO – 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
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Farr/Jackson)

That Item 4.8, respecting the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, be received.

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

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

(Johnson/Pearson)

That Council Communications 4.1 to 4.7; 4.9 to 4.13 be approved, as presented as follows:

4.1 Correspondence from Loyalist Township requesting support for their resolution requesting that the Ministry of Transportation support the Canadian Ferry Association's request that ferries be considered part of the local transit system and that lost revenue be eligible for reimbursement.

Recommendation: Be received.

4.2 Correspondence from the Wollaston Township requesting support for their resolution requesting that the Minister of Municipal Affairs and Housing review the Municipal Elections Act and provide amendments to ensure that loopholes are closed on any pay to play schemes in rural communities; to provide clearer, stronger wording, to assist

municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list; to ensure that there is a clear and accessible way to report election fraud and to ensure that the rules described in the *Municipal Elections Act* are actually enforceable even if there is not current case law.

Recommendation: Be received.

- 4.3 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Parkland Dedication, Development Charges and the Community Benefits Charges Authority.

Recommendation: Be received.

- 4.4 Correspondence from the Ministry of the Solicitor General respecting the Enforcement and Amendments under the Reopening Ontario Act, 2020.

Recommendation: Be received.

- 4.5 Correspondence from Porshca Sinanan respecting a request to do better!! Need more testing centers and better hours.

Recommendation: Be received.

- 4.6 Correspondence from the Honourable Ahmed Hussen, Minister of Families, Children and Social Development in response to the Mayor's letter respecting concerns with homelessness funding for Hamilton during the COVID-19 pandemic.

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

- 4.7 Correspondence from James Lof, Chairman and Bernie Harsevoort, Clerk on behalf of the Council of Cornerstone Canadian Reform Church concerning the inclusion of places of worship as a comparable to places of business and entertainment venues which challenges the current and historical status held by places of worship in Canada.

Recommendation: Be received.

- 4.9 Correspondence from Rev. Fr. Puscaru of The Holy Resurrection Romanian Orthodox Church respecting Zoning By-law Amendment No. ZAC-18-037 for Lands located at 282 MacNab Street North.

Recommendation: Be received and referred to Item 2 of Planning Committee Report 20-010.

- 4.10 Correspondence from Health Canada in response to the Mayor's letter respecting concerns with vaping.

Recommendation: Be received and referred to the Medical Officer of Health for appropriate action.

- 4.11 Correspondence from Abbie Roberts respecting the mandating the use of masks in Hamilton.

Recommendation: Be received and referred to the consideration of Item 2 of Board of Health Report 20-005.

- 4.12 Correspondence respecting Report FCS20086 respecting the Submission of Integrity Commissioner Investigation Report - Complaint Filed Against a Citizen Committee Member (Item 4.8):

- (a) Victoria Daniels
- (b) Liz Jackson
- (c) Lyla Miklos
- (d) Lauren Stephen
- (e) Lauren Stephen
- (f) Maureen McDougall
- (g) Chris Erl
- (h) Haley Reap
- (i) Tanya Ritchie
- (j) Amy Hondronicols
- (k) Rachel Cuthill
- (l) Noelle Allen
- (m) Jason Allen
- (n) Doreen Stermann
- (o) Michael Hutchings
- (p) Jessica Claus
- (q) Lauren Stephen
- (r) Craig Burley
- (s) Sarah Kovacs
- (t) Amanda Ayer
- (u) Sienna DiGiuseppe
- (v) Dana Hansen
- (w) Ashley Daniels

Recommendation: Be received and referred to the consideration of Item 4.8.

- 4.13 Correspondence from Deborah Tomlinson-Veit respecting street safety neglected at Main Street and Sherman Avenue.

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

Result: Motion on the balance of the Communications 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins

- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Johnson/Partridge)

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

HAMILTON STREET RAILWAY COMPANY SHAREHOLDER ANNUAL GENERAL MEETING - REPORT 20-001

(Johnson/VanderBeek)

That the Hamilton Street Railway Company Shareholder Annual General Meeting Report 20-001, being the meeting held on Monday, September 14, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Street Railway Company Shareholder Annual General Meeting Report 20-001, 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins

- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

**SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
ANNUAL GENERAL MEETING - REPORT 20-001**

(Johnson/Pauls)

That the Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 20-001, being the meeting held on Monday, September 14, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 20-001, 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

That Council recess at 12:00 p.m.

Council reconvened at 12:30 p.m.

SPECIAL GENERAL ISSUES COMMITTEE REPORT 20-013

(Johnson/Clark)

That Special General Issues Committee Report 20-013, being the meeting held on Monday, September 14, 2020, be received.

CARRIED

BOARD OF HEALTH REPORT 20-005**(Johnson/Wilson)**

That Board of Health Report 20-005, being the meeting held on Monday, September 21, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Board of Health Report 20-005, 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-008**(Danko/Ferguson)**

That Public Works Committee Report 20-008, being the meeting held on Monday, September 21, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 20-008, 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-010

(Farr/Ferguson)

That Planning Committee Report 20-010, being the meeting held on Tuesday, September 22, 2020, be received and the recommendations contained therein be approved.

Due to declared conflicts, Item 3 was voted on separately as follows:

Result: Motion on Item 3 of the Planning Committee Report 20-010, CARRIED by a vote of 11 to 2, as follows:

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

Due to a declared conflict, Item 4 was voted on separately as follows:

Result: Motion on Item 4 of the Planning Committee Report 20-010, CARRIED by a vote of 14 to 0, as follows:

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

CONFLICT - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 5 was voted on separately as follows:

Result: Motion on Item 5 of the Planning Committee Report 20-010, CARRIED by a vote of 11 to 3, as follows:

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

The Motion on the balance of the Planning Committee Report 20-010, CARRIED

GENERAL ISSUES COMMITTEE REPORT 20-014

(Johnson/Clark)

That General Issues Committee Report 20-014, being the meeting held on Wednesday, September 23, 2020, be received and the recommendations contained therein be approved.

(Ferguson/Partridge)

That the recommendation of Item (i)(i) of the General Issues Committee Report 20-014 respecting LaSalle Park Disposition Review (PED20156) (City Wide) be amended to change the date from October 7, 2020 to October **21**, 2020, as follows:

(i) LaSalle Park Disposition Review (PED20156) (City Wide) (Item 13.4)

That Report PED20156, respecting the LaSalle Park Disposition Review, was DEFERRED to the October **21**, 2020 General Issues Committee.

Result: Motion on Amended Item (i)(i) of the General Issues Committee Report 20-014, 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins

- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Due to declared conflicts on Items 9 to 13, they were voted on separately as follows:

Result: Motion on Items 9 to 13 of the General Issues Committee Report 20-014, CARRIED by a vote of 14 to 0, as follows:

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

The Motion on the balance of the General Issues Committee Report 20-014, CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-007

(Wilson/Clark)

That Audit, Finance and Administration Committee Report 20-007, being the meeting held on Thursday, September 24, 2020, be received and the recommendations contained therein be approved.

CARRIED

EMERGENCY AND COMMUNITY SERVICES REPORT 20-007

(Pauls/Nann)

That Emergency and Community Services Committee Report 20-007, being the meeting held on Thursday, September 24, 2020, be received and the recommendations contained therein be approved.

**Result: Motion on Emergency & Community Services Committee Report 20-007
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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - 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 20-005

(Nann/Danko)

That the Mayor’s Task Force on Economic Recovery Report 20-005, being the meeting held on Friday, September 25, 2020, be received.

**Result: Motion on the Mayor’s Task Force on Economic Recovery Report 20-005,
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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Johnson/Partridge)

That the Committee of the Whole Rise and Report.

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

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

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

9.1 Closed Session Minutes – September 16, 2020

(Pearson/Jackson)

That the Closed Session Minutes dated September 16, 2020 be approved, as presented, and remain confidential.

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

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

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

(Whitehead/Danko)

That Council move into Closed Session respecting Items 9.2, pursuant to Section 8.1, Sub-sections (e) and (f) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

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

9.2 Encampment Litigation Update (LS20023(c)) (City Wide)**(Ferguson/Partridge)**

- (a) That the direction provided to staff in Closed Session respecting Report LS20023(c), the Encampment Litigation Update, be approved; and,
- (b) That Report LS20023(c) and Appendix 'A', respecting the Encampment Litigation Update, remain confidential, except as provided in the LOU.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NO - Ward 5 Councillor Chad Collins
 NO – 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
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Farr/Ferguson)

That the direction provided to staff in Closed Session respecting the Communications Strategy on the Encampment Litigation Update, be approved.

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

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

BY-LAWS

(Jackson/Pearson)

That Bills No. 20-202 to No. 20-206 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:

- 20-202 A By-law to Amend By-law No. 20-155, a By-law to Require the Wearing of Face Coverings Within Enclosed Public Spaces
Ward: City Wide
- 20-203 A By-law to amend Zoning By-law No. 05-200 with respect to lands located at 2004 Glancaster Road, Ancaster
ZAR-18-050
Ward: 12

20-204 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 10 (Alternate Side Parking – April-November)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1, 2, 3, 4, 6, 7, 10, 15

20-205 A By-law to Adopt and Maintain a Procurement Policy for the City of Hamilton
Ward: City Wide

20-206 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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Danko/Collins)

That, there being no further business, City Council be adjourned at 4:29 p.m.

Result: Motion CARRIED by a vote of 11 to 1, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- NOT PRESENT - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NO - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead

YES - Ward 13 Councillor Arlene VanderBeek

YES - Ward 12 Councillor Lloyd Ferguson

NOT PRESENT - Deputy Mayor - Ward 11 Councillor Brenda Johnson

YES - Ward 10 Councillor Maria Pearson

NOT PRESENT - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk

Pilon, Janet

Subject: Regional Council Decision - York Region Transit Fare Age Category Changes

From: Switzer, Barbara <Barbara.Switzer@york.ca> **On Behalf Of** Regional Clerk

Sent: September 28, 2020 1:50 PM

To: clerk@hamilton.ca

Subject: Regional Council Decision - York Region Transit Fare Age Category Changes

On September 24, 2020 Regional Council made the following decision:

1. Council approve the York Region Transit updated fare age categories, making York Region Transit's fare structure consistent with other Greater Toronto and Hamilton Area transit agencies, as a step towards fare integration. Costs associated with the change would be subject to Council approval of the 2021 budget and would come into effect June 27, 2021 as part of the York Region Transit normal board period process.
2. The Regional Chair ask the federal and provincial governments for a commitment to fund further, future costs resulting from fare integration in the Greater Toronto and Hamilton Area, as a means of accelerating the required economic and transit ridership recovery following the COVID-19 pandemic.
3. The Regional Clerk forward a copy of this report to the Clerks of all the participating jurisdictions and the Ministry of Transportation of Ontario.

The original staff report is attached for your information.

Please contact Ann-Marie Carroll, General Manager, York Region Transit at 1-877-464-9675 ext. 75677 if you have any questions with respect to this matter.

Regards,

Christopher Raynor | Regional Clerk, Regional Clerk's Office, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

The Regional Municipality of York

Committee of the Whole
Transportation Services
September 10, 2020

Report of the Commissioner of Transportation Services

York Region Transit Fare Age Category Changes

1. Recommendations

1. Council approve the York Region Transit updated fare age categories, making York Region Transit's fare structure consistent with other Greater Toronto and Hamilton Area transit agencies, as a first step towards fare integration. Costs associated with the change would be subject to Council approval of the 2021 budget and would come into effect June 27, 2021 as part of the York Region Transit normal board period process.
2. The Regional Chair ask the federal and provincial governments for a commitment to fund further, future costs resulting from fare integration in the Greater Toronto and Hamilton Area, as a means of accelerating the required economic and transit ridership recovery following the COVID-19 pandemic.
3. The Regional Clerk forward a copy of this report to the Clerks of all the participating jurisdictions and the Ministry of Transportation of Ontario.

2. Summary

This report seeks Council approval of proposed York Region Transit (YRT) changes to fare age categories to align with other Greater Toronto and Hamilton Area (GTHA) transit agencies, as a step towards fare and service integration.

Key Points:

- There are currently 11 different transit fare structures in effect across the GTHA (Attachment 1)
- A harmonized fare age category structure has been negotiated across the GTHA and is proposed for YRT adoption (Attachment 2)
- All children ages 0 to 5 years old would ride free and youth 13 to 19 would travel on YRT at the existing Youth fare, removing the requirement to be in attendance at a qualifying educational facility

- The annual cost of the changes to the fare age categories recommended in this report would be approximately \$1.3 million, and based on pre-COVID-19 costs and ridership levels
- Municipalities will continue to be responsible for setting their own transit fare amounts for each age category
- The issue of two fare payments for travel using both a 905 transit provider and the Toronto Transit Commission (TTC), or a 905 transit provider and GO Transit for one combined trip, remains to be addressed

3. Background

Three components to fare integration exist across the GTHA and are currently being addressed by Metrolinx and the GTHA transit agencies

Travellers can currently ride on multiple systems in the 905 area on a single fare, within a two-hour time period.

The issue of paying two fares when using both a 905 transit system and the TTC for a single combined trip, or paying two fares when using both a 905 transit system and GO Transit for a single combined trip, requires further discussion.

There are three components to fare integration:

- Fare age category uniformity across the GTHA
- Fare cost uniformity across the GTHA
- Double-fare issue between 905/TTC/GO Transit

This report addresses the first component and, to some degree, the second. The future elimination of a double-fare would come at a cost underdetermined at this time.

In 2019, a fare and service integration governance structure was established to advance integration in the GTHA

Early in 2019, Metrolinx, together with GTHA regional and several local governments formed a three-tier governance structure to advance fare and service integration:

- Region Roundtable - Metrolinx and TTC Chief Executive Officers, municipal and transit agency Chief Administrative Officers and City Managers
- Fare Integration Forum - Metrolinx and Senior officials from GTHA regional and local municipalities
- Fare and Service Integration Working Group - Service planning and customer service representatives from GTHA transit agencies. This group interacts with the PRESTO working group

Each group has specific mandates, focusing on aligning key transit fare integration priorities, generating solutions, enhancing collaboration and establishing direction to advance fare and service integration in the GTHA.

Moving towards fare age category uniformity across the GTHA

There are 11 transit agencies in the GTHA and all have different fare structures. The harmonization of fare age categories proposes to establish a common fare structure, simplifying travel and clarity for customers. It is also a first step towards fare integration. The GTHA transit agencies have now agreed on common fare age categories and seek approval by their individual Councils. All approvals are anticipated to be received by the end of 2020.

4. Analysis

Short-term goals and a longer-term strategy have been identified as steps towards a Regional integrated fare and service structure

Metrolinx and the GTHA transit agencies have identified short-term goals and a longer-term strategy. A two-year plan consisting of two elements - the harmonization of fare age categories across the GTHA and the modernization of PRESTO began in 2020.

There is consensus to proceed with harmonized fare age categories by all transit agencies in the GTHA. The proposed fare structure would reduce traveller confusion on understanding the age and age identification requirements when purchasing transit fares. Setting the cost of fares would continue to be the responsibility of each transit agency.

The longer-term vision (2022 to 2025) is to advance towards a Regional fare and service integration strategy, which would include development of fare and service integration initiatives to eliminate two-fare payment between the 905 area/TTC/GO Transit, implement cross-boundary services to the betterment of the traveller, and provide operational efficiencies to the transit agencies.

To move forward with a GTHA-wide harmonized fare structure Council approval is required to amend fare age categories listed in the York Region Transit Fare Policy

The current and newly negotiated harmonized fare age categories across the GTHA are outlined in Table 1. Changes to the Child fare would have all ages 0 to 5 years ride free and children ages 6 to 12 pay the Child fare. All youth ages 13 to 19 would ride at the existing reduced rate without the requirement of enrollment in a full-time qualifying educational institution at the secondary level. This change will benefit youth between the ages of 17 to 19 who are entering the workforce or attending a post-secondary educational institution, with a reduced fare price. There would be no change to the Adult and Senior fare categories other than revisions to the category description.

Table 1
Proposed YRT Fare Age Categories

Category Description	Current	New
Adult	Applies to any person having reached the age of 20, but not yet having reached the age of 65. Also includes any person between the ages of 13 and 19 who is not enrolled in full-time attendance in a qualifying secondary educational facility.	Applies to any person having reached the age of 20, but not yet having reached the age of 65.
Youth*	Age 13 to 19 - Applies to any person having reached the age of 13, but not having reached the age of 20, and in full-time day attendance at a qualifying educational facility (ticket/pass must be accompanied with a valid Student ID card issued by the facility)	Applies to any person from the age of 13 to 19 and must show proof of age upon request.
Senior	Applies to any person having reached the age of 65. Seniors must show proof of age with tickets and monthly passes.	Applies to any person having reached the age of 65 and must show proof of age upon request.
Child (0-5)*	Children under the age of 1 always ride free. One child up to and including 5 years of age may ride free with a paying adult (16 years of age or older). Each additional child travelling with the same adult must pay the Child fare.	Children up to the age of 5 years always ride free and must show proof of age upon request.
Child (6-12)	Applies to any person from the age of 6 to 12 (elementary school age).	Applies to any person from the age of 6 to 12 and must show proof of age upon request.

*will have a financial impact

Staff will report back to Council at a future date with a recommended change to fare prices. Currently, the Adult fare is used as the base cost for a traveller on YRT services. Children, youth and seniors continue to be significantly discounted, approximately 25% for youth and 50% for seniors and children. The Transit Assistance Program is available to eligible adult

York Region residents who require additional assistance paying for transit. Eligible adults receive a 50% discount.

In addition to the Metrolinx fare and service integration work, an in-depth review of all fare age categories and fare collection processes together with service integration is underway between the TTC and the 905 transit agencies. This comprehensive joint review would lead to a broad Fare Policy Strategy. Staff will update Council with the results in 2021.

5. Financial

Based on 2019 ridership, the recommended fare age category changes could cost the Region an estimated \$1.3 million

The cost to implement the recommended changes to YRT's fare age categories is estimated at \$1.3 million. This total is based on 2019 ridership and does not take into consideration a fare adjustment exceeding the normal annual fare increase.

- Children 0 to 5 to ride free - \$45,000
- Youth ages 13 to 19, eliminating secondary school requirement - \$1.3 million

Loss in revenue for Child fare would potentially be recovered by an increase in the number of adults using YRT services. To recover the \$1.3 million in lost revenue related to the Youth fare, a \$0.24 fare increase would be required. This would increase the Youth fare to \$3.27. The current Adult fare is \$3.88.

The ongoing impact of COVID-19 and the return of students back to the classroom or continued remote studies for both secondary and post-secondary youth will influence the amount of revenue lost due to change in ridership by travellers within the ages of 13 to 19. Staff will monitor.

Elimination of having to pay two fares between the 905 area, TTC and GO Transit could support the economic recovery following COVID-19

There will be an ongoing cost impact to fare harmonization across the GTHA. Two areas of focus will continue to be:

- Continuing to work with all GHTA transit agencies to eliminate a double fare as fare harmonization is going to be a tool in the economic recovery of the GTHA as it relates to getting people jobs
- Working with the Province to tie the cost of fare harmonization to the financial impacts of COVID-19 and the Province's approach to the Federal government for help for all the municipal transit authorities

6. Local Impact

The harmonization of fare age categories establishes a common fare structure, simplifying travel and clarity for travellers across the GTHA. It is also a first step towards fare integration. Fare integration will eliminate the current two-fare barrier and allow travellers to access the full GTHA transit network on one fare. It will improve the user experience, attracting and retaining travellers and supporting the reduction of car usage. Following the impact of COVID-19, fare integration can be a tool in the economic recovery having community, social, household and environment benefits.

Fare integration could be a means of accelerating the post-COVID-19 economic and transit ridership recovery in the GTHA. Transit's economic value includes helping citizens access jobs, education and services they could not otherwise reach; the money saved by families when availability of transit allows them to avoid purchasing a second or third car, and the attraction of global investors and tourism.

7. Conclusion

There are 11 different transit fare structures in the GTHA. Transit agencies are taking steps now to harmonize fare age categories. Staff is seeking Council approval of the changes to the fare age categories outlined in this report. These changes would help simplify travel for customers and take a step towards eliminating the two-fare barrier between the 905 area, TTC and GO Transit.

Other vital initiatives starting in 2020 that could lead to a more regionalized transit system are underway. The standardization of fare policies across the GTHA, PRESTO equipment replacement in the 905 area, ongoing collaboration between Metrolinx, TTC and the 905 transit agencies to identify and implement cross-boundary and fare payment solutions that will improve the traveller experience and operational efficiency. An update on the YRT Transit Fare Policy that reflects details of a greater overall strategy will be provided to Council at a future date.

Organizations such as the Association of Municipalities Ontario, Large Urban Mayor's Caucus Ontario, Canadian Urban Transit Association and Ontario Provincial Transit Association have all sought commitments for further financial relief by both the Federal and Provincial Governments. Transit agencies in the GTHA have identified that a cross-boundary solution eliminating the need for two fares could be a significant tool in attracting travellers to transit by promoting easier and more convenient travel.

The recent announcement by the Province regarding Safe Restart Agreement Phase 2 funding for transit linking eligibility to receive funding to three initiatives, one being fare integration, may accelerate the GTHA transit agencies' ability to move forward with a fully fare-integrated approach. Details of the Phase 2 funding have not yet been provided by the Province.

Continued advocacy for funds to assist transit agencies in the recovery from the impact of COVID-19, including the cost of fare integration in the Greater Toronto and Hamilton Area,

as a tool to support the economic recovery through the Regional Chair is recommended by staff.

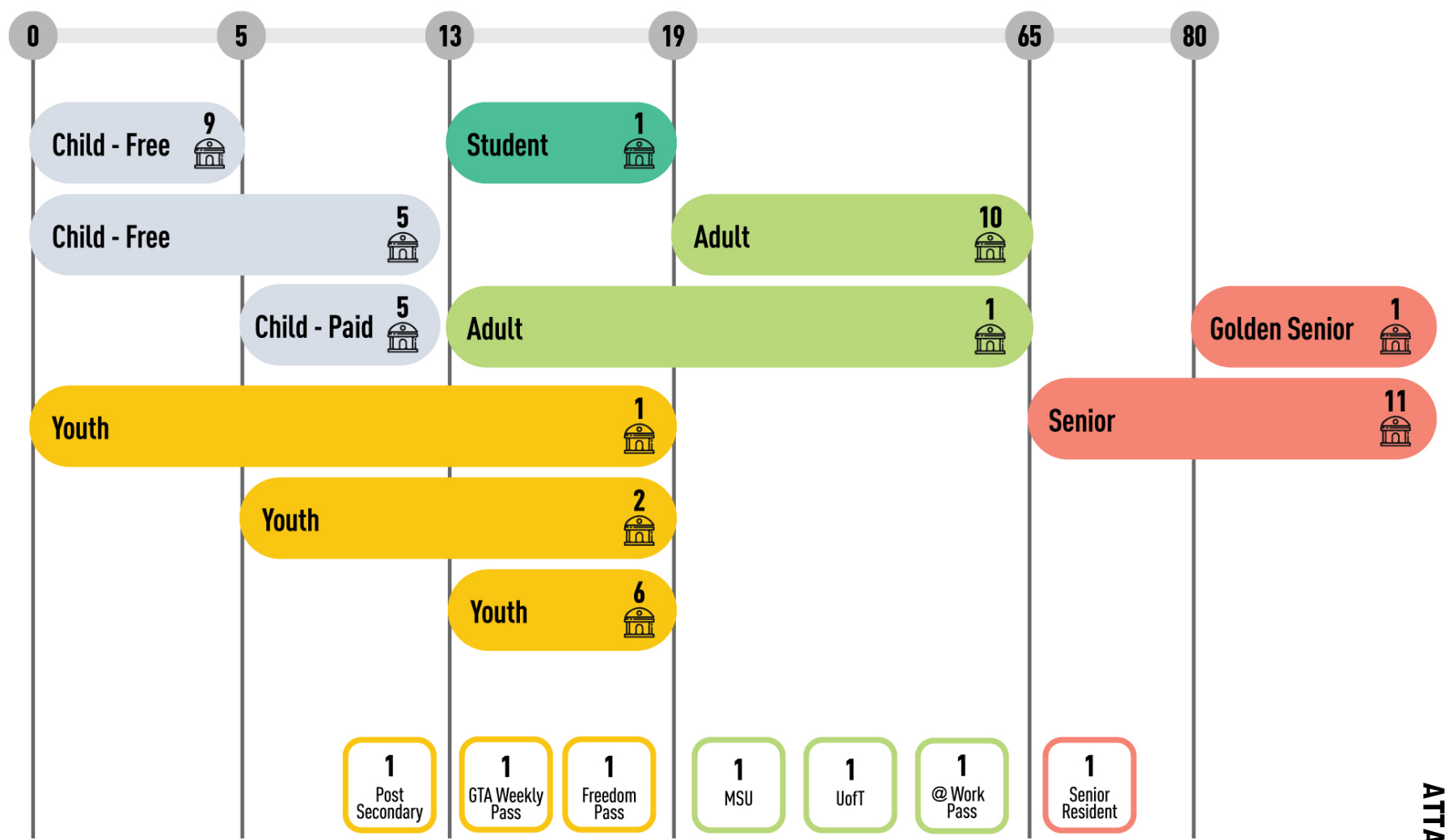
For more information on this report, please contact Ann-Marie Carroll, General Manager, York Region Transit at 1-877-464-9675 ext. 75677. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Jankowski**
Commissioner of Transportation Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

September 2, 2020
Attachments (2)
11500709

CURRENT ALIGNMENT ACROSS GTHA TRANSIT AGENCIES

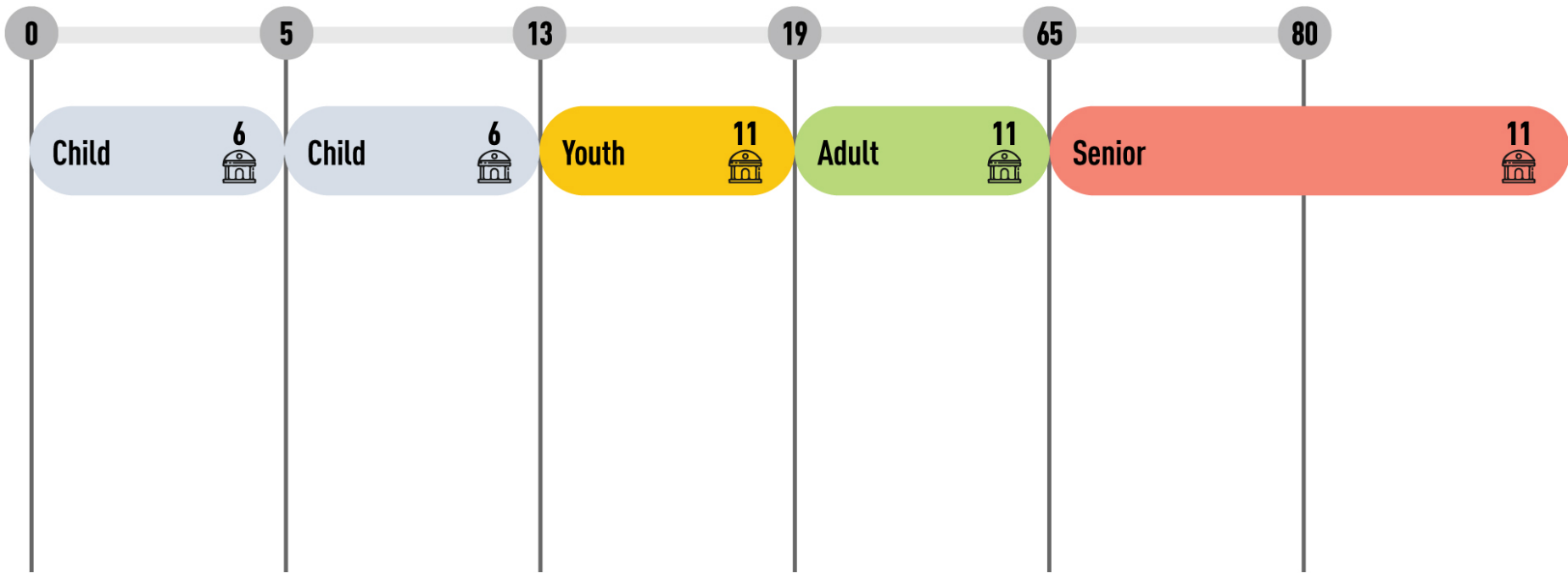


of TAs utilizing

Age **1**

Products

PROPOSED ALIGNMENT ACROSS GTHA TRANSIT AGENCIES



Pilon, Janet

Subject: Improve Bus Service to Ancaster and Bus Stops for Garner @ Munay Lane Ancaster

From: Darren M

Sent: October 4, 2020 2:21 PM

To: Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; HSR Customer Service <hsrserve@hamilton.ca>; Martin, Michelle <Michelle.Martin@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>; clerk@hamilton.ca

Subject: Improve Bus Service to Ancaster and Bus Stops for Garner @ Munay Lane Ancaster

Good Afternoon,

I am wondering if Bus Stops can be installed on both sides of Garner at Munay Lane in Ancaster on the 44 Rymal Route.

I have recently purchased an Investment Property in the new development at ██████ Markle Cres and I would also like to push for improved transit into that area with the 16 Ancaster Route and the 44 Rymal route.

Bus service desperately needs to be improved to provide a more direct route between there, McMaster University and Downtown Hamilton.

The service on the 16 Ancaster needs to run in the evenings and full time on the weekends and route 44 Rymal needs to run at least every 30 minutes during off peak times and weekends to attract ridership.

In addition, there needs to be a more direct route from the Developments by Walmart to Westdale and Downtown Hamilton. May I suggest extending some of the 51 University Busses there or the 10 B-Line bus there to provide a more direct route?

I would really appreciate a response to this as Transit Desperately needs to be Improved into Ancaster and into the Ancaster Business Park Developments.

Please add this for the next Council meeting.

Thanks,
Darren Mullin

Pilon, Janet

Subject: Letter to City Council Regarding City's Privacy Breach

From: Crawford, G.

Sent: October 1, 2020 8:47 AM

To: clerk@hamilton.ca; Eisenberger, Fred <Fred.Eisenberger@hamilton.ca>; MAUREEN WILSON <maureenowilson@gmail.com>; 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>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>

Subject: Letter to City Council Regarding City's Privacy Breach

October 1, 2020
Mayor and Council,

I would like this letter to be entered into the formal correspondence on the next Council agenda.

Many of you were very vocal in your condemnation of actions you say Cameron Kroetsch took that were worthy of an investigation by the City's Integrity Commissioner, Principles Integrity.

Mr. Mayor, you were one of the lead voices calling for a strong reprimand in order to not embolden others to speak out or to take actions deemed inappropriate by the City Clerk.

As you know, Mr. Kroetsch did not reveal the names of the individuals that became the focus of your concerns when he posted a tweet on his personal Twitter account that revealed only positions, not names. However, the City did reveal those names on their own website in the section that includes the HPS Board minutes. A fully unredacted motion, revealing both names and position titles, has been publicly accessible on the City's website since 2019.

When this was brought to the attention of the Integrity Commissioner by Mr. Kroetsch in writing a month ago, the IC chose to do nothing with this information. Principles Integrity told neither City staff, nor Council when they presented to Council yesterday on September 30. Then, you were likely unaware of the unredacted post. Now, you are aware.

After I, and others, brought this to the attention of the City and, in my case, Councillor Clark during the day yesterday, the City of Hamilton later removed their privacy breach motion and replaced it with a redacted version, with no comment.

That leaves me with a number of important questions.

1. Who told City staff of the problem?
2. Who made the decision to delete the unredacted motion and replace it with a redacted version?
3. What does Council intend to do about the significantly more egregious breach of privacy through publishing private information?
4. Will this lead to launching an investigation using the Office of the Integrity Commissioner?
5. Will Council vote to reprimand City staff to ensure they are no emboldened to make such egregious mistakes in the future?
6. Will the Mayor release a statement to the media apologizing for the breach, since a media statement was released reprimanding Mr. Kroetsch?
7. Will official apologies be sent the two people named by staff in the unredacted motion posted on the City's website?

May I ask that you provide me with a timely response to my questions? If I have additional questions, I will be sure to send them to you.

As you are well aware, this issue has been made much greater through your actions your comments, and ad recently as yesterday afternoon, the threatening tweets by Councillor Whitehead to the HCCI. Many in our community, and most particularly those in my own LGBTQ+ community, are feeling attacked by our leaders. If you are going to use a quasi-judicial process to reprimand a volunteer citizen, surely you will seek balanced justice in order to deal with a paid staff member who committed a much worse infraction than did Mr. Kroetsch.

Thank you for your attention.

Graham Crawford

Pilon, Janet

Subject: LGBTQ+ Advisory Committee Chair and IC Complaint

From: dstermann

Sent: September 30, 2020 4:53 PM

To: Eisenberger, Fred <Fred.Eisenberger@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>

Cc: clerk@hamilton.ca; Roger Stermann <specimage@gmail.com>

Subject: Re: LGBTQ+ Advisory Committee Chair and IC Complaint

Dear Council , today you voted to reprimand Cameron Kroetsch on a vote of 12-2.

It didn't take long for councillor Terry Whitehead to post this on Twitter. This is targeting another citizen. Will YOU be filing a complaint with the IC about this treatment of Kojo Dampety from HCCI

Is this behaviour you condone of a councillor?

Doreen Stermann

Ward 1

----- Original message -----

From: dstermann

Date: 2020-09-28 6:41 PM (GMT-05:00)

To: Fred Eisenberger <fred.eisenberger@hamilton.ca>, Maureen Wilson <Maureen.Wilson@hamilton.ca>, Jason Farr <Jason.farr@hamilton.ca>, Brad Clark <brad.clark@hamilton.ca>, Maria Pearson <Maria.Pearson@hamilton.ca>, Sam Merulla <Sam.Merulla@hamilton.ca>, Tom Jackson <Tom.Jackson@hamilton.ca>, Terry Whitehead <Terry.Whitehead@hamilton.ca>, "esther pauls@hamilton. ca" <esther.pauls@hamilton.ca>, John-Paul Danko <john-paul.danko@hamilton.ca>, "nrinder nann@hamilton. ca" <nrinder.nann@hamilton.ca>, Lloyd Ferguson <lloyd.ferguson@hamilton.ca>, Judi Partridge <Judi.Partridge@hamilton.ca>, Chad Collins <Chad.Collins@hamilton.ca>, Brenda Johnson <Brenda.Johnson@hamilton.ca>

Cc: clerk@hamilton.ca,

Subject: LGBTQ+ Advisory Committee Chair and IC Complaint

Dear Council,

I have serious concerns with Council proposing to remove Cameron Kroetsch from his role as chair of the LGBTQ+ and advisory committee over his remarks concerning Hamilton Police Service's failure to protect participants at the 2019 Pride festival.

Is council so afraid of criticism that you approve of suppressing any dissent? How does this encourage members of any community to become involved in their government?

That you have the audacity to file an IC complaint , saying that it breached the "code of conduct and good communications" is really hard to swallow when I see at your own council meetings the lack of decorum used by several councillors. Such hypocrisy! There are currently 14 other complaints against councillors yet this was the Integrity Commissioner's focus!!

If you haven't noticed democracy is being attacked around the world. To see it being attacked first hand here in my City Hall is greatly alarming.

In order for democracy to work the electorate MUST be engaged. If you don't engage you lose. We all lose.

Last I checked this was still a democracy and opposing voices still mattered.

Please reconsider this reckless and irresponsible move to silence an engaged citizen, and keep Mr Kroetsch as chair of the LGBTQ+ committee.

Doreen Stermann

Ward 1

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



Terry Whitehead

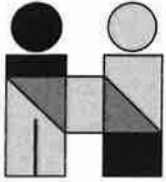
@terrywhitehead



Replying to [@EasyThePianoMan](#)
[@BCouncillor](#) and [@chch](#)

Curious does HCCL fall under the
integrity commision just asking

4:03 PM · 2020-09-30 · [Twitter for iPhone](#)



Hamilton Community Legal Clinic
Clinique juridique communautaire de Hamilton

100 Main Street East, Suite 203
Hamilton ON L8N 3W4
Phone: (905) 527-4572 Fax: (905) 523-7282
www.hamiltonjustice.ca

100, rue Main est. Suite 203
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Téléphone : (905) 527-4572 Télécopieur : (905) 523-7282
www.hamiltonjustice.ca

October 2, 2020

An Open Letter to the Hamilton City Council

We request that it be included in the formal correspondence on the agenda for the next meeting of Council

Re: Integrity Commissioner Recommendation Report re Complaint against Cameron Kroetsch

On September 30, 2020, the Hamilton City Council (“Council”) met and discussed a recently released Report (the “Report”) from Principles Integrity, which was appointed to be the Integrity Commissioner for the City of Hamilton (the “City”) in July 2018. The subject matter of this Report was a complaint initiated by Council against Cameron Kroetsch (“Mr. Kroetsch”), the Chair of the City’s own LGBTQ Advisory Committee.

The Hamilton Community Legal Clinic (“HCLC”) and its Queer Justice Project (“QJP”) initiative have been monitoring this issue as it has developed over recent days. In addition to witnessing the discussion held by Council on September 30, 2020, we have had the opportunity to review the Report issued by Principles Integrity in its entirety. We have also researched and reviewed other documents relevant to this issue. In light of all of this, we must express our significant concern about the sequence of actions and decisions taken by Council, and the precedent this may set.

Mr. Kroetsch is an ardent and prominent advocate for both Hamilton’s 2S and LGBTQIAPGNC (“Queer”) community and the city of Hamilton itself. He and his activities are well known to the media, to Council, and to the public. In turn, the City’s LGBTQ Advisory Committee, as noted in the Report, is an advisory committee to Council that is meant to voice the perspectives of the community it represents, to evaluate the City on its related efforts, and to seek to eliminate barriers.

Furthermore, it is no secret that there has been significant tension and even animosity between the Hamilton Queer community and the City. The reasons for this are many, including several of those listed within the Motion from the LGBTQ Advisory Committee originally passed on May 15, 2019, which features prominently in the Report. However, it would be a mistake to believe these issues are new. Queer communities have been engaged in a prolonged struggle for recognition, representation, and equality with all levels of governments in Canada, including here in Hamilton.

These actions by Council, which initiated a heavy-handed, public, and unnecessary response that targeted a prominent member of the Queer community, who was acting in a public role, elected to a position of leadership, was acting on a volunteer basis, and who has had public disagreements with Council previously, risk adding another point of tension and distrust. Intent is irrelevant, and the effect of these actions will undoubtedly make other members of the Queer community question whether they ought to participate in City processes or speak up on issues for fear of being targeted themselves.

The Report and the Integrity Commissioner themselves are not immune to questioning or criticism. Unfortunately, history is rife with institutions, policies, and laws whose stated purpose or name have indicated its belief that they embodied certain virtuous principles or worked in the best interests of the public or a segment of the public, but were in fact destructive forces and instruments of oppression. Now more than ever, our institutions and processes must be closely examined for systemic failings and biases.

The HCLC and the QJP do not purport to be experts on investigations into Code of Conduct violations or municipal law. However, there are questions that have arisen in our examination of the Report and the various laws and policies that are relevant to the complaint it examines. These include apparent inconsistencies and omissions within the Report’s analysis and findings. Not helping matters is that the origins and justifications for the complaint are shrouded in secrecy due to having originated at an in camera meeting of Council. Furthermore, the Report fails to justify its own existence.

*A Community Legal Clinic Funded by Legal Aid Ontario
Une clinique juridique communautaire financée par Aide juridique Ontario*

As the Report notes, the City Clerk had apparently already determined that a potential violation of the *Municipal Freedom of Information and Protection of Privacy Act* (“MFIPPA”) had occurred, and the City Clerk administers MFIPPA for the City independently of Council with “a high level of decision-making autonomy and responsibility regarding information published in official Council records” (para 24). Notably, the source of the Clerk’s authority on this issue is not cited in the Report. The privacy breach was the most serious allegation in the complaint, and the only one that did not rely on unsupported conclusions by the Integrity Commissioner as to the violation of extremely vague “good conduct” provisions contained in the applicable Code of Conduct. As such, it appears Council had all the findings it required to issue a reprimand when the alleged unauthorized disclosure occurred. As a result, the purpose of the complaint to the Integrity Commissioner is unclear, which invites speculation and therefore distrust.

Other questions and issues are also noteworthy. This includes the seeming lack of reference to Mr. Kroetsch’s submissions in his own defence, made in response to the draft conclusions. The Report notes that a 102-page submission was made (para 15), but by our count Mr. Kroetsch’s positions were only directly and briefly mentioned on two occasions (paras 86 and 107).

There is also the issue of the Integrity Commission’s enabling By-Law No. 16-288 (as posted on the City’s website), which does in fact omit any mention of the ability of the Integrity Commissioner to investigate anyone other than members of Council. While the *Municipal Act* does require a Code of Conduct to be established that governs local boards (section 223.2), section 223.3(1) indicates it “authorizes” Council to appoint an Integrity Commissioner to apply that Code of Conduct, it does not mandate it. In fact, the *Municipal Act* proceeds to provide for situations where no Integrity Commissioner is appointed or where a specific function is not assigned to them. As a result, it is not clear to us that the Integrity Commissioner had the jurisdiction to investigate this complaint. Notably, the City’s webpage on the Integrity Commissioner indicates the Commissioner’s role does include applying the Code of Conduct applicable to local boards, but the link provided leads to the By-Law No. 16-288, which fails to provide that function (the webpage, perhaps coincidentally, also appears to have been last modified on March 5, 2020, the day after this complaint was received by the Integrity Commissioner).

Finally, on the same City webpage providing information on the Integrity Commissioner, there are copies of the relevant Codes of Conduct, including the one applicable to members of Council and the one applicable to advisory committees. When opened, the contents of the Code of Conduct for advisory committees does not match the one cited in the report. Specifically, section 6 of the Code of Conduct from the website outlines responsibilities relating to “media communication” rather than just “communication”, as cited in the Report. Immediately, that section 6 in the version available on the City’s website indicates that “Except for the Chair, who may accurately communicate a recommendation or direction, Appointees shall not comment to the media”. Which version of the Code is in force is not clear, as neither version is dated. We imagine it may also be unclear to others, including committee members, chairs, and the general public.

It appears to us that no one in this situation behaved in a perfect manner. The concern here for HCLC and the QJP, as it always is, relates to how power is wielded in situations such as these. The Council of a major City in the province of Ontario chose to single out and target a prominent member of a historically marginalized community, who has had previous public disagreements with Council, and who was serving his city and his community in an unpaid and voluntary position. To do so, Council used the significant administrative and legal mechanisms at its disposal, which may have not been properly invoked, relied on documents that the public cannot be sure are in force, with no evidence this course of action was necessary, and which we can presume came with a significant cost. All of this while the relationship between the City and the marginalized community to which the targeted individual belongs remains extremely poor, and risks being made worse.

Based on our analysis of this situation, the behaviour of Council is extremely concerning here and appears to constitute and inappropriate use of power. We welcome any clarification of the issues we have raised, and will willingly admit where we are incorrect.

The Hamilton Community Legal Clinic and its Queer Justice Project initiative, in light of the above-noted concerns surrounding recent events, call upon the Council of the City of Hamilton to take the following actions:

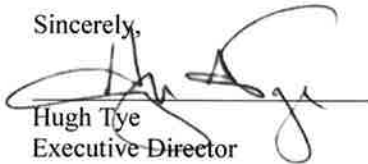
1. Issue a public apology to Mr. Kroetsch and the Hamilton Queer community for the heavy-handed manner in which Council sought to address its concerns with Mr. Kroetsch’s conduct as Chair of the LGBTQ Advisory Committee;
2. Remove any and all restrictions on members of advisory committees to publicly discuss the work and recommendations produced by their committee, including the ability to publicly comment on the responses

received from Council. There is no reason to believe this would impair their function, nor would this enable members to discuss or disclose confidential information;


3. Clarify the jurisdiction of the Integrity Commissioner under By Law No. 16-288, authorized under the *Municipal Act*, specifically as it relates to the function of applying the Code of Conduct applicable to City Committees, as local boards;
4. Commit to ensuring an open and transparent process conducted in good faith should any similar future complaints be initiated by Council and referred to the Integrity Commissioner, specifically in relation to any that may target civilian members of City Committees. It is important that the public have confidence that this process is not subject to abuse;
5. Ensure that all publicly available information contained on the City's website is up to date and accurate;
6. Take additional steps to ensure that all members of local boards understand their obligations, and those of the City, under the various pieces of privacy legislation. Where concerns are raised with members, the City ought to ensure that the specific nature of the concern, why it is a concern, and what can be done to remedy the issue, are all made very clear.

It is the sincere hope of the HCLC and the QJP that the relationship between the City of Hamilton and the Queer community is improved to the point where each side feels respected, heard, and valued. The above calls to action only serve to rectify this current issue; more work is required to improve the relationship with the community as a whole. Part of moving towards that goal involves the willingness and ability to reflect on our own actions, acknowledging power imbalances and sources of distrust, and having the courage to take the necessary steps forward. We hope to see that here and in the future.

Sincerely,



Hugh Tye
Executive Director
Hamilton Community Legal Clinic



Michael Blashko
Project Lead
Queer Justice Project

Lyla Miklos

October 12, 2020

Attn: City Clerk

Hamilton City Hall

71 Main Street West

Hamilton, Ontario

L8P 4Y5

e-mail: clerk@hamilton.ca

Re: Correspondence for Wed, Oct 14, 2020 City Council (Item 4.3. - Correspondence in response to Council's decision respecting the Integrity Commissioner's Report at the September 30, 2020 Council meeting.)

Dear Hamilton City Council,

I was deeply troubled and profoundly disturbed by the discussions that took place during the Hamilton City Council meeting of September 30, 2020 regarding the Integrity Commissioner's investigation of the current Chair of the City of Hamilton's Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee – Cameron Kroetsch.

In the report submitted by the Integrity Commissioner they state the following:

There is a distinction to be drawn between advice and advocacy. While an advisory committee, once it has completed its deliberations on a matter, may advocate a course of action to Council through the recommendations it submits, its role is not to advocate generally. For advisory committee members, it is sometimes a surprising revelation that their personal advocacy for a public policy issue may in some respects be constrained by their appointment to a body which is bound to an advisory role only, given the primacy of Council.

It is most certainly the role of an Advisory Committee to bring forward persuasive arguments to support recommendations seeking substantive change in how the City conducts itself to achieve public interest goals. In that sense the Advisory Committee can advocate for change. This Report, in part, examines to what extent advocacy which takes place outside the advisory committee framework established by the City meets the ethical standards established by the Code of Conduct.

The Advisory Committee Handbook also contains the following guidance regarding "Members Communicating with Any Outside Agencies, Including Other Levels of Government and Media": Please note that members of a Committee cannot correspond or speak to any Ministries, any outside agencies, or the media without Council's prior approval, as per Standard Operating Procedure #08-001 – Communicating with any outside agencies, including other Levels of Government and the media attached as Appendix "D" and the Code of Conduct attached as Appendix "G".

We find that the Respondent's public criticism and disparagement of Council and City processes during this radio interview, while identified as Chair of the LGBTQ AC, is conduct that undermines public confidence in the advisory committee, contrary to the Good Conduct provision in the Code.

This report, however, focuses on whether the Respondent has breached the Code of Conduct applicable to him. In that respect we have made findings, that: he has inappropriately used his position as Chair of the LGBTQ Advisory Committee, including by improperly and publicly criticizing and disparaging Council decisions and processes through a radio interview in which he was identified as participating in his role as Chair of the LGBTQ AC. This we consider to be a breach of the Rule 1 of the Code of Conduct, respecting good conduct, as referenced in paragraph 78.

As a Former Chair of the City of Hamilton's LGBTQ Advisory Committee, then known as the GLBT Advisory Committee, this was not my past experience nor understanding of my role as the Chair of an Advisory Committee for a marginalized community in the City of Hamilton.

I spoke to local media often, openly identifying myself as the Chair of the City of Hamilton's GLBT Advisory Committee. I never once was spoken to, reprimanded, corrected or punished by City Staff or Councilors for my actions. No one even hinted that my actions violated any codes of conduct. Never was I told that I needed to ask Council for permission in advance to speak to the media in my role as Chair of an Advisory Committee.

Below are several examples of me speaking to the media and identifying myself as the Chair of the City's GLBT Advisory Committee:

GLBT Members Speak Out Against Recent Hate Crime in Hamilton The Satellite (March 9, 2004)

According to a media release from the Gay, Lesbian, Bisexual and Transgender (GLBT) Advisory Committee for the City of Hamilton has invited other members of the community to join their next meeting. It takes place at Hamilton City Hall tomorrow at 6pm in Room 219.

"The recent vicious hate crime committed against a well-known gay citizen of Hamilton has deeply shaken our Gay, Lesbian, Bisexual and Transgender community," says Lyla Miklos, Interim Chair of the GLBT Advisory Committee for the City of Hamilton. "As much as this crime impacts the very core of our identities, we must not allow ourselves to give in to fear as a result of this tragedy. GLBT Hamiltonians have accomplished so much to be proud and loud about."

Hamilton is for all people: Mayor Larry Di Ianni urges the community to combat ugly intolerance of minority groups The Hamilton Spectator (March 13, 2004)

We, the undersigned representatives of concerned organizations within the Hamilton community, fully endorse Mayor Larry Di Ianni's statement.

As members of the Strengthening Hamilton's Community Initiative, we rededicate ourselves to working in partnership with him and the residents of this city to dialogue and plan actions to overcome hate and discrimination and build a harmonious community.

*Renee Johnston, Executive Director, Workers Arts and Heritage Centre
R. John Dolbec, Chief Executive Officer, Hamilton Chamber of Commerce
Winston Tinglin, Chief Executive Officer, United Way of Burlington & Greater Hamilton
Javid Mirza, President, Hamilton Muslim Association
Jagoda Pike, Publisher, The Hamilton Spectator
Gary Purdy, Professor and Director, McMaster University Centre for Peace Studies
Joan Browning Hamilton Mundialization Committee representative to SHCI
National Assoc. of Japanese Canadians (Hamilton) representative to SHCI
Wayne Marston, President, Hamilton and District Labour Council*

Dana Robbins, Editor-in-Chief, The Hamilton Spectator
Dr. Kevin P. D. Smith, President and Chief, Executive Officer, St. Joseph's Healthcare
Lyla Miklos, Interim Chair, Gay, Lesbian, Bisexual and Transgender Advisory Committee for The City of Hamilton
Harish C. Jain, Professor, McMaster University
Morteza Jafarpour, Executive Director, Settlement & Integration Services Organization
Dr. Bonnie Loewith, President, Hamilton Jewish Federation
Dr. David Somer, VP Community Relations, Hamilton Jewish Federation
Dr. Lorne Finkelstein, SHCI Roundtable representative, Hamilton Jewish Federation
Dr. Lester Krames, SHCI Roundtable representative, Hamilton Jewish Federation
Anne M. Pearson, Co-Chair, Hamilton Interfaith Group
Dr. Gary Warner, Director of Arts and Science, McMaster University
Gerald Fisher, Executive Director, Hamilton Jewish Federation
Dr. Leila Ryan, Chair, Hamilton Community Foundation
Lenore Lukasik-Foss, Sexual Assault Centre (Hamilton & Area)
Rebecca Wissensz, President, Hamilton Chamber of Commerce
Dennis Concordia, Director, Hamilton Chamber of Commerce
Brian Mullan, Chief of Police, Hamilton Police Services

Hamilton Rallies Around Victim Xtra! (Mar 18, 2004)

Di Ianni's statement was endorsed by more than 20 organizations including the Hamilton Chamber of Commerce, the Hamilton Police Service, the Hamilton Police Service, the Hamilton Muslim Association, the Hamilton Jewish Federation and the Hamilton and District Labour Council.

Lyla Miklos, interim chair of Hamilton's GLBT Advisory Committee, also wrote a lengthy article for the Spectator that appeared opposite the mayor's column.

Gays vent anger over bathhouse inspection The Hamilton Spectator (Aug 6, 2004)

Angry members of Hamilton's gay community lashed out at public officials last night, saying an inspection of a bathhouse made them feel violated and unsafe.

Two men were charged with indecent acts at the Warehouse Spa and Bath on Main Street West, after the multi-agency task force performed a routine inspection Tuesday.

Officials said the inspection was based on complaints, but it incensed members of the Gay Lesbian Bisexual Transgender community, and resulted in yesterday's meeting with representatives from the task force. The team is comprised of police, the fire department, health inspectors and city building and licensing officers, among others.

Lyla Miklos, representing the GLBT advisory committee to the city, said many men have been told by police officers to use bathhouses as a safe space to express their sexuality. Inspections that result in criminal charges send mixed messages, she said.

HAMILTON QUEERS HOOT, LAUGH AT COPS' STORY Xtra! (Aug 6, 2004)

Yet most members of the panel - which included representatives from fire, city police, the Ontario Provincial Police, by-law enforcement and public health - claimed that they didn't know what a bathhouse was, and

that they had no idea, until the controversy arose, that the Warehouse was intended to be a safe space for gay men to have sex with other men.

These claims were met with hoots of laughter and derision from the audience.

"I really think that after this incident, trust has been badly damaged and fractured," said Lyla Miklos, acting chair of the City's GLBT Advisory Committee. "I'm utterly confused and mystified to hear so many of you say, 'We didn't know that was a bathhouse,' 'We didn't know that was a place where men have sex with men.'"

No 'straight answers' from bathhouse meeting The Hamilton Spectator (Aug 7, 2004)

The city's gay community is still looking for answers following an inspection of a bathhouse where two men were arrested for indecent acts.

Lyla Miklos, a member of the Gay Lesbian Bisexual Transgender advisory committee, said police failed to give full answers at a meeting Thursday about why the inspection occurred and about the role of the multi-agency task force.

Every member of the GLBT community came away unhappy, Miklos said yesterday.

"Nobody was really giving concrete, straight answers to what we were asking," she said, including not being told what complaint led to Tuesday's inspection of the Warehouse Spa and Bath on Main Street West.

Two men were charged with indecent acts after multi-task agency members entered a common area and allegedly found them performing a sex act in front of other people, said Deputy Chief Tom Marlor.

The city's multi-agency task force, made up of police, the fire department, health inspectors and city building and licensing officers, inspected the bathhouse after receiving a citizen's complaint of a bylaw infraction.

The multi-agency task force inspected 13 other premises that night, including the Skyline Bar and Billiards on Main Street West, Leaf's Sports Bar and Grill on Main Street West and The Blue Angel on King Street East.

But no one knows what the infraction was, Miklos said. She said the group will hold a meeting next week to decide what its next step will be.

Aside from the question of what led to the inspection, she said many other questions remain, including what the multi-agency task force is as well as its mandate and goals and who it protects.

Miklos said they are also looking for stronger communication with the police on what she called "queer safe space" in the city.

"There are very few spaces in town where you feel, as a queer member of this community, that you can be yourself and just do your thing and not have to worry about your space being violated," she added.

Cops monitoring website led to gay bathhouse check The Hamilton Spectator (Aug 12, 2004)

The Warehouse was inspected by the multi-agency task force, comprised of police, the health department, city building and licensing, and the fire department, among others. The two men arrested were later charged with committing an indecent act.

Lyla Miklos, acting chair of the city's GLBT advisory committee, was stunned to learn the source for some of the complaints was a website.

She chaired a meeting yesterday at City Hall that allowed community members to vent and come up with solutions.

"Even if they found something on (the website), why couldn't they call the owners and tell them?" said Miklos, echoing the concerns of many over the mass inspections by the task force. Some questioned the legitimacy of a comment left on a website message board.

Marlor explained that the two men charged with indecent acts were charged because they were partaking in sexual acts "in the view of others." The act was taking place in a common area, with more than two people present, says Marlor.

"It's not an offence if they were behind a locked door," he noted, adding that heterosexual couples engaging in similar activity in a similar space would have also been charged.

But Miklos was disturbed at the number of officials who claimed not to know what a bathhouse is or what kind of activity goes on in it.

All those at the meeting agreed it's time to educate both the task force and the GLBT community. That means making sure the definition of a bathhouse and the kind of activity that takes place there is understood. Bathhouse owners should learn what activity is legal so they can inform their customers, and should know how to handle similar situations in future, such as asking for names or badge numbers of officers.

Advisory committee members committed themselves to pushing for a response from the city and police.

A task force out of control? Xtra! (Aug. 19, 2004)

The GLBT Advisory Committee is offering to provide cultural competency training to city staff who participate in the MATF. The public outcry has caused MATF members to examine their operation; it's having a meeting to reassess its mandate and process.

But is it the same old tune? Given that the GLBT Police Task Force was originally formed in 1997 in reaction to Project Rosebud - a police gay sex sting operation at the Royal Botanical Gardens - there is apprehension that Hamilton has now taken a couple of big steps backward.

Gilbert has attended all three public meetings. He was very disappointed in the presentation at the third meeting, which saw the first public presentation from Mullan, who was on holidays when the raid happened.

"It was just what I expected. Very anger-making and full of bullshit," says Gilbert. "He said basically that the police were just doing their job... they were not targeting the gay community."

Miklos also expressed disappointment in the level of expertise exhibited by senior police officials.

"I think this was good that it happened because now we're having the discussion but to have two deputy chiefs be so obtuse on the issue was a little disconcerting. Why don't they know about [the existence of bathhouses]?"

Det-Sgt Dave Calvert, with Hamilton's vice and drugs squad, says he is surprised by the outcry over the Warehouse arrests. Yet when asked if he now understood the concerns being raised by the community, Calvert asked this reporter to enumerate them for him.

Along with these examples from print media I also appeared on CHCH for a face off segment with the Hamilton Police Services Deputy Chief following the 2004 raid on a Hamilton Bathhouse by the City's multi-agency task force and called him a liar live on air.

No one took me aside and told me I had crossed a line.

I find it beyond disillusioning as a member of Hamilton's Two Spirit and LGBTQIA+ community to have to dig up media stories from my time as a Chair of a City of Hamilton Advisory Committee from well over a decade ago to not only point out a false narrative in the Integrity Commissioner's Report, but to also sadly reveal that history is once again repeating. Hamilton is once again in the news due to horrific hate crimes and there are major rifts between the Two Spirit and LGBTQIA+ community and the Hamilton Police Services.

It would sadly seem that not much has been learned by City of Hamilton leadership on either of these fronts, but at least when I was serving as the Chair of a City of Hamilton Advisory Committee the response to an attack on a member of the Two Spirit and LGBTQIA+ community was solidarity around the victim and community wide condemnation against the violent act of hate.

Instead of dealing with the hate and rot that has been allowed to fester in our beloved City, the leadership of our Municipality has instead decided to target a member of the Two Spirit and LGBTQIA+ community who has been doing some loud and proud truth telling and calling out our leaders for their lack of integrity.

The shameful behavior at September 30, 2020's City Council is taking us ten steps back as a City. I want us to move forward as Hamiltonians. I don't want to just dream about a Hamilton where we are all welcome and respected for who we are. I want it to be a reality.

Attacking a volunteer on an Advisory Committee for pointing out your failures in living up to the ideals the City of Hamilton aspires to is not only an abuse of powers, but a diminishment of our democracy.

From The City of Hamilton's website:

The City's vision "To be the best place to raise a child and age successfully" reflects the kind of city Hamiltonians want to aspire to become. It means having an inclusive community, actively engaged in making Hamilton a better place for everyone. It is creating an accessible environment, supporting residents through all of life's stages, and one that encourages positive development of children as they grow towards becoming healthy adults and seniors.

City Council seemed to forget the vision they have for the City of Hamilton stated above at their September 30, 2020 meeting.

Perhaps it isn't too late to get back on course and remember why we care about Hamilton and want all Hamiltonians to live in a community filled with love and acceptance rather than with hate and fear.

Sincerely,
Lyla Miklos
Resident
Hamilton, Ontario

Pilon, Janet

Subject: Amended letter RE: Big toxic mess of PFAS/PFOS at the Hamilton International Airport**From:** Joseph Minor**Sent:** Tuesday, October 6, 2020 12:29 PM**To:** clerk@hamilton.ca**Subject:** ammended letter RE: Big toxic mess of PFAS/PFOS at the Hamilton International Airport

October 6, 2020

(I have received concerns about the accuracy of the previous version of this letter dated October 2, 2020 and sent on October 5, 2020. I have considered those concerns. I do not think the previous version was incorrect (based on what I knew at the time of writing and sending). In light of the concerns raised I have updated two sentences, and added a note. Please destroy the version dated October 2, 2020 and replace it with this version dated October 6, 2020.)

To: The Mayor and All members of Hamilton City Council c/o the Clerk, Hamilton International Airport, The Ontario Ministry of the Environment, Conservation, and Parks

Please show us the good work you have done putting a “cap” on top of the big toxic mess of PFAS/PFOS at the Hamilton International Airport. (43.1668, -79.9398)

(What follows is a summary of what I believe to be correct based on the information I have been granted access to. But that is part of the problem – there is very little information available to the public. If there is anything incorrect here, please send me the data that indicates what the error is and I will send a correction.)

This eMAIL is likely to arrive around October 12, 2020 (Thanksgiving). Thanksgiving 2020 marks almost exactly the one year anniversary of the completion of the “Mitigation Plan” construction to address the big toxic mess of PFAS/PFOS as well as address the toxic pond and ditch that were directly downstream of the big toxic mess of PFAS/PFOS.

In the spirit of Thanksgiving, I want to say that I am very grateful to be living in Hamilton, Ontario, Canada. We have it really good here, and almost everything works well almost of the time. I want to thank the politicians and government staff and public sector workers and private sector workers who all pull together to “keep the lights on”. And I am also grateful for all of the people who are working to clean up the big toxic mess of PFAS/PFOS at the Hamilton International Airport. And this means everybody: politicians (municipal, provincial, federal), public officials (municipal, provincial, federal), private sector officials, and consultants.

I have been spending a lot of time thinking about the difficult job all of these people do. A long time ago, I came to the conclusion that I lacked the skill set to be City Councillor. Amongst my many other deficiencies: I am impatient, and I am incapable of keeping a secret. It is ironic that the politicians we elect to speak for us have significant job related restrictions imposed on their free speech. What I have come to appreciate more with the wisdom of old age is that the same restrictions on free speech also apply to the other actors in this clean up as well. I used to think City Councillor was the most difficult job, but I now think City official might be harder. It is also clear that actors in the other categories share the difficult mental problem of having to keep information in their heads that they have to carefully meter out in differing quantities depending on who they are speaking to.

It is my opinion that there are serious deficiencies and even some inaccuracies in the current state of public information available about the big toxic mess of PFAS/PFOS at the Hamilton International Airport. In an effort to improve both the quantity and quality of the public record, I will need to be specific about the sources of information that exist. I am not trying to single anybody out, and I am not saying anything was done wrong. The specificity is just necessary to properly identify the information I wish to discuss.

As the cleanup progresses, it is important to both communicate clearly about what has been done, and to generate an open public record of accurate information. I think it is safe to say that aspects of this problem will continue to linger for many years. We need to consider the best way to package all of the very expensive information that we are compiling so that it will be available to those who will have to deal with this continuing problem many years later. I leave it to the many paid professionals in this process to construct and distribute (backups, eh?) the appropriate long-term public data archive. (Personally, I am big fan of public libraries as repositories for public information.) I will focus my efforts on asking questions (and hopefully receiving answers) about information that I think should be included in the public archive.

Since it has been a year since the completion of the Mitigation Plan construction project, I think the dust should have settled enough for us to see what was done. When I went looking for this information in August 2020, I was unable to find any (and I mean ANY) public information from after the completion of the Mitigation Plan work on October 11th, 2019.

As far as I can tell, the very limited public discussion about the Mitigation Plan actually occurred only during the fifth day (September 20th, 2019) of the 25 day Mitigation Plan construction period (Sept.16 to Oct.11). The discussion occurred as a result of a presentation to the "Airport Sub-Committee".

It appears there was an extensive discussion of the ongoing "Mitigation Plan" work at the Sub-Committee, but it occurred behind closed doors. The only mention of the "Mitigation Plan" work available to the public was:

"PFAS MANAGEMENT AND MITIGATION Airport Sub-Committee Meeting, September 2019

A Preventive Measures Order (a "PMO") has been finalized to address legacy environmental impacts associated with Transport Canada's historical firefighting practices. Working jointly with the Ministry we developed and, as of September 16, 2019, has implemented, a Mitigation Plan that calls for:

- the dewatering and restoration of an existing stormwater retention pond;
- excavation and long-term containment of PFAS-impacted soil and sediment; and
- the creation of a capped area on the former fire-fighting training area.

Following construction of the capped area, ongoing monitoring and inspections programs will be conducted to demonstrate the contamination is mitigated. This collaborative process demonstrates our ongoing commitment to public safety and the protection of the environment."

<https://pub-hamilton.escribemeetings.com/FileStream.ashx?DocumentId=203698>

The brief outline above was a small part of a much larger presentation on other airport issues given by the Hamilton International Airport to the Councillors on the Sub-Committee.

The Airport Sub-Committee meeting was also covered in a CBC news report:

<https://www.cbc.ca/news/canada/hamilton/pfos-hamilton-1.5291994>

Since there are no City records (I can find) of the content of the Mitigation Plan discussions, we are left only with the brief comments covered in the CBC News report, which included:

"The Mount Hope airport is in the midst of an 18-day clean up that involves gathering the contaminated soil in a container and sealing it, said airport president Cathie Puckering. "We're removing some of the soil and capturing it," Puckering told the city's airport subcommittee Friday. "That will reduce the risk.""

...and...

“The federal government has cleaned up the contamination that's leaked from the airport to the surrounding area, said Guy Paparella, city director in charge of the airport.”

I think both of these comments are inaccurate, and should be clarified. To be fair to the private and public sector representatives reported as giving the comments, it is entirely possible that the inaccuracies are an artifact of the reporting. Or to be fair to the reporter, they could be an artifact of editing.

(Note added October 6th. Quote from an eMAIL sent to me by the City Director in Charge of the Airport: “the statement you attribute to me is totally incorrect and was never stated by me in any context”. Please note that I did not attribute any comments to the Director, the CBC News article did. I share both of the Director's concerns: Both that the statement is incorrect, and that the CBC article attributed the false statement to the Director. The fact that the incorrect statement was attributed to the Director by the CBC gives the false statement unwarranted authority. Getting this corrected in the public record is a key point of this communication.)

But the problem remains that to this day is that if you Google “Hamilton airport contaminants” the top hit on Google is this article, which says “The federal government has cleaned up the contamination that's leaked from the airport to the surrounding area”.

This is a problem for two reasons:

1) The statement is false. Due to my past experience with the issue of the big toxic mess of PFAS/PFOS at the Hamilton International Airport, I was pretty certain that there was no way this could be true. But to be sure I contacted the consultant (Arcadis) working on the “Hamilton Offsite Risk Assessment”. Arcadis works for Transport Canada (part of the federal government). The response from Arcadis:

“Q (originally sent Sept. 28 at 1:48PM): Has “the federal government cleaned up the contamination that’s leaked from the airport to the surrounding area”?

No.”

I also asked an officer of the Ontario Ministry of the Environment, Conservation and Parks the same question and received basically the same answer.

2) The false statement could result in people eating fish heavily contaminated with PFOS.

The ubiquity and long memory of the internet means that false statements like this persist and can cause problems. I have asked the reporter to correct the error, but the commenting on the article is now closed.

But there is a better way of dealing with the stray occasionally incorrect statement. If there was a large quantity of publicly available correct information, then the chances of encountering the incorrect statements would be diminished. I am trying to do my part, but I could really use more assistance from the many professionals in this process. I was out of the country (and off the continent) when this statement was made. I am disappointed that none of the many professionals involved in the clean up process did anything that resulted in the incorrect statement being corrected in the public record. They need to be reminded that even though they knew the statement could not be true, that there are members of the public who do not have their level of expertise on the subject who could have been misled into eating PFOS laden fish.

The other statements attributed to the airport president by the CBC, while at the very least inaccurate, are not likely to cause much harm other than creating confusion about what was done. I know the statements confused me, and I guess some slight harm was done to the Ontario MECP officers who had to de-confuse me (they lost time). Briefly, the questionable statements:

From the CBC News article:

“gathering the contaminated soil in a container and sealing it”

"We're removing some of the soil and capturing it,"

From the presentation slide to committee:

“• excavation and long-term containment of PFAS-impacted soil and sediment;”

The problem with these statements is that absent the context of a full explanation of what was done (which only happened behind closed doors), the statements are actually misleading.

It is my understanding that there was no “container” and because there was no “container” there was no “sealing”.

No soil was actually “removed”, some (hopefully most) of the soil from the sites of secondary contamination was lifted and piled on top of the toxic hotspot at the former Fire Fighting Training Area (43.1668, -79.9398).

After the consolidation of hopefully most of the worst of the PFAS-impacted soil at 43.1668, -79.9398, it was “capped” there. This means it is covered on the top and some part of the sides, but it is totally open on the bottom.

Only time will tell if leaving the big toxic mess of PFAS/PFOS outdoors underneath a “low-permeability” box that is open on the bottom will result in “long-term containment”. In order to catch potential failures in containment early, the monitoring needs to be as close to the PFOS toxic hotspot as possible. Because of the widespread harm that has already occurred from this PFAS/PFOS toxic hotspot, the most effective way to restore public confidence will be to publicly share the details of the monitoring program, as well as the monitoring data as they are obtained.

The foregoing discussion cleans up most of the inaccuracies that were left in the public record regarding the PFAS Mitigation Plan construction that took place in Sept/Oct 2019. I remain disappointed that the professionals involved in the cleanup left these inaccuracies and false statements uncorrected in the public record for more than a year (Sept.2019 to Oct.2020).

But, as I am writing this (October 2nd, 2020), things appear to be improving. The Hamilton International website:

<https://flyhamilton.ca/environmental-management/>

is being updated with more information about the big toxic mess of PFAS/PFOS at the Hamilton International Airport.

This is a good start, and it will take me a while to consider the meaning of the “new” (to the public) information.

On a first read, my first impressions are that:

The “Mitigation Plan” construction that took place Sept/Oct 2019 is likely to have succeeded in mitigating the amount of PFAS/PFOS exiting airport property. In fact, there is one aspect of this Plan that went above and beyond anything I proposed in 2011. Consolidating the areas of secondary PFAS/PFOS contamination underneath the “cap” greatly decreases the area of PFAS/PFOS open to precipitation (that would wash it downstream). Thank you to the cleanup professionals who got this done.

While the size of the “cap” is smaller than I expected (and a bit off center of where I expected), I trust that there are data that support this decision. And I want to thank the cleanup professionals again for addressing what I identified as the most urgent need in 2011: dealing with the source of the contamination.

QUESTION: Would it be possible to release a picture (e.g., aerial or satellite view) of the Mitigation Plan area taken after the completion of construction? (anytime after October 11th, 2019)

I think the Mitigation Plan construction has mitigated the source of the contamination (Step One of a cleanup plan), which gives us all some breathing space to consider what should be Step Two. I am interested in any input about what this should be.

Absent any better ideas, I am going to proceed with what I think should be Step Two: Getting more of the public to hear the following message:

Do not eat the PFOS contaminated fish.

Or, more completely:

Never eat any of the fish downstream of the Hamilton International Airport (including Binbrook Conservation Area) that are so badly contaminated with PFOS that the that the recommended intake is "0".

Sincerely, Joseph Minor, PhD

Pilon, Janet

Subject: Stance on De-Funding Police

From: Selena Visser

Sent: October 2, 2020 5:53 PM

To: clerk@hamilton.ca

Subject: Stance on De-Funding Police

Mayor and Members of Council,

I'm writing regarding the debate about de-funding police in the City of Hamilton.

My family and I moved from Toronto to Stoney Creek 11 years ago. We are home-owners (taxpayers), residents, supporters of local businesses, my husband works in Hamilton and our daughter attends SJHNN SS. In essence we are invested in the present and future of this city.

Especially since the start of covid we have seen an increase in thefts, shootings, drug use, trafficking and assaults in this City (and in the last 24 hours we've seen 2 additional homicides).

Now is not the time to take funding from our police force. A 20% reduction in funding equates to roughly 200+ Officers off the force and would be very detrimental to the future and safety of our City. A more prudent approach would be to increase training for our HPS and ensure covid does not impact the current funding for social services.

Please don't allow a small, loud group of Hamiltonians speak for the majority of residents.

Thank you for your consideration.

Selena

Selena Visser



Solicitor General

Office of the Solicitor General

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132-2020-3484

By email

October 2, 2020

Dear Head of Council:

The Ministry of the Solicitor General is committed to keeping communities across Ontario safe, supported and protected. I would like to take this opportunity to share some information with your municipality regarding the anti-racism initiatives of my ministry and the Anti-Racism Directorate (ARD), the regulatory work being done to bring the *Community Safety and Policing Act, 2019*, into force, new police oversight measures, police training as it relates to de-escalation, mental health and diverse communities, mental health and addictions initiatives and investments, Community Safety and Well-Being (CSWB) Planning and police-hospital transition protocol.

Anti-Racism

Our government has zero tolerance for hate, racism or discrimination in all its forms. We share a responsibility to speak out and act against racism and hate and build a stronger society. Our government is committed to addressing racism and building a stronger, more inclusive province for us all.

I am proud to be the minister responsible for Ontario's Anti-Racism Directorate (ARD), which leads strategic initiatives to advance anti-racism work across government with a plan that is grounded in evidence and research. Through the ARD, the government continues to invest in community-led research, public education and awareness initiatives. This includes investments to the Canadian Mental Health Association (CMHA) Ontario to undertake research that seeks to identify key mental health issues impacting survivors of victims of homicide violence in Ontario.

Community Safety and Policing Act, 2019

Our government is also committed to addressing racism at a systemic level through the regulatory framework under the *Anti-Racism Act, 2017*, and through the work we are doing to bring the *Community Safety and Policing Act, 2019*, into force. As we work to develop regulations under the *Community Safety and Policing Act, 2019*, we will continue to engage racialized groups, including Black, South Asian, First Nation, Inuit and Métis organizations. We are committed to ensuring that Ontario's communities are well supported and protected by law enforcement and that all interactions between members of the public and police personnel are conducted without bias or discrimination, and in a manner that promotes public confidence and keeps our communities safe.

The *Community Safety and Policing Act, 2019*, which is part of the *Comprehensive Ontario Police Services Act, 2019*, provides policing and police oversight legislation. Once in force, the *Community Safety and Policing Act, 2019*, will address a number of recommendations made by Justice Michael H. Tulloch, including:

- Mandatory training for all police service board members, the Inspector General, inspectors, police officers and special constables on human rights, systemic racism as well as training that promotes the diverse, multiracial and multicultural character of Ontario society and the rights and cultures of First Nation, Inuit and Métis Peoples;
- The requirement for each municipality that maintains a municipal board to prepare and publish a diversity plan to ensure members of the board are representative of the diversity of the population of the municipality;
- Not releasing the names of officials and witnesses in SIU investigations;
- Ensuring information made available to the public about an SIU investigation helps them understand the decision made by the SIU director; and
- Ensuring the SIU continues to publish investigative reports on its website.

New Measures for Police Oversight

Inspector General of Policing

The *Community Safety and Policing Act, 2019*, will establish an Inspector General (IG) of Policing who will be required to monitor and conduct inspections related to compliance with the Act and regulations. The IG will work with policing entities to ensure consistent application of policing across the province by measuring compliance with prescribed standards.

Key functions of the IG include:

- Consulting with, advising, monitoring and conducting inspections of police service boards, Ontario Provincial Police (OPP) detachment boards, First Nation OPP boards, OPP Advisory Council, chiefs of police, special constable employers, police services and other policing providers regarding compliance with the Act and regulations.
- Receiving and investigating, if warranted, public complaints about members of police service boards, OPP detachment boards, First Nation OPP boards and the OPP Advisory Council regarding misconduct and policing complaints regarding the provision of adequate and effective policing, failure to comply with the Act and regulations, and policies and procedures.
- Reporting inspection findings, issuing directions to remedy or prevent non-compliance with the Act and imposing measures if the direction is not complied with, or, reprimanding, suspending or removing a board member if board member misconduct is identified.
- Conducting analysis regarding compliance with the Act and regulations.
- Reporting on the activities of the IG annually, including inspections conducted, complaints dealt with, directions issued and measures imposed; and compliance with the Act and regulations.

The Act also gives the IG and its inspectors the right to access closed police service board meetings.

Law Enforcement Complaints Agency

The *Community Safety and Policing Act, 2019* will continue the office of the Independent Police Review Director as the Law Enforcement Complaints Agency (LECA), headed by the Complaints Director.

The LECA will receive and screen complaints from the public about the conduct of police officers. In addition, the LECA will have the authority to initiate an investigation in the absence of a public complaint if, in the Complaints Director's opinion, it is in the public interest to do so.

The Complaints Director may also undertake reviews of issues of a systemic nature that have been the subject of public complaints or investigations, or that may contribute or otherwise be related to misconduct.

The Special Investigations Unit

The *Special Investigations Unit Act, 2019*, (SIU Act), once in force, will set out a new legal framework for the SIU. The SIU Act will focus and clarify the mandate of the SIU to better ensure more timely, efficient, reasonable and transparent investigations. Key changes contained in the Act will focus the SIU's investigative resources where they are needed most – on criminal activity.

The Ministry of the Attorney General will continue to consult with law enforcement, community organizations and advocates to ensure their input is incorporated into the development of regulations under the SIU Act.

Police Training

Training is developed and delivered in a manner that reinforces principles of fairness, equity and compliance with the Ontario *Human Rights Code* and *Canadian Charter of Rights and Freedoms*.

All Basic Constable Training (BCT) recruits undergo diversity-focused training designed to improve their ability to engage with the public and respond to victims of crime. This training focuses on improving recruits' understanding of the experiences of, and systemic barriers faced by, diverse communities, including racialized, Indigenous, First Nations and Metis, and Lesbian, Gay, Bisexual, Transgender, Queer and/or Questioning and Two-Spirited (LGBTQ2S) people.

Diversity and anti-racism training includes:

- Human rights framework for policing;
- Equity and inclusion;
- Harassment and discrimination;

- Defining police professional;
- Collection of Identifying Information in Certain Circumstances regulation;
- History of profiling in policing and the impact of racial profiling on the community;
- Profiling practices and the mindset behind it;
- Stereotyping;
- Bias free policing – racial profiling vs. criminal profiling;
- Hate crimes and bias incidents of a non-criminal nature; and
- Practical skills scenario that reinforces academic learning on hate crimes.

Training on Indigenous issues includes:

- Indigenous culture;
- Residential schools;
- Land claims and treaties;
- First Nations Policing;
- Cultural appropriation;
- Cultural practices; and
- Practical skills scenario that reinforces academic learning on Indigenous issues.

The Serving with Pride organization attends each intake to deliver a presentation to all recruits entitled “LGBTQ2S 101” which covers a number of issues related to the LGBTQ2S communities including historical events, current and appropriate terminology, gender expression, gender identity and other topics.

In addition to the standalone sessions, the above noted issues are interwoven and reinforced throughout the BCT program. For example, recruits are taught to respond to victims in a trauma-informed manner for all victims of crime acknowledging potentially vulnerable groups.

De-escalation and Mental Health Crisis Response Training

The Ontario Police College’s current de-escalation training emphasizes communication techniques such as establishing rapport, threat management and conflict resolution and mediation.

The training specifically addresses scenarios in which police interact with people in crisis with a goal of resolving conflicts in a manner that protects the safety of the public, the person in crisis and police officers. Officers must also undertake follow-up training every 12 months. Police services are also encouraged to have policies and procedures in place as set out in the “Use of Force” Guideline. This includes procedures for impact weapons, aerosol weapons, conducted energy weapons, firearms and use of force reporting.

Training on the BCT program is reviewed and updated to reflect the most current information after every BCT intake.

Once in force, the *Community Safety and Policing Act, 2019*, will require all police officers, special constables and board members to successfully complete training related to human rights, systemic racism and the rights and cultures of Indigenous Peoples. This training will also be required for the new Inspector General of Policing, its inspectors, the Complaints Director at LECA and LECA investigators. This is part of the government's commitment to ensure that all interactions are conducted without bias or discrimination, and in a manner that promotes public confidence and keeps communities safe.

Mental Health and Addictions Initiatives and Investments

Dedicated Funding for Mental Health and Addictions Programs

Ontario's community mental health services include:

- assertive community treatment teams, case management, crisis intervention, early psychosis intervention, eating disorders programs, vocational programs, supportive housing and consumer/survivor initiatives, peer supports and other programs; and
- initiatives to keep people with serious mental health issues out of the criminal justice system which include, but are not limited to, court support and diversion, crisis intervention and safe beds.

In July 2018, Ontario announced its commitment to invest \$3.8 billion over 10 years, with the support of the Government of Canada, to develop and implement a comprehensive and connected mental health and addictions strategy. This includes \$174 million for mental health and addictions programs in 2019-20. As part of the \$174 million commitment of funds to support mental health and addictions in 2019-20, my ministry partnered with the Ministry of Health to announce \$18.3 million in new funding to support those affected by mental health and addictions challenges in the justice sector.

Specifically, in 2019-20, the Ministry of Health provided funding for an integrated set of mobile crisis services that assist in the de-escalation and stabilization of persons in crisis and their connection to community programming and supports to address their physical and mental well-being over the longer term, in order to prevent further crises. Five teams were implemented in 2019-20 with \$6.95 million of the \$174 million in new, annualized funding to develop and enhance mobile crisis services. Mobile crisis services partner police with community mental health organizations to respond to persons in mental health and addictions (MHA) crises and determine if the crisis:

- can be de-escalated and resolved at the scene;
- warrants further psychiatric attention at hospital emergency rooms; or
- requires short-term community stabilization and reintegration.

Part of the \$18.3 million in new funding also includes \$2.5 million for various programs run by the ministry, one of which includes de-escalation training.

Ministry of the Solicitor General Grant Programs

Apart from the dedicated funding for mental health and addictions programs highlighted above, the ministry also offers a number of grant programs that are primarily available to police services, working in collaboration with municipal and community partners, to support local Community Safety and Well-Being (CSWB) initiatives, including mental health-related programs. For example, under the 2019-20 to 2021-22 Community Safety and Policing Grant local and provincial priorities funding streams, the ministry is providing funding to 27 police services/boards for projects involving an integrated response between police and a mental health worker to respond to situations of crisis (e.g., Mobile Crisis Response Teams).

Community Safety and Well-Being Planning

The ministry developed the *Community Safety and Well-Being Planning Framework: A Shared Commitment in Ontario* booklet, which includes the CSWB Planning Framework and a toolkit of practical guidance documents to assist municipalities, First Nations and their community partners as they engage in the CSWB planning process. The Framework encourages communities to work with various partners across sectors to proactively identify and address local priority risks in the community before they escalate and result in situations of crisis (e.g., crime, victimization or suicide). This involves reducing the number of incidents that require enforcement by shifting to more proactive, preventative programs and strategies that improve the social determinants of health (e.g., education, housing, mental health).

In support of this work, effective January 1, 2019, the government mandated municipalities lead the development of CSWB plans which identify and address local priority risks to safety and well-being, working in partnership with police services/boards and various other sectors, including health/mental health, education, community/social services and children/youth services.

Complementary to the Framework, a Situation Table is one type of multi-sectoral risk intervention model that is being implemented across our province.

The ministry also offers the Risk-driven Tracking Database (RTD), which allows for the collection of risk-based data and helps to inform the CSWB planning process, free of charge to communities across Ontario that are engaged in multi-sectoral risk intervention models, such as Situation Tables. As of June 2020, 60 sites have been on-boarded to the RTD and any communities who are interested in being on-boarded to the RTD is encouraged to contact the ministry.

Police-Hospital Transition Protocol

Additionally, to improve front-line response to persons experiencing a mental health or addictions-related crisis, my ministry partnered with the Ministry of Health to support the Provincial Human Services and Justice Coordinating Committee and CMHA of Ontario to develop a framework for local police emergency room transition protocols for persons apprehended under the *Mental Health Act*.

On June 3, 2019, the Ministry of the Solicitor General and the Ministry of Health jointly endorsed the release of [Improving Police-Hospital Transitions: A Framework for Ontario](#), as well as the supporting toolkit, *Tools for Developing Police-Hospital Transition Protocols in Ontario*. The purpose of the framework and toolkit is to assist police services and hospitals with developing joint emergency department transition protocols, which are responsive to unique local needs, in order to ensure the seamless transfer of care for persons in a mental health or addictions crisis brought to a hospital by police officers.

I hope you find this information useful and I appreciate your municipality's support during this time of uncertainty.

Sincerely,



Sylvia Jones
Solicitor General
Minister Responsible for Anti-Racism

c: Chief Administrative Officers

Municipal Clerks

Pilon, Janet

Subject: Winter Washroom Facilities

From: danymed danymed

Sent: October 2, 2020 5:15 PM

To: Office of the Mayor <mayor@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>

Subject: Winter Washroom Facilities

Dear Mayor Fred;

With winters inclement weather soon to be upon us, it is imperative that individuals avail themselves of opportunities to get some form of exercise as much as possible.

This has been proven to be critical for both collective mental and physical health, as CoVid confines us more and more to our homes.

Last year, the Bayfront and Van Wagner's Trails both lacked washroom facilities because the permanent rest rooms were closed for the season.

This is a great inconvenience for anyone trying to get some fresh air and especially inconvenient for women and older individuals.

My understanding from your councillor last year, is the permanent facilities on site are not retro fitted adequately for winter weather.

That being the case, I would suggest city management be proactive and supportive, and arrange for a number of portables to be placed and maintained along the aforementioned walking trails.

Burlington has successfully placed a number along their section of the canal which apparently are well utilized.

Thank you for your consideration and hopefully a positive response,

Sincerely,

Danny Kraftcheck M.D.

c.c. Councillors Danko and Collins

Pilon, Janet

Subject: Staff Report - UHOPA-20-011 (Urban Boundary Expansion Policies and Twenty Road West Area)

From: Sheila Drury

Sent: Monday, October 5, 2020 12:13 PM

To: Travis, Heather <Heather.Travis@hamilton.ca>

Cc: Johnson, Brenda <Brenda.Johnson@hamilton.ca>

Subject: Re: Staff Report - UHOPA-20-011 (Urban Boundary Expansion Policies and Twenty Road West Area)

Thank you for forwarding these documents.
Unfortunately we have another meeting at that time.

We are still waiting for an updated growth plan proposal as the first one included a Waste Water Management Pond on our front lawn.9667 Twenty Road West.

Why is Hydro land not referenced in this growth plan proposal?

We do not understand why the zoning sign on Twenty Road was not updated last week with this time and date?
Once this meeting was planned that sign should have been updated to keep the neighbours informed.

Also the documents state that the city posted these growth proposals in The Spec and community news hard copies but no online postings were referenced.

Why did the TWO addresses 9667 and 9749 who will be directly impacted with this plan not receive courtesy letters about these meetings? Luckily I had sent inquiries previously but 9749 did not!

Very disappointing,
Sheila

Pilon, Janet

Subject: Climate Change Declaration

From: Carole Arsenault

Sent: Wednesday, October 7, 2020 1:51 PM

To: clerk@hamilton.ca

Cc: Office of the Mayor; Whitehead, Terry

Subject: Climate Change Declaration

I understand that Hamilton City Council is reconsidering the declaration that climate change is our most serious threat.

I disagree with Councilor Ferguson. While the pandemic is undoubtedly a very serious issue we still have to view our battle to beat the virus and our economic recovery through the climate change lens every step we take. Otherwise, we dodge a bullet now only to succumb to climate change later. What happened to build back better?

Please reconsider and don't allow Climate Change to fall on your list of priorities.

Carole Arsenault

Pilon, Janet

Subject: Climate Declaration

From: Valerie Cousens

Sent: Wednesday, October 7, 2020 2:50 PM

To: clerk@hamilton.ca

Subject: Climate Declaration

Hello,

After receiving an email from Environment Hamilton about this I sent the email below which outlines some of my concerns to my Ward 1 Councillor and the Mayor. I was advised to also submit my correspondence to the Office of the City Clerk who will be able to add my correspondence to an upcoming Committee of Council agenda. To ensure that my correspondence is received by all members of Council who will be able to discuss the matter and determine an appropriate course of action to address my concerns.

Mayor and Members of Council,

"WHEREAS, Hamilton has declared a Climate Emergency recognizing that Climate Change is the single largest threat to municipalities across the world and urgent action is needed".

Not only is this assertion 100% true in that climate change is in fact the single largest threat to municipalities (even more than the pandemic), this assertion was agreed upon unanimously by Council in the referenced Climate Emergency declaration.

But I have heard that unfortunately the Public Works Committee voted to amend the motion and removed this wording at the insistence of Councillor Ferguson who argued that climate change is not the single largest threat to municipalities anymore and that he did not want to confuse City Staff or the public by leading them to believe that the city still considers climate change to be as important to them as it was before. IT STILL IS THE MOST IMPORTANT THING WE NEED TO ADDRESS ON THIS PLANET, when will Hamilton catch up to the needs of our times? Councillor Ferguson is confused and a bigger threat to this City than any emergency.

I sat in Council chambers and watched as you received our accolades for finally making this declaration. I ask that you keep the promises you made, the climate situation has not changed.

This decision by Public Works still needs to be ratified by the entirety of City Council, please recognize that the unique and overwhelming threat that climate change poses to Hamilton is not going away - COVID-19 does not change this. It is vital that our elected leaders in this trying time remain committed to action on the climate emergency, climate change is still the single largest threat to municipalities and council must stick to the commitment they made to all of us to respond to this threat. We all need you to do your job of keeping this City safe for everyone, this is not an issue to be dealt with later, it is an emergency NOW.

regards,
Valerie

Pilon, Janet

Subject: Mayor and Members of Council. Written comments for upcoming General Issues Committee re: Cycling Committee amended motion

From: Weather Magnet

Sent: October 8, 2020 9:21 AM

To: clerk@hamilton.ca

Subject: Mayor and Members of Council. Written comments for upcoming General Issues Committee re: Cycling Committee amended motion

To Hamilton's Mayor and Members of Council,

I'm weighing in on this developing news story where I have learned that under the influence of Councillor Ferguson, the Public Works committee has ratified a motion which amends the proposed motion from the Cycling Committee. The ratified amendment removes the FIRST PREMISE of the motion, which simply states the already ratified position of our city council, namely, that Hamilton acknowledges we are in a **climate emergency**.

Councillor Ferguson is entitled to his opinion, but he has no authority to undermine the decision and direction Council has already taken to set priorities in its Climate Emergency Declaration. This is a blatant action to water down the language and the context of the motion, which will serve to lessen the urgency of any changes suggested by the Cycling Infrastructure Committee.

Shame, Shame! This is another attempt to dampen the message and disempower an advisory committee by pushing the "easy button." The fact of our climate emergency is the **very reason** that cycling infrastructure changes need to be given more consideration than ever, and yet by removing the emergency, **Ferguson's amended motion will serve to dismiss the committee in one easy step and just push its recommendations down the road.**

I disapprove entirely. This motion deserves to be called out as flawed, and the removed clause put back in place before going to final vote, not just voted through "as is" like the Public Works committee is hoping.

I trust that when this comes to General Council, you will not support the amended motion. The amendment has removed the urgency of the climate emergency.

I trust you will argue for the continued acknowledgement, **in writing, of the Climate Emergency** we are now in, which should be in the mind of everyone in the city, especially our elected leaders.

We must together be open to what the Cycling Infrastructure Committee recommends, and we must give it the priority it deserves as a key component of our Hamilton Climate Emergency plan!

Thank-you,
Glen Brown
Ward 4

4.9 (d)

Pilon, Janet

Subject: Does Council still consider climate change an emergency?

From: **Hibbert Briscoe**

Date: Wed, Oct 7, 2020 at 9:40 PM

Subject: Fwd: Does Council still consider climate change an emergency?

To: <tom.jackson@hamilton.ca>, <mayor@hamilton.ca>

Hello Ladies & Gentlemen;

Now is the moment to make Hamilton the manufacturing epicentre it once was, as minds turn to made in Ontario.

Our City is filled with (and can attract more) talented workers and manufacturing facilities. We only need to grease the gears and put them in motion again.

Renewable Energy Infrastructure Projects will need our steel windmills and turbines. Seamstresses are available for clothing and other fabrication. Regional farmers and food processors can increase their output to meet a renewed Canadian demand in healthy, safe, local food.

We should never dream to be Toronto. We are unique, as we are an engine that can make the Province move again. Torontonians are quickly learning they can comfortably telecommute from Hamilton and enjoy our trails, waterfront, restaurants, and each other once a days' work is done.

Let us attract business and people. Let us build up and conserve what lies out. Weekend trips to vineland, family farms, Niagara Falls, and old friends' homes are a leisurely pursuit of priceless beauty that breathes life into city living.

This is our moment. Let us hold our heads with pride and spend our time shaking willing hands, to usher in a new age for Hamilton.

The Climate Crisis is the single largest threat to Municipalities, as our local level of government is often left scrambling to cover trickle down debt by taxing a residential base already under pressure. One need only turn to the Insurance Industry to see where we are headed.

Let us grab this opportunity for Hamilton before it passes. If we can employ the majority of our residents for the foreseeable future, in good paying skilled jobs, it is less likely that they will mind short term increased property taxes to cover increased Municipal service expenses.

Covid-19 also presents us with an opportunity to employ those willing to tackle outdoor (socially distanced) projects for the betterment of the city. Travelling past a finished project, your hands helped to build, can leave one with a sense of accomplishment. I can think of few things better during a dark time than engaging and empowering residents in such a way.

For youth, perhaps a city wide graffiti removal project and education campaign. Those who make these ugly tags around the city truly believe they are making an impact. They certainly are, just not the ones they intended.

Thank you so much for responding, Tom. If you believe in my words, I will entrust you to forward them along to the Mayor, and such. They have been laid down here for you and your Assistants (hello Ladies) to review, I desire no more credit than a comment such as "a resident in my ward."

Hibbert "Fawn" Briscoe

----- Forwarded message -----

From: **Ian Borsuk**

Date: Wed, Oct 7, 2020 at 11:36 AM

Subject: Does Council still consider climate change an emergency?

To: Hibbs Briscoe

Hibbs --

Earlier this week Hamilton's Public Works committee received a very welcome [proposed motion](#) from the Hamilton Cycling Committee with regards to bike lanes in the city. The motion included the wording "***WHEREAS, Hamilton has declared a Climate Emergency recognizing that Climate Change is the single largest threat to municipalities across the world and urgent action is needed***".

Not only is this assertion 100% true in that climate change is in fact the single largest threat to municipalities (even more than the pandemic!), this assertion was agreed upon unanimously by Council in the referenced Climate Emergency declaration.

Unfortunately Public Works Committee voted to amend the motion and removed this wording at the insistence of Councillor Ferguson who argued that climate change is not the single largest threat to municipalities anymore, and that he did not want to confuse City Staff or the public by leading them to believe that the city still considers climate change to be as important to them as it was before.

This decision by Public Works still needs to be ratified by the entirety of City Council, please email [the Mayor](#) and [your Councillor](#) and tell them that you need them to recognize that the unique and overwhelming threat that climate change poses to Hamilton is not going away - COVID-19 does not change this. It is vital that our elected leaders in this trying time remain committed to action on the climate emergency. Please tell the Mayor and your Councillor that climate change is still the single largest threat to municipalities, and that they must not walk back from their commitment they made to all of us to respond to this threat.

Thank you,

Ian Borsuk, Climate Campaign Coordinator

[Environment Hamilton](#)



October 1, 2020

Dear Head of Council:

Under the federal-provincial Safe Restart Agreement, the Ontario government is providing up to \$4 billion in emergency assistance so that municipalities are supported as they respond to COVID-19. Funding for municipalities under the Safe Restart Agreement is being provided through four streams: the Social Services Relief Fund and Municipal Operating Funding that are being implemented by my ministry, as well as funding streams for public health and transit being administered by the Ministry of Health and Ministry of Transportation respectively. On August 12, 2020, I wrote to advise of your municipality's allocation under Phase 1 of the Municipal Operating Funding stream. The ministry is currently in the process of making those payments. Today, I am writing to provide information on applying for additional funding under Phase 2 of the Municipal Operating Funding stream.

Our government recognizes that municipalities play a key role in delivering the services that Ontarians rely on and are at the frontlines of safely reopening our economy. Through Phase 2, we are committed to providing further financial support to those municipalities that require additional funds to address extraordinary operating expenditures and revenue losses arising from COVID-19 in 2020, over and above the allocation provided under Phase 1.

Our government chose to distribute a very significant level of funding to municipalities under Phase 1 – \$695 million in total – because we wanted to ensure all municipalities across our province could continue to deliver the important services their residents and businesses rely on while supporting the safe reopening of our economy. For a majority of municipalities, I anticipate this Phase 1 funding, together with the actions you have taken to find efficiencies and address shortfalls, will be sufficient to manage 2020 financial pressures arising from COVID-19. However, for the group of municipalities that has been hardest hit financially by COVID-19, additional funding may be needed.

Requests for Phase 2 funding are due on October 30, 2020 and detailed information about how to apply is now available to municipalities through the Transfer Payment Ontario (TPON) system.

One of the requirements is a council resolution requesting financial assistance under Phase 2. I want to emphasize that councils are responsible for assessing the financial situation of their municipalities and proceeding with an application under Phase 2 only if further assistance is needed to address COVID-19 pressures in 2020. Municipalities that cannot demonstrate 2020 COVID-19 financial pressures in excess of their Phase 1 funding allocation will not be considered for additional funding under Phase 2.

In addition to a resolution of your municipal council, a reporting template must be completed by the municipal treasurer as part of a municipality's Phase 2 application package. This report is designed to provide an overall picture of the municipality's 2020 financial position and information about service adjustments, use of reserves, and other measures being taken to manage 2020 COVID-19 operating impacts. Our government will allocate Phase 2 funds to only those municipalities that need additional financial assistance. The report also asks for information about your municipality's strategies for finding efficiencies and modernizing services. I look forward to learning about the transformative work that I know is happening across Ontario's municipal sector and your efforts to keep taxes low for families in your communities.

We are not requiring municipalities to submit information about COVID-related costs and revenue losses on a line-by-line basis, and as such the program will not offer a direct line-by-line reimbursement for all COVID-related operating expenditures and revenue losses reported. The federal government has stepped up. Our government is providing an unprecedented level of provincial funding to support municipalities. And we recognize that municipalities also have a critical role to play in finding efficiencies and taking all available measures to address the financial challenges brought by COVID-19 so that they can continue to invest in infrastructure and deliver the services their communities rely on during this extraordinary time.

As noted above, detailed information about how to apply for Phase 2 funding is now available on Transfer Payment Ontario. The ministry will also offer webinars to support treasurers and other municipal officials in understanding Phase 2 application requirements and how to complete the required reporting template. **Please note that the deadline to submit applications is October 30, 2020.** Municipalities may request an extension November 6, 2020, but as noted in my letter of August 12, 2020, we will be unable to consider applications received after this date. I understand this timeline is tight, but it is necessary to allow us to allocate funds to municipalities prior to the end of the municipal fiscal year and meet our commitment to municipalities that need additional help to manage 2020 financial impacts arising from COVID-19. Municipalities who are eligible and approved to receive funding under Phase 2 will be informed before the end of the calendar year and can expect to receive a payment in early 2021.

I will continue to be a strong champion for municipalities as our government charts a path to a safe, strong economic recovery. I extend my thanks to all 444 municipal heads of council for your continued efforts to keep all of our communities across this province safe and to deliver the services your residents and businesses need. Working together, we will get Ontario back on track.

Sincerely,



Steve Clark
Minister of Municipal Affairs and Housing

c. Chief Administrative Officers and Treasurers

Attorney General
McMurtry-Scott Building
720 Bay Street
11th Floor
Toronto ON M7A 2S9
Tel: 416-326-4000
Fax: 416-326-4007

Procureur général
Édifice McMurtry-Scott
720, rue Bay
11^e étage
Toronto ON M7A 2S9
Tél.: 416-326-4000
Télec.: 416-326-4007



Our Reference #: M-2020-11526

October 7, 2020

His Worship Fred Eisenberger
Mayor
City of Hamilton
Office of the Mayor
71 Main Street West, 2nd Floor
Hamilton, ON
L8P 4Y5

Email: mayor@hamilton.ca

Dear Mayor Eisenberger:

Thank you for your letter outlining the City of Hamilton's resolution regarding radial separation of authorized cannabis retail stores.

With respect to cannabis legalization, our government's top priorities are combatting the illegal market while keeping cannabis out of the hands of youth and our communities safe. As announced in December 2019, Ontario has moved to an open market for retail cannabis licensing because it is the most effective way to combat the illegal market and provides consumers with more choice, convenience and a safe, reliable supply of cannabis. The open market will naturally limit the number of viable cannabis stores based on consumer demand.

As you know, under the *Cannabis Licence Act, 2018*, authorized cannabis retail stores can be located anywhere that other retail operations are permitted, provided they are compliant with the provincial school distance buffer, which is a minimum distance of 150 meters between cannabis retail stores and schools, including public schools, private schools, and federally-funded First Nation schools off-reserve.

When determining whether to issue a Retail Store Authorization to a prospective operator, the Registrar of the Alcohol and Gaming Commission of Ontario takes into consideration any comments received from municipalities and its residents as part of the 15-day public notice process. The public notice process is intended to enable the local community to provide its views respecting whether the issuance of an Authorization would be in the "public interest" as defined in section 10 of Ontario Regulation 468/18 under the *Cannabis Licence Act, 2018*.

We appreciate your sharing Hamilton City Council's concerns as we continue to monitor the evolution of cannabis legalization in the province and its impact on our communities. We are mindful of the important role of municipalities in the effective implementation of cannabis legalization and value your role as an essential partner in this process.

Thank you again for writing.

Sincerely,

A handwritten signature in black ink that reads "Doug Downey". The signature is written in a cursive style with a long, sweeping underline that extends under the first name.

Doug Downey
Attorney General

- c: The Honourable Doug Ford, Premier of Ontario
- Donna Skelly, MPP, Flamborough-Glanbrook
- Andrea Horwath, MPP, Hamilton Centre
- Paul Miller, MPP, Hamilton East-Stoney Creek
- Monique Taylor, MPP, Hamilton Mountain
- Sandy Shaw, MPP, Hamilton West-Ancaster-Dundas

**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, 17^e étage
Toronto ON M7A 2J3
Tél.: 416 585-7000



234-2020-4374

October 8, 2020

Dear Heads of Council and Chairs of District Social Services Administration Boards:

On August 28, 2020, our government announced its intention to stabilize rent by introducing legislation this fall to ensure that the vast majority of families do not see a rent increase in 2021.

On October 1, 2020, the *Helping Tenants and Small Businesses Act, 2020* received Royal Assent. The Act amends the *Residential Tenancies Act, 2006* (RTA), to deliver on the commitment to freeze residential rent increases in 2021 to give the vast majority of Ontario tenants some relief and financial security as we continue to recover from the pandemic.

The amendments set the 2021 rent increase guideline to zero per cent and freeze annual rent increases starting January 1, 2021 and lasting until December 31, 2021. The rent freeze applies to the majority of rental units that are covered by the RTA, including:

- Newly built units occupied for the first time on or after November 15, 2018, which are typically exempt from the rent increase guideline;
- Purpose-built rental apartments, condos, houses and basement apartments;
- Rented sites in mobile home parks and land lease communities;
- Care homes, including retirement homes;
- Affordable housing units created through various federally and/or provincially funded programs; and
- Households living in community housing that receive rent-geared-to-income (RGI) assistance or pay low end of market rent, with the exception of non-profit housing co-op members who pay market rates.

The Ministry of Municipal Affairs and Housing is committed to engaging the community housing sector through consultations under the Community Housing Renewal Strategy to monitor and understand the impacts of the rent freeze, as we work together to mitigate the financial impacts of COVID-19 on Ontarians, increase housing affordability, and deliver on our goal to sustain and grow the community housing system.

The Act is available [online here](#) and additional details can be found [online here](#).

On behalf of our government, I would like to extend our thanks for your support in working with the ministry to support tenants during this challenging time. We welcome your continued input and look forward to continuing to work with our municipal partners in the coming months.

Sincerely,

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

Steve Clark
Minister

Pilon, Janet

Subject: Housing and Homelessness

From: John Mills

Sent: October 9, 2020

To: clerk@hamilton.ca

Subject: Housing and Homelessness

I sent this letter to the Mayor and his Legislative Assistant suggested that I submit it to you as well to perhaps bring to Council.

Dear Mayor Fred Eisenberger,

I'm writing to you today urging you to press the federal government to make immediate investments in housing and ending homelessness.

As a municipal leader - you play a critical role in ending homelessness. In every community, anywhere in the world, where there has been progress in reducing homelessness, strong local leadership has been key. But I know you can't do it alone.

The federal government has made a commitment to ending chronic homelessness, and we need Canada's municipal leaders municipalities to press the federal government to make a meaningful investment in housing in the upcoming fall economic statement, in order to begin making good on that promise.

To end chronic homelessness in Canada, the federal government needs to implement the 6-Point Plan (<https://www.recoveryforall.ca/6pointplan>) laid out by the Canadian Alliance to End Homelessness.

I ask for your support to encourage the federal government to implement this plan and make this promise a reality in their coming economic statement and budget.

The 6-Point Plan lays out an affordable and achievable path to ending chronic homelessness in Canada. The plan is built on strategies proven to work in Canada (<https://www.recoveryforall.ca/6pointplan>), it is fully costed and would be supported by a majority of Canadians (<https://www.recoveryforall.ca/poll>).

This plan is affordable. It is achievable. It will create at least 500,000 jobs. It will work.

The federal government has the opportunity to make the promise of ending chronic homelessness a reality, right now.

Canada's homeless population, especially in our cities, has suffered for too long (over 35% of Canadians have either experienced homelessness or know someone who has) -- but with the right investments for our COVID-19 recovery, we can end chronic homelessness, stimulate our economy, and create jobs.

Thank you for your leadership -- and for your swift action to press the federal government to make immediate investments in housing and homelessness.

Thank you,

Sincerely,
John Mills

Office of the Mayor
Rodger Bonneau

October 7, 2020

Sent via E-mail**Re: Cannabis Production**

Dear Ministers, Members of Parliament, and Members of Provincial Parliament,

Please be advised that the Council for the Corporation of the Township of Asphodel-Norwood passed the following resolution at its regular meeting of September 22, 2020:

Motion No. 239/20 | Moved by: Councillor Walsh | Seconded by: Deputy Mayor Burt

WHEREAS the Ontario Federation of Agriculture has adopted the position that licenced cannabis production for medical and/or recreational-use purposes should be considered a farming activity;**AND WHEREAS** the Government of Canada introduced Bill C-45 (the Cannabis Act) to create the foundation for a comprehensive national framework to provide restricted access to regulated cannabis, and to control its production, distribution, sale, importation, exportation, and possession;**AND WHEREAS** Section 7 of the Cannabis Act requires that any person who intends to submit an application for a licence for cultivation, a licence for processing, or a licence for sale that authorizes the possession of cannabis must provide written notice to: a) The local government, b) The local fire authority, and c) The local police force or the Royal Canadian Mounted Police detachment responsible for providing policing services to the area in which the site is referred to in the application;**AND WHEREAS** Section 35(1) of the Act requires a holder of a licence for cultivation, a licence for processing, or a licence for sale that authorizes the possession of cannabis to provide a written notice to the local authorities within 30 days of issuance, amendment, suspension, reinstatement or revocation of a licence and provide a copy of said notice to the Minister; and

FURTHER BE IT RESOLVED THAT the Township of Asphodel-Norwood requests a governing body in cannabis production that:

1. Takes a unified approach to land use planning restrictions;
2. Enforces the regulations under the Cannabis Act on behalf of the licencing agency and ensures local authorities are in fact provided with notification of any licence issuance, amendment, suspension, reinstatement, or revocation within their region;
3. Communicates more readily with local governments; and
4. Provides local governments with more support.

AND FURTHER BE IT RESOLVED THAT the Township of Asphodel-Norwood will forward this motion to the following partners: All municipalities in Ontario, the MP and MPP of Northumberland-Peterborough South, the MP and MPP of Peterborough-Kawartha, the Minister of Agriculture, Food and Rural Affairs, and the Minister of Agriculture and Agri-Food with the request that they enact legislation to support local governments with land use management and enforcement issues.

Thank you for your time and consideration.

Sincerely,



Rodger Bonneau, Mayor
Township of Asphodel-Norwood

- c. E. Hardeman, Minister of Agriculture, Food and Rural Affairs
M. Bibeau, Minister of Agriculture and Agri-Food
D. Piccini, MPP Northumberland-Petrborough South
P. Lawrence, MP Northumberland-Petrborough South
D. Smith, MPP Peterborough –Kawartha
M. Monsef, MP Peterborough-Kawartha
All municipalities in Ontario



INFORMATION REPORT

TO:	Mayor and Members of Council
COMMITTEE DATE:	October 14, 2020
SUBJECT/REPORT NO:	Integrity Commissioner Follow-Up (FCS20086(a)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Andrea Holland (905) 546-2424 Ext. 5409
SUBMITTED BY:	Andrea Holland City Clerk, Office of the City Clerk
SIGNATURE:	

COUNCIL DIRECTION – N/A

INFORMATION

We have received a number of questions from Members of Council and correspondence to Council related to the recent Integrity Commissioner (IC) investigation. Questions have centered around the report, the review process, jurisdiction areas, and if advisory committees can be considered local boards.

Common questions the City has been receiving relate to:

- Whether an advisory committee can be considered a local board under legislation mandating municipalities to have Integrity Commissioner
- The authority of the Integrity Commissioner to investigate a member of an advisory committee
- The recourse if the respondent or others question whether the Integrity Commissioner acted within the Legislation
- The appropriateness of going to the Integrity Commissioner for an issue that involved a code of conduct breach for a council appointee
- The appropriateness of the City doing a privacy breach investigation for the inappropriate release of information on its website and the same information that the member of an advisory committee was investigated by the Integrity Commissioner

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

- Why the City changed the information on its Integrity Commissioner website to include advisory committees in March 2020 when the website did not previously include that demonstration. Whether it was a coincidence that the IC investigation into an advisory committee started around the same time

Answers to those questions include:

Local Boards and Advisory Committees:

In its definitions, the Ontario Municipal Act defines local boards as “a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under the Act ...”

Council’s Procedural By-Law definition: “Committee” means a Standing Committee, Sub-Committee, Selection Committee or an Advisory Committee or Task Force established by Council from time to time.

Authority of an IC to investigate a member of an advisory committee member:

In March of 2019, the Government of Ontario passed Bill 68, a bill to update the Municipal Act. The new legislation made it mandatory for all municipalities to have a code of conduct for Councils and local boards. The legislation also made it mandatory for municipalities to have an Integrity Commissioner who could investigate complaints into members of Councils and local boards.

Recourse available for someone who questions whether the Integrity Commissioner acted within the Legislation:

If there are concerns with how an IC process is conducted, those complaints can be directed to the [Ontario Ombudsman](#) (Appendix A), who has the authority to review the case and consider whether the IC acted fairly, followed relevant legislation, considered all the information, and provided sufficient reasons for their decisions.

The appropriateness of going to the IC for a matter that involved a privacy breach

The complaint against the chair of the LGBTQ advisory committee was referred to the IC as there were concerns that multiple areas of the advisory committee code of conduct was breached. One area included the deliberate decision to release information after being informed by the City Clerk’s office on multiple occasions that the information in question was considered private under MFIPPA. The scope of the agreement of the current Integrity Commissioner covers boards and committees in line with the Municipal Act. Under the ACT, members of those bodies are held to a Code of Conduct and the Conflict of Interest Act. Those members need access to the Integrity Commissioner if they have questions regarding the Conflict of Interest and to receive the Integrity Commissioner’s written advice on their questions. Also, any inquiries or complaints into member compliance with the Code of Conduct or Conflict of Interest (by a member,

council or the public) need to be addressed by the Integrity Commissioner as per the Municipal Act.

Prior to the investigation commencing, the IC confirmed that the matter fell under their purview with the City.

The appropriateness of the City doing a privacy review on its breach while using the IC to investigate the chair of the advisory committee

The incident involving the release of private information on the City's website due to an issue with eScribe and did not involve a member of a board, committee, or member of Council and therefore does not fall under the IC's purview. Furthermore, the sole issue under consideration regarding the website was the release of private information. Under MFIPPA, Council is designated as the HEAD and can delegate the administration of the Act. By By-Law, the City Clerk has been delegated by Council to administer the Act. The City Clerk only has authority over the corporation's use of information and does not have the authority over citizen advisory committee members, those committees are accountable to Council. Any privacy breach that occurs with information that the corporation has custody over, is investigated following the guidelines of the IPC by the Manager of Corporate Records and Freedom of Information.

The appropriateness of the City changing the IC section of its website in March 2020

The City should have changed the IC section of its website to include references to boards and committees in line with the Municipal Act changes that occurred in March 2019. It was only updated in March of 2020 to reflect updates to the Act and the agreement with the City's current IC, who was permanently appointed on February 26, 2020.

APPENDICES AND SCHEDULES ATTACHED

Appendix A - Ombudsman - Codes of Conduct and Integrity Commissioners

Codes of Conduct and Integrity Commissioners

Every municipality should have a **Code of Conduct** that applies to members of council, local boards and committees.

The Code of Conduct should include a public complaint process. The municipality should appoint an impartial **Integrity Commissioner** to review these complaints.

The Code of Conduct should be:

- Approved by council
- Posted publicly
- Used to train members

There should be **no fee or other barrier** to make a complaint to the Integrity Commissioner.

Integrity Commissioners can be authorized to dismiss complaints that are frivolous or vexatious.



Complaints can be brought to the **Ontario Ombudsman** as a last resort – that is, if the locally-appointed Integrity Commissioner has reviewed the matter or declined to do so, and the complainant is not satisfied.

The Ombudsman's review in such cases will consider whether the local Integrity Commissioner:

- Acted in accordance with relevant legislation
- Considered the issues presented
- Followed a fair practice
- Obtained and considered relevant information
- Provided sufficient reasons to support their decision based on the available evidence

Questions? info@ombudsman.on.ca

Independent Impartial Confidential Free

**Ministry of the Solicitor
General**

Office of the Deputy Minister

25 Grosvenor St.
12th Floor
Toronto ON M7A 2H3Telephone: (416) 314-3377
Facsimile: (416) 314-4037**Ministère du Solliciteur général**

Bureau du ministre

25 rue Grosvenor
12^e étage
Toronto ON M7A 2H3Téléphone: (416) 314-3377
Télécopieur: (416) 314-4037**Ministry of Municipal
Affairs and Housing**

Office of the Deputy Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7100**Ministère des Affaires
Municipales et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél. : 416 585-7100**October 10, 2020****MEMORANDUM TO: Regional and Municipal CAOs/Clerks****City of Hamilton, Region of Durham, Region of York, Niagara
Region****SUBJECT: Enforcement of Orders under the *Reopening Ontario Act,*
*2020***

As you are aware, municipal by-law officers are designated to enforce orders under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA). We acknowledge that local partners have been working together closely and emphasize the importance of compliance promotion by all enforcement personnel to support the enforcement of orders under the ROA. A shared responsibility and sustained efforts across municipal and provincial partners remain critical to limiting the spread of infection and managing the impact of the pandemic on local communities.

Given the recent rise in COVID-19 cases in the province and specifically in Ottawa, Peel and Toronto, these communities have moved from Stage 3 to an amended version of Stage 2. To avoid further closures and public health restrictions in other communities, sustained vigilance and bolstered collaboration across local enforcement personnel, including municipal by-law enforcement officers, police officers and other provincial offences officers, to ensure compliance and the coordination of local enforcement of orders is strongly encouraged. An assertive approach to enforcement is recommended that considers the severity of the violation of an order and the Government of Ontario's public health intent to limit the spread of COVID-19.

Public health information and data collected through local inspection activities will be applied to help us to continue to focus our efforts on regions with higher rates of infection.

We are working to ensure more provincial resources are also brought forward to address critical enforcement measures locally and encourage you to do the same.

There are several offences, penalties and enforcement mechanisms under the ROA available to police and other designated enforcement personnel, including the authority to issue tickets under Part I and summonses under Part III of the *Provincial Offences Act*.

For information about the orders in effect and enforceable under the ROA, including those orders around businesses and organizations that are permitted to be open, please visit the link to the Act on e-Laws at <https://www.ontario.ca/laws/statute/20r17> and click on the “Regulations under this Act” tab.

To help support enforcement personnel, ministry staff continue to respond to inquiries via email, at EssentialWorkplacesSupport.SolGen@ontario.ca. Through this channel, assistance is available Monday to Friday, from 8:30 a.m. – 5:00 p.m. EST. Enforcement personnel may also continue to monitor www.ontario.ca/alert for information and updates on emergency orders.

Thank you again for your continued support and collaboration during this challenging time.

Sincerely,

Original Signed by

Original Signed by

Deputy Mario Di Tommaso, O. O. M.
Deputy Minister, Community Safety

Deputy Kate Manson-Smith
Deputy Minister, Municipal Affairs and Housing



Executive Council
Conseil exécutif

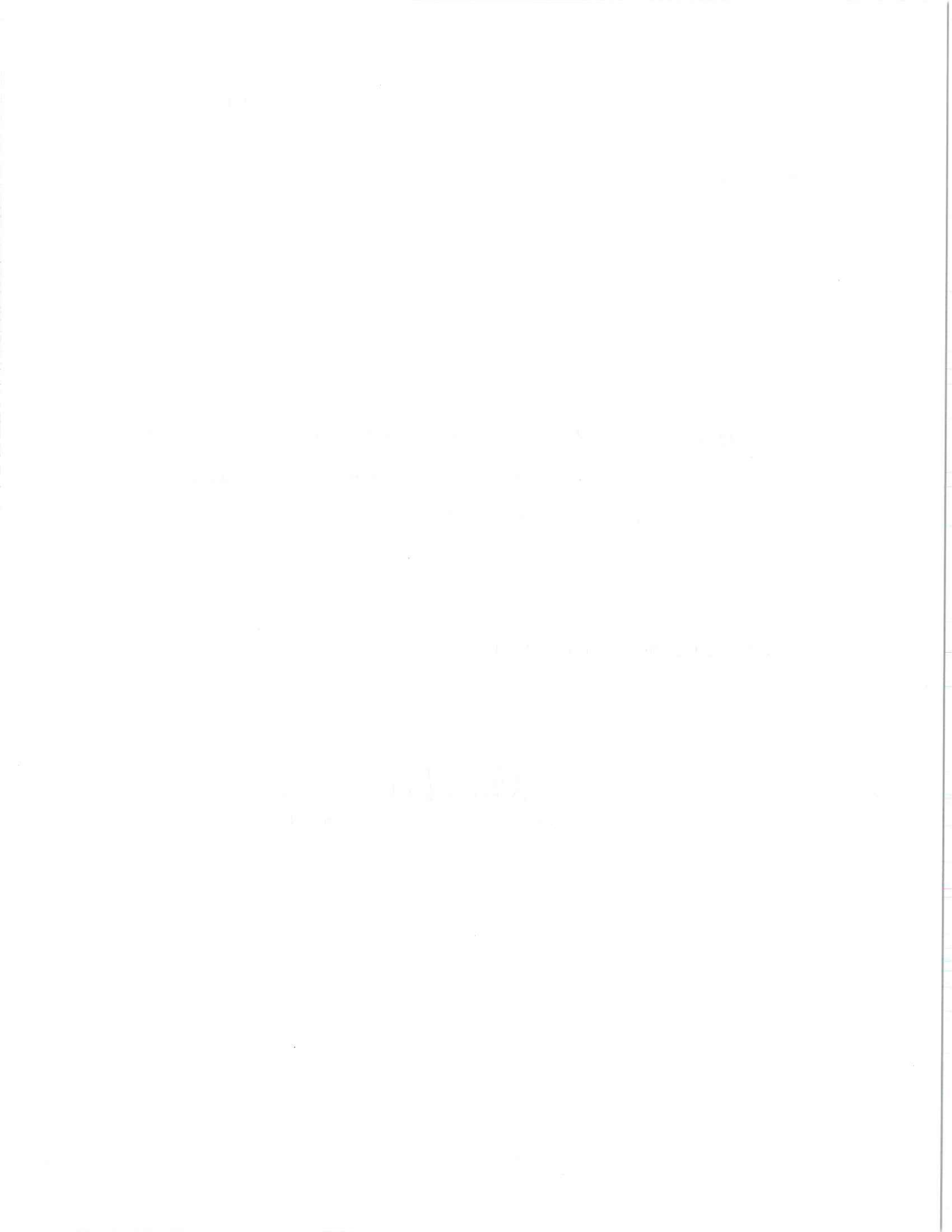
R.O.C./Décret 412 / 2020

I certify that the attached is a true copy of the Regulation under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, made by Her Honour the Lieutenant Governor in Council on October 9, 2020.

Dated at Toronto, October 9, 2020

A handwritten signature in blue ink, appearing to read "Anna Valer".

Deputy Clerk, Executive Council





Ontario

Executive Council
Conseil exécutif

Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

the appended Regulation be made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Le règlement ci-annexé est pris en vertu de la *Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19)*.

Recommandé par :

Recommended

Appuyé par :

Concurred

Le président du Conseil des ministres,

Chair of Cabinet

Approuvé et décrété le

Approved and Ordered

OCT 09 2020

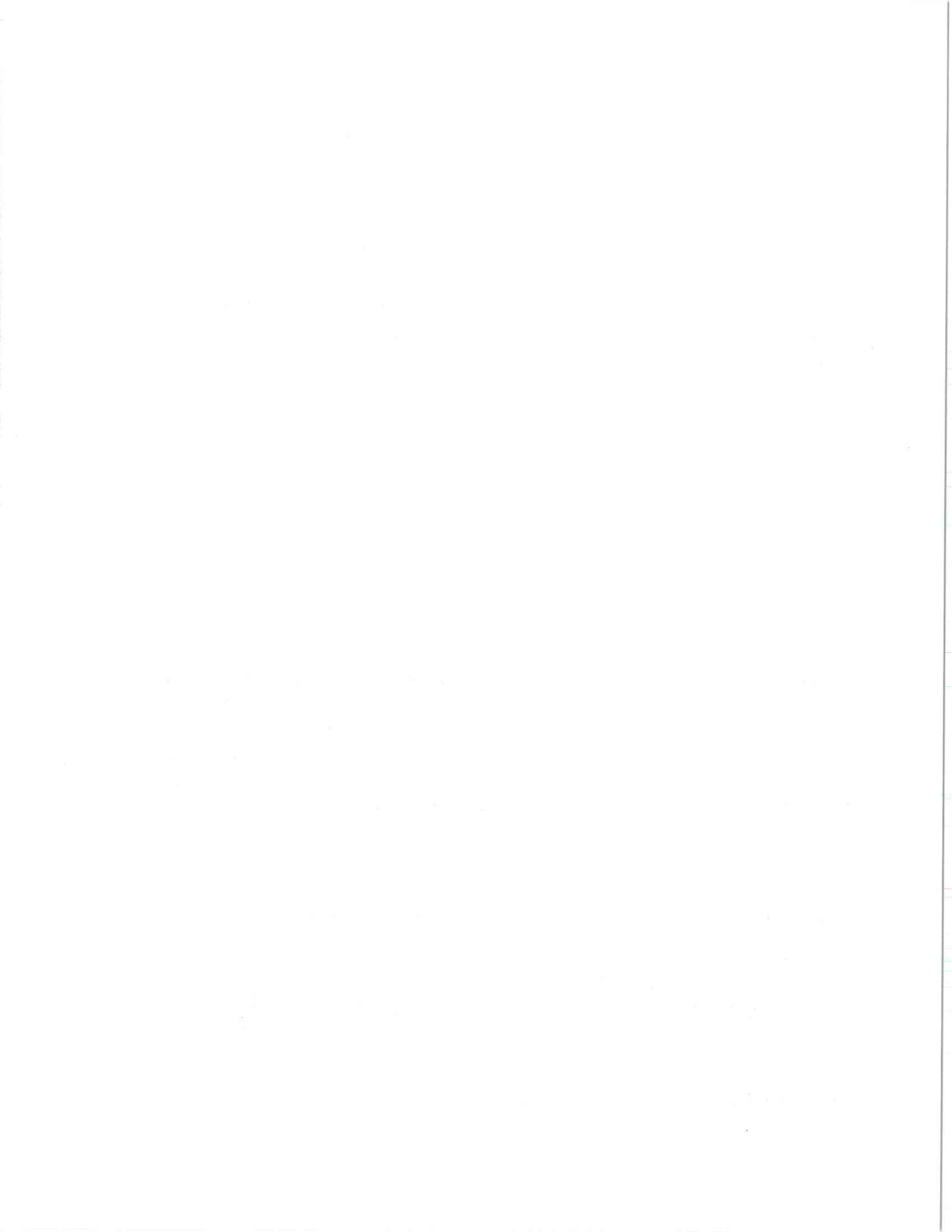
Date

La lieutenant-gouverneure,

Lieutenant Governor

R.O.C./Décret (R)

E 412/2020



[Bilingual]

CONFIDENTIAL
Until filed with the
Registrar of Regulations

REG2020.0809.e
13-EC

ONTARIO REGULATION

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Amending O. Reg. 263/20

(RULES FOR AREAS IN STAGE 2)

1. Section 1 of Ontario Regulation 263/20 is revoked and the following substituted:

Terms of Order

1. The terms of this Order are set out in Schedules 1, 2 and 3.

2. The Regulation is amended by adding the following section:

Indoor vs. outdoor

4. (1) The outdoor capacity limits set out in this Order apply to a business, place, event or gathering if the people attending it are only permitted to access an indoor area,

- (a) to use a washroom;
- (b) to access an outdoor area that can only be accessed through an indoor route; or
- (c) as may be necessary for the purposes of health and safety.

(2) The indoor capacity limits set out in this Order apply to a business, place, event or gathering if the business, place, event or gathering is fully or partially indoors.

(3) An indoor event or gathering cannot be combined with an outdoor event or gathering so as to increase the applicable limit on the number of people at the event or gathering.

3. (1) Subsection 1 (3) of Schedule 1 to the Regulation is revoked and the following substituted:

(3) Each person responsible for a business or place, or part of a business or place, that does not comply with sections 2 to 7 of this Schedule shall ensure that it is closed.

(2) Sections 2 to 7 of Schedule 1 to the Regulation are revoked and the following substituted:

General compliance

2. (1) The person responsible for a business or organization that is open shall ensure that the business or organization operates in accordance with all applicable laws, including the *Occupational Health and Safety Act* and the regulations made under it.

(2) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting.

(3) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health on screening individuals.

(4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area unless the person in the indoor area,

- (a) is a child who is younger than two years of age;
- (b) is attending a school or private school within the meaning of the *Education Act* that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- (c) is attending a child care program at a place that is in compliance with the child care re-opening guidance issued by the Ministry of Education;
- (d) is receiving residential services and supports in a residence listed in the definition of “residential services and supports” in subsection 4 (2) of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- (e) is in a correctional institution or in a custody and detention program for young persons in conflict with the law;

- (f) is performing or rehearsing in a film or television production or in a concert, artistic event, theatrical performance or other performance;
- (g) has a medical condition that inhibits their ability to wear a mask or face covering;
- (h) is unable to put on or remove their mask or face covering without the assistance of another person;
- (i) needs to temporarily remove their mask or face covering while in the indoor area,
 - (i) to receive services that require the removal of their mask or face covering,
 - (ii) to engage in an athletic or fitness activity,
 - (iii) to consume food or drink, or
 - (iv) as may be necessary for the purposes of health and safety;
- (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (k) is being reasonably accommodated in accordance with the *Human Rights Code*; or
- (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

(5) Subsection (4) does not apply with respect to premises that are used as a dwelling if the person responsible for the business or organization ensures that persons in the premises who are not entitled to an exception set out in subsection (4) wear a mask or face covering in a manner that covers their mouth, nose and chin in any common areas of the premises in which persons are unable to maintain a physical distance of at least two metres from other persons.

(6) For greater certainty, it is not necessary for a person to present evidence to the person responsible for a business or place that they are entitled to any of the exceptions set out in subsection (4).

Capacity limits for businesses or facilities open to the public

3. (1) The person responsible for a place of business or facility that is open to the public shall limit the number of persons in the place of business or facility so that every member of the public is able to maintain a physical distance of at least two metres from every other person in the business or facility, except where Schedule 2 allows persons to be closer together.

(2) For greater certainty, subsection (1) does not require persons who are in compliance with public health guidance on households and social circles to maintain a physical distance of at least two metres from each other while in a place of business or facility.

Meeting or event space

4. (1) The person responsible for a business or place that is open may only rent out meeting or event space if,

(a) the total number of members of the public permitted to be in the business or place in its rentable meeting or event space at any one time is limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event is not permitted to exceed,

(i) 10 persons, if the meeting or event is indoors, or

(ii) 25 persons, if the meeting or event is outdoors; and

(b) no more than six people are seated together at any table in the rented space.

(2) Subsection (1) does not apply to the rental of meeting or event space for a wedding, funeral, religious service, rite or ceremony that is authorized under section 4, 5 or 6 of Schedule 3.

(3) Subsection (1) does not apply to the rental of meeting or event space for the purpose of delivering or supporting the delivery of court services.

(4) Clause (1) (a) does not apply to the rental of meeting or event space for a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony if the total number of members of the public permitted to be in the business or place in its rentable meeting or event space at any one time is limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event is not permitted to exceed,

(a) 50 persons, if the meeting or event is indoors, or

(b) 100 persons, if the meeting or event is outdoors; and

Sale and service of liquor

5. (1) The person responsible for a business or place that is open and in which liquor is sold or served under a licence or a special occasion permit shall ensure that,

(a) liquor is sold or served only between 9 a.m. and 11 p.m.; and

- (b) no consumption of liquor is permitted in the business or place between the hours of 12 a.m. and 9 a.m.

(2) The conditions set out in subsection (1) do not apply with respect to businesses and places in airports.

In-person teaching and instruction

6. (1) Subject to subsection (3), the person responsible for a business or place that is open and that provides in-person teaching or instruction shall ensure that every instructional space complies with the following conditions:

1. The instructional space must be operated to enable students to maintain a physical distance of at least two metres from every other person in the instructional space, except where necessary for teaching and instruction that cannot be effectively provided if physical distancing is maintained.
2. The total number of students permitted to be in each instructional space at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event cannot exceed,
 - i. 10 persons, if the instructional space is indoors, or
 - ii. 25 persons, if the instructional space is outdoors.

(2) Paragraph 2 of subsection (1) does not apply to a post-secondary institution, and instead the total number of students permitted to be in each instructional space in the institution at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the space, and in any event cannot exceed,

- (a) 50 persons, if the instructional space is indoors; or
- (b) 100 persons, if the instructional space is outdoors.

(3) If the teaching or instruction involves singing or the playing of brass or wind instruments,

- (a) every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier; and
- (b) the exception in paragraph 1 of subsection (1) that allows persons to be closer than two metres where necessary for teaching and instruction does not apply.

(4) Subsections (1) to (3) do not apply to,

- (a) a school or private school within the meaning of the *Education Act* that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- (b) a school operated by,
 - (i) a band, a council of a band or the Crown in right of Canada,
 - (ii) an education authority that is authorized by a band, a council of a band or the Crown in right of Canada, or
 - (iii) an entity that participates in the Anishinabek Education System; and
- (c) the Ontario Police College, training facilities operated by a police force, the Correctional Services Recruitment and Training Centre and the Ontario Fire College.

(5) In this section,

“post-secondary institution” means,

- (a) a university,
- (b) a college of applied arts and technology,
- (c) a private career college,
- (d) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*,
- (e) an institution that is authorized to grant a degree by an act of the Legislature, or
- (f) a person who is delivering in-person teaching or instruction in accordance with a consent given under section 4 of the *Post-secondary Education Choice and Excellence Act, 2000*.

Cleaning requirements

7. (1) The person responsible for a business or place that is open shall ensure that,
- (a) any washrooms, locker rooms, change rooms, showers or similar amenities made available to the public are cleaned and disinfected as frequently as is necessary to maintain a sanitary condition; and

- (b) any equipment that is rented to, provided to or provided for the use of members of the public must be cleaned and disinfected as frequently as is necessary to maintain a sanitary condition.

(2) For greater certainty, clause (1) (b) applies to computers, electronics and other machines or devices that members of the public are permitted to operate.

NHL hub

8. (1) In this section,

“NHL” means the National Hockey League; (“LNH”)

“NHL hub” means the businesses and places referred to in clause (3) (a); (“bulle de la LNH”)

“NHL hub participant” means a person who has been specified as a participant in the NHL hub in the professional sports plan for the NHL; (“participant à la bulle de la LNH”)

“professional sports plan for the NHL” means the professional sports plan for the NHL approved by the Office of the Chief Medical Officer of Health. (“plan de sports professionnels applicable à la LNH”)

(2) The Office of the Chief Medical Officer of Health may approve a professional sports plan for the NHL.

(3) The professional sports plan for the NHL shall list,

- (a) the businesses and places in the City of Toronto that constitute the NHL hub and that may be used by NHL hub participants, which may include,

- (i) hotels,

- (ii) facilities for indoor or outdoor sports and recreational fitness activities,

- (iii) businesses or places that are in hotels or facilities mentioned in subclause (i) or (ii), and

- (iv) restaurants or bars that are adjacent to hotels or facilities mentioned in subclause (i) or (ii); and

- (b) persons who are NHL hub participants.

(4) A business or place that constitutes part of the NHL hub may open for use by NHL hub participants if the business or place complies with the following conditions:

1. The business or place must operate in accordance with the professional sports plan for the NHL.
2. No spectators may be permitted at the business or place except in accordance with the professional sports plan for the NHL.
3. Subject to paragraph 2, any part of the business or place used by NHL hub participants must be closed to members of the public who are not NHL hub participants.
4. The business or place must ensure that subsections (6) and (7), as applicable, are complied with on the premises of the business or place.

(5) The following provisions do not apply to the provision of goods or services to an NHL hub participant when they are provided within the NHL hub:

1. Sections 3, 4 and 5 of this Schedule.
2. Section 7 of Schedule 2, but only in respect of personal physical fitness or sports trainers.
3. Sections 13 and 14 of Schedule 2.
4. Clauses 1 (1) (a) and (b) of Schedule 3.

(6) Section 1 of Schedule 2 does not apply to any part of a restaurant, bar, concession stand or other food or drink establishment that provides food, drink or services to NHL hub participants when they are provided within the NHL hub, but the establishment must operate in accordance with the conditions set out in paragraphs 2 to 5 of subsection 1 (1) and subsections 1 (2) to (4) of Schedule 2 to Ontario Regulation 364/20 (Rules for Areas in Stage 3).

(7) Section 6 of Schedule 2 does not apply to the provision of personal care services to NHL hub participants when they are provided within the NHL hub by a personal care services business, but the business must operate in accordance with the conditions set out in section 4 of Schedule 2 to Ontario Regulation 364/20 (Rules for Areas in Stage 3).

(8) Clauses 1 (1) (a) and (b) of Schedule 3 do not apply to NHL hub participants in the NHL hub.

(9) A business or place that constitutes part of the NHL hub shall not provide goods or services to members of the public who are not NHL hub participants unless,

- (a) the business or place is permitted to do so by the professional sports plan for the NHL;

- (b) the business or place provides the goods or services in accordance with the professional sports plan for the NHL; and
- (c) the business or place complies with any other applicable requirements or conditions in this Order.

(3) Subsection 4 (4) of Schedule 1 to the Regulation, as made by subsection (2), is revoked.

4. (1) Sections 1 and 2 of Schedule 2 to the Regulation are revoked and the following substituted:

Restaurants, bars, etc.

1. (1) Restaurants, bars, food trucks, concession stands and other food or drink establishments may open if they comply with the following conditions:

1. Patrons must be served through takeout, drive-through or delivery service or at an outdoor dining area that meets the following conditions:
 - i. The outdoor dining area must be in or adjacent to the place of business.
 - ii. No buffet-style service may be provided.
 - iii. Patrons in the outdoor dining area must be seated at all times except,
 - A. while entering the area and while moving to their table,
 - B. while placing or picking up an order,
 - C. while paying for an order,
 - D. while exiting the area,
 - E. while going to or returning from a washroom,
 - F. while lining up to do anything described in sub-subparagraphs A to E, or
 - G. where necessary for the purposes of health and safety.
 - iv. The outdoor dining area must be configured so that patrons seated at different tables are separated by,
 - A. a distance of at least two metres, or

B. plexiglass or some other impermeable barrier.

- v. If the outdoor dining area is covered by a roof, canopy, tent, awning or other element, at least two full sides of the outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
 - vi. If the outdoor dining area is equipped with a retractable roof and the roof is retracted, at least one full side of the outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
2. Public access to any indoor portions of the establishment must be limited to food pickup, payment, washroom access, access required to get to the outdoor dining area or access that is otherwise required for the purposes of health and safety.
 3. Dancing, singing and the live performance of brass or wind instruments are prohibited at the establishment.
 4. The person responsible for the establishment must,
 - i. subject to subsection (4), record the name and contact information of every patron that enters an indoor or outdoor dining area in the establishment, other than patrons who temporarily enter the area to place, pick up or pay for a takeout order,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.
 5. The establishment must be closed to the public between the hours of 12 a.m. and 5 a.m. except as may be necessary to,
 - i. allow patrons to temporarily enter the establishment to place, pick up or pay for a takeout order,
 - ii. provide drive-through or delivery service,
 - iii. provide dine-in service, which may include indoor dine-in service, only for persons who are performing work for the business or place in which the establishment is located, or

- iv. provide access to washrooms.
6. No more than six people may be seated together at a table in the establishment.
7. No patron may be permitted to line up or congregate outside of the establishment unless they are,
- i. maintaining a physical distance of at least two metres from other groups of persons outside the establishment, and
 - ii. wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in subsection 2 (4) of Schedule 1.

(2) Despite paragraph 1 of subsection (1), indoor dine-in service may be provided,

- (a) to persons who perform work for the business or place in which the establishment is located;
- (b) at an establishment on hospital premises or in an airport, or
- (c) at a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony.

(3) If indoor dining is provided in accordance with subsection (2), the conditions set out in subsection (1) apply to the indoor dining area with necessary modifications.

(4) The requirement set out in subparagraph 4 i of subsection (1) does not apply if the patrons temporarily enter the area to place, pick up or pay for a takeout order.

(5) Paragraph 5 of subsection (1) does not apply with respect to establishments on hospital premises or in airports.

(6) For greater certainty, a restaurant, bar, food truck, concession stand or other food or drink establishment that is in compliance with the conditions set out in subsection (1) may open in any business or place that is otherwise permitted to open under this Order.

(7) In this section,

“party” means a group of one or more patrons.

Public libraries

2. Public libraries may open if circulating materials that are returned or accessed within the library are disinfected or quarantined for an appropriate period of time before they are recirculated.

(2) Clause 1 (2) (c) of Schedule 2 to the Regulation, as made by subsection (1), is revoked.

(3) Paragraph 3 of subsection 3 (1) of Schedule 2 to the Regulation is amended by striking out “that are permitted to be open under section 19”.

(4) Section 5 of Schedule 2 to the Regulation is revoked and the following substituted:

Real estate open houses

5. Real estate agencies may open if they ensure that the total number of members of the public permitted at any open house event they host or facilitate at any one time is limited to the number that can maintain a physical distance of at least two metres from every other person in the open house event, and in any event is not permitted to exceed 10 persons.

(5) Section 6 of Schedule 2 to the Regulation is revoked and the following substituted:

Personal care services

6. (1) Personal care services relating to the hair or body, including hair salons and barbershops, manicure and pedicure salons, aesthetician services, piercing services, tanning salons, spas and tattoo studios, may open if they comply with the following conditions:

1. No personal care services that require the removal of a mask or face covering may be provided.
2. Persons who provide personal care services in the business must wear appropriate personal protective equipment.
3. Subject to subsection 19 (2), any locker rooms, change rooms, and showers must be closed, except to the extent they provide access to equipment storage, a washroom or a portion of the business that is used to provide first aid.
4. Any steam rooms, saunas, whirlpools or bathhouses must be closed.
5. Any baths, hot tubs, floating pools or sensory deprivation pods must be closed, unless they are used for a therapeutic purpose prescribed by, or administered by, a regulated health professional.
6. Oxygen bars must be closed.

(2) Subsection (1) does not apply to hair and makeup services described in section 16 or 17.

(6) Section 8 of Schedule 2 to the Regulation is revoked.

(7) Schedule 2 to the Regulation is amended by adding the following section:

Conference centres and convention centres

8. (1) Conference centres and convention centres are closed, subject to subsection (2).

(2) Conference centres and convention centres may open to provide meeting or event space for the purpose of delivering or supporting the delivery of court services.

(8) Sections 10, 11 and 12 of Schedule 2 to the Regulation are revoked and the following substituted:

Fitting rooms

10. Fitting rooms in a business may open if patrons are not permitted to occupy adjacent fitting room stalls at any one time.

(9) Paragraph 2 of the English version of section 12.1 of Schedule 2 to the Regulation is amended by striking out “vehicle” and substituting “motor vehicle”.

(10) Sections 13 and 14 of Schedule 2 to the Regulation are revoked and the following substituted:

Facilities for indoor sports and recreational fitness activities

13. (1) Subject to subsections (2) to (5), facilities for indoor sports and recreational fitness activities, including gymnasiums, health clubs, community centres, multi-purpose facilities, arenas, exercise studios, yoga and dance studios and other fitness facilities, may open if they comply with the following conditions:

1. Indoor fitness, exercise or dance classes must not be provided.
2. Any areas containing weights or exercise machines must be closed.
3. The total number of members of the public permitted to be in a class, organized program or organized activity at the facility cannot exceed 10 people and each class, organized program or organized activity must take place in a separate room.
4. No spectators are permitted.
5. Any person who enters or uses the facility must maintain a physical distance of at least two metres from any other person who is using the facility.

6. Team sports must not be practised or played within the facility, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
7. Activities that are likely to result in individuals coming within two metres of each other must not be practised or played within the facility.
8. Subject to subsection 19 (2), any locker rooms, change rooms, showers and clubhouses in the facility must be closed, except to the extent they provide access to equipment storage, a washroom or a portion of the facility that is used to provide first aid.
9. Any equipment that is rented to, provided to or provided for the use of users of the facility must be cleaned and disinfected between each use.
10. Activities that require the use of equipment or fixed structures that cannot be cleaned and disinfected between each use must not be practised or played within the facility.

(2) The conditions set out in subsection (1) do not apply to indoor training facilities that are operated by a sports team in one of the following leagues if they operate in compliance with the conditions set out in subsection (3):

1. Canadian Elite Basketball League.
2. Canadian Football League.
3. Major League Baseball.
4. Major League Soccer.
5. National Basketball Association.
6. National Hockey League.
7. National Lacrosse League.

(3) The conditions referred to in subsection (2) are the following:

1. The facility may only be used if,
 - i. the team's league has established a health and safety protocol for the use of training facilities, and

- ii. the training facility is operated in compliance with the health and safety protocol.
2. The only persons permitted to enter and use the facility are,
 - i. players on the team who are using the facility for the purposes of training or conditioning, and
 - ii. such staff as are strictly necessary to operate the facility and support the training or conditioning of the players.
 3. Any equipment that is rented to, provided to or provided for the use of users of the facility must be cleaned and disinfected between each use.

(4) The conditions set out in subsection (1) do not apply to facilities for indoor sports and recreational fitness activities that open to provide space for a day camp for children that is in compliance with section 15.

(5) This section does not apply to pools, splash pads, spray pads and wading pools.

Facilities for outdoor sports and recreational fitness activities

14. (1) Facilities for outdoor sports and recreational fitness activities may open if they comply with the following conditions:

1. Any person who enters or uses the facility must maintain a physical distance of at least two metres from any other person who is using the facility.
2. Team sports must not be practised or played within the facility, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
3. Activities that are likely to result in individuals coming within two metres of each other must not be practised or played within the facility.
4. Subject to subsection 19 (2), any locker rooms, change rooms, showers and clubhouses in the facility must be closed, except to the extent they provide access to equipment storage, a washroom or a portion of the facility that is used to provide first aid.
5. Any equipment that is rented to, provided to or provided for the use of users of the facility must be cleaned and disinfected between each use.
6. Activities that require the use of equipment or fixed structures that cannot be cleaned and disinfected between each use must not be practised or played within the facility.

(2) Outdoor playgrounds, play structures and facilities containing outdoor fitness equipment may open.

(3) This section does not apply to pools, splash pads, spray pads and wading pools.

(11) Section 19 of Schedule 2 to the Regulation is revoked and the following substituted:

Water features

19. (1) Steam rooms, saunas and bathhouses are closed.

(2) Despite any other provision in this Schedule that would require a locker room, change room or showers to be closed, any locker room, change room or showers that is used in conjunction with a pool, splash pad, spray pad or wading pool may be open for that purpose.

(3) For greater certainty, a pool, splash pad, spray pad, whirlpool, wading pool or water slide that is in compliance with section 7 of Schedule 1 may open in any business or place that is otherwise permitted to open under this Order.

(12) Paragraphs 1 and 2 of section 24 of Schedule 2 to the Regulation are revoked and the following substituted:

1. The tour must be operated to enable every person on the tour, including tour guides, to maintain a physical distance of at least two metres from every other person, except where necessary,
 - i. to facilitate payment, or
 - ii. for the purposes of health and safety.
2. The number of members of the public on the tour must not exceed the number of persons that would permit compliance with paragraph 1 while on the tour, and in any event cannot exceed,
 - i. 10 persons, if they will be indoors during the tour, or
 - ii. 25 persons, if they will be outdoors during the tour.

(13) Schedule 2 to the Regulation is amended by adding the following section:

Strip clubs

26.1 Strip clubs are closed.

(14) Paragraph 1 of section 27 of Schedule 2 to the Regulation is amended by striking out “that are permitted to be open under section 19” at the end.

5. (1) Schedule 3 to the Regulation is revoked and the following substituted:

SCHEDULE 3
ORGANIZED PUBLIC EVENTS, CERTAIN GATHERINGS

Gatherings, Stage 2 areas

1. (1) Subject to subsection (2) and sections 2 to 6, no person shall attend,

(a) an organized public event of more than,

(i) 10 people if the event is held indoors, or

(ii) 25 people if the event is held outdoors;

(b) a social gathering of more than,

(i) 10 people if the gathering is held indoors, or

(ii) 25 people if the gathering is held outdoors; or

(c) a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony of more than,

(i) 50 people if the gathering is held indoors, or

(ii) 100 people if the gathering is held outdoors.

(2) Despite clause (1) (c), no person shall attend a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony held at a place described in subsection (3) of more than,

(a) 10 people if the gathering is held indoors, or

(b) 25 people if the gathering is held outdoors.

(3) The places referred to in subsection (2) are,

(a) residential buildings, including houses, apartment buildings, condominium buildings and post-secondary student residences; and

- (b) any places not already described in clause (a), except for places that are operated in accordance with this Order by a business or organization.

(4) For greater certainty, the limits in clause (1) (c) and subsection (2) apply to a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony, such as a wedding reception, while the limits that apply to the wedding, funeral or religious service, rite or ceremony itself are set out in sections 4 to 6.

(5) For the purposes of this section, an indoor event or gathering cannot be combined with an outdoor event or gathering so as to increase the applicable limit on the number of people at the event or gathering.

(6) A person attending an organized public event or social gathering shall comply with public health guidance on physical distancing.

(7) For greater certainty, subsections (1) to (6) apply with respect to an organized public event or social gathering even if it is held at a private dwelling, including houses, apartment buildings, condominium buildings and post-secondary student residences.

Exception, members of single household

2. Section 1 does not apply with respect to a gathering of members of a single household.

Exceptions from organized public event requirements

3. The prohibitions on attendance at an organized public event in clause 1 (1) (a) do not apply with respect to attendance at,

- (a) an event to which a capacity limit set out in Schedule 1 or 2 applies, if the event is held in accordance with that capacity limit;
- (b) a day camp for children that is in compliance with section 15 of Schedule 2; or
- (c) a drive-in cinema, or a business or place that provides drive-in or drive-through concerts, artistic events, theatrical performances and other performances, that is in compliance with section 18 of Schedule 2.

Indoor wedding, funeral or religious service, rite or ceremony

4. (1) This section applies with respect to gatherings for the purposes of a wedding, a funeral or a religious service, rite or ceremony, if the gathering is held in a building or structure other than a private dwelling.

(2) No person shall attend a gathering to which this section applies unless the following conditions are met:

1. The number of persons occupying any room in the building or structure while attending the gathering must not exceed 30 per cent of the capacity of the particular room.
2. All persons attending the gathering must comply with public health guidance on physical distancing.

Outdoor wedding, funeral or religious service, rite or ceremony

5. (1) This section applies with respect to outdoor gatherings for the purposes of a wedding, a funeral or a religious service, rite or ceremony.

(2) No person shall attend a gathering to which this section applies unless the following conditions are met:

1. No more than 100 people may be in attendance.
2. All persons attending the gathering must comply with public health guidance on physical distancing.

Gathering in motor vehicles for religious service, rite or ceremony

6. (1) This section applies with respect to gatherings for the purposes of a religious service, rite or ceremony if the persons attending the gathering, other than those conducting the service, rite or ceremony, do so in a motor vehicle.

(2) No person shall attend a gathering to which this section applies unless the person follows all of the following precautions that apply to the person:

1. Each person attending the gathering, other than the persons conducting the service, rite or ceremony, must remain within a motor vehicle that is designed to be closed to the elements, except,
 - i. where necessary to use a washroom, or
 - ii. as may otherwise be necessary for the purposes of health and safety.
2. The driver of a motor vehicle must ensure that it is positioned at least two metres away from other motor vehicles.
3. A person who ordinarily uses a non-motorized vehicle because of their religious belief and who attends the gathering must remain within their non-motorized vehicle except where necessary to use a washroom or as may otherwise be required for health and safety, and paragraph 2 applies with necessary modifications.

(2) Section 1 of Schedule 3 to the Regulation, as remade by subsection (1), is revoked and the following substituted:

Gatherings, Stage 2 areas

1. (1) Subject to subsection (2) and sections 2 to 6, no person shall attend,
 - (a) an organized public event of more than,
 - (i) 10 people if the event is held indoors, or
 - (ii) 25 people if the event is held outdoors;
 - (b) a social gathering of more than,
 - (i) 10 people if the gathering is held indoors, or
 - (ii) 25 people if the gathering is held outdoors; or
 - (c) a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony of more than,
 - (i) 10 people if the gathering is held indoors, or
 - (ii) 25 people if the gathering is held outdoors.

(2) For greater certainty, the limits in clause (1) (c) apply to a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony, such as a wedding reception, while the limits that apply to the wedding, funeral or religious service, rite or ceremony itself are set out in sections 4 to 6.

(3) For the purposes of this section, an indoor event or gathering cannot be combined with an outdoor event or gathering so as to increase the applicable limit on the number of people at the event or gathering.

(4) A person attending an organized public event or social gathering shall comply with public health guidance on physical distancing.

(5) For greater certainty, subsections (1) to (4) apply with respect to an organized public event or social gathering even if it is held at a private dwelling, including houses, apartment buildings, condominium buildings and post-secondary student residences.

6. Schedule 4 to the Regulation is revoked.

Commencement

7. (1) Subject to subsection (2), this Regulation comes into force on the later of October 10, 2020 and the day it is filed.

(2) Subsections 3 (3), 4 (2), 4 (7) and 5 (2) come into force on October 13, 2020.



Executive Council
Conseil exécutif

R.O.C./Décret 413 / 2020

I certify that the attached is a true copy of the Regulation under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, made by Her Honour the Lieutenant Governor in Council on October 9, 2020.

Dated at Toronto, October 9, 2020

A handwritten signature in blue ink, reading "Anna Valeriu".

Deputy Clerk, Executive Council



Ontario

Executive Council
Conseil exécutif

Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

the appended Regulation be made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.


Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Le règlement ci-annexé est pris en vertu de la *Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19)*.

Recommandé par :

Recommended 

Appuyé par : Le président du Conseil des ministres,

Concurred 
Chair of Cabinet

Approuvé et décrété le

Approved and Ordered OCT 09 2020
Date

La lieutenant-gouverneure,


Lieutenant Governor

R.O.C./Décret (R)

413/2020

[Bilingual]

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ONTARIO REGULATION

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Amending O. Reg. 363/20

(STAGES OF REOPENING)

1. Paragraph 1 of Schedule 2 to Ontario Regulation 363/20 is revoked and the following substituted:

1. City of Ottawa Health Unit.
2. City of Toronto Health Unit.
3. Peel Regional Health Unit.

2. Paragraphs 4, 5 and 23 of Schedule 3 to the Regulation are revoked.

Commencement

3. This Regulation comes into force on the later of October 10, 2020 and the day it is filed.



R.O.C./Décret 414 / 2020

Executive Council
Conseil exécutif

I certify that the attached is a true copy of the Regulation under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, made by Her Honour the Lieutenant Governor in Council on October 9, 2020.

Dated at Toronto, October 9, 2020

A handwritten signature in blue ink, reading "Anna Vallero".

Deputy Clerk, Executive Council



Ontario

Executive Council
Conseil exécutif

Order in Council Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

the appended Regulation be made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*.

Sur la recommandation de la personne soussignée, la lieutenant-gouverneure, sur l'avis et avec le consentement du Conseil exécutif, décrète ce qui suit :

Le règlement ci-annexé est pris en vertu de la *Loi de 2020 sur la réouverture de l'Ontario (mesures adaptables en réponse à la COVID-19)*.

Recommandé par :

Recommended

Appuyé par : Le président du Conseil des ministres,

Concurred

Chair of Cabinet

Approuvé et décrété le

Approved and Ordered

OCT 09 2020

Date

La lieutenant-gouverneure,

Lieutenant Governor

R.O.C./Décret (R)

414/2020

[Bilingual]

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4-EC

ONTARIO REGULATION

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

Amending O. Reg. 364/20

(RULES FOR AREAS IN STAGE 3)

1. Section 2 of Ontario Regulation 364/20 is revoked.
2. (1) Subsection 1 (3) of Schedule 1 to the Regulation is amended by striking out “sections 3 to 6” and substituting “sections 2 to 6”.
 - (2) Subsection 4 (5) of Schedule 1 to the Regulation is revoked.
 - (3) Sections 7 and 8 of Schedule 1 to the Regulation are revoked.
3. (1) Subparagraph 5 i of subsection 1 (1) of Schedule 2 to the Regulation is amended by striking out “subject to subsection (1.0.1)” at the beginning.
 - (2) Subparagraph 6 ii of subsection 1 (1) of Schedule 2 to the Regulation is revoked and the following substituted:
 - ii. provide drive-through or delivery service,
 - (3) Paragraphs 7 to 9 of subsection 1 (1) of Schedule 2 to the Regulation are revoked.
 - (4) Subsections 1 (1.0.1) and (1.0.2) of Schedule 2 to the Regulation are revoked.
 - (5) Paragraph 2 of section 4 of Schedule 2 to the Regulation is revoked and the following substituted:

2. Patrons must wear masks or face covering at all times while receiving personal care services, except while receiving services that tend to an area of their face that would be covered by a mask or face covering.

(6) Subsection 8 (1.2) of Schedule 2 to the Regulation is revoked.

4. Section 6 of Schedule 3 to the Regulation is revoked.

Commencement

5. **This Regulation comes into force on the later of October 10, 2020 and the day it is filed.**



PUBLIC WORKS COMMITTEE REPORT 20-009

1:30 p.m.
Monday, October 5, 2020
Council Chambers
Hamilton City Hall
71 Main Street West

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

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 20-009 AND RESPECTFULLY RECOMMENDS:

1. **Consent Items (Item 6)**
 - (a) That Consent Items 6.1 and 6.2 be received, as presented:
 - (i) **Ministry of Transportation Project Update - Highway 403 Bridge Rehabilitation (PW20063) (City Wide) (Item 6.1)**
 - (ii) **Waste Management Advisory Committee Minutes - August 26, 2020 (Item 6.2)**

2. **Proposed Permanent Closure and Sale of a Portion of Ship Street, Niagara Street, and Hillyard Street, Hamilton (PW20062) (Ward 3) (Item 7.1)**
 - (a) That the application of the Hamilton Port Authority through a wholly-owned subsidiary Great Lakes Port Management, to permanently close and purchase a portion of Ship Street, Niagara Street, and Hillyard Street, Hamilton ("Subject Lands"), as shown on Appendix "A" to Public Works Committee Report 20-009, be approved, subject to the following conditions:
 - (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;

- (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the closed Subject Lands to the Hamilton Port Authority (c/o wholly-owned subsidiary Great Lakes Port Management), as described in Report PW20062, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (iii) The City Solicitor be authorized to complete the transfer of the Subject Lands to Great Lakes Port Management, a wholly-owned subsidiary of the Hamilton Port Authority pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
- (iv) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (v) That the City Solicitor be authorized to amend and waive such terms and conditions to Agreement of Purchase and Sale or Offer to Purchase as they consider reasonable to give effect to this authorization and direction;
- (vi) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (vii) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
- (viii) That the applicant dedicates lands to the City of Hamilton for the purpose of creating Public Highway as shown on Appendix "B" to Public Works Committee Report 20-009 and construct the proposed road with a minimum 15m pavement width and cul-de-sac with additional paved curbing, to City Standards, creating minimum of 9 parking spaces located along the south side of the east-west dedication, dedicated to the owner of 171 Niagara Street for their exclusive use, and minimum of 4 public parking spaces north of the proposed cul-de-sac within the remnants of the Niagara

Street road allowance, as shown on Appendix “C” to Public Works Committee Report 20-009, as approved by the Director, Engineering Services Division;

- (ix) That the applicant be fully responsible for all costs associated with the removal and relocation of any existing utility infrastructure, specifically the hydro pole located south of the main entrance of the business operating at 171 Niagara Street, if required to meet the business needs of the owner of 171 Niagara Street, Hamilton to the satisfaction of the Ward Councillor;
- (x) That the applicant be fully responsible for all costs associated with the widening of any curbing required to meet the business needs at 171 Niagara Street, Hamilton, if required, to the satisfaction of the Ward Councillor;
- (xi) That the applicant remove and return all existing City of Hamilton owned Street Lighting infrastructure to the City of Hamilton to the satisfaction of the Manager, Transportation Operations; and,
- (xii) That the applicant enter into an encroachment agreement with the City of Hamilton for any private assets that encroach onto the public highway dedications shown on Appendix “B” to Public Works Committee Report 20-009, to the satisfaction of the Manager, Geomatics and Corridor Management Section.

3. Hamilton Cycling Committee’s Recommendations for the Development of Cycling Infrastructure (Item 7.2)

WHEREAS, Hamilton has declared a Climate Emergency recognizing that urgent action is needed to address Climate Change;

WHEREAS, transportation is responsible for the largest and fastest growing share of Ontario’s greenhouse gas emissions (2016 Annual GHG Report: Facing Climate Change);

WHEREAS, car travel accounts for about one fifth of Ontario’s emissions (2016 Annual GHG Report: Facing Climate Change);

WHEREAS, Hamilton’s daily cycling mode share is less than 7% (Transportation Tomorrow Survey - walk & cycle together is 7%);

WHEREAS, median trip length for daily car travel is 6km, there is a significant opportunity for residents to shift to more sustainable modes of travel, such as cycling (Transportation Tomorrow Survey);

WHEREAS, increasing the number of residents who choose to cycle as transportation, particularly for trips under five kilometers, plays an important role in addressing the Climate Emergency;

WHEREAS, an Ontario wide poll shows that 32% of residents would like to cycle as their mode of transportation to and from work (Share the Road 2018);

WHEREAS, Hamilton developed a 2018 Cycling Master Plan Review and Update as part of the 2018 Transportation Master Plan, identifying revisions to Hamilton's Cycling Master Plan (CMP) of 2009;

WHEREAS, Hamilton approved the Strategic Road Safety Program and Vision Zero Action Plan in February 2019;

WHEREAS, Hamilton has made progress on closing gaps in our cycling infrastructure and increasing the safety of our residents who cycle, for which we have been recognized by Share the Road Cycling Coalition with a silver Bicycle Friendly Community designation;

WHEREAS, staff are exploring research around a minimum grid of cycling infrastructure in cooperation with local post-secondary institutions as part of CityLab;

WHEREAS, investments in cycling infrastructure will complement investments being made in public transit, providing residents with improved first and last mile access to transit;

WHEREAS, the local transportation network falls under municipal jurisdiction, Hamilton has a meaningful opportunity to reduce greenhouse gas emissions by designing and building local roads to provide residents with more transportation choices, including cycling;

WHEREAS, ASST (Active and Sustainable School Travel) is actively working on engaging parents and students to promote active school travel by walking or cycling to school, thus improving health and reducing air pollution in school communities; and,

WHEREAS, staff are undertaking the development of a complete streets design manual;

THEREFORE, BE IT RESOLVED:

- (a) That the following feedback from the Hamilton Cycling Committee be forwarded to City staff for consideration:

- (i) That staff update the Cycling Master Plan to include a minimum grid of cycling infrastructure that ensures all trips under five kilometers are accessible by bike, including cost implications;
- (ii) That staff prioritize cycling connectivity to transit and ensure that all major transit stops and stations are accessible by bike and provide ample secure bike parking;
- (iii) That staff accelerate implementation of the previously adopted Cycling Master Plan, prioritizing routes to schools;
- (iv) That funding for the implementation of the accelerated Cycling Master Plan, be considered during the annual capital budget deliberations;
- (v) That all existing and planned cycling facilities use the All Ages and Abilities framework developed by the National Association of City Transportation Officials (NACTO);
- (vi) That all new residential developments include safe and protected cycling infrastructure that connects to the existing cycling network; and,
- (vii) That the requests for funding for all aspects of the implementation of the Cycling Master Plan, be considered during the annual budget process.

4. Street Lighting Level of Service (PW07024(a)) (City Wide) (Item 9.2)

That the revised street lighting maintenance level of service, attached as Appendix "D" to Public Works Committee Report 20-009, be approved.

5. Proposed City Hall Forecourt Security Enhancements (PW20064) (City Wide) (Item 9.3)

- (a) That the "City Hall Forecourt Security Study – September 2020" authored by OMC Landscape Architecture, as Appendix "E" to Public Works Committee Report 20-009, be received;

6. Mohawk Road to Brantford-bound King's Highway 403 Ramp Update (PED20128/PW12051(c)) (Wards 12 and 14) (Item 9.4)

- (a) That staff be authorized and directed to finalize and file a Notice of Study Completion for the Highway 403 Additional Access to Brantford-bound Highway 403 Class Environmental Assessment Environmental Study Report;

- (b) That the financing strategy be approved for Project ID 4662555215 Highway 403 Ramp Improvements at a gross cost of approximately \$6.4 M with a net cost to the City of \$4.65 M to be funded equally by the 2025 roads capital levy allocation and development charges;
- (c) That staff be authorized and directed to negotiate one or more agreements, and all ancillary documents, with the Ministry of Transportation (MTO) for the construction of a new ramp from Mohawk Road to Highway 403 westbound and associated Highway 403 truck climbing lane approved by the General Manager of Public Works and in a form satisfactory to the City Solicitor; and,
- (d) That the Mayor and Clerk be authorized and directed to execute one or more agreements, and all ancillary documents, with the Ministry of Transportation (MTO) for the construction of a new ramp from Mohawk Road to Highway 403 westbound and associated Highway 403 truck climbing lane, provided such have been approved by the General Manager of Public Works and in a form satisfactory to the City Solicitor.

7. Amending By-law for the Inclusion of Joe Sams Leisure Park Leash Free Dog Park (Ward 15) (REVISED) (Item 10.1)

WHEREAS, Council enacted a by-law for responsible animal ownership being City of Hamilton By-law 12-031;

WHEREAS, this By-law provides for the addition of a Leash Free Park to subsection 7.4(a) of By-law 12-031; and,

WHEREAS, an amendment to By-law 12-031 is required to include the new leash free dog park location in the Joe Sams Leisure Park;

THEREFORE, BE IT RESOLVED:

- (a) That By-law 12-031 be amended to include the dog park portion of Joes Sams Leisure Park as a Leash Free Dog Park, as indicated in Appendix "F" to Public Works Committee Report 20-009 (Map of proposed Leash Free Dog Park); and,
- (b) That the City Solicitor be authorized and directed to prepare the appropriate by-law to amend By-law 12-031, a By-law for Responsible Animal Ownership, in the City of Hamilton, to include Joe Sams Leisure Park as a leash free dog park location.

8. Ward 3 Community Safety and Complete Streets Report (Item 10.2)

WHEREAS, Vision Zero and Complete Streets principles are employed by the City of Hamilton to provide safer mobility for all residents;

WHEREAS, in the last month alone two local storefronts were badly damaged, for the second time, by vehicles while driving at high speeds in Ward 3;

WHEREAS, many school routes in Ward 3 require children, the most vulnerable road users to cross at major arterial roads to get to school;

WHEREAS, the Ward 3 office receives approximately 5 requests for traffic studies and speed assessments weekly;

WHEREAS, Ward 3 had 212 injury collisions 2 fatal collisions in 2019;

WHEREAS, the Ward 3 office has requested a review of designated neighbourhoods with a focus on Traffic Calming Initiatives at problem locations and to provide a guideline for safety enhancements given the road width, classification, surrounding land use, proximity to schools/playgrounds, access roads from arterials, on-street parking and other considerations; and,

WHEREAS, staff do not have the internal resources to provide a comprehensive report of all designated neighbourhoods in Ward 3;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to retain a consultant to undertake a review of designated Ward 3 neighbourhoods with the intent of providing a Complete Streets report identifying areas of concerns and recommendations to provide a safer environment for all road users based on Vision Zero and Complete Streets principles, to be funded from the Ward 3 Non Property Tax Revenue in the amount of \$100,000 and Ward 3 Discretionary fund in the amount \$49,999 to an upset limit of \$149,999, as per the Purchasing Policy for Roster Assignments; 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. Hamilton Cycling Committee Meeting Schedule (Added Item 10.3)

WHEREAS, the Hamilton Cycling Committee currently meets on the first Wednesday of every month from 5:45p.m. - 7:45p.m.; and,

WHEREAS, the Hamilton Cycling Committee meeting schedule often conflicts with the General Issues Committee meeting schedule, which prevents the Council representatives (Councillor Pauls and Councillor Whitehead) from attending;

THEREFORE, BE IT RESOLVED:

That the Hamilton Cycling Committee consider an alternate day for their meetings.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

10. MOTIONS (Item 10)

10.1 Amending By-law for the Inclusion of Joe Sams Leisure Park Leash Free Dog Park (Ward 15) **(REVISED)**

11. NOTICES OF MOTIONS (Item 11)

11.1 Hamilton Cycling Committee Meeting Schedule

The agenda for the October 5, 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) September 21, 2020 (Item 3.1)

The Minutes of the September 21, 2020 meeting of the Public Works Committee were approved, as presented.

(d) PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 7)

Councillor Danko advised those viewing the virtual meeting that the public were informed of how to pre-register to be a virtual delegate at the Public Meetings on today's agenda.

(i) Proposed Permanent Closure and Sale of a Portion of Ship Street, Niagara Street, and Hillyard Street, Hamilton (PW20062) (Ward 3) (Item 7.1)

Councillor Danko advised that notice of the Proposed Permanent Closure and Sale of a Portion of Ship Street, Niagara Street, and Hillyard Street,

Hamilton (PW20062) (Ward 3) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there was one registered speaker.

Registered Speaker:

1. Bill Fitzgerald, Hamilton Oshawa Port Authority

Bill Fitzgerald, Hamilton Oshawa Port Authority, addressed the Committee with concerns respecting the Proposed Permanent Closure and Sale of a Portion of Ship Street, Niagara Street, and Hillyard Street, Hamilton (PW20062) (Ward 3), with the aid of presentation.

The registered delegation was received.

The public meeting was closed.

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

(ii) Kevin Vander Meulen and Roman Caruk, Hamilton Cycling Committee, respecting a Motion on the Development of Cycling Infrastructure (approved on September 21, 2020) (Item 7.2)

Kevin Vander Meulen and Roman Caruk, members of the Hamilton Cycling Committee, addressed the Committee respecting a Motion on the Development of Cycling Infrastructure.

The delegation from Kevin Vander Meulen and Roman Caruk, members of the Hamilton Cycling Committee, respecting a Motion on the Development of Cycling Infrastructure, was received.

WHEREAS, Hamilton has declared a Climate Emergency recognizing that Climate Change is the single largest threat to municipalities across the world and urgent action is needed;

WHEREAS, transportation is responsible for the largest and fastest growing share of Ontario's greenhouse gas emissions (2016 Annual GHG Report: Facing Climate Change);

WHEREAS, car travel accounts for about one fifth of Ontario's emissions (2016 Annual GHG Report: Facing Climate Change);

WHEREAS, Hamilton's daily cycling mode share is less than 7% (Transportation Tomorrow Survey - walk & cycle together is 7%);

WHEREAS, median trip length for daily car travel is 6km, there is a significant opportunity for residents to shift to more sustainable modes of travel, such as cycling (Transportation Tomorrow Survey);

WHEREAS, increasing the number of residents who choose to cycle as transportation, particularly for trips under five kilometers, plays an important role in addressing the Climate Emergency;

WHEREAS, an Ontario wide poll shows that 32% of residents would like to cycle as their mode of transportation to and from work (Share the Road 2018);

WHEREAS, Hamilton developed a 2018 Cycling Master Plan Review and Update as part of the 2018 Transportation Master Plan, identifying revisions to Hamilton's Cycling Master Plan (CMP) of 2009;

WHEREAS, Hamilton approved the Strategic Road Safety Program and Vision Zero Action Plan in February 2019;

WHEREAS, Hamilton has made progress on closing gaps in our cycling infrastructure and increasing the safety of our residents who cycle, for which we have been recognized by Share the Road Cycling Coalition with a silver Bicycle Friendly Community designation;

WHEREAS, staff are exploring research around a minimum grid of cycling infrastructure in cooperation with local post-secondary institutions as part of CityLab;

WHEREAS, investments in cycling infrastructure will complement investments being made in public transit, providing residents with improved first and last mile access to transit;

WHEREAS, the local transportation network falls under municipal jurisdiction, Hamilton has a meaningful opportunity to reduce greenhouse gas emissions by designing and building local roads to provide residents with more transportation choices, including cycling; and,

WHEREAS, ASST (Active and Sustainable School Travel) is actively working on engaging parents and students to promote active school travel by walking or cycling to school, thus improving health and reducing air pollution in school communities;

THEREFORE, BE IT RESOLVED:

- (a) That the following feedback from the Hamilton Cycling Committee be forwarded to City staff for consideration:

- (i) That staff update the Cycling Master Plan to include a minimum grid of cycling infrastructure that ensures all trips under five kilometers are accessible by bike;
 - (ii) That staff prioritize cycling connectivity to transit and ensure that all major transit stops and stations are accessible by bike and provide ample secure bike parking;
 - (iii) That staff accelerate implementation of the previously adopted Cycling Master Plan, prioritizing routes to schools;
 - (iv) That there is a commitment to annual capital budget funding to implement the accelerated Cycling Master Plan;
 - (v) That all existing and planned cycling facilities use the All Ages and Abilities framework developed by the National Association of City Transportation Officials (NACTO); and,
 - (vi) That all new residential developments include safe and protected cycling infrastructure that connects to the existing cycling network.
- (a) The WHEREAS was **amended** to reflect the following:
- WHEREAS, Hamilton has declared a Climate Emergency recognizing that **urgent action is needed to address** Climate Change;
- (b) The following WHEREAS was added, as follows:
- WHEREAS, staff are undertaking the development of a complete streets design manual;**
- (c) Subsections (a)(i) and (iv) were **amended**, as follows:
- (i) That staff update the Cycling Master Plan to include a minimum grid of cycling infrastructure that ensures all trips under five kilometers are accessible by bike, **including cost implications;**
 - (iv) ~~That there is a commitment to annual capital budget funding~~ **for the implementation of the accelerated Cycling Master Plan, be considered during the annual capital budget deliberations;**
- (d) The following subsection was added, as follows:

- (vii) *That the requests for funding for all aspects of the implementation of the Cycling Master Plan, be considered during the annual budget process.*

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

(e) DISCUSSION ITEMS (Item 9)

(i) Free-Floating Carshare Program (PED20168) (City Wide) (Item 9.1)

Report PED20168, respecting a Free-Floating Carshare Program, was DEFERRED to a future Public Works Committee meeting to allow staff the opportunity to meet with Ward Councillors and review their concerns.

(ii) Proposed City Hall Forecourt Security Enhancements (PW20064) (City Wide) (Item 9.3)

Upon request, sub-sections (a) and (b) of Report PW20064, respecting Proposed City Hall Forecourt Security Enhancements, were voted on separately, as follows:

The following Motion was **DEFEATED**, by a tied vote:

- (b) That Option #1 presented in the “City Hall Forecourt Security Report - September 2020”, attached as Appendix “E” to Public Works Committee Report 20-009, be referred to the 2021 Capital Budget process for consideration with an upset limit of \$800,000 and that the Operating Impact of Capital estimated at \$10,000 per year be referred to the 2021 Operating Budget Year.

For further disposition of this matter, refer to Item 5.

(f) NOTICES OF MOTION (Item 11)

(i) Hamilton Cycling Committee Meeting Schedule (Added Item 11.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting the Hamilton Cycling Committee Meeting Schedule.

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

(g) GENERAL INFORMATION / OTHER BUSINESS (Item 12)

(i) Amendments to the Outstanding Business List (Item 12.1)

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

- (a) Items Requiring a New Due Date:
 - (i) Minimum Maintenance Standards Changes
Item on OBL: AC
Current Due Date: October 19, 2020
Proposed New Due Date: Q2 2021
 - (ii) Moving Hamilton Towards a Zero Plastic Waste Plan
Item on OBL: AY
Current Due Date: October 19, 2020
Proposed New Due Date: December 7, 2020
 - (iii) Sustainable Mobility Program Annual Update
Item on OBL: AAC
Current Due Date: October 5, 2020
Proposed New Due Date: October 19, 2020
 - (iv) COVID-19 Recovery Phase Mobility Plan
Item on OBL: ABE
Current Due Date: October 19, 2020
Proposed New Due Date: November 2, 2020

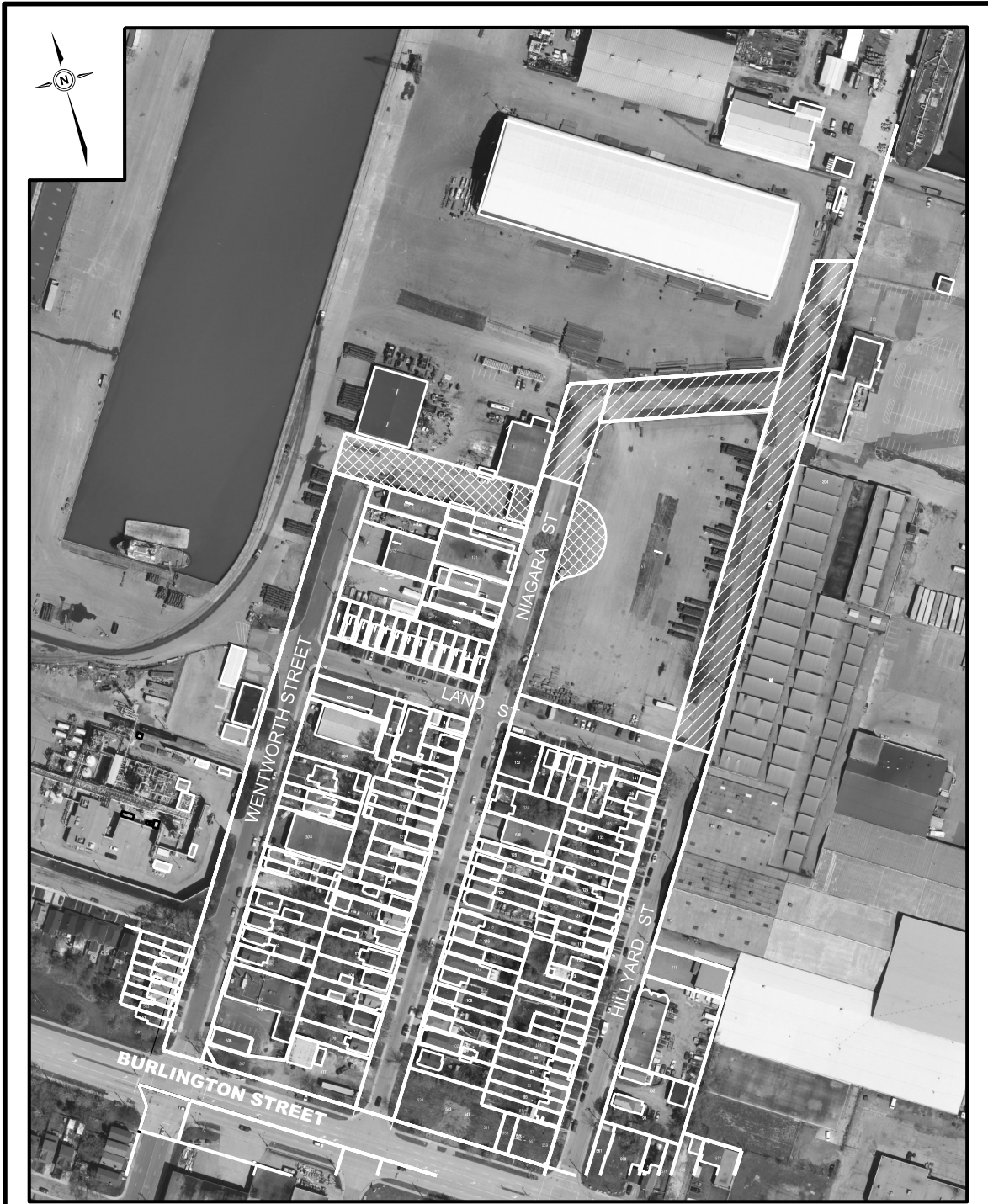
(h) ADJOURNMENT (Item 14)

There being no further business, the Public Works Committee was adjourned at 4:51 p.m.

Respectfully submitted,

Councillor J.P. Danko
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



Hamilton

PROPOSED CLOSURE OF PORTION OF ROAD ALLOWANCES AT HILLYARD STREET, SHIP STREET, AND NIAGARA STREET

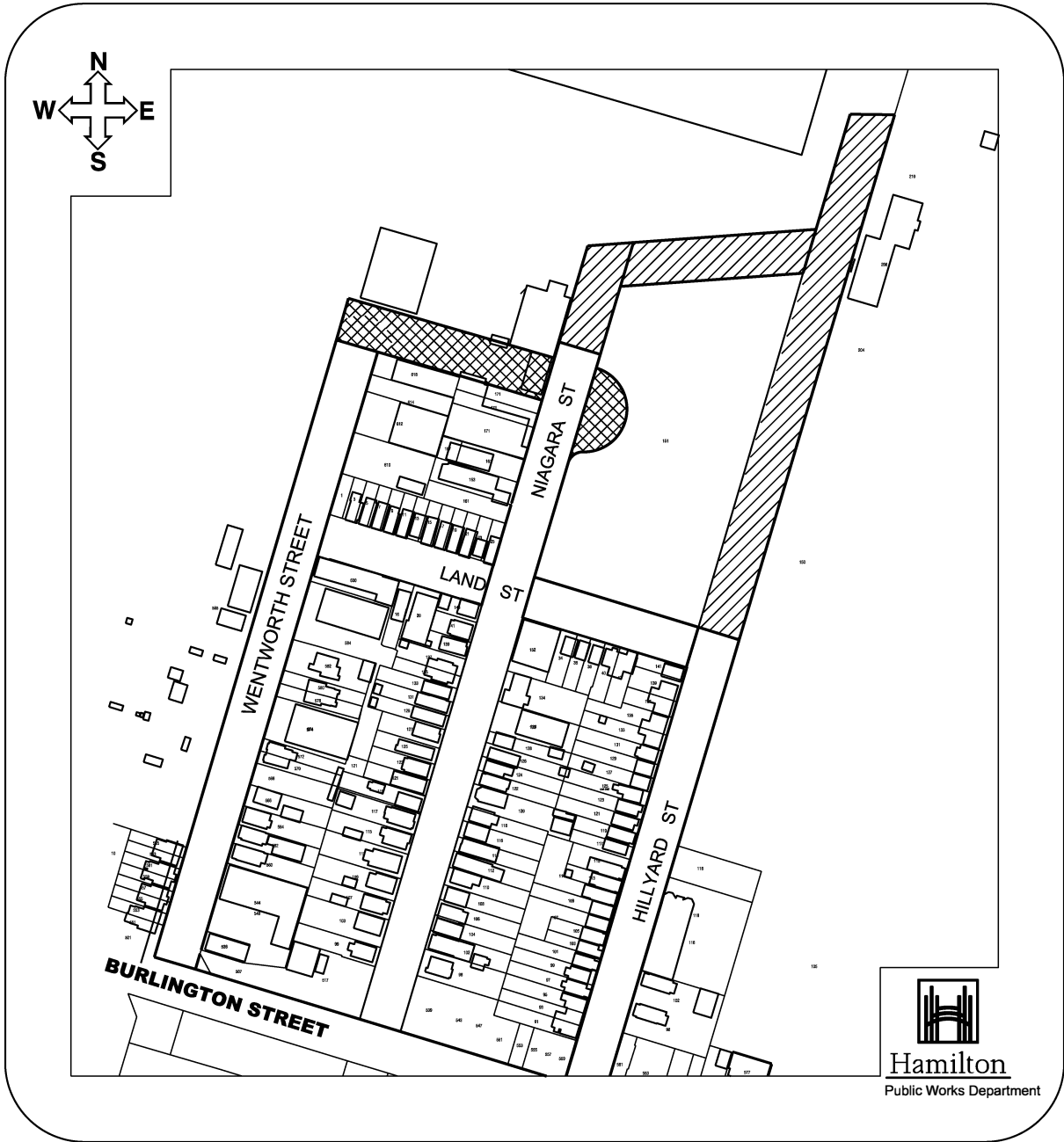
Geomatics & Corridor Management Section
Public Works Department

LEGEND

 Lands to be Closed

 Proposed Land Dedication to the City

NTS | 09/10/2020 | Sketch by: CF



LOCATION PLAN

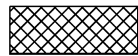
PROPOSED CLOSURE OF PORTION
 OF ROAD ALLOWANCE AT
**HILLYARD STREET, SHIP
 STREET, AND NIAGARA STREET**

CITY OF HAMILTON
 PUBLIC WORKS DEPARTMENT

LEGEND



SUBJECT LANDS

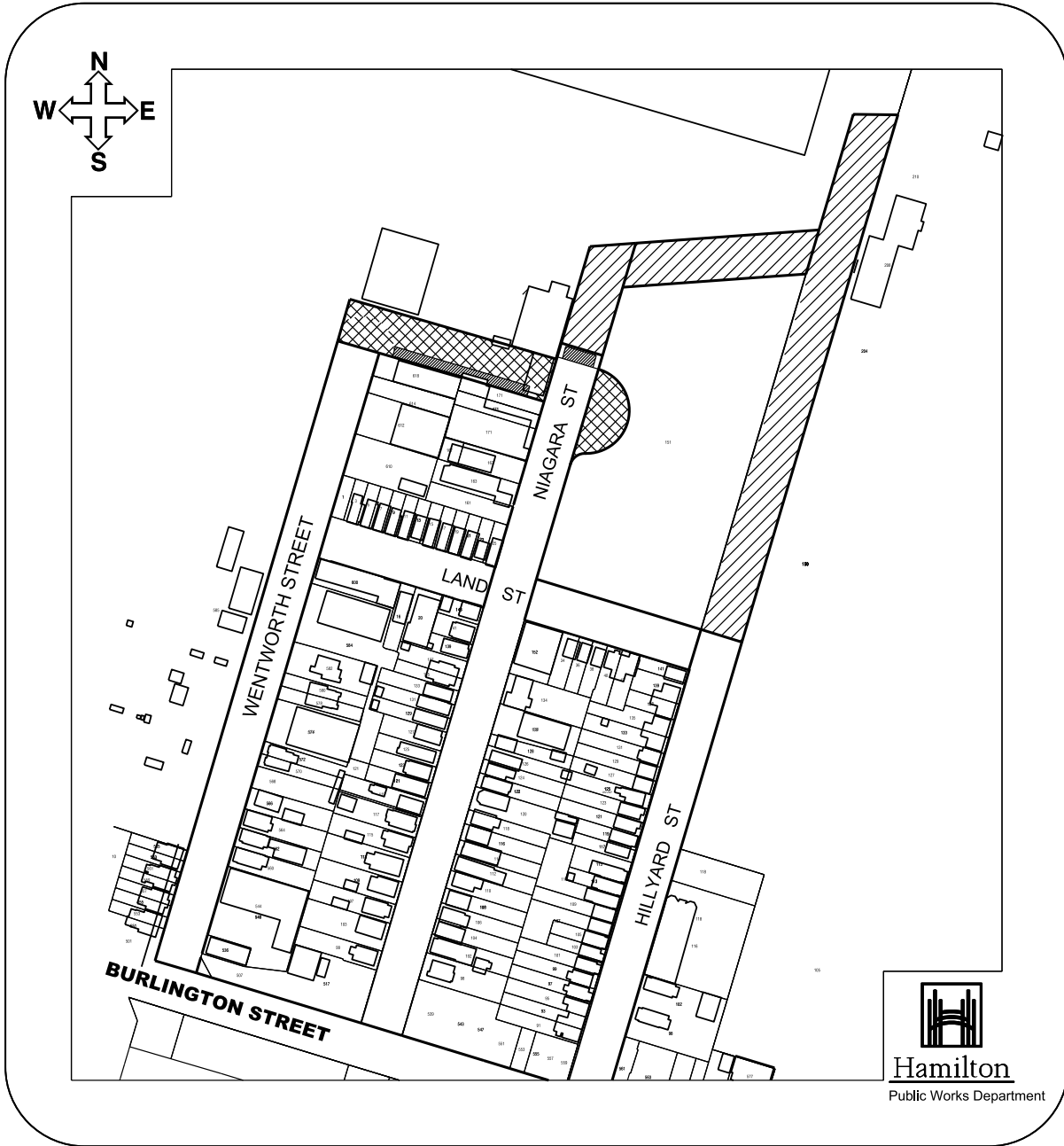


LANDS TO BE DEDICATED AS PUBLIC HIGHWAY

DATE: September 10, 2020

Not to Scale

REFERENCE FILE NO : PW19__






LOCATION PLAN

PROPOSED CLOSURE OF PORTION
 OF ROAD ALLOWANCE AT
**HILLYARD STREET, SHIP
 STREET, AND NIAGARA STREET**

CITY OF HAMILTON
 PUBLIC WORKS DEPARTMENT

LEGEND

	SUBJECT LANDS
	LANDS TO BE DEDICATED AS PUBLIC HIGHWAY
	PROPOSED PUBLIC PARKING

DATE: September 14, 2020	Not to Scale
REFERENCE FILE NO : PW19_	



Street Lighting Maintenance Level of Service

1 PURPOSE

This document explains the level of service to be provided for maintaining street lighting luminaires and associated electrical devices.

2 SCOPE

This level of service standard applies to the functional maintenance of City owned street lighting assets.

3 DEFINITIONS

Street Lighting	City-owned and managed lighting infrastructure consisting of luminaires, arms, poles, electrical distribution, and power distribution equipment, designed, installed, and maintained for the function of lighting municipal roadways during night time hours.
Luminaire	A complete lighting unit consisting of light source and ballast or driver, together with the parts designed to distribute light, to position and protect the light sources, and to connect to the power supply.
Non-functioning Luminaire	A luminaire which is off and emitting no light, dim or exhibiting other deficient performance characteristics apart from regular operation.
Repair	Restoring a luminaire to normal working operation where it previously was identified as non-functioning
As soon as Practicable	As soon as possible and practical taking into account all of the facts, factors and circumstances in each individual repair scenario.
Night Patrol	Inspections conducted during night time hours to identify non-functioning luminaires.
Highway, Roadway, Road	Any City-owned segment of roadway located in the right of way.

Class 1 and 2 Roadways	Roadway (or Highway) classification defined in Ontario Regulation 239/02 – Minimum Maintenance Standards. Class 1-2 Roadways generally align with higher volume major arterial roadways.
Class 3-6 Roadways	Roadway (or Highway) classification defined in Ontario Regulation 239/02 – Minimum Maintenance Standards. Class 3-6 Roadways generally align with medium-lower volume, localized/urban neighbourhood roadways.

4 SERVICE LEVEL:

4.1 Non-functioning Luminaires: Public or Staff Identified

Repairs completed within seven (7) calendar days.

4.2 Patrol Frequency

Night patrol to identify non-functioning luminaires to be completed on a monthly basis, per Table 4.1, to the following frequency:

- I. Four (4) times per calendar year on all Class 1 and 2 roadways; and
- II. Two (2) times per calendar year on all Class 3 through 6 roadways.

Zone:	Inspection Month:
1: Class 1 & 2 Roadways	January, April, July, October
2A: Class 3-6 Roadways	February, August
2B: Class 3-6 Roadways	March, September
2C: Class 3-6 Roadways	May, November
2D: Class 3-6 Roadways	June, December

Table 4.1 – Monthly Night Patrol Cycle

4.3 Non-functioning Luminaires: Patrol Identified

Repairs completed within 14 calendar days of the completion of the monthly night patrol cycle, per Table 4.1.

4.4 Non-functioning Luminaires: Consecutive Outage

Where 3 or more luminaires in a row or 30% or more of luminaires on one-kilometre of roadway are identified as non-functioning, repairs completed:

- I. As soon as practicable, or to a maximum of 7 calendar days on all Class 1 and Class 2 roadways; or

- II. As soon as practicable, or to a maximum of 14 calendars days, on all Class 3 through 6 roadways.

4.5 Non-functioning Luminaires: Lincoln M. Alexander parkway and Red Hill Valley Parkway

Where 50% or more lights are identified as non-functioning on one-kilometre of roadway on the Lincoln M. Alexander Parkway or the Red Hill Valley Parkway, complete repairs as soon as practicable.

5 ASSOCIATED DOCUMENTS

- Appendix A – Luminaire Patrol Zones
- Ontario Regulation 239/02, Minimum Maintenance Standards (MMS)

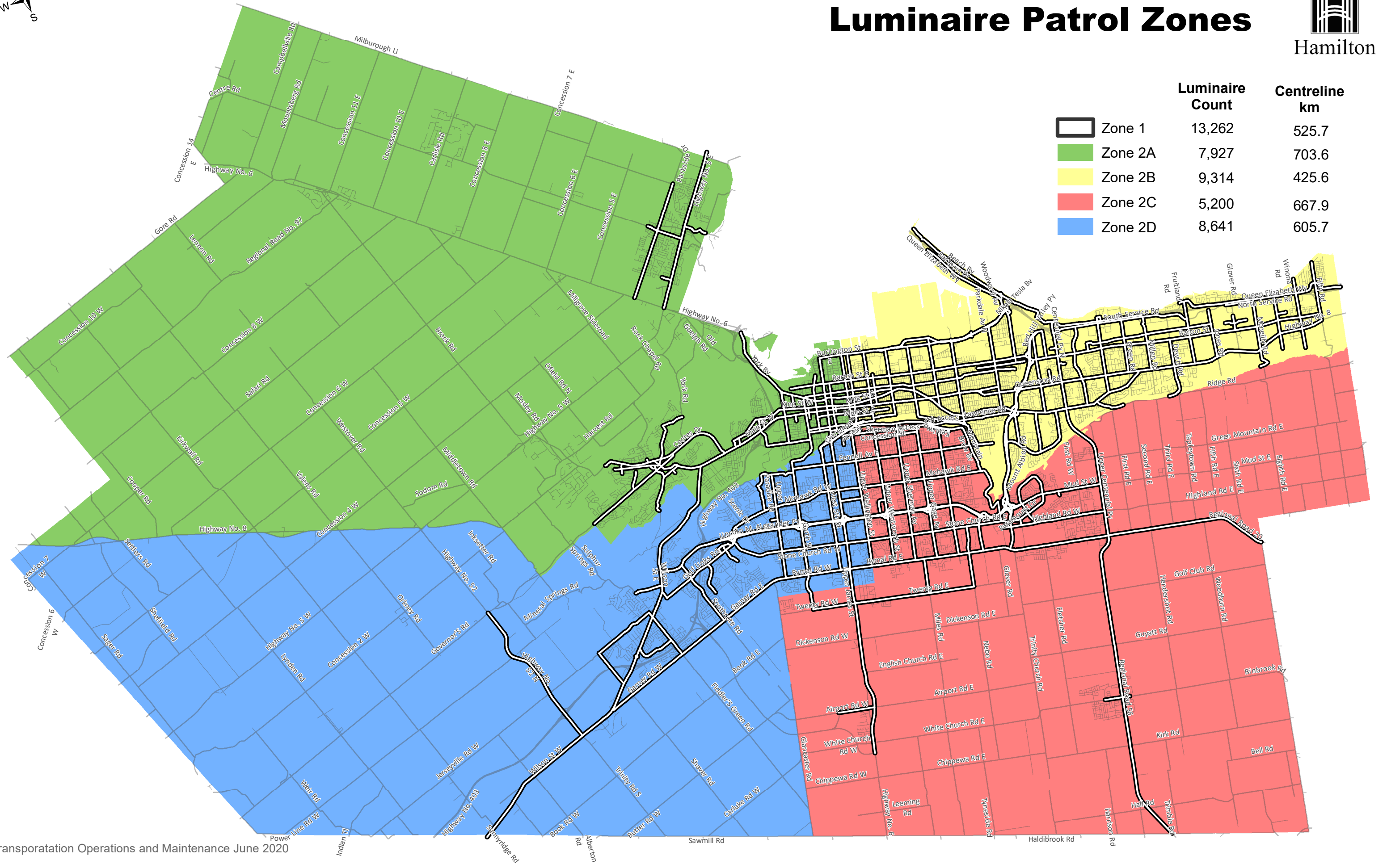
6 REVISION HISTORY

Rev. No	Rev. Date	Description of change(s)	Process Owner Name & Position	Process Owner Signature & Date
0	September 8, 2020		Mike Field Manager Transportation Operations	



Hamilton

Luminaire Patrol Zones



	Luminaire Count	Centreline km
Zone 1	13,262	525.7
Zone 2A	7,927	703.6
Zone 2B	9,314	425.6
Zone 2C	5,200	667.9
Zone 2D	8,641	605.7



City of Hamilton, Public Works

Energy, Fleet and Facilities Management
CITY HALL FORECOURT SECURITY STUDY



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ZEROBIT
SECURITY PLANNERS

September 2020

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01 INTRODUCTION

Urban design criteria have historically considered the possibility of vehicles losing control and endangering pedestrian space. Due to events worldwide, and now in Canada, it is necessary to consider also the possibility of vehicles intentionally entering pedestrian space for the purpose of causing injury or fatality.

It is essential that the public realm remains safe and accessible for all members of society. Pedestrian safety and comfort are guiding principles in the field of urban design. Ideally this is accomplished through separation and delineation of pedestrian vs. vehicular space, or other design measures when the spaces are shared. The design of public space must be a balance between management of risk and openness and accessibility.

It is important that this need for openness and accessibility be balanced with safety and security, while respecting culture, heritage and aesthetics.



02 PURPOSE OF THE STUDY



Figure 1: City Hall site

This study was initiated due to safety concerns with respect to citizens using the City Hall forecourt area for public events and gatherings. The forecourt is a gathering space with proximity to Main Street. It has been observed that the area closest to the sidewalk has become a popular space for protest groups with placards.

The purpose of the study was to examine vulnerabilities with respect to the City Hall property, and to explore design solutions toward improvements to safety and security.

The focus of this study is specific to hostile vehicle mitigation

The security report provided by Zerobit Security Planning which forms part of this document provides details with respect to criteria for vehicle impact, security trends and risk assessment.



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03 VULNERABILITIES

Zerobit Security Planning identified three major areas of vulnerability at the City Hall property:

1. The intersection of Bay Street and Main Street West
2. The Main Street West frontage
3. The pedestrian space on the east side of City Hall

They are illustrated in Figure 1.

The consultant team was asked to explore design solutions which would assist in addressing these vulnerabilities.

Security specialists are generally in agreement that safety measures in public places should not be readily apparent. Security measures should be invisible since the presence of such obvious security elements as heavy gates, concrete blocks or barbed wire create a sense of insecurity, can instill fear, and are detrimental to the goal of providing openness in the public realm.

Common methods of improving site security include grading, berms or deep swales, strategically placed walls, planters, site furniture, security rated gates, raising features such as hydraulic bollards and gates, and large constructed elements that meet standards for vehicle impact.

Not all of these measures are suitable for the City Hall site.

Many of the features which make the City Hall forecourt a welcoming and easily accessible space for residents, staff and visitors, potentially make it vulnerable to hostile vehicle impact. Stairs are sufficiently shallow that a large vehicle can ascend to the upper level, stair openings are generally wide enough to accommodate a vehicle, and grade changes near Main Street are for the most part, fairly minimal.

A drop curb ramp at Main Street facilitates vehicular penetration when it is not blocked with a concrete planter. The presence of adjacent wide roadways, particularly Main Street, also increases vulnerability. Bay Street and Main Street West provide space for vehicle manoeuvring, and the opportunity to increase speed.

Vehicles may easily enter the wide pedestrian corridor on the east side of the City Hall building from the parking area.



03 VULNERABILITIES

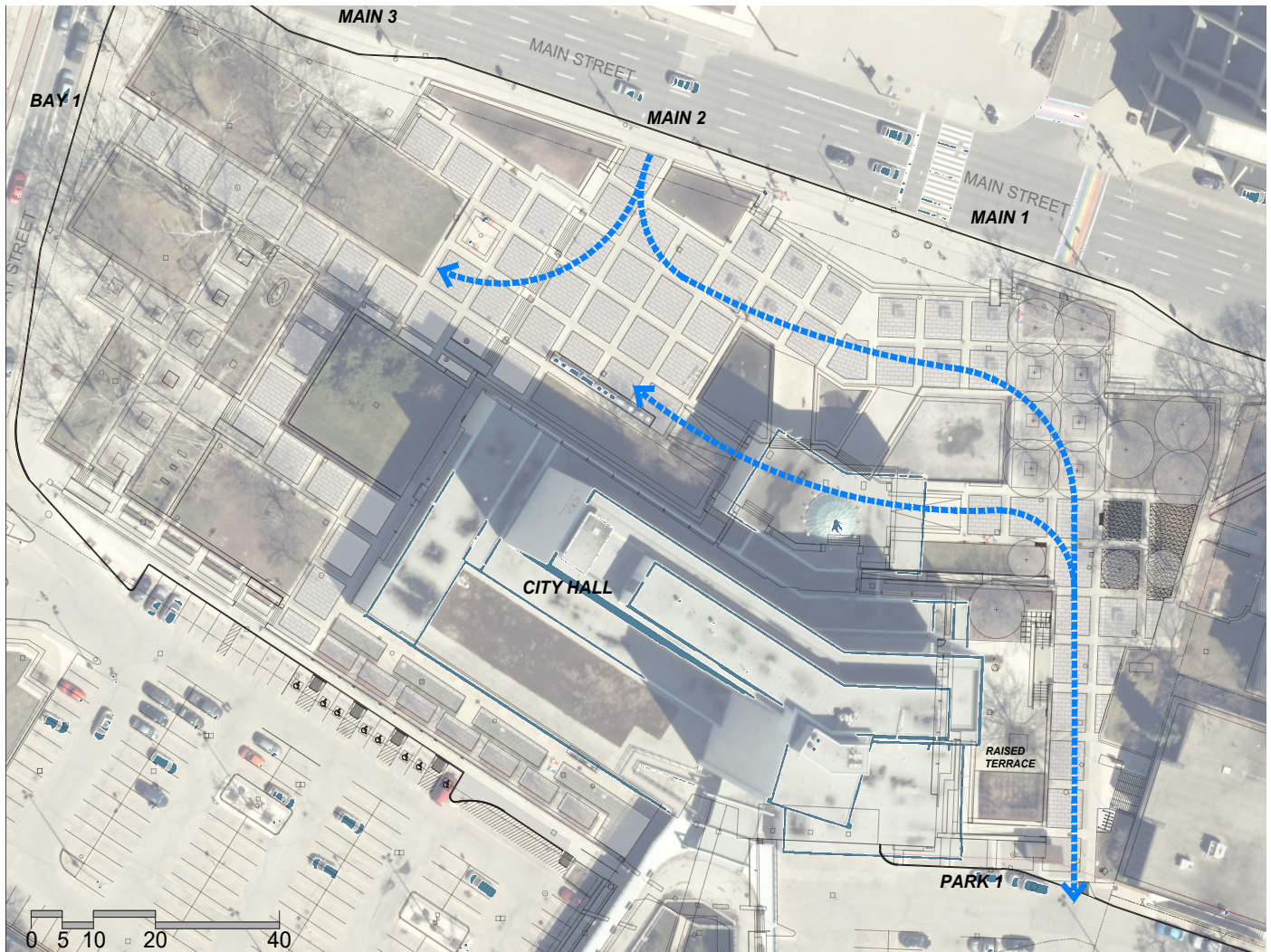


Figure 2: Illustration of areas of vulnerability and path of travel for maintenance vehicles

04 DESIGN CRITERIA

The study commenced with a series of site reviews by the consultant team: OMC Landscape Architecture, Zerobit Security Planning and ATA Architects.

The following City of Hamilton departments were consulted as part of the process: Facilities Management, Corporate Security, Landscape Architectural Services, Heritage, Public Art, Parks Operations, and Horticulture.

It was deemed to be essential that proposed safety measures be of high quality, inobtrusive, and in keeping with the aesthetics of the City Hall building and forecourt areas.

It was important that the City Hall property continue to be easily traversed by pedestrians, and security measures be invisible to the greatest extent possible.

The City’s Horticulture and Parks Operations departments maintain in-ground and portable planters, as well providing other site maintenance services throughout the City Hall grounds.

It is necessary to their operations that materials and equipment can be moved around the site efficiently.

Horticulture and Parks Operations staff provided advice with respect to their access requirements and maintenance vehicle movement at the front of the City Hall building. This information assisted in informing solutions for safety enhancements.

The incorporation of public art in the form of large outdoor sculptures installed on plinths (constructed to PAS68 crash test criteria) was initially proposed as a solution. Two locations were proposed – the pedestrian corridor located at Park 1 and the space between stairs located at Main 3 (see figure 1).

In consultation with Public Art staff it was determined that these locations were not suitable locations for public art.

Site furnishings or other elements were vetted for suitability in consideration of form, scale and materials.



05 HERITAGE ISSUES



Figure 3: Opening day at City Hall



Figure 4: Mayor Lloyd D. Jackson,

- **Irregular, v-shaped rectilinear plan**
- Flat roof and roofline
- **Ramps and stairs approaching the front entrance**
- Glass curtain walls
- All marble cladding
- **Council chambers together with twelve marble-clad stilts, glass curtain wall, metal balustrade, geodesic dome skylight and Italian glass mosaic tiles on the underside of the Chamber.**
- Spandrels with Italian glass mosaic tiles between the first and second stories
- Front entrance with glass doors transoms and surrounds, and “IN” and “OUT” inlaid on the terrazzo floors in front of the doors.

ATA Architects reviewed the “Reasons for Designation” which was Appendix A of report PD05036. With regard to the City Hall site, the report states that “the entire civic complex has value as a cultural heritage landscape.”

The building and site have numerous historical associations with respect to the development of municipal administration in Hamilton, the 1950’s renewal movement, the evolution of City Hall architecture and the numerous notable individuals of local, provincial, and national significance who have attended functions and events at Hamilton City Hall.

Architecturally, on the North (front façade), the elements to the left were noted as character contributing elements that contribute to the heritage value of the site.



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05 HERITAGE ISSUES



Figure 5: Stanley Roscoe, City Hall Architect

The three elements highlighted on the previous page directly relate to the approach taken by Architect Stanley Roscoe to create an open and welcoming environment to City Hall for the residents of Hamilton and all visitors. The "V-Shaped" plan was designed to embrace the visitor.

The building as noted in the reason for designation, has elements that are composed of steel, aluminum, marble, Italian glass mosaic tiles, wood, and concrete. The approach taken from a historical perspective and to conserve the cultural heritage

value of the site was to minimize the visual impact of security elements on both the site and the building. The City Hall forecourt has an open and welcoming character that should be visually maintained without being overpowered by security measures.

The selection of devices to be recommended for implementation focused on strategies to address the security function while minimizing size, mass, and materials that would be incompatible with materials employed on the City Hall façade and its other three elevations.



06 PROPOSED DESIGN SOLUTIONS



Figure 6: PAS68 rated street furniture, not suitable due to materials, form and scale



Figure 7: PAS68 rated street furniture, suitable materials, form and scale.

Of the various elements considered, bollards were found to be the most visually compatible, as they do not block views of the building or site. Stainless steel is the recommended material for the following reasons:

- The quality of the material is compatible with those of the building
- It is durable and requires less maintenance
- The silver or light grey colour is compatible with the colour of the concrete forecourt and public sidewalk areas
- The reflective nature of the material minimizes its scale and presence, visually blending into its surroundings.

The selection of devices to be recommended for implementation focused on strategies to address the security function while minimizing size, mass, and materials that would be incompatible with materials employed on the city hall façade and its other three elevations.

Site furnishings such as benches and planters were reviewed for suitability with respect to the aesthetic characteristics of the City Hall site. As an example, the planter and curved bench shown in Figure 2 are capable of stopping trucks to a PAS68 rating, however, their scale and materials eliminated them from the list of possible solutions. There were few crash tested furniture products that were suitable; therefore they were eliminated as perimeter barriers. Figure 3 illustrates a crash-rated litter container/bollard which could be considered.



06 PROPOSED DESIGN SOLUTIONS

Main 1

Figure 8: Main 1 existing

Main 1 is the largest stair opening on the property. It is vulnerable not only to vehicles entering from Main Street, but also vehicles that may attempt to travel from north to south (against traffic) through Summer’s Lane. It was important that the view of the City Hall entrance was not blocked from this location, or the lower forecourt cluttered with site furniture which might impede free pedestrian movement.

It was generally agreed by the design team that a minimal solution which was as unobtrusive and

cost-effective as possible would be the best solution for the street frontages. Two concepts were developed for Main 1 – both utilizing crash rated bollards in stainless steel with simple contemporary styling. It was felt that the bollards would provide the least visual distraction while allowing free movement of pedestrians from the crosswalk into the City Hall forecourt.



06 PROPOSED DESIGN SOLUTIONS

Main 1



Figure 9: Main 1, Option 1



Figure 10: Main 1, Option 2



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06 PROPOSED DESIGN SOLUTIONS

Main 1

Option 1 places removable bollards at the back of sidewalk. Removable bollards would be required for this option as this is the location where a crane is placed on an annual basis when the Christmas tree is installed.

Option 2 places bollards approximately 1.5m from the bottom stair tread, with customized railings at the stairs added at intervals.

Main 2



Figure 11: Main 2, Existing



06 PROPOSED DESIGN SOLUTIONS

Main 2

Figure 12: Main 2, Option 1



Figure 13: Main 2, Option 2

Main 2 is an opening located approximately midway across the property frontage. It is located between large in-ground built-in permanent planters. The permanent planters were evaluated by Zerobit and determined to be a sufficient deterrent to hostile vehicles, therefore no modifications were proposed. The Main 2 opening is connected to Main Street by a drop curb ramp at the edge of the roadway. This is an access point for municipal service vehicles, however, it has also been used by members of the public to drive onto the upper forecourt and into pedestrian space.

It is proposed that this opening be separated from the City Hall forecourt with rated removable bollards.

Option 1 would see removable bollards positioned at the back of sidewalk, ensuring that unauthorized vehicles would not be encouraged to pull up onto the sidewalk to attempt to access the ramp. This was found to be favourable in that maintenance trucks could temporarily park either on the sidewalk or in the south driving lane in order to leave the vehicle to move the bollards.



06 PROPOSED DESIGN SOLUTIONS

Main 2

Figure 14: Main 2, with movable planters

Option 2 suggests removable bollards aligned toward the rear of the permanent planter, thereby allowing maintenance staff to park the vehicle temporarily on the ramp, while accessing the removable bollards. During discussions with staff, it was felt that this would be disadvantageous since unauthorized vehicles could potentially see this as an opportunity to utilize the ramp as an illegal parking or loading space.

Should removable bollards be found to be unmanageable for Horticulture and Parks Operations staff, consideration should be given to permanently closing this opening by either an in-ground planter or non-removable bollards.

The access is currently blocked by three movable concrete planters located at the back of sidewalk.



06 PROPOSED DESIGN SOLUTIONS

Main 3

Figure 15: Main 3

Main 3 is the triangular pedestrian space located east of the Memorial to Injured Workers and west of the existing built in planter. There are two sets of stairs at this location – a south stair facing Main Street and an east stair facing Bay Street.

Two solutions were proposed for this area: Main 3 Option 1 was the continuation of bollards at the base of each stair.

Main 3 Option 2 considered the placement of public art on a large plinth, constructed to PAS68 standards, located strategically in the centre of the space between stair openings. Option 2 was not accepted by Public Art staff who indicated that this option was not ideal as there is an existing memorial sculpture garden immediately to the

south of this space at the upper level, and the Day of Mourning Monument to the east of this space closer to the intersection of Bay and Main.

The addition of crash-tested site furnishings, including light poles is another consideration for the Main Street frontage.

During discussions with staff, it was suggested that site furnishings be placed in strategic areas along Main Street in the shoreline area of the street. The shoreline is the area between the curb and the contrasting strip of urban braille which delineates the pedestrian path of travel. The shoreline is the area when light poles, fire hydrants, trees, and site furnishings are ideally located.



06 PROPOSED DESIGN SOLUTIONS

Streetscape considerations

Figure 16: Shoreline at Main Street frontage

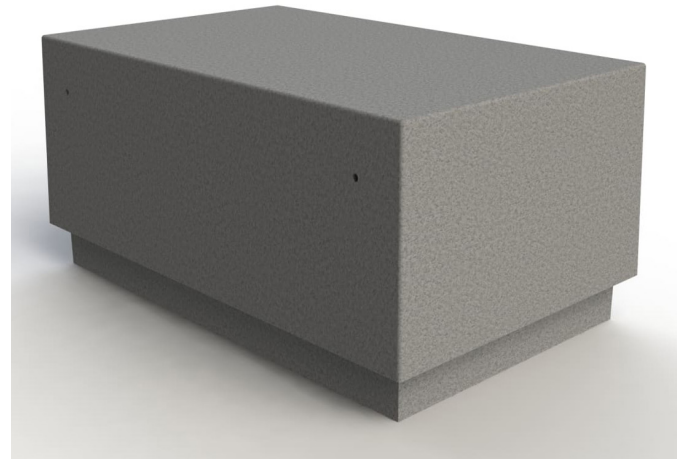


Figure 17: Rhinoblock seat 1200 X 600 X 456mm height

Simple crash-tested benches are available such as that illustrated below, with a dimension of 1200 X 600 X 456mm height which could potentially serve this purpose with a minimum of visual disruption and are generally in keeping with the aesthetics of the City Hall site.

They would not meet AODA guidelines for bench supports.



06 PROPOSED DESIGN SOLUTIONS

Bay 1



Figure 18: View of Bay 1 existing

06 PROPOSED DESIGN SOLUTIONS

Bay 1

Figure 19: View of Bay 1 proposed

Bay 1 The main area of vulnerability at this location is a stair which faces Bay Street, located approximately 18 metres from the municipal sidewalk at Bay and Main.

Due to limited space at this location and the need for pedestrian access to the ramp and stairs, one option is proposed at this location – permanent rated bollards.



06 PROPOSED DESIGN SOLUTIONS

Park 1

Park 1 is located at the parking lot south of the City Hall. It is an area where hostile vehicles could potentially gain access with sufficient speed while attempting to enter the pedestrian corridor east of the raised terrace adjacent to the City Hall building.

A number of options were evaluated for this location. They included crash-rated swing or sliding gates, removable bollards, site furniture, crash rated planters and public art installations on plinth.



Figure 20: Crash Gate

Crash rated gates and barrier arms were found to be visually intrusive, and capable of impeding pedestrian circulation. Horticulture and Parks Operations staff advised that the inclusion of public art in the corridor would impact the movement of service and maintenance vehicles.

Public art staff advised that the pedestrian corridor was not an ideal location for public art.



Figure 21: Crash gates and crash bars did not meet criteria for pedestrian movement, heritage or aesthetic considerations

It was determined that the best solution for this location would be a combination of permanent and removable bollards.

Horticulture and Parks Operations staff indicated that the design of the bollards would need to consider winter conditions re: snow and ice build-up with respect to locking mechanisms.



06 PROPOSED DESIGN SOLUTIONS

Park 1



Figure 22: View of Park 1 existing



Figure 23: View of Park 1 proposed

06 PROPOSED DESIGN SOLUTIONS

Park 1



Figure 24: View of Park 1 existing



Figure 25: View of Park 1 proposed

07 FUTURE CONSIDERATIONS

All hostile vehicle mitigation measures must be carefully planned at the detailed design stage. It should be understood that many of PAS68 rated elements involve the installation of below ground reinforcement, which could potentially be impacted by the presence of underground utilities and services. This is true of the City Hall site as well as the shoreline areas along Main Street and Bay Street.

Maintenance procedures may need to be modified, based on the type of bollard that is chosen since some products could require the use of machinery, or one or two persons for their removal and replacement.



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08 COSTING

A Class D cost estimate forms part of this report,
and is located in Appendices.

09 SECURITY REVIEW AND DETAILS

Risk Management Report on Hostile Vehicle Borne Attacks in Crowded Public Spaces forms part of this report and is located in Appendices.



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11 APPENDICES

APPENDIX "A": RISK MANAGEMENT REPORT ON CITY HALL FORECOURT HOSTILE VEHICLE BORNE ATTACK

APPENDIX "B": HATE CRIME ARTICLES

APPENDIX "C": IMPACT TEST SPECIFICATIONS FOR VEHICLE SECURITY BARRIER SYSTEMS

APPENDIX "D": CLASS 'D' ESTIMATE HAMILTON CITY HALL PLAZA UPGRADE

APPENDIX "A"

CITY OF HAMILTON

RISK MANAGEMENT REPORT ON CITY HALL FORECOURT

HOSTILE VEHICLE BORNE ATTACK



APPENDIX "A"

Classification: Sensitive and Confidential

CITY OF HAMILTON, RISK MANAGEMENT REPORT ON CITY HALL FORECOURT HOSTILE VEHICLE BORNE ATTACK



Hamilton

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1.0 Introduction

Public safety has always been a fundamentally important premise of crowded public spaces, and the design management of perimeter physical security measures. A crowded space is defined as a location or environment to which members of the public have access that may be considered as a potential target to a terror attack by virtue of its own crowd density. A crowded space includes public spaces such as parks and squares. In each case a crowded space will not necessarily be crowded at all times. Crowded densities may vary during the day and night and may be temporary as in the case of an open-air event, celebration or protest.

The following assessment combined with Appendix "A" and "B" deals with the City of Hamilton, City Hall and potential enhancement of the current exterior public space security measures. This assessment will provide recommendations that will, if implemented, increase the level of prevention and risk mitigation in a crowded public space resulting from an intentional vehicle borne attack. The attacks fuelled by humanly motivated threats such as mental illness, workplace violence, criminal activity, terrorism, hate and bias crimes and other malevolent acts directed to inflict harm against the real property and people assets of City of Hamilton public space.

There are two strong business reasons why the City of Hamilton should consider the security and safety of the City Hall's public space. They are:

Legal Obligations – In the event of a safety or security incident within the public space, your security plans and program are likely to come under scrutiny. Health and Safety at work regulations put the responsibility on the owner, or occupier of the premises, to provide a duty of care for staff and visitors. The same scenario exists in security and assets protection. It is up to the owner/occupier to seek out and implement security accepted and expected best practices and to ensure risk avoidance best practices around safety and security operations in crowded public spaces and act upon them.

Loss of Reputation – A negative event, experience and/or statement against the City's preparedness and support of security in public space and public safety, could be detrimental to the public impression surrounding the safety and security of City Hall and the overall community.

The assessment process included a physical review of the City Hall public gathering area and City square including security-related systems, protective service procedures and historical incident data. This process provided valuable insights for threats, vulnerabilities and remedies related to the protection of people in crowded public spaces. Potential security threats, in and around Hamilton City Hall public space, cover a fairly wide range of acts carried out by individuals acting alone or in groups, whether loosely or highly organized. Individuals or groups that commit acts of vehicle borne attacks have varying motivations and frequently employ characteristic methods related to their motivations. When angry individuals vent their wrath on people and property, the potential for harm in the extent and duration of their emotion could be significant. While we normally think of anger as momentary, it can also ferment over years, eventually erupting in violent rage. Workplace violence and mental illness are the leading causes of high-value losses to organizations and government despite the fact it is so foreseeable.

Researchers, urban planners and security experts support that public space design improvements are one of the best ways to ward off the growing threat of a terror attack that use a motor vehicle as weapon.

Criminals commit crimes against people, property, information and an enterprise's reputation with the intent to gain advantage, do harm or both. Terrorism results from violent, long term stewing rage directed toward a government, nation, a political system and individuals, a building, or an icon that represents something important to the terrorist.

Terrorists rarely act alone, and instead are almost always part of a group of similarly angry individuals. Terrorists will focus on a single purpose and are patient. They are willing to learn, plan and sacrifice themselves for a greater cause at any costs, whether the intended target are individuals who symbolize the cause of their rage or a building and its occupants.

It is a fact that there is a higher incidence of mental issues in lone wolf terrorists compared to terrorists in traditional cell structured groups, although the correlation is not recognized currently as a cause of the terrorist acts.

Hate crimes are offences committed against a person, group or property, which is motivated, in whole or in part, by an individuals hate, bias or prejudice towards an identifiable group based on real or perceived race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or any other similar factor. Incidents involve intimidation, distribution of prejudicial material.

Juristat-Statistics Canada recently released a report on April 30, 2019 entitled "Police-reported hate crime in Canada, 2017" written by Amelia Armstrong, The Canadian Centre for Justice Statistics. This report has been the subject of discussion by concerned groups, including Hamilton City Council, and has also been cited in numerous news reports. The information publicized suggests that Hamilton has the second-highest rate of Canadian Cities for hate crimes.

Interest groups, some private and others publicly funded, suggest there is a crisis for discrimination, racism, hatred and imminent potential for violence and serious crimes against property; concluding the report shows a trend that must receive immediate attention and drastic action to prevent what they see is an inevitable increase in hate motivated serious crimes. The argument by some stakeholders suggests that, based on their anecdotal experience, it is highly probable that hate crimes are being under-reported. These sources suggest the actual increase in hate crimes could be as much as 50%.

It is important to accurately note that what the Juristat report demonstrates is an increase in reporting of hate crimes to police, not necessarily an increase in hate crimes. Other sources that contradict the popular view that Hamilton is a hotbed of hatred while accepting that more can be done includes the quote in the Hamilton Spectator report dated July 26, 2019 by Emerald Bensadoun (The Canadian Press), "The statistics show that hate is an ongoing challenge in our city, Eisenberger said. "An increase in reported hate crimes can be a direct result of increased outreach by our police services or greater public awareness and encouragement of reporting hate."

Another source, apparently contradicting the high rate of hate crimes, is published on the Internet under Microsoft News; "Hate bias incidents decline in Hamilton according to latest police statistics" by Ken Mann, dated March 6, 2019; "Hamilton Police are reporting a modest decrease in incidents with hate/bias overtones. An annual report, presented to the city's Police Services board, says there were five hate crimes in Hamilton last year which matches the number from 2017. Detective Paul Corrigan stated the number of incidents with hate/bias overtones, which police suspect but cannot prove were motivated by prejudices, dropped to 125 from 136. In explaining the difference, Corrigan says that if somebody is assaulted because of their religion or ethnicity, that is a race crime. He adds that graffiti on a building that includes a racial slur is not a hate crime since we can't prove the motivation."

The two important considerations in assessing statistical reports are the reliability and validity of the information presented. Reliability in statistics and psychometrics is the overall consistency of a measure. A measure is said to have a high reliability if it produces similar results under consistent conditions. Validity is the extent that the instrument measures what it was designed to measure. Often when statistics from two or more different organizations, or instruments, are compared, they will present information leading to vastly different reasonable conclusions, as may be the case here.

The consultants searched local Hamilton news using the term "hate crimes" and selected about twenty-six news articles (Appendix "A") to obtain perspective regarding important details of the current social climate and concerns regarding the potential for possible violence or serious property damage. We have also considered the need for balance and caution in respecting freedom of speech and the right to peaceful assembly as guaranteed by the Charter, for all citizens, as well as the priority of protecting the reputation of the city and its representatives. It is important to note that there are only a few independent local news and media agencies providing information to the public, locally, and specific to Hamilton with most of the resources owned by TORSTAR. As a result, any conclusions based solely on local news reports may result in an inaccurate conclusion due to potential bias in the reporting.

While carefully considering these unique circumstances as detailed above, it is apparent that there is disagreement, and a divide, in the community with two active and vocal sides seeking public attention and sympathy, persuading and influencing opinion while behaving in ways that provoke, contrary to the public interest and create the potential for a serious sentinel event. The continued confrontational actions and aggression displayed by people on both sides of the issues should be addressed and managed to mitigate the potential for a problem.

We recognize that the decision on how best to proceed is the prerogative of city council in consultation with the stakeholders. The community resource that is most appropriate with authority to handle public order issues is the Hamilton Police Service. There is a fine line between achieving the objectives of public order, avoiding actions that could push one side or the other to radical (criminal) action or being viewed as heavy handed and violating the charter rights of citizens.

The new bylaw requested by police, and passed by council, may assist in controlling persons and groups that are protesting or counter-protesting using tactics that may result in provocation and a violent reaction from the opposed group. The bylaw provides for authority to remove such persons; however, it remains to be seen if enforcement of the bylaw will be the subject of a charter challenge.

Considering the foregoing information in the report above, and the on-going disputes related to the extreme right and left aligned protesters including the emotions and volatility that have already manifested, there is a high potential for either group to commit a serious crime. This presents a high level of risk for the city creating a duty to deploy risk mitigation techniques and to monitor, and manage, the various activities occurring on city property. Most recent hostile vehicle borne attacks in Canada and North America have led to a re-evaluation of security in many crowded public space locations.

Vehicles are an effective weapon because they require no special skill or training to operate and are both easy to get and ubiquitous. Seeing a vehicle drive down a street or within a public square does not set off any alarm bells for bystanders. This has led to a growing trend where cities are looking to urban planners and security experts to provide ways to separate public spaces physically where cars cannot travel into those areas designated for public gathering and pedestrians.

The following assessment focuses, specifically, on the challenges of increasing the level of security and protection at the City of Hamilton, City Hall and crowded public spaces. Urban security challenges, such as knife attacks and shootings, are numerous and not in scope of this assessment.

2.0 The Solution

To limit the occurrence and impact of a vehicle attack against crowds in public locations, urban designers and security experts have primarily put in place measures that reduce vehicular access to public spaces, as well as seek to maximize the "standoff" distance between the road and "target" locations. Most common amongst such initiated security controls have been barrier methods of protective security, notably crash-rated security barriers, steel bollards, or simple temporary concrete blocks, all of which are intended to limit access by a vehicle seeking to attack a crowded public space. This barrier approach to securing public realm is seen by many as disproportionate as it impacts the livability, walkability, character and accessibility of public space significantly. For some, such hyper-security risks, and their security measures, create "sterile" public space where the general public fear to gather.

Protective security, in the sense, does not provide feelings of safety and security and indeed can have opposite effect and be viewed as an architecture of paranoia. Until recently, security techniques that have traditionally been applied to public space have largely been based on guard and policing style approaches that seek to secure access to risky locations through robust physical security interventions. Such approaches are similar to commonly understood planning techniques such as "Crime Prevention through Environmental Design" (CPTED).

CPTED concepts are implemented by use of security barriers and enhanced surveillance to seek to make spaces safe through the manipulation of the built environment in ways that reduce the attractiveness and physical access to possible targets. In practice and faced with an escalating threat of urban acts of terror, this has meant the deployment and use of security barriers, benches, planters and bollards.

3.0 How Security is Transforming Public Space

We now live in an era where the safety of the public is a requirement in crowded public spaces. The circumstances and situations are always changing as, notably, terror groups are increasingly targeting crowded places that cannot be altered without radically changing how we address and experience our Cities' public spaces. In 2016 vehicle attacks, in public spaces, accounted for the largest number of terrorism casualties in the West resulting in 601 deaths. The primary terrorist threat continues to be individuals and groups inspired by violent ideologies.

In the western world, including Canada, terror groups who represent threats and attacks are unsophisticated and deploy low resource tactics such as vehicle ramming to achieve mass casualties and obtain publicity. Not only has the use of vehicles to attack in crowded places become the chosen tactic, it also requires little in the way of skills and resources to achieve high impact results, through mass injury or death. This method is favored to obtain significant publicity and reaction for little in the way of investment or pre-planning.

There are vital aspects that the City of Hamilton needs to consider in their design plans to help avert this growing trend of vehicle borne attacks. An important consideration is that the design should be as un-intrusive as possible. The design process requires innovative thinking to be applied. The evolving theme is that security features should, where appropriate, be as unobtrusive as possible. In some applications, this has led to security features that increasingly are integrated within the streetscape. In response, the challenges a number of cities have now advanced strategic oversight on how city operators of public space can mitigate the risks of the latest is the movement of vehicle borne attacks against crowded locations. This has been done through embedding security into landscape design plans in ways that reflect upon, and mitigate, threat vectors into effective, protective security measures that are considered at the earliest opportunity within a design process, and which are proportionate with the level of risk faced. The anticipated need for security design highlights that this task requires an integrated input by stakeholders who design, manage and secure the use of public spaces and who work together to protect the public from such vehicle borne attacks.

4.0 Security Design Concepts

Concerns surrounding security in the build environment have grown because of the increase in vehicle borne terror like attacks over the last decade in Canada, USA and Europe. In addition, court decision on premise liability have increased the demand for enhanced security significantly. As crime, sabotage, mental illness, terror and other acts of violence increase against people, architects, urban planners and security experts are being called upon to address the challenges. The primary components of an effective security design, in the protection of people in crowded spaces, are detection and deterrence concepts to thwart malicious threats before they can be carried out.

The concepts drive value through design by combining performance with costs and aesthetics. The design is also required to address the needs of people with impaired mobility that find it difficult to walk even relatively short distances. The introduction of resting places with seating helps to ensure that the environment remains inclusive.

4.1 Historic Building

The City Hall is recognized as an Historic Building so the designs must consider the impact on character and on the historic fabric, including ground surfaces. The design impact must involve both visual and physical features. Throughout the design process we have taken into consideration the Historic classification and have coordinated with the appropriate stakeholders.

4.2 Crime Prevention through Environmental Design

Crime Prevention through Environmental Design (CPTED, pronounced sep-ted) is an environmental-behaviour theory and methodology based on the proposition that enlightened architecture and site design deters criminal behaviour and reduces the fear of crime. CPTED offers a comprehensive basis for approaching and developing security solutions. It is based on the notion that effective design and use of the built environment can reduce predatory stranger-to-stranger crime while supporting all intended building functions and improving quality of life for users. CPTED theory draws on both social and physical sciences. Oscar Newman's 1971 work defensible space as well as ¹Tim Crowes efforts in the early 1990s developed CPTED theory by integrating behavioural psychology, the sociology of human behavior and architectural design to create safer environments.

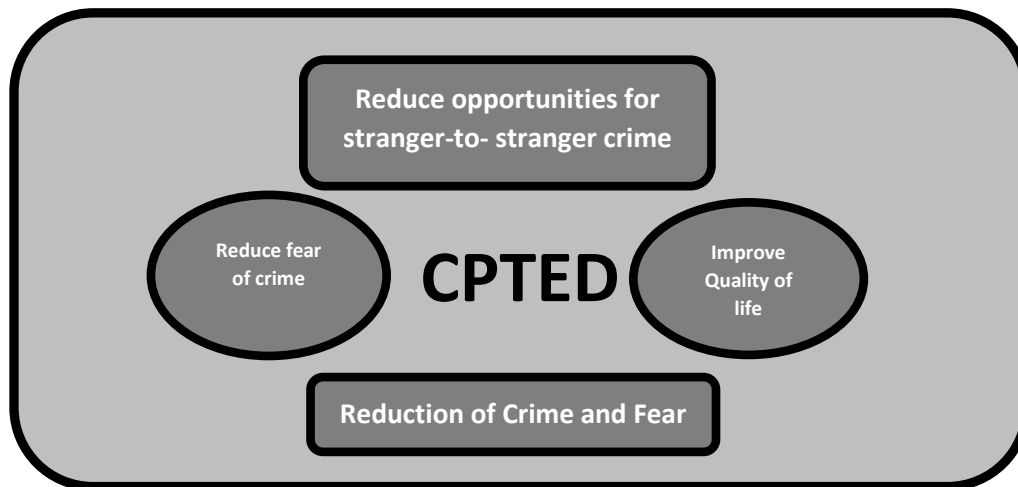


Figure 1 Goals and Objectives for Proper Design and use of Built Environment

¹ Timothy Crowe-Crime Prevention through Environmental Design; Applications of Architectural Design and Space Management Concepts. (Butterworth-Heinmann 2000)

The CPTED process employs three types of security concepts to achieve the objective of creating physical space that considers the needs of legitimate users, the normal and expected (or intended) functions for the space and the predictable behaviour of illegitimate users and intruders. They are as follows:

Mechanical concepts - known as target hardening mechanical concepts and measures emphasize hardware and technological systems, such as locks, fencing and gating, key control systems, closed circuit television (CCTV) and other security technologies. Mechanical measures should not be relied on as a sole means of creating a secure environment. Mechanical concepts should be used in conjunction with organizational and natural measures.

Organizational Concepts – these concepts rely on people (individuals and vested groups) to provide surveillance and access control functions in the spaces they occupy. Organizational measures may use security guards, designated guardians and others with the ability to observe, report and intervene in undesirable or illegitimate actions.

Natural Concepts – These concepts employ physical and spatial features such as site architectural elements to ensure that a setting is designed to deter crime while supporting the intended use of the space. Natural measures are also used to reduce conflicts between user and useage. Examples of natural features include landscaping, outdoor seating and plants, fences, gates, walls and stairs. In the City of Hamilton's case we need to study and deploy natural concepts to mitigate attack with consideration of maximum speed angles of attack, approach routes and traffic calming techniques.

Security zoning provides the tools that can be used in conjunction with the other two CPTED concepts and strategies to incorporate security measures into a building and its exterior perimeter design. Security layering defines the defensive elements of a facility in three primary elements: the site and its perimeter, the building envelope and the building interior, each of which can be visualized as a series of concentric rings and zones. Each layer contains spaces that go from public to semipublic to private. Combinations of various physical, technological and operational security measures can be applied to these primary lines of defense as well as the areas between them.

The site perimeter provides the first and greatest opportunity for achieving a secure site and success in risk avoidance when dealing with threats of vehicle borne attacks. Our site security analysis considers the site perimeter and grounds of City Hall and its elements that serve as the first level of security defensive planning. There is no "one size fits" all solution. Our three design solutions will prevent access to, or close proximity of vehicles to the public space with measures that reduce speed of vehicles approaching the site or its defences. We will employ urban design principles which will include a sustainable and attractive environment, site character creating an identity and where access to the public is clearly identified.

5.0 Risk Assessment

Hostile vehicle borne threats range from vandalism to sophisticated or aggressive attacks by determined criminals and terrorists. Identification of potential attack methods by use of a risk assessment, and the site assessment, helps to identify the most appropriate passive and active mitigation techniques to be used. The site risk assessment will review the potential maximum speeds and angles of attack that can be achieved by a vehicle borne attacker. Decisions on counter-terror measures will consider the risk of attack to which City Hall Forecourt is exposed. Assessing the risk enables specification of proportionate security measures tailored to the city public square crowded space as no single control measure fits all applications.

The assessment methodology used for this assessment has been developed by ASIS International, "General Security Threat Risk Assessment Guideline" www.asisonline.org. The qualitative threat risk assessment methodology conforms to industry guidelines and best practices. The assessment will include the security practitioner's subjective industry experience in identification and characterization of assets, threats and overall risk profile and exposure. A threat assessment will be conducted to identify adversaries and specific perils that could affect the City of Hamilton, City Hall Forecourt "crowded public space". A vulnerability assessment will then be conducted. Once these stages are complete, the level of risk is formulated with respect to exposure to each asset. A comprehensive set of recommendations are then offered to assist in mitigating the identified risk and reducing security risk exposure to acceptable levels.

The recommendations consider the use and interaction of multiple physical security and/or procedural countermeasure remedies. The threat risk assessment impact ratings have been assigned to each critical asset (as Very High, High, Medium or Low) through a process of determining asset severity/sensitivity, or nature of harm, that may result if the asset was to be lost, devalued or become compromised in some way. The security assessment determines the most probable threat events to protect against. Throughout the assessment process, we understand that vulnerability is a characteristic, attribute or weakness of any asset, within a system or environment, and which increases the probability of a threat event occurring or the severity of its effects causing harm. The presence of vulnerability does not, in itself, cause harm; vulnerability is merely a condition, or a set of conditions, that could allow an asset to be harmed by an attack or threat. The scope of this assessment is limited to the City Halls exterior forecourt and perimeter crowded spaces. Areas outside of the scope will be considered on a limited basis only (e.g. for characterizing the local threat environment).

5.1 Asset Identification and Classification

An asset is anything from people, property and information owned, possessed or used that has a positive value to the City, both tangible and intangible. Specifically, to stay within scope we have grouped the city’s assets into two distinct asset categories that include: people and reputation.

For the purpose of the threat risk assessment, people and reputation assets are evaluated based on their criticality (i.e. their relative influence on enabling the city to fulfill its business objectives) and/or their impact (i.e. the severity of consequence experienced by the city if those assets were lost, death occurred, injured or became unavailable). Each asset is evaluated on a scale of severity. Assets identified as people, and the result of injury or death. Assets identified as the city’s brand, and subsequently its ability to attract tax-paying residents. Managing this reputation from a public safety viewpoint becomes a critical asset for Hamilton as a matter of municipal government competition.

The two assets/categories have been identified below, along with their evaluated sensitivity/impact, which was devised based on conversations with the project sponsor. The identified assets are typical within a municipal government setting, as demonstrated in the table “Asset Identification and Classification Chart”.

No.	Asset Identification and Classification	Criticality/Impact	Motivation
1.	City Staff, Residents, Visitors/Tourists and Protestors An individual’s life	High	Result of an act of ideological terrorism ² (terror) towards the City, a protesting group or an individual within the City Hall forecourt
2.	City Reputation The reputation of the City of Hamilton to attract residents and economic business growth	High	Unintentional or intentional act of terror, criminal intention, malicious damage, accidental or medical emergency within the City Hall forecourt

² Ideological Terror refers to an individual or small group who terrorize for the purpose of imposing their political ideals on others

5.2 Threat Profile

Threat Event	Motivation	Capabilities	Vulnerability/Tactic
Penetrative Attack	Ideological Terror	Lone adversary or small group using extensive training and preparation	Hostile vehicle negotiates an attack through an incomplete line of defence to use the front or rear of the attack vehicle as a ram to inflict harm/injury/death to people or to breach a target within the City Hall forecourt
Penetrative Attack Deception	Ideological Terror	Lone adversary or small group using extensive training and preparation	Deception technique prey on human weakness by use of a trojan vehicle to conduct a penetrative hostile vehicle attack against persons and/or individual life asset within the City Hall forecourt (use of a vehicle which is a replica but familiar to the site occupants) eg: white City of Hamilton fleet vehicle with fake City of Hamilton vehicle decal

We have assessed that a hostile vehicle borne attack within City of Hamilton, City Hall forecourt is currently a medium probability based on the current Canadian and United States of America incident history. In the overall context of our society at large in the greater Toronto area, provincially and federally there have been recent high-profile attacks using a vehicle. Regardless of the motivations for the attacks, being of political ideology, hate bias, criminally motivated or caused by a mental health crisis there is clearly a recent history of such attacks in our wider community.

The current Federal Public Report on the Terrorist Threat to Canada, states that Canada's current terrorism threat level is **Medium**, meaning that a violent act of terrorism could occur, and has been at this level since October 2014. These facts, combined with the broad history, suggests a higher state of preparedness, threat and vulnerability mitigation measures are advisable despite the lack of localized incident history of a vehicle borne attack.

The unique status of City Hall, being the seat of municipal government and City administration, raises the potential of a threat event. In addition, more aggressive activists or community members may present a greater threat of property damage, injury or reputational damage for the City. Some municipalities in Ontario are beginning to study and implement higher levels of security in the built environment both involving interior and exterior security measures that are more reminiscent of a courthouse than a City Hall. There is some justification to implementing such measures. For example, please see the City of Toronto report and associated bulletins available on line at:

<https://www.toronto.ca/legdocs/mmis/2018/ex/bgrd/backgroundfile-116682.pdf>

The exterior City Hall forecourt and outer perimeter requires careful review and consideration for ways to mitigate the reported threats that could possibly capitalize on its current vulnerability.

5.3 Assessment of Probability of Occurrence

Threat Event	Probability of Occurrence	Assessment of Impact
Penetrative Attack	Medium	High
Penetrative Attack Deception	Medium	High

Probability Definitions	
Low	There have been no reported incidents and there is a low probability that the threat will occur
Medium	There have been reported incidents and indicators of the threat within 3 years and there is some possibility that the threat will occur
High	There have been several reported incidents or indicators of the threat, and the threat will most likely occur
Very High	The threat is imminent

5.4 Assessment of Impact

Impact Assessment Level Definitions	
Low	No personal injury or loss of life impact
Medium	Staff, visitors, residents and protestors may experience some personal injury or casualties/death
High	Staff, visitors, residents and protestors will more than likely experience serious injury and/or casualties/death
Very High	Staff, visitors, residents and protestors will experience significant serious injury and casualties/death

6.0 Integrating Security Concepts into Public Spaces

A full VDA Vector Analysis in accordance with (Appendix “B”) will be required to be completed prior to final consideration of any one of the three proposed designs the City wishes to implement. The vector analysis conforms the rating of each type of barrier and its location in relationship to potential attack speeds to ensure that the appropriate impact level has been considered to ensure barriers are not under or over engineered.

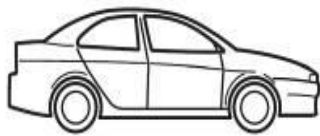
Vehicle security barriers provide the hard stop for penetrative vehicle attacks. They are structural in nature and can be either active or passive. Active measures include hinged and sliding gates, retractable blockers and bollards. Passive measures include bollards and structural barriers such as benches, planters, landscape features, earth works, walls, bike racks, shelters and information display advertising boards. Active and passive barriers typically require structural foundations in order for the barriers to perform to their appropriate impact rating in the event of an attack. Some barriers need to accommodate existing underground utilities’ placements. Regardless of what type of barrier, active or passive, in the context of public safety active barriers are considered to be “machinery. Active barriers have superior maintenance and servicing during their lifetime.

The site design takes into consideration recognized regulations that evaluate impact performance of each passive and active barrier. The Centre for the Protection of National Infrastructure (CPNI) and equivalent USA bodies have published impact testing and installation guidelines entitled PAS 68 “Specification” for Vehicle Barrier and PAS entitled “Guidelines” for the Selection, Installation and Use of vehicle security barriers. PAS 68 given performance ratings are based on the following six categories: Vehicle Impact, Vehicle Mass, Impact Speed, Impact Angle, Penetration and Debris Dispersal. The Standards Publication is attached as Appendix “B”.

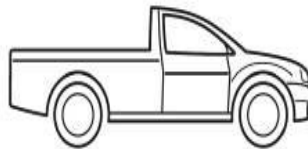
A visual digital vector analysis has been conducted on the subject areas of vulnerability. We considered how negotiable the surrounding landscape is, combined with maximum speed and angles of attack, could be achieved. In addition, we reviewed traffic management profiles of approach vulnerabilities and traffic calming techniques that could be deployed.

7.0 PAS 68 Vehicle Impact Testing

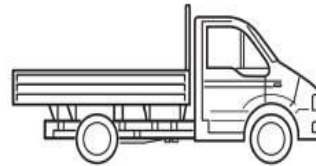
Six vehicle types are used in BSI PAS 68 impact testing



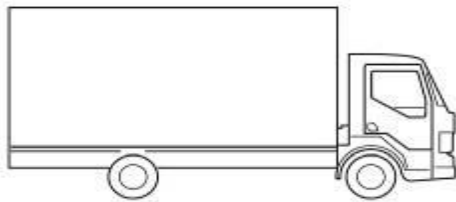
1.5 tonne Car
(M1)



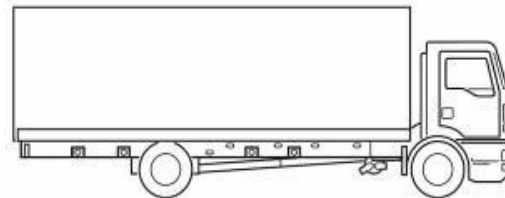
2.5 tonne 4x4 Pickup
(N1G)



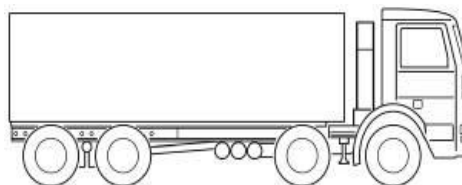
3.5 tonne Flatbed Van
(N1)



7.5 tonne 2 Axle Truck
(N2)



Empty '18 tonne' 2 Axle Truck
(N3)



30 tonne 4 Axle Truck
(N3)

8.0 Performance Classification

The performance class is expressed in terms of a 7-part classification in accordance with the below Table 1.

Table 1 Performance classification – vehicle impact test

	1	2	3	4	5	6	7
	VSB system type	V	Inertial test vehicle mass kg	Test speed km/h	Impact angle °	Vehicle penetration m	Dispersion of major debris m
<i>Example:</i>	PAS 68:2013 Fixed bollard	V	4- or 5-digit vehicle mass and test vehicle classification	2-digit or 3-digit impact speed	Any angle between 0° and 90° in 5° intervals	To 1 decimal place where X.X is the penetration	To 1 decimal place where Y.Y is the dispersion distance

Performance classes example a **PAS 68:2013 FIXED BOLLARD V/1500(M1)/48/90:1.7/5.2** denotes:

1. Fixed bollard
2. Tested using the vehicle impact method
3. Capable of withstanding an impact by a 1500Kg car
4. Impact speed 48 km/h
5. Impacted at 90-degree angle to the front face of the bollard
6. Vehicle penetration was 1.7 m beyond the original position
7. Major debris landed no more than 5.2 m beyond the original position of the rear face of the bollard

9.0 Vehicle Attack Case Studies

The following selected vehicle attacks from Canada and the United States of America are listed in tables following a consistent format for comparison and assessing the potential for such attacks in other venues or facilities that are characterized as Soft Targets in Crowded Places. Three of the selected cases occurred in Canada. The cases are entered chronologically from latest to earliest.

9.1 Table 1 Monday April 23, 2018 North York Van Attack

Perpetrator	Alek Minassian (25 years of age)	
Note: Cited as the “Deadliest vehicle ramming attack in Canadian History”		
What stopped the attack	Van damaged causing driver to stop and exit vehicle where he was confronted by police who arrested him after he threatened and taunted police to kill him	
Motive	Ideological: Incel Movement (Involuntary Celibate uprising). The subject stated he wanted to incite an uprising related to Incel ideology so that men would be killed and women would develop relationships with men identifying with Incel.	
Modus Operandi	Subject rented a van and drove to the centre core of the city of Toronto, driving south on Yonge Street until an opportunity and targets were identified. Subject drove onto the sidewalk and drove with speed toward pedestrians striking them with the vehicle. Some accounts indicate the subject specifically targeted women and attacked some women accompanied by men, running over whoever was in his way. The police state there is no evidence to indicate that women were targeted specifically.	
Number of casualties	Killed: 10 victims (8 women, 2 men)	Injured: 14 victims
Final Disposition of Offender	Arrested and incarcerated while jurisprudence takes its course	
TAPI (Terrorist Attack Pre-Incident Indicators)	Subject self-radicalized and engaged radical social media including Incel related forums such as ³ 4chan. Post attack media reported on-going mental health, socialization and behavioral difficulties were noted by neighbors and previous classmates that were of concern to the family, however these concerns were not addressed as a matter of community safety.	

³ 4chan is an 'imageboard' — an online discussion forum where users are encouraged to post images

	It is a fact that there is a higher incidence of mental issues in a lone wolf terrorist compared to terrorists in traditional cell structured groups, although the correlation is not recognized currently as a cause of the terrorist acts.
Security Counter-Measures	None in place – attack not anticipated
Recommended Counter-Measures	<p>Social media monitoring and enhanced security posture standards/implementation when appropriate.</p> <p>Design of pedestrian safe streetscapes, including vehicle barriers, exit/escape areas for pedestrians, authorized/emergency vehicle access measures required for the pedestrian zone.</p> <p>Police/security presence in areas that are soft targets, crowded places.</p> <p>Counter-surveillance, terrorism, active attacker and situational awareness training and practices for people in high profile occupations: federal, provincial and municipal service.</p> <p>Active attacker prevention and intervention training for security personnel, including equipping guards with legal and available means to reasonably stop an attack in progress, if able.</p> <p>Behavioral indicators training for security personnel.</p> <p>Standing orders/action plans to mitigate attacks and facilitate ending an attack immediately.</p>

9.2 Table 2 Tuesday, October 31, 2017 Hudson River Bicycle Path Vehicle Attack

Perpetrator	Sayfullo Habibullaevic Saipov, formerly of Uzbekistan, 29 years of age
Note	Sources cited this as the 15 th vehicle attack by Muslim extremists in Europe and North America since 2014, killing 142 people
What stopped the attack	Police lethal force
Motive	<p>Ideology/terrorism: The subject told investigators he was inspired by ISIS videos to use a truck in the attack "to inflict maximum damage against civilians."</p> <p>Inspired by ISIS/ISIL</p>

Modus Operandi	Used a pickup truck rented in New Jersey to enter onto a bicycle path and run over numerous civilians	
Number of casualties	Killed: 8 Victims	Injured: 11 Victims (4 Additional victims injured on the school bus)
Final Disposition of Offender	The subject collided with a school bus while fleeing, was shot by police and arrested. He is currently serving a prison sentence in a federal penitentiary.	
TAPI (Terrorist Attack Pre-Incident Indicators)	<p>Working as a truck driver, starting in 2015 the subject received numerous citations for driving offences. In one of the first cases, he did not elect to a court defense or pay the fine, a warrant was issued and he was arrested, posting a bond. The many infractions, and his actions/omissions related to the traffic laws system, may have indicated an anti-authoritarian mindset or ideology (non-recognition of western laws and justice).</p> <p>Sources state the subject was described by an associate as "a little aggressive."</p> <p>The subject lived behind, and attended, a mosque that was the subject of NYPD surveillance (investigating possible radical ties).</p>	
Security Counter-Measures	Transportation initiatives after two vehicle accidents on the path resulted in fatalities on the bike path in 2006 recommending barriers were ignored.	
Recommended Counter-Measures	Use barriers to segregate pedestrian and vehicle zones, including bollards and/or staggered gates/concrete barricades to mitigate vehicles driving on pedestrian paths/boulevards.	

9.3 Table 3 Saturday September 30, 2017 Edmonton U-Haul Attack

Perpetrator	Abdulahi Sharif (30 years of age) a Somali national and refugee.	
What stopped the attack	After the 2 nd attack the police rammed and forced the subject’s vehicle off the road then arrested him.	
Motive	Reasonably assumed to be political ideology/terrorism	
Modus Operandi	Subject used a car to run down, and then stab an Edmonton police officer before escaping. Later during the police pursuit, he struck an additional four pedestrians. ISIS flag was displayed in the attacker’s vehicle.	
Number of casualties	Killed: None	Injured: Five
Final Disposition of Offender	Arrested and incarcerated awaiting jurisprudence (convicted pending sentencing December 2019).	
TAPI (Terrorist Attack Pre-Incident Indicators)	He was reported by a colleague to the Police after he expressed his hatred for Shia Muslims and “Polytheists” and expressed support for ISIS. The RCMP and Edmonton police investigated him in 2015 for extremism, and he was deemed "not a threat".	
Security Counter-Measures	Interviewed/investigated by police who concluded he was not a threat.	
Recommended Counter-Measures	Standards providing guidance for police to monitor activities and behaviors of subjects reported as possible extremists for a set period of time (minimum and maximum). Enhanced event security standards and protocols at venues identified as soft target crowded spaces including additional pedestrian zone segregation and enhanced formal surveillance (security/police) on the perimeter. All police/security personnel must have advanced awareness, threat recognition and intervention training and capability as noted under recommended counter measures in the Alek Minassian attack synopsis as noted above.	
Notes: Prior to entering Canada under a refugee claim, the subject had been detained by United States Immigration and Customs Enforcement (“ICE”) and held in custody four months pending deportation to Somalia. He was released through the US Courts system on an “Order of Supervision” where/when authorities lost track of him.		

9.4 Table 4 Saturday August 12, 2017 Charlottesville, Virginia Car Attack

Perpetrator	Alex Fields Jr, 20 years of age, white supremacist	
What stopped the attack	The subject fled the area when counter-protestors attacked him in his car, reportedly breaking through the back windshield He was later arrested by a deputy about a mile from the attack site	
Motive	Ideology/domestic extremist philosophy, anger at counter-protestors (some sources class this as domestic terrorism)	
Modus Operandi	The subject, a right-wing white supremacist/extremist, intended disruption and injury to the counter-protest activists who were faced off against the right-wing extremists.	
Number of casualties	Killed: 1 Victim	Injured: 8 Victims critically injured, numerous other minor injury victims (more than fifteen)
Final Disposition of Offender	Arrested, convicted and sentenced to life in penitentiary plus an additional 419 years	
TAPI (Terrorist Attack Pre-Incident Indicators)	<p>The subject showed early signs of extremist and violent behavior, including:</p> <ul style="list-style-type: none"> Domestic violence directed at his mother Sources indicate the subject suffered mental health issues and was taking medication to control psychosis and anger Drawing swastikas and vocalizing admiration for Adolf Hitler in middle school The subject posted Nazi and white supremacist images and statements on social media Typical indicators of lone wolf terrorism; mental issues, self-radicalization, social rejection, subject engaged with radical social media – There is a documented correlation that mental issues are more prevalent in a lone wolf terrorist compared to traditionally organized terrorist cells. 	

	Mental issues are correlated, however contrary to popular belief are not usually the cause of a violent act. The violent act is attributed to the lone wolf's ideology. Some hypotheses suggest that lone wolf views, behaviors and poor socialization skills preclude acceptance by extremists organized in traditional cells.
Security Counter-Measures	Police were deployed to monitor the protest and keep the peace however it is reported the officer deployed nearby the starting place of the attack had been extricated for safety reasons due to violent clashes between the two opposing protest groups.
Recommended Counter-Measures	<p>Public safety planning for organized protests.</p> <p>Public Order/Service unit officers ("riot squad") deployed early at controversial protests and use of standard crowd control/anti-riot measures; crowd control stanchions, segregation of opposing groups, etc.</p> <p>Arrests/detention of instigators and perpetrators when a criminal "threshold event" occurs (assault or property damage, etc.) by a special police unit (riot squad)</p> <p>Security guards with proper crowd control training and defensive equipment deployed inside locked perimeter areas.</p> <p>Traffic control; including street closures and separation of the pedestrian and vehicle zones with temporary, heavy barricades such as Jersey barriers, etc.</p>

9.5 Table 5 Thursday, May 18, 2017 Times Square Car Crash

Perpetrator	Richard Rojas, 28 years of age, resident of The Bronx and a military veteran
What stopped the attack	Specially designed anti-vehicle attack bollards installed in a pattern known as a "redundant defense" to slow down and disable vehicles.
Motive	Some sources indicate the subject was suffering temporary psychosis due to illicit drug use (PCP). The subject made statements while impaired by drugs that he wanted to commit "suicide by cop."
Modus Operandi	Mayor Bill de Blasio said there was "no indication that this was an act of terrorism," but officials said it was unclear what motivated Rojas. (Source USA Today on line)

Number of attackers/assailants	One	
Number of casualties	Killed: 1 Victim	Injured: 22 Victims, 4 critically injured
Final Disposition of Offender	Arrested	
TAPI (Terrorist Attack Pre-Incident Indicators)	<p>Some sources provide that the subject was arrested numerous times for offenses ranging from drunk driving to weapons charges to harassment. He was also arrested in 2012 in Jacksonville, Fla. after he allegedly attacked a cabdriver and said he was going to kill cops, the Post reported.</p> <p>One of his friends said Rojas had developed a drinking problem after his military service, using it as medication for his "dark thoughts and moods."</p> <p>Social media posts described as "demonic" content.</p> <p>According to authorities, and his friends, his mental health issues dated back to his childhood though he never sought psychiatric care, becoming more paranoid and increasing his intake of marijuana and alcohol.</p> <p>The subject was obsessed with Scientology and had accumulated literature on the religion. He recently got back his car after it was repossessed a short time before the incident.</p> <p>A week before the incident, he was arrested and charged with pointing a knife at a notary, whom he accused of stealing his identity.</p> <p>The subject was arrested twice for drunk driving, in 2008 and 2015. Police authorities also said he was arrested a week before the attack when he allegedly pulled a kitchen knife on a visitor at his Bronx home.</p> <p>In April 2015, he was arrested for Driving While Impaired (DWI) in Manhattan</p>	
Security Counter-Measures	Specially designed bollards to segregate the pedestrian and vehicle zones and stop vehicle attacks.	
Recommended Counter-Measures	Installation of security barriers at the starting and finishing points of pedestrian paths to prevent vehicle entry.	

9.6 Table 6 Monday November 28, 2016 Ohio State University Attack

Perpetrator	Abdul Razak Ali Artan, about 18 years of age, Somali citizen naturalized in the USA	
What stopped the attack	Police lethal force	
Motive	<p>The Ohio State University student who carried out a knife attack on campus Monday said in a Facebook post he was "sick and tired" of seeing fellow Muslims "killed and tortured," according to federal law enforcement officials. (source: CNN).</p> <p>Apparent self-radicalization through messages inciting violence from ISIS/ISIL with sources reporting additional radicalization through the radical cleric Anwar al-Awlaki.</p>	
Modus Operandi	<p>Sources indicate an emergency call for a fluorine leak at the campus Watts Hall prompting an evacuation and crowd of students and faculty in the established emergency gathering place.</p> <p>The attacker drove a Honda Civic into the courtyard and ran over several people before crashing into a wall and left the vehicle to attack others with a butcher knife.</p> <p>This M.O. strongly supports the conclusion that the perpetrator pre-meditated the attack with knowledge of emergency response at the venue to draw victims into a crowded area to maximize victims and injuries resulting from the attack.</p>	
Number of casualties	Killed: 1 victim (additionally the subject was killed by police)	Injured: 11 victims
Final Disposition of Offender	Shot and killed by police during the attack when he failed to obey orders to stop.	
TAPI (Terrorist Attack Pre-Incident Indicators)	<p>The subject posted radical messages on social media including righteous indignation and repercussions for western citizens oppressing Muslims.</p> <p>Sources report high levels of concern from federal law enforcement about car ramming and stabbings being encouraged by online extremist propaganda due to the relative ease of committing them compared to bombings.</p> <p>ISIL had been urging its followers to copy a car ramming attack in Nice, France, that killed 86 people.</p>	

Security Counter-Measures	<p>Reactive: colleges across the United States. began revisiting their emergency response plans as a result of the attack.</p> <p>Ohio changed laws allowing, when approved concealed carry of firearms on campuses. Federal initiatives were implemented to train people treating catastrophic injuries before paramedics arrive at the scene.</p>
Recommended Counter-Measures	<p>Social media monitoring. Workplace/facility protocols to address concerns and signs related to potential violence.</p> <p>Train and equip responders on site (police/security) to prevent and respond to active attacks.</p> <p>Select primary, secondary and tertiary gathering places that are protected from vehicles to be used at random during emergencies.</p> <p>Establish emergency response procedures with designated safety/security personnel assessing and searching escape routes and gathering places for other dangers (attackers or bombs).</p> <p>Establish emergency response procedures requiring designated safety/security personnel assessing and searching Incident Command Centres and EOCs for dangers.</p>

9.7 Table 7 Monday, October 20, 2014 Saint Jean sur Richelieu, PQ Car Attack

Perpetrator	<p>Martin Rouleau (A.K.A. Ahmad LeConverti - Ahmad the Converted)</p> <p>Born in Canada, about 25 years of age</p>
What stopped the attack	<p>Initial attack ended when the perpetrator fled resulting in a police pursuit, subject shot dead by police when he ran his car into a ditch, left the vehicle and attacked an officer (or officers) with knives, charging toward them on foot.</p>
Motive	<p>Terrorism (Self Radicalized Lone Wolf) Targeted at Canadian Soldiers. Inspired by ISIS. Subject had failed a Canadian Armed Forces training program in Saint Jean sur Richelieu which may have additionally contributed to a motive stemming from rejection.</p>

Modus Operandi	Subject seen waiting in his car, conducting surveillance up to two hours before the attack. Rammed his car into two soldiers at a retail plaza with a Service Canada office. Called 911 to claim credit for the crime and stated the attack was committed in the name of Allah while fleeing from Police.	
Number of casualties	Killed: 1 Victim (attacker also killed by police)	Injured: 1 Victim
Final Disposition of Offender	Killed by police	
TAPI (Terrorist Attack Pre-Incident Indicators)	Converted to Islam about 2013, radicalized over a period of about 18 months. He began speaking about Jihad about April or May 2014. He posted the logo of the Islamic State of Iraq and Al-Sham on his Twitter page and wrote on Facebook that "disbelievers" were destined for "the fire of hell." July 2014 – his passport was seized by RCMP as he was trying to "leave the country." Typical indicators of lone wolf terrorism; mental issues, self-radicalization, social rejection, subject engaged with radical social media inciting terrorist action and violence by whatever means available and against any targets representing western ideals.	
Security Counter-Measures	None implemented other than restricting subject from leaving the country.	
Recommended Counter-Measures	Counter-surveillance, terrorism, active attacker and situational awareness training and practices for people in high profile occupations: federal, provincial and municipal service. Behavioral indicators training for security personnel. Secure parking zones for high profile employees. Security patrols to intervene with suspicious people and circumstances.	

9.8 Table 8 Friday, March 3, 2006 University of North Carolina at Chapel Hill Attack

Name of Event/Reference	University of North Carolina at Chapel Hill	
Location	Date: Friday March 3 2006	Time of Day: Afternoon
Duration of event	Time elapsed before attack ended	
What stopped the attack	The subject pulled over after the attack, called 911 to claim credit for the attack and turned himself in to responding police.	

Motive	Teheri-azar later says is retribution for the killing of Muslims overseas. Sources indicate that in one letter, Taheri-azar wrote, "I was aiming to follow in the footsteps of one of my role models, Mohamed Atta, one of the 911 hijackers, who obtained a doctorate degree." He told investigators he wanted to "avenge the deaths or murders of Muslims around the world." Taheri-azar said in interviews with detectives that day he committed the attack "because people are being killed by the government of the United States" in the Middle East and that it was his "right in religion to avenge their deaths."	
Modus Operandi	Subject drove a rented SUV into an area crowded with students at the University of North Carolina at Chapel Hill	
Number of casualties	Killed: None	Injured: Nine (reported as not serious injuries).
Final Disposition of Offender	Sentenced on two counts of attempted murder in 2008 and is sentenced to 33 years in prison. It is projected he will be released in 2032.	
TAPI (Terrorist Attack Pre-Incident Indicators)	Some associates (students and teachers) described him as quiet, normal and well-adjusted to western ideals while others described him as a brooding loner who rebelled against even the practices of Islam.	
Security Counter-Measures	Security counter-measures were removed for an unknown reason. It has been reported that this soft target crowded place area was normally protected by barricades to separate the pedestrian and vehicle zones but the barricades were removed and not in place at the time of the attack.	
Recommended Counter-Measures	Policy and procedures defining when, who, how and why removal of barricades separating pedestrian and vehicle zones may be temporarily removed in limited quantities/areas, enhanced monitoring during removal and immediate replacement when the condition requiring removal is resolved.	

9.9 Other Vehicle Attacks

The following article, available on the internet (Wikipedia) provides a timeline and synopsis of 44 attacks from around the world either using a vehicle as the primary weapon and/or to facilitate the initial attacks. The article additionally lists 95 vehicle attacks classified as non-terrorist related (including the North York van attack) for which the motivation is alternately criminal, including anger, revenge and intoxication from years 1953 to 2019. There are three additional attacks for which the motive has not been determined.

https://en.wikipedia.org/wiki/Vehicle-ramming_attack

There is the potential of a violent attack perpetrated using a vehicle as the primary weapon motivated by terror ideology, personal violent ideology, anger, hate bias, revenge or psychosis caused by mental issues or intoxication matters. The fact is that there is an established history of vehicle attacks globally, in North America and within Canada. Considering the opinions and conclusions of various experts, the chance of reoccurrence is a foreseeable risk that requires consideration of various reasonable security measures to prevent or mitigate injury, death and property damage. This includes design of safe crowded spaces pedestrian zones, adequately segregated from vehicle zones and vehicle intrusion counter-measures as part of a total security and safety program.

APPENDIX "B"

HATE CRIME ARTICLES

CITY OF HAMILTON RISK MANAGEMENT REPORT ON

CITY HALL FORECOURT HOSTILE VEHICLE BORNE ATTACK

APPENDIX "B"

Classification: Sensitive and Confidential

CITY OF HAMILTON, RISK MANAGEMENT REPORT ON CITY HALL FORECOURT HOSTILE VEHICLE BORNE ATTACK



Hamilton

Author:
Terry Hoffman, CPP, CBCP, CPTED



Appendix "B" Hate Crime News Articles

1. Ancaster home repeatedly vandalized with anti-Semitic graffiti before blaze: Owners' son Mischief 'predicated on hatred for Jews, should hopefully raise some alarms, Brandon Kirsch says.

<https://www.sachem.ca/news-story/9569053-ancaster-home-repeatedly-vandalized-with-anti-semitic-graffiti-before-blaze-owners-son/>

Aug 28, 2019

The owners of a property in Ancaster say it was tagged with anti-Semitic graffiti for more than a year before a suspicious fire broke out there Tuesday. Brandon Kirsch said the spray paint including swastikas started after his mother and bought the Sulphur Springs Road property about a year and a half ago. "It's only when it winds up in the hands of my family that all of a sudden it's getting terrorized," Kirsch said Tuesday from Florida, noting his parents are well known in Hamilton's Jewish community. Firefighters responded to the large wooded property at 820 Sulphur Springs Rd. at about 10:50 a.m. and found "some spot fires," Hamilton Deputy Fire Chief John Verbeek said. "This was the shell of an old abandoned stone house that appears to have been burnt out," Verbeek said. "We have notified the Ontario Fire Marshal's office due to the suspicious nature of the fire." Kirsch said the building — which dates back to the 1800s — has been vandalized nearly every week, and garbage and bottles have been strewn about the property. But he said complaints to the police, including the discovery of a wallet on the land about a month ago, have gone nowhere. Such vandalism, he said, "which is predicated on hatred for Jews, should hopefully raise some alarms." "I would like to see justice. I would like to see these perpetrators apprehended and punished for their crimes," he added. "Because if they don't do anything, then they're basically saying it's OK." Const. Lorraine Edwards, a spokesperson for the Hamilton Police Service, said the homeowners have filed complaints about mischief on the property. Officers responded to the complaints, but a lack of evidence needed to move an investigation forward could have been a limiting factor, Edwards suggested.

2. Hateful racist epithet carved in snow at school named after Hamilton educator and trail-blazing black athlete: Racist graffiti carved in the snow on the grounds of Bernie Custis high school

[Jon Wells The Hamilton Spectator https://www.hamiltonnews.com/news-story/9699969-hateful-racist-epithet-carved-in-snow-at-school-named-after-hamilton-educator-and-trail-blazing-black-athlete/](https://www.hamiltonnews.com/news-story/9699969-hateful-racist-epithet-carved-in-snow-at-school-named-after-hamilton-educator-and-trail-blazing-black-athlete/)

Nov 12, 2019

The grounds of a new Hamilton high school named in memory of a trail-blazing black athlete and educator were defaced with a racist epithet Tuesday. The word was carved in fresh snow in large letters on the property of Bernie Custis Secondary School on King Street East, across from Tim Hortons Field.

Before it was erased in the afternoon the hateful slur was visible through windows of the three-storey school, and even at a distance from the press box in the football stadium. Two student "perpetrators" have been identified by school officials, according to an email to The Spectator from Shawn McKillop, a public-school board spokesperson.

The incident was reported to Hamilton police, who are investigating. Suspensions or expulsion are possible school punishments for the students. A letter about the incident was posted on the Bernie Custis [website](#). The school is [named](#) after the Hamilton Ticats great of the 1950s, considered the first black athlete to play quarterback in professional football — a cerebral position long tainted by racist notions of what colour athlete is best suited to it. Sue Dunlop, the superintendent responsible for the school, said in a statement that "acts of racism are condemned in our schools and this is being treated as an incident of hate. The word was immediately removed as soon as it was reported to the school." [Custis](#), who was born in Philadelphia, was also a local educator, principal, and coach for more than 30 years who championed breaking down racial barriers. In the 1980s he coached McMaster University's football team. He died in 2017 at 88.

The \$32-million school with a capacity for 1,250 students opened in September, built on the former site of Scott Park Secondary School, and is home to students who previously attended Delta and Sir John A. Macdonald high schools.

A Statistics Canada [report](#) three months ago indicated that hate crimes are reported more frequently in Hamilton relative to other Canadian cities. It reported that in 2018 the Hamilton/Burlington/Grimsby area recorded 97 police-reported hate crimes, or a rate of 17.1 incidents per 100,000 population, more than three times the national average.

Hamilton police say [graffiti](#) is the most common form of reported hate crime in the city, such as the Nazi swastika.

3. Hamilton seeks better model for failed anti-racism centre: Review of Hamilton Anti-Racism Resource Centre's brief operations finds levels of prejudice 'astounding'

[Carmela Fragomeni](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9669470-hamilton-seeks-better-model-for-failed-anti-racism-centre/>

Oct 31, 2019

The city is poised to give the failed Hamilton Anti-Racism Resource Centre (HARRC) a fresh start in hopes of making it meaningful, viable and, most importantly, effective. The centre, a three-year pilot project jointly funded by the city, McMaster University and Hamilton Centre for Civic Inclusion, [was temporarily shut down in February](#) to be reassessed. It had opened only 10 months earlier, in April 2018. Its purpose was to gather information on racism-related information to help inform council decisions, and to fill service gaps.

The goal is to eliminate racism in the city. At a public consultation Tuesday night, city staff gave only a partial answer to why it had failed. "Today is not to lay blame for the pause," said Marlene Dei-Amoah, chair of the city's advisory committee against racism. "Today we are seeking input on models we can recommend to council. We really had no model to emulate." She said only when the centre was launched did problems become obvious. "Our pause was an opportunity to address the dilemma of perhaps not serving residents well. We know full well that our community continues to be harmed by racism." Jodi Koch, city diversity director, added that certain details for the pause couldn't be discussed because of personnel and legal implications. But she said the reasons don't lessen the importance of having an anti-racism resource centre or the city's commitment to combat racism. City staff spent hours talking to "literally thousands of people" over the summer to get their input, she said. While operating, HARRC conducted 17 anti-racism seminars, had 46 ethno-racial consultations, and received 75 complaints, mostly in person and the majority about anti-black racism, said McMaster associate professor Ameil Joseph, who did a review of the centre. The majority of complainants went there to receive emotional support, he said, adding "the high levels of anti-black racism are astounding and will require support and resources to respond strategically and systematically." Among the problems he cited was that although the centre opened in April, its website did not go up until October. In the time that HARRC has been down, incidents of racism seem to have exploded in the city. Among the latest was [clashes at a federal election campaign](#) event at Mohawk College featuring People's Party of Canada Leader Maxime Bernier. While some people were there to demonstrate against racism, members of hate groups like the Proud Boys, an Islamophobic and anti-Semitic organization, were spotted at the event. Proud Boys and other anti-immigrant groups like the Soldiers of Odin and "yellow vests" have held [regular rallies outside city hall](#) for more than a year. And in June, white nationalist protesters joined anti-LGBTQ demonstrators in [crashing Pride celebrations at Gage Park](#), resulting in a brawl with counter-protesters.

4. Hate in Hamilton 'breaks your heart,' city manager says: She says Hamilton's business and political leaders need to do more to support people who feel the effects of disempowerment.

Kevin Werner Hamilton Community News

<https://www.hamiltonnews.com/news-story/9670066-hate-in-hamilton-breaks-your-heart-city-manager-says/>

Oct 30, 2019

After five months into her "dream job" as Hamilton city manager, Janette Smith says the most surprising issue she has had to deal with is the rise of hate incidents. "I know other municipalities are going through the same thing, but it just came at me," said Smith in a brief interview after speaking to a sold-out crowd at the Hamilton Chamber of Commerce's annual city manager's breakfast on Tuesday at the Sheraton Hotel. Smith, who worked in Peel Region for 30 years before getting the call from Hamilton in May, says the diversity and inclusion issue is "highly complex" and despite the initial steps taken by council, more needs to be done.

During her presentation, she called on chamber members to boost their own diversity numbers among employees, saying it makes "good sense," as a diverse and inclusive workplace means a more "creative, innovative and engaged" workforce. Smith touched on a long list of issues confronting the city during her presentation and subsequent question-and-answer session with Hamilton Chamber of Commerce president Keanin Loomis, including replacing the city's arena and expanding the convention centre; the \$116-million development over the next decade the city is involved in along piers 6, 7, and 8; how to accommodate the city's projected growth of 780,000 people by 2041; seeking federal government help for infrastructure and affordable housing projects; and her enthusiastic support for the \$1 billion light rail transit project, which she says the community is "ready for." But Smith returned to Hamilton's struggle to confront hate-related incidents that continue to impact the community. Smith told the crowd that she attended the Hamilton-Wentworth Public School Board meeting on Monday as it approved creating a panel to study bullying in the wake of 14-year-old Devan Selvey being fatally stabbed outside Sir Winston Churchill Secondary School on Oct. 7. "We had a young boy murdered in our city," she said. "That is unacceptable. It's a city-wide issue. We are not alone, but we can't ignore it." When Smith walked the streets of Hamilton as the new city manager, people greeted her and looked her in the eye, something that rarely happened during her time living in Peel Region. Statistics Canada figures released earlier this year revealed Hamilton saw an increase in police-reported hate crimes, Canada's highest per capita rate for the last three out of five years. But after talking with people who have felt the brunt of racism and intolerance, she finds it difficult to reconcile the divergent welcoming and hate-filled responses that Hamiltonians have produced. "It breaks your heart," she said. "I wish I could stand up today and tell you I've got the magic solution. I don't." She says Hamilton's business and political leaders need to do more to support people who feel the effects of disempowerment. She encouraged people to "stand up" on behalf of the community and call out acts that impact people negatively. "We have to say, 'not acceptable' when members of our community are experiencing racism (and) have to truly listen and really understand what they are going through." The city will be holding a forum in January to discuss racism in Hamilton as part of the city's anti-hate strategy. The Hamilton Anti-Racism Resource Centre survey results on lived-experiences of racism were released Tuesday. "We all need to listen to them and see how we can lean in and support them," she said.

5. Hamilton approves trespassing bylaw targeting hate groups protesting city hall Councillors debate whether new rules restrict free speech

[Kevin Werner](https://www.hamiltonnews.com) hamiltonnews.com

<https://www.hamiltonnews.com/news-story/9660308-hamilton-approves-trespassing-bylaw-targeting-hate-groups-protesting-city-hall/>

24, 2019

Hamilton councilors are hoping a new trespassing bylaw will curtail any potential hate-related confrontations or incidents during protests being held on city property, especially at city hall.

City officials, who pointed out Hamilton did not previously have a trespassing bylaw at its facilities, have been attempting to remove or at least stop hate-related incidents at city hall without impacting peoples' right to protest, or prompting a Charter of Rights and Freedom lawsuit. "This is actually not a bad bylaw," said Stoney Creek Councillor Brad Clark. "It will work." The trespassing bylaw works in a similar manner as what is already the policy in place for individuals who are removed from recreation facilities for violent behaviour. The zero tolerance policy, approved in 1998 and revised in 2001 and reviewed in 2005, bans a person for violent conduct, including intimidation, threats, aggressively approaching another person, racial or ethnic slurs, vandalism, attempts to goad or incite violence, or using foul language. The person can appeal the suspension and ask for a private meeting with a senior city official to discuss the ban. The cost of the appeal is \$250, which is non-refundable if the suspension is maintained. The trespassing bylaw, said Clark, is similar in concept to the zero tolerance policy. A person or group of people that are removed or banned from city hall can request a private meeting with a senior official to remove the suspension. If the ban is upheld, the group or person can appeal the decision to the courts. "We made it fair, we made it consistent with the other policies of the city," said Clark. "It doesn't infringe on anyone's charter of rights. They have the right to appeal to the courts. It's really that simple." The trespass bylaw, which was requested by the Hamilton Police Service, prohibits conduct such as contravening a law of Canada, province or municipality, damage or vandalism of city premises, or interfering with the operation or use of city premises. "This helps (police) do their job," said Clark. The trespass notice can be provided to the offender either orally or in writing, and will prohibit entry to a city facility for seven days. The city also has the option of banning a person for more than five years. The trespass bylaw is another initiative council hope will prevent hate-related incidents on city property. In July, council unanimously approved a motion to install enhanced cameras – at a cost of \$100,000 – at city hall to strengthen security within the forecourt area. The cameras will collect data during that could be provided to police for use in court.

6. Hamilton police investigating racist graffiti on James Street South and Claremont Access: Suspect captured on surveillance during separate mischief incident

The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9649281-hamilton-police-investigating-racist-graffiti-on-james-street-south-and-claremont-access/>

Oct 17, 2019

Hamilton police are looking to identify a suspect wanted after four separate mischief incidents on James Street South and the Claremont Access where investigators found racist graffiti. The hate crime unit is investigating the hate-based graffiti. Police were called four times between Oct. 13 and Oct. 15, police said. Investigators found graffiti in multiple areas along the escarpment stairs and in Southam Park. The same graffiti was also found on a mural at James Street South and Beckley Street.

Police believe these incidents are related and that they happened during the overnight hours. In one incident a witness called 911 and gave a suspect description. The suspect was described as a man, Asian, five-foot-ten, 180 to 190 pounds, with a shaved head. He wore a grey sweater, blue or green jacket, and AirPods earbuds. On Sept. 26 police were called to King Street East and Wentworth Street North for mischief. This incident was not hate related, however, police believe the same suspect is responsible. A suspect was captured on surveillance video in September and police have released the image. Anyone with information, including anyone with security cameras that may have captured suspicious activity, are asked to call Acting Det. Sgt. Lisa Chambers at 905-546-3833.

7. Two charged in relation to anti-Semitic graffiti at Beth Jacob Synagogue, four males identified by hate crimes unit, two released, two charged, after Beth Jacob Synagogue was defaced.

[Jeff Mahoney](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9640133-two-charged-in-relation-to-anti-semitic-graffiti-at-beth-jacob-synagogue/>

Oct 11, 2019

Two 19-year-old Hamilton men have been arrested and charged with mischief under \$5,000 as the result of a hate-crime unit investigation into a graffiti incident at Beth Jacob Synagogue. The two are among four 19-year-olds identified in connection with the crime at the Aberdeen Avenue house of worship, located between Locke and Dundurn. They are scheduled to appear in court on Nov. 5 and Nov. 7. Hamilton police detectives arrested the two other 19-year-olds, but they were later unconditionally released. The graffiti was first reported after congregants arrived last Saturday for 9:15 a.m. service and discovered a crudely drawn swastika and the word "Jews" with a line through it in chalk at the parking lot entrance. Similar messages were also found elsewhere around the building. The messages were later scrubbed away. "We are quite relieved that they (the police) worked so fast and that our security footage could help," said Beth Jacob Synagogue Rabbi Hillel Lavery-Yisraeli. "There has been an outpouring of support." The incident comes amid concerns in Hamilton over a spike in [hate acts of various kinds in the city](#).

A recent Statistics Canada report showed Hamilton ranked highest among all 35 of the country's census metropolitan areas (CMA) for police-reported hate crimes last year.

"We are hopeful," said Rabbi Lavery-Yisraeli, "that this sends a message, that people will learn to stop hating. Not just stop expressing hatred but stop hating." After reports of the graffiti surfaced, the synagogue has received support from the community, in many forms, including numerous posts on social media. "Reporting hate crimes and incidents is an important step in stopping the cycle of hatred and preventing others from being victimized," the police said in a statement announcing the arrests.

8. Hamilton pro-diversity advocate receives threatening emails for Bernier protest remarks, Kojo Dampthey 'determined to stand up against these intimidation tactics' in quest for more inclusive city.

[Teviah Moro](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9638853-hamilton-pro-diversity-advocate-receives-threatening-emails-for-bernier-protest-remarks/>

Oct 10, 2019

A Hamilton pro-diversity advocate says he and his organization won't be intimidated by threats directed at him for comments he made during a recent anti-hate protest. Kojo Dampthey received two emails on Oct. 2, two days after he attended a demonstration at Mohawk College targeting an event featuring People's Party of Canada Leader Maxime Bernier and far-right YouTube personality Dave Rubin. One email told Dampthey, who's interim head of the [Hamilton Centre for Civic Inclusion](#), that he "deserve(d) to be attacked" for his "cowardly comments." The other referred to his native Ghana as a "sh---hole overpopulated nation" and threatened to "f---ing come down to your office ...". Dampthey raised the messages and a heated encounter with a local PPC organizer during a news conference outside city hall on Wednesday. It was held to announce a series of HCCI initiatives amid what he described as a rising tide of intolerance. "We're surely determined to stand up against these intimidation tactics and offer a vision of a more inclusive city where no one is left behind." To that end, the HCCI has received a \$127,000 grant from the federal Department of Canadian Heritage to hold an anti-racism conference next year in Hamilton. Another initiative involves a research project to develop an online reporting tool for residents who experience hate crimes. Later Wednesday, Hamilton police spokesperson Jackie Penman said Dampthey's report of threats had been forwarded to the service's hate-crime investigator for follow up.

[Before punches started flying at the Mohawk College event](#), Dampthey told CHCH News he was there to support residents protesting the PPC's immigration policies and messaging. During the protest, an 81-year-old woman trying to attend the party fundraising event meant to focus on free speech was called "Nazi scum." The morning of Oct. 3, Tyrone McAllister, who organized the Bernier event, said he went to the HCCI office on King Street East to file a complaint about the remark. In an audio recording of the meeting provided to The Spectator by HCCI, McAllister is heard accusing Dampthey of painting PPC supporters "in a very broad brush stroke" and placing a "target on their back." Dampthey tells him he didn't use the word "Nazi" nor "white supremacist" to describe the PPC, but the latter argues he was "in solidarity" with those who did. Nearly 20 minutes into the heated exchange, Rohit Prasad, a social work placement student at HCCI, tells McAllister he's being "very aggressive," and needs to tone it down or leave. In a news release Wednesday, HCCI, an agency that works to promote diversity, said McAllister meant "to intimidate" staff and Dampthey. Reached later by phone, the 33-year-old IT worker from Hamilton rejected HCCI's allegation. "Absolutely not." "My purpose there was as a concerned citizen because I had friends calling me, worried that they were getting death threats because they were members of the People's Party," McAllister said. Bernier and his right-wing party have been criticized for extreme views on immigration and accused of promoting xenophobia.

McAllister, a sub-region organizer for the party, said the content of the threatening emails was "absolutely terrible" and didn't know who sent them. He added he wanted to "set the record straight" about the nearly 1,000 attendees of the Bernier forum. "They're not neo-Nazis." However, members of hate groups like the [Proud Boys, an Islamophobic and anti-Semitic organization](#), were spotted among the PPC supporters at the event. Proud Boys and other anti-immigration groups like the Soldiers of Odin and "yellow vests" held regular rallies outside city hall for more than a year before local officials started exploring ways to ban them. [A major catalyst was June 15](#), when white nationalist protesters joined anti-LGBTQ demonstrators in crashing Pride celebrations at Gage Park, resulting in a brawl with counter-protesters. In 2018, the city ranked No. 1 among Canadian metropolitan areas for police-reported hate crimes, according to a Statistics Canada study. Over the weekend, [anti-Semitic graffiti was scrawled at the Beth Jacob Synagogue](#).

9. Hamilton police post video images related to hate crime investigation, Investigators believe the anti-Semitic graffiti was scrawled at Beth Jacob Synagogue around 1:30 p.m. Friday.

The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9636141-hamilton-police-post-video-images-related-to-hate-crime-investigation/>

Oct 09, 2019

Hamilton police are asking for help identifying individuals caught on camera as part of an investigation into anti-Semitic graffiti scrawled in front of Beth Jacob Synagogue. As congregants arrived for Saturday's 9:15 a.m. service, they discovered freshly etched graffiti scribbled in chalk at the entrance of the parking lot. Residents have since covered sidewalks in the area with colourful chalk messages supporting the synagogue on Aberdeen Avenue, between Dundurn and Locke. Hamilton's hate crime unit investigated and determined the crime likely occurred around 10:30 p.m. on Friday. On Tuesday afternoon, police released images from surveillance footage obtained in the area and asked the public to help identify the individuals caught on camera. Police are still seeking camera footage from any area home or business owners that could aid the investigation.

10. Woman in viral video 'disgusted' by attack on free speech at Maxime Bernier event in Hamilton: 81-year-old is speaking out after protesters called her 'Nazi scum' and blocked her from entering Mohawk College.

[Katrina Clarke](#) The Hamilton Spectator

<https://www.thespec.com/news-story/9627017-woman-in-viral-video-disgusted-by-attack-on-free-speech-at-maxime-bernier-event-in-hamilton/>

Oct 03, 2019

Dorothy, 81, tears up when she thinks back to Sunday when protesters yelled "Nazi scum" in her face as she tried to attend a Maxime Bernier event at Mohawk College. She calls it an attack on free speech. "It was disgusting," she said. "I love this country and I love the fact that we have freedom of speech. If we allow that, it's fast leaving us. And that is terrible." Dorothy is the [white-haired woman in a now-viral video](#) that shows her trying to push her walker past protesters to attend the [controversial fundraising event](#) held by Bernier and the People's Party of Canada. Protesters with face coverings blocked her and her husband, Brian, from entering the event and screamed "Nazi scum" at them until police intervened. The Spectator has chosen not to use Dorothy's last name to protect her and her family from harassment. Sitting at her Hamilton kitchen table Wednesday, the mother of five and grandmother of six said the incident still shocks her. "To try and deny a man such as Maxime Bernier to speak, or for me to hear what he has to say, that is criminal," she said. "I felt my rights were interfered with." Dorothy said she is not a Nazi, nor a racist. She attended the event to hear what Bernier had to say. She said she understands some Canadians take issue with the PPC's advocacy of severe immigration cuts and support for interviews with prospective newcomers to ensure their views align with Canadian values, but she personally supports much of his stance on immigration. "I do believe most people who come are good, solid people who've suffered in their own country and they don't want the same thing here," she said. "But then, there are some with values that are different." She said she liked what Bernier said at the event but wants to do more research before deciding how she'll cast her vote. Regardless of whether or not she ends up supporting him, she should be free to hear him out, she said. Dorothy and her husband will be speaking with officers [at the request of the Hamilton Police Service](#) Friday. They don't have immediate plans to push for charges but Dorothy said the incident was "of course" a hate crime. On its website, HPS describes a hate crime as a criminal offence committed against a person or property which is motivated by hate or bias against a race, religion, ethnicity, sexual orientation, disability group, age or gender.

11. Police searching for man who spewed racist comments at woman in Jackson Square: Suspect is described as Caucasian, 23 to 25, five-foot-ten, with a thin build and short brown hair.

The Hamilton Spectator

<https://www.thespec.com/news-story/9624618-police-searching-for-man-who-spewed-racist-comments-at-woman-in-jackson-square/>

Oct 02, 2019

Hamilton police are asking the public to help identify a man wanted for harassing a woman at Jackson Square, including allegedly directing "racially motivated comments" toward her. The harassment is being investigated as a "suspected hate bias" incident, police said. On Sept. 20 around 8:30 a.m. the victim was followed into Jackson Square on King Street West by an unknown man. He allegedly followed her through the mall and hurled racist comments. The suspect is described as Caucasian, 23 to 25, five-foot-ten, with a thin build and short brown hair. He wore a grey crew neck shirt with a square emblem on the front, dark pants and black shoes. The harassment is being investigated by the criminal investigations branch, police said.

The hate crime unit is also involved in the investigation and will determine if a hate crime took place. Anyone with information is asked to call Acting Det. Sgt. Lisa Chambers at 905-546-3833.

12. Margaret Shkimba: Something stinks in Hamilton: The recent remarks made by Police Chief Girt on the Bill Kelly Show are outstandingly out-of-touch with attitudes of the 21st century, and are especially troubling coming from someone in a leadership position.

[Margaret Shkimba](#) Hamilton Spectator (Opinion)

<https://www.thespec.com/opinion-story/9599135-margaret-shkimba-something-stinks-in-hamilton/>

Sep 16, 2019

I don't like to keep writing about the same topic, not because I couldn't go on and on, but because two weeks is a long time between news cycles and relevancy and fatigue are a challenge. I was going to write about the proposed Mountain arena, but what's happening with Hamilton Police Services, City Hall, Pride and now the Sexual Assault Centre of Hamilton (SACHA) is past ridiculous. Too often I open my eyes to the news of another gaffe committed by either the mayor or the chief of police that only serves to further fester bad feelings between the police, Pride organizers and now the VAW community. Gaffe is being kind. The recent remarks made by Police Chief Girt on the Bill Kelly Show are outstandingly out-of-touch with attitudes of the 21st century, and are especially troubling coming from someone in a leadership position. I'm sure Chief Girt is a good man, but he appears to be drowning in this issue. His lack of communication skills and cultural competencies, for a leader, throws into question the selection criteria for the police chief position.

The Police Services Board might want to revisit the significance of those criteria and update them to reflect our evolving society. Decades ago, I marched with my daughters in our first Take Back the Night (TBTN) protest organized by SACHA. SACHA has been behind this event for the past 38 years, in solidarity with TBTN marches all over the world. TBTN is an event that both celebrates the resiliency and strength of women and protests the violence they experience at the hands of men and the systems they run. Their decision to cancel this year's march is a sad comment on the continuing deterioration of police-community relationships in Hamilton, but it's not unexpected. The city's requirement for police to attend a protest where traffic lanes are closed is not an unreasonable request. Who pays for it is problematic? Who pays for the protection the Yellow Vests and Soldiers of Odin are receiving at city hall every Saturday morning? Are they paying for their own protection? Is that why they're still there? But SACHA says the reason for their decision is not the extra cost for the paid-duty police they'd be expected to cover, it was the fear many in their community feel in the presence of the police themselves that sealed the deal. There are many law-abiding members of our communities who are afraid of the police. People who have committed no crime but because of their differences from the white male hetero cis-normal culturally dominant population they feel unsafe in the presence of police. They feel unsafe because of treatment they've received either as "suspects" or in response to being a victim of crime, particularly one rooted in hate: misogyny, homophobia, racism. There are no laws against race, sexuality or gender identity. Not anymore.

Why are we having challenges with the police over these issues? Where does cultural competency — the ability to communicate with others across cultures — sit in the expectations of police professional standards? The #MeToo movement exposed the widespread nature of an insidious rape culture that positions women as tools men use to satisfy their needs. Across all industries, stories spilled out, having been held in for years, about male entitlement to female bodies. About violence kept hidden in the darkness of fear of shame. About women denied, from career advancement to personal safety. There is no question of the need for continued advocacy for VAW programs and services. In truth, much more than a march is needed. The police have not had the best of relationships with the VAW community in Hamilton. The police are a tool of the patriarchal state. That's the party line. How that plays out in reality, borne out by the countless stories, is that police protect the men, they disbelieve the women, and they abuse women themselves. Not all police, but enough for it to be a problem for all police. It only takes one to spoil the bunch, one bad episode at a vulnerable moment, or one ignorant misogynistic, racist, trans/homophobic comment compounded by another for people to lose trust in our "servants and protectors." The police and some at city hall find themselves in an intractable state. They need to take a cold shower over the anarchists' involvement with these protests and really listen to, and act on, the suggestions coming from those involved on how to improve these foundational community relationships.

Margaret Shkimba is a writer who lives in Hamilton.

13. Violent attack on 74-year-old black GO bus driver ruled a hate crime: Rocco Vietri "kept saying he kicked the driver because he was black" in an attack that left the driver with scars and trauma.

[Carmela Fragomeni](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9592454-violent-attack-on-74-year-old-black-go-bus-driver-ruled-a-hate-crime/>

Sep 12, 2019

A 24-year-old man who beat a GO bus driver in an unprovoked, racially motivated, senseless and violent attack has been sentenced to 15 months in jail. Rocco Vietri — who, as court heard, has 17 prior convictions for violent crimes — pleaded guilty Friday, Sept. 6 to [assault causing bodily harm and failing to comply with probation](#). Crown prosecutor Jeff Levy said Vietri boarded the bus on King Street West near Summers Lane around 1 p.m. on July 9 and walked past the driver without paying. When he refused to comply with a request to pay and the driver then contacted his supervisor and police, Vietri started spitting in his face and punching him. At one point, Vietri grabbed the 74-year-old driver, threw him to the ground and kicked him in the head a number of times, court heard. "There was a pool of blood on the sidewalk from where he was assaulted," said Levy. The driver required 20 stitches, and was left with scars on his face and head. He suffers from pain, severe headaches, and dizziness. And the trauma and injuries left him fearful of going out in public and unable to return to work — which as the family breadwinner, has meant a significant loss of income, Levy said. Court heard witnesses told police that Vietri was making racial slurs during the attack "and kept saying he kicked the driver because he was black." "And the accused made no bones about it," said Levy.

"He said it loud enough ... So it seems he was proud of what he was doing. "The accused wasn't satisfied with just spitting in his face, which is bad enough, and disgusting enough. He went on to basically beat him senseless ..." Levy called the assault a hate crime motivated by the fact the driver was black. But he said the assault also impacts all public transit drivers because they are vulnerable to such attacks. Vietri, with 25 prior convictions, including sexual assault on a subway and other violent attacks, "has a horrible (criminal) record for a 24-year-old," Levy said. Court heard Vietri has a Grade 11 education, can't keep a job because he can't handle the duties, and is on Ontario Disability Support Program. Court also heard he has been diagnosed with bipolar depression but doesn't believe he struggles with mental-health issues. He refuses medication, opting instead to take cannabis because he believes it helps him. He is also impulsive — he wanted to go to Toronto but didn't have money, and when told to pay, he lashed out. Court heard he is now taking "baby steps" to get out of the homeless shelter system and into supportive housing. In sentencing, Justice Bernd Zabel also called the attack a hate crime — and "a random, unprovoked and racially motivated crime on a vulnerable victim who was providing a valuable public service." Zabel gave Vietri 15 months in jail. With credit for time already spent in custody, he has 12 months left. Vietri also got three years' probation and is banned from the GO system — buses, trains and facilities — for that period.

14. Complaint filed over Hamilton youth soccer official's Islamophobic social media posts: Pro diversity advocate calls the Facebook posts 'overtly racist.'

[Teviah Moro](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9590427-complaint-filed-over-hamilton-youth-soccer-official-s-islamophobic-social-media-posts/>

Sept 11, 2019

The former leader of a Hamilton youth soccer league is the subject of a complaint over Islamophobic social media posts that has been forwarded to the sport's provincial governing body. Paul Gesse, a celebrated member of the local amateur scene, had been president of the Hamilton and District Multi-Jurisdictional Soccer Club League until his resignation. But Gesse didn't throw in the towel over the complaint, [Tom Walsh, president of the Hamilton and District Soccer Association](#), which oversees the league, said Tuesday. "He resigned because he's been doing it for 30 years and he decided this about three or four months ago. He decided running the league, doing all this stuff was taking time away from his family." Walsh said he couldn't remember when the local association received the complaint but noted it was forwarded to the Ontario Soccer Association, which is the governing body. Gesse, [a local soccer Hall-of-Fame inductee](#), has shared several anti-Muslim and anti-immigrant posts on Facebook this year.

- One in April maintained "People who eat pork are less likely to blow themselves up."
- A post in May claimed Muslim families are "sucking on your welfare state."
- Another in May targeted "Liberal Minister Navdeep Bains, a (sic) Indian born Sikh" for "telling Canadians what they can and cannot do online."
- In September, a doctored image of Liberal Prime Minister Justin Trudeau dressed as Robin Hood was captioned "Muslim Hood steals from Canadian taxpayers and gives to Muslims."

The Ancaster Soccer Club "previously reported its concerns" to the Hamilton and District Soccer Association board, president Stefano Girgenti said in an email Tuesday. "As a result, it would be inappropriate for me to comment at this time." A spokesperson for Ontario Soccer confirmed the organization is looking into the complaint. "At this time, it is under review and being processed. We have no further comment at this time," Ben Rycroft wrote in an email. Gesse didn't respond to requests for comment, nor did members of the local league's board. The Hamilton and District Multi-Jurisdictional Soccer Club League, also known as the Hamilton MJ League, is based in the city but has teams in other nearby communities, as well. The oldest players compete in an Under-18 division while the youngest are in an Under-9 age group, according to its website. [Kojo Dampsey, acting head of the Hamilton Centre for Civic Inclusion](#), said the material on Gesse's timeline is "obviously overtly racist" and hate speech. "All of those things are informing how you interact with people that practise the faith of Islam," he added. "So you can't just devoid yourself from an ideology that you are presenting." [James Turk, chair of the Centre for Free Expression at Ryerson University](#), called the messaging "despicable" but argued it would fall short of the legal definition of hate speech. The posts target an identifiable group and are shared on Facebook, which is a public space, but a court isn't likely to agree they'd lead to a breach of the peace, Turk said.

"There has to be a pretty direct relationship," he said, noting the rhetoric doesn't instruct people to beat up Muslims, which would meet the threshold under Canada's criminal code. "But that doesn't mean you just let it pass. Somebody like that you take on; you may demand that he be fired." Asked what he thought about the subject material, Walsh demurred, reiterating his association received the complaint and passed it on to Ontario Soccer. "Paul has been part of the soccer scene for many, many years," he added. "It is the one and only complaint we've ever received about the gentleman." Dampsey said the content on Gesse's Facebook timeline is not unlike [the rhetoric of anti-immigrant protesters that have held regular rallies outside city hall](#) for more than a year. "This is how hate breeds," he said, adding the city should have banned the protests when the issue was raised last year. This past Saturday, several Sons of Odin, an anti-immigration group, gathered outside city hall, where pro-diversity advocates also rallied as police hovered. In June, extremist Christian preachers, toting anti-LGBTQ placards, and white nationalists crashed Pride celebrations, leading to violence. In July, city officials began exploring ways to prevent "hate incidents" in the forecourt, including a draft bylaw that was panned by some for "criminalizing protest." Last month, Mayor Fred Eisenberger convened the first of what's to be a series of meetings with groups affected by hate crimes aimed at generating ways to counter prejudice.

15. Some vandalism at Ancaster property set ablaze was 'hate-related': Hamilton police: Owners of Sulphur Springs Road land complained about anti-Semitic graffiti for more than a year, says son.

The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9570776-some-vandalism-at-ancaster-property-set-ablaze-was-hate-related-hamilton-police/>

Aug 28, 2019

The Hamilton police arson unit is investigating a suspicious fire in Ancaster, which property owners say came after more than a year of anti-Semitic vandalism. "At this point in the investigation, it is difficult to suggest whether or not this is a specifically targeted incident," police said in a news release Wednesday. When officers and firefighters arrived to the blaze about 10:50 a.m. Tuesday, the only structure on the 57-acre property was four exterior walls of an old home. The Sulphur Springs Road property had been subject to "various types of criminal offences" in the past, including trespassing, mischief and arson, police said. "Some of the past incidents have been classified by Hamilton Police Service as a hate-related offence." [On Tuesday, the owners' son told The Spectator](#) his family, who are Jewish, has become frustrated with police response to their complaints. The old home had been spray-painted with swastikas and anti-Jewish slurs several times since his parents bought the property about a year and a half ago, Brandon Kirsch said. "I would like to see justice. I would like to see these perpetrators apprehended and punished for their crimes," he said. "Because if they (police) don't do anything, then they're basically saying it's OK." On Wednesday, NDP MPP Sandy Shaw (Hamilton West-Ancaster-Dundas) released a statement saying she was "absolutely disgusted" to learn about the anti-Semitic vandalism.

"I am saddened for Ancaster and Hamilton's Jewish community," Shaw said, adding the family and community "deserve justice and peace of mind." Police said the arson unit hopes to determine what caused Tuesday's fire. Anyone with information is asked to call Det. Const. Greg Blunsdon at 905-540-3819.

16. Sanctuary City no defence against hatred: In the face of this criminalization of humanity, the sanctuary movement is about saying that cities can resist, Caitlin Craven and Blake McCall write.

Caitlin Craven and Blake McCall Hamilton Spectator (Opinion)

<https://www.hamiltonnews.com/opinion-story/9563235-sanctuary-city-no-defence-against-hatred/>

Aug 23, 2019

Hamilton, you can't use Sanctuary City as an excuse to not talk about white supremacy. In 2014, Hamilton City Council passed an Access without Fear, or Sanctuary City motion. This was based on the work of a broad coalition of service providers, activists, and community members, including both of us. In the face of revelations about a white supremacist working at city hall, others congregating outside every week, and the city's willful inaction to address the attacks on Pride and statistics on hate crimes, it's become concerning to see people with both good and bad intentions point to Hamilton's (questionable) status as a sanctuary to argue for the kind of "tolerant" city we either are or could be. With these invocations, the politics of sanctuary is being lost and transformed into a symbol of neo-liberal diversity that works to cover up structural white supremacy. At its core, Sanctuary City or Access Without Fear is a resistance movement, and a radical one at that. The movement began in struggles for asylum seekers in San Francisco and spread across the U.S.

In Canada, it has looked like the campaign to get the Toronto District School Board to stop reporting undocumented students, or the campaign in Vancouver to try and stop transit officers from reporting the status of commuters. It's also looked like the city-wide campaigns in Toronto, Hamilton, Victoria, Montreal, and elsewhere. The premise is that borders and state immigration policies are working to criminalize and abjectify (sic) undocumented people or people with precarious immigration status and that is not acceptable. It's not acceptable if we acknowledge that migrants do all kinds of essential work that make our cities run, it's not acceptable if we acknowledge that people have built lives here, that their kids go to schools and are friends with other kids, that they participate in community life, and that they are human with wants, desires, and rights. And it's definitely not acceptable as soon as we scratch the surface and acknowledge the violence of economic and political displacement that force people to leave their homes, many of which Canada is deeply complicit in. In the face of this criminalization of humanity, the sanctuary movement is about saying that cities can resist by insisting on the rights of all residents, regardless of status, to live here and access the same services as anyone else without fear of discrimination, criminalization or deportation. It's a city resisting the politics of states that erect walls and create detention facilities for administrative infractions. It's a city resisting the white supremacy of an immigration system that keeps working class and racialized migrants in perpetual precarity, but feeds off their work in agriculture, child care and services. This politics of radical inclusion and resistance can't be boiled down to liberal ideas of tolerance and diversity. But that unfortunately has happened in Hamilton where the Sanctuary City designation has very little substance behind it. Part of this is certainly because cities in Canada have much less power than their American counterparts, and thus fewer avenues to put resistance into practice. That said, it remains unclear how much the city really put into implementing this policy as we hear on a regular basis about those who have been refused service. For these reasons, it's a problem when sanctuary policies get used to whitewash Hamilton and absolve the city of endemic racism, homophobia, transphobia and so many other sins. I don't think it's an accident that we only really hear about Hamilton's sanctuary status when the city is being called out for its many failures, or when people want to take shots at the U.S. Hamilton is now at the top in Canada for reported hate-crimes (which we all know is an under-reported figure) and continues to be a place where white supremacist violence regularly attacks and polices the bodies of BIPOC/queer folks. It continues to be a place where there is fear to report a hate crime because it might expose your immigration status and it hasn't been made at all clear enough whether that could land you in detention. Please stop citing Sanctuary City as a measure of Hamilton's goodness. Please stop linking sanctuary to liberal celebrations of diversity. Instead, probe deeper into sanctuary as a movement for resistance against borders and white supremacy, and ask where those goals can be realized.

Caitlin Craven and Blake McCall were members of the former Hamilton Sanctuary City Coalition and Justice Across Borders.

17. Hamilton councillors to hold workshop to address hate-related incidents

[Kevin Werner](#) Stoney Creek News

<https://www.hamiltonnews.com/news-story/9560714-hamilton-councillors-to-hold-workshop-to-address-hate-related-incidents/>

Aug 21, 2019

There may be some differences among Hamilton councillors on how to address the hate-related incidents that have prompted the city to create a policy to deal with the various issues. But councillors unanimously agreed recently to have a "restorative practices" workshop for themselves and the city's senior leadership team at a cost of about \$1,500. The one-day event, which will be closed to the public and media, will be overseen by the John Howard Society's Garth Bell and Ruth Greenspan. Restorative practices involve improving and repairing relationships between people and communities. It includes communicating people's feelings and allow people to reflect on how their behaviour has affected others. Ward 4 Coun. Sam Merulla, who has argued the hate-related incidents during Hamilton's Pride celebrations at Gage Park and the weekly Yellow Vest protestors at City Hall are fomented by people from outside the city, wants to eliminate confrontation and encourage discussion with people who hold unpleasant views.

In addition to the incident at Gage Park, the city was embroiled in a controversy that it had employed for over a decade a former member of the Neo-Nazi organization the Heritage Front and Hamilton was recently saddled as having one of the highest rates of reported hate crime in Canada, according to Statistics Canada. Merulla said the society representatives held a presentation to council in the spring where the restorative practices concept was used at Sr. John A. Macdonald School to help with the school's highly charged environment. "The hate crime instances went from a significant amount to bringing it down to almost zero," said Merulla. "They literally changed the environment." The John Howard Society's ideas inspired him to arrange a training session for council. "If you are going to counter that hate in an adversarial manner, things are going to occur," he said. "It will either be suppressed or its going to escalate. Bringing in more heat just makes it hotter." He said restorative practices, as conducted by organizations such as the John Howard Society "actually decreases the heat" and "puts the onus on the individual to rethink their belief system. He said it is a "solution" to resolving conflict and not a "band-aid. "You are eradicating hate," he said.

Ward 3 Coun. Nrinder Nann, while she backed the motion and Merulla's comments, said Hamilton must still look for ways to establish an anti-hate policy, including how to remove protesters with hate-filled messages from city properties. "We can't disconnect it from the grunt work our city is engaged in," she said. Councillors have already agreed to hire a consultant to oversee a consultation process with the public on the city's anti-hate mitigation policies, including increased surveillance at city hall. Stoney Creek Coun. Brad Clark, who joined with Merulla to introduce the motion, said the restorative practices approach will "move forward in a very positive way." Mountain Coun. Tom Jackson said the "overwhelming majority" of Hamiltonians are "law abiding, peace-loving and "want to build on the momentum." He said residents want city officials to "deal with" people who are promoting hate. "I will not allow my community to have any form of stigmatization," he said.

18. How to get to 'No Hate' in the Hammer: Eliminating hate may not be possible but, according to Nicole Smith, there are some strategies that could reduce it.

Nicole Smith Hamilton Spectator (Opinion)

<https://www.hamiltonnews.com/opinion-story/9553607-how-to-get-to-no-hate-in-the-hamer/>

Aug 18, 2019

The Aug. 1 "No Hate in the Hammer" launch was energizing and inspiring, full of concrete recommendations. People like Rabbi Hillel Lavery-Yisraeli opened with personal experiences with racism but went on to address others' issues, such as the needs of women worldwide. I was keen to become a community leader for this initiative. The follow up meeting will be Sept. 6 and the annual Gandhi peace conference Oct. 4 and 5 will be speaking to the same themes and issues that No Hate in the Hammer is addressing. That said, rallying every Saturday (except weeks out of town), I am painfully aware of the dark side of intolerance that wears down spirits. Alt-right proponents say hateful things in offensive terms I will not repeat here.

They call on the U.K. to free jailed fascists or carry signs that appear simply misguided about things like carbon taxes. In other words, they are skilled at dog-whistle politics. Banning hateful speech at city hall may not be easy, as an Aug. 3 article in The Spectator examined. The article also explains what is considered hate crimes (spoiler: the Criminal Code threshold before free speech becomes hate speech is high). It mentions that alt-right ralliers "often seem to know how to 'walk the line' of legal behaviour" (according to Det. Paul Corrigan of the Hamilton police hate-crimes unit). Finally, it outlines approaches which might be helpful to remediate the situation. My reflections on strategies from the article and my personal experience follow:

Massive counter protests overwhelm alt-right groups:

The Aug. 3 article pointed out that when many more people counter protest with only a few alt-right people in attendance, it shows the hateful messages are weak and largely unsupported by the community. On July 13, the "Hamilton For Who?" rally saw hundreds of Hamiltonians celebrating love and inclusion while a tiny knot of alt-right supporters on the other side of Main Street were watched closely by police. The Aug. 10 rally was also big, and the one this past Saturday may have even surpassed it, with a number of new activities, including a choir. Perhaps Hamiltonians have realized the necessity of many counterrally supporters every Saturday.

Increasing surveillance and seeking court injunctions against hate groups:

City council is looking into upgrading surveillance outside city hall to the end of establishing a court injunction against hate groups. More surveillance is not welcome to some Hamiltonians. Also, Evan Balgord of the Canadian Anti-Hate Network points out the city would likely lose a Charter challenge on this. Another concern of mine is that it could simply feed into the tactical approach of the alt-right and their martyr complex, and that they could use it to fuel more outrage.

Rapid restoration of the Hamilton Anti-Racism Resource Centre (HARC):

Hugh Tye, executive director of the Hamilton Community Legal Clinic, states: "For some people, this (HARC) was the only place they felt safe reporting discrimination or harassment. Without that body, how do you reliably track incidents of hatred or act on them?" At the launch of No Hate in the Hammer, there was ardent community support for HARC to be up and running again as soon as possible. Reporting discrimination and harassment is essential, but, for a wide range of reasons, it is not easy for everyone to go to the police to do this. Having a safe place to report in person as well as establishing ready access online for people to share their experiences would be a real game-changer for Hamilton.

Personal intervention:

On July 20, shortly after arriving at the weekly counter protest, I perceived that one of the alt-right ralliers was trying to instigate a physical fight with the father of two small children. When I stepped between them to protect the children, he had the temerity to suggest that I "babysit" the children while he fought their father.

I quickly decided the best course of action was to engage him in a lengthy dialogue away from the family. I hoped to distract him so he would not return to harass them. I was successful. While this may sound high risk, a group of police were standing about 10 metres away observing us closely. Without that backup, having someone take video/pictures is another approach that can work, but always be safe. Can we get to the point where there is literally no hate in our city? Of course not. There will always be an alt-right, especially when their hateful approach is spurred on daily by the megaphones of political leaders like the current U.S. president. However, we can and must do whatever is in our power to speak up for love and inclusion, and to intervene as needed to protect targets of hate.

Nicole Smith lives in Hamilton. She ran in the last municipal election in Ward 2.

19. Anti-hate group says rapid removal of swastika example of how to tackle hate: By reporting the swastika incident on Twitter, the organization is also sending a message to the public: these hate incidents aren't one-offs.

[Katrina Clarke](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9550238-anti-hate-group-says-rapid-removal-of-swastika-example-of-how-to-tackle-hate/>

Aug 15, 2019

With a spotlight on hate in Hamilton, the city's swift removal of a swastika from a southeast Hamilton sidewalk "is an example of how we address hate," says the head of an anti-hate organization. Kojo Damptey, interim executive director of the Hamilton Centre for Civic Inclusion, said a resident contacted his organization Tuesday about a swastika carved into a sidewalk near the intersection of Rymal Road East and Upper Gage Avenue.

The organization then tweeted a photo of the Nazi symbol, tagging Hamilton Police, reporters and city councillors in it. By 2 p.m. Tuesday, police attended the scene to document it, then alerted the city's public works department. By 2 p.m. Wednesday, the Nazi symbol was gone — ground out of the cement. "The rapid response is the type of response we need to address this hatred," Dampney said. "This is an example of how we address hate. We shouldn't wait." By reporting the swastika incident on Twitter, the organization is also sending a message to the public: These hate incidents aren't one-offs. "It's important to make it public because there's always the discourse that it's just a small number of people," he said. "These issues keep on happening." Dampney noted Coun. Tom Jackson responded immediately to an email alerting him of the swastika in his riding. "There's absolutely no place for that demonic, horrible symbol in our community," Jackson said. Jackson said he went to the location of the swastika to see it for himself Tuesday afternoon and then followed up with police to make sure they were on it. "I wanted to get the ball rolling as soon as possible," he said. Police spokesperson Lorraine Edwards said police are documenting the incident as a "hate crime." The file is now classified as "complete, unsolved," she said, noting the etching appeared old — likely there since concrete was poured — and they have no leads.

Alex Purvis, who lives in the area, said it's been there for at least six months. He walks by it daily. He wasn't offended by the marking and said he suspecting troublemaking kids were responsible for it. Ranim Alkurdi, who also lives in the area, said she never noticed the swastika but if she had, she would have reported it. Another neighbour, Christina Winton, said she was impressed by how quickly the city cleaned it up. She wishes they'd fix the broken sidewalk in front of her home that fast, she said. Recent Statistics Canada data show Hamilton had the highest rate of police-reported hate crime in 2018. The report came after a violent hate-fuelled protest at Pride in July that brought the issue of hate in Hamilton to the fore. Dampney's organization is also tracking hate-related activity in the city through its No Hate in the Hammer campaign. Just 24 hours after the swastika report, his organization received a second — a Hamilton resident noticed a swastika on the side of a neighbour's house with "white pride" written under it. The Hamilton Centre for Civic Inclusion is debating how it will alert the public and police of the new report, not wanting to make a private address public, he said. Moving forward, Dampney said he hopes police and the city will continue taking these issues seriously, marking a shift from past responses. "We kept on telling councillors to take action, we kept on driving the point that we need to address this.

20. Anti-LGBTQ+ protester in skirmish outside Hamilton City Hall: Woman with homophobic sign and an anti-Fascist protester spill onto Main Street while grappling with each other.

[Jeff Mahoney](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9534427-anti-lgbtq-protester-in-skirmish-outside-hamilton-city-hall/>

Aug 06, 2019

A skirmish broke out at Saturday's protest in front of Hamilton City Hall. Taking part: A woman holding a sign that read "Homosexuality kills the white race" and a black-clad anti-Fascist protester. The pair grabbed at each other's placard and flag, grappling in the process.

The scuffle spilled for a few seconds onto eastbound traffic on Main Street, forcing motorists to brake or steer around them. Police and other protesters quickly interceded and stopped the confrontation. As the two grabbed at each other's signs, one or two others became embroiled in the melee. One black-clad protester, face partially concealed, suffered a bleeding scratch on the arm. The woman with the sign, reportedly from Toronto, was alone in her opposition to the other protesters — who were pro-diversity and anti-Fascist. She would not speak to The Spectator or give her name. "I do not talk to (an) LGBTQ newspaper," she said. The woman had confronted protesters several times before the skirmish. She would say things like, "You should have blue-eyed babies."

21. Hate in Hamilton: can the city ban hateful protests from city hall? How do you shut down hateful speech on public land that is meant to be safe for all — but also the centre of democratic protest in the city?

[Matthew Van Dongen](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9532625-hate-in-hamilton-can-the-city-ban-hateful-protests-from-city-hall/>

Aug 06, 2019

Javid Mirza briefly tried to reason with the masked man brandishing a "stop immigration, stop sharia law" sign in front of city hall. He recalled maybe 20 people in the forecourt that spring Saturday who wore yellow vests or emblems of the Soldiers of Odin, an anti-immigration group accused of welcoming white nationalists. Some carried signs complaining about Prime Minister Justin Trudeau or the carbon tax — but others took aim at newcomers, with dog-whistle racist messages linking immigration to "terrorists" or "sharia law." "I asked him: do you even know what sharia is?" said Mirza, the president of the Hamilton Mosque board, referring to the ethical and legal principles drawn from the Qu'ran. "I told him, look, this is a secular country. We have a constitution. There is no sharia law," he recalled. "He just told me to f--- off. "The stuff they're allowed to say, it's terrible. As a city, we cannot tolerate it." The encounter sums up the dilemma for a city struggling to balance the right to free speech against calls to protect citizens who feel threatened by hate propaganda broadcast from the literal front steps of city hall. The alt-right demonstration that so frustrated Mirza was one of many at city hall in the months before homophobic activists clashed infamously with counter protesters at Pride celebrations at Gage Park. LGBTQ+ residents and allies have accused the city of effectively emboldening hate-mongers in the lead-up to Pride by ignoring their weekly rallies at city hall. And just last week, the latest statistics revealed Hamilton had the [highest per-capita number of reported hate crimes in the country](#). But how do you legally shut down hateful speech on a patch of public land that is meant to be safe and accessible for all — but also the symbolic centre of democratic protest in Hamilton?

Spoiler: not easily. Police, civil liberties advocates and anti-hate crusaders suggest legal efforts to either ban or eject particular protest groups from city land may be destined to fail.

Drowning them out with overwhelming opposition, as dedicated counterprotesters have managed in recent weeks, is a better bet — especially if city leaders are on board. Racism is not against the law

Canada does have hate laws — in particular, [Criminal Code provisions](#) that make it illegal to promote genocide, incite or "willfully promote" hatred against an identifiable group, for example. But there are also strong constitutional protections for political protest, including the Charter-enshrined freedom to assemble, speak freely and openly. The legal threshold at which free speech turns into hate speech is "extremely high," said James Turk, who heads the Centre for Free Expression at Ryerson University. "The difficulty is 99 per cent of what the average person considers hate speech is not actually illegal," he said. Take those signs Mirza saw linking immigration to terrorism, for example. Or the self-styled preachers at Pride waving banners telling LGBTQ+ residents they will burn in hell.

"Is it hateful? Of course. Is it deeply troubling? Yes. But it is not hate speech under the law," Turk said. "Being a racist is not against the law. There is no law against offensive speech." That leaves police and bureaucrats in a legal quandary. Police cannot arrest or boot protesters from the city hall forecourt for yelling racist slurs or brandishing homophobic signs, said Det. Paul Corrigan, the lead hate-crime investigator for Hamilton police. (Complaints about hateful conduct will still be documented, however, he added.) Further muddying the waters, espousing personal religious beliefs can also be used as a defence to a criminal charge of wilfully promoting hatred. "I know people get upset with us, say we're not enforcing the law. But the Charter is the supreme law of the land," Corrigan said. Police can take action when slurs escalate into threats or violence, he noted. So, a sign that screams hatred against an identifiable group might be legal — but adding the word "kill" could turn that sign into an illegal threat, incitement to violence or genocide. And throwing a punch is still assault, whether it's described as a hate crime or not. This is a sore point for Hamilton's LGBTQ+ residents who question why only one [homophobic protester was arrested in the wake of the violent clash at Pride](#). (By comparison, three LGBTQ+ supporting counterprotesters were arrested in the aftermath.) Police also arrested a "yellow vest" supporter for [allegedly head-butting an LGBTQ+ counterprotester](#) at city hall the week before Pride. But in general, Corrigan said participants in local alt-right rallies often seem to know how to "walk the line" of legal behaviour. Why no ban?

Some residents ask why the city does not simply ban hate groups from municipal property.

That, too, would pose a constitutional quagmire for the city. But municipal lawyers are taking a closer look at what is possible, and under what circumstances, with an eye to developing a council-requested ["hate-incident prevention" policy](#) for city property. Ideally, the city can use the law to find "creative ways" to help protect residents, said Kojo Dampsey, a program manager at the Hamilton Centre for Civic Inclusion. "The government represents us all, and it has the resources, which many individuals do not, to test these issues in court," he said. Dampsey acknowledged the vitriol hurled at residents or waved on signs at city hall doesn't necessarily hit the legal threshold for criminal hate speech. "But what you have to understand is that, for marginalized folk, when they see a sign that literally says they should not exist, these are not just words," he said. "You can't just wait for a physical crime to happen. That's how you get a burnt temple or a burnt mosque." The city's efforts to date have earned mixed reviews.

Outraged residents quickly shouted down a [proposed list of banned protest behaviours](#), for example. The much-mocked list, which included profanity, passing out food and using sidewalk chalk, was panned by civil liberties experts and quickly walked back.

Another idea involves upgrading security cameras outside city hall in the hopes of gathering evidence of hate-related or other crimes. The plan, pitched by Coun. Brad Clark, would be to use that evidence to [request a court injunction](#) against demonstrably hate-inciting groups or individuals. Some residents cheered the idea of a court-imposed ban — but others worry about the prospect of "over-surveillance" in public places. Bureaucratic bans are probably a waste of time, said Evan Balgord, who heads the Canadian Anti-Hate Network that specializes in ferreting out, monitoring and publicly outing hate groups. "If they try to do that, they'll lose a Charter challenge," said Balgord, who has made similar arguments to Toronto's city council.

"If you try to ban them from public spaces, hate groups will just feed on that ... This is an issue that requires moral leadership, not bureaucratic leadership." Balgord suggested "massive" counter protests have been effective elsewhere in making typically smaller numbers of hatemongers feel "emasculated" and "unwelcome." Turk echoed that proposal. "You don't do it by censorship, you do it by exposing how weak their (hateful) message is, how little support it has in the broader community." Grassroots groups in Hamilton have increasingly risen to that challenge — particularly this month, when a "Hamilton for Who?" rally attracted [hundreds of LGBTQ+ allies to city hall](#), dwarfing the gathering of a half-dozen sign-toting "yellow vesters." But that doesn't mean there is no role for the city to play, added Balgord. "Your mayor, your councillors, should be encouraging or even organizing such actions. They should be right in the middle of it," he said. "Politicians and police need to send the right signals, to let these people know they're not welcome. Sometimes, by their actions, it seems like the opposite is happening." Mayor Fred Eisenberger was criticized as relatively "silent" about the threat of hate following the clash of protesters at Pride as well as for his defence of the police response. The Hamilton police board, which he chairs, is now studying whether to sign off on an independent review of Pride policing. That decision could happen later this month. Councillors Maureen Wilson and Nrinder Nann have called for such a review to include an advisory board of citizens, particularly from marginalized groups. For his part, the mayor has released a series of statements condemning hate in the community and tried — amid controversy and fresh criticism — to meet with members of the LGBTQ+ community. What else can the city do?

City staff will report back with more details about the fledgling hate-prevention policy this fall. That could include new "no trespass" rules and specific code of conduct provisions. The city will also try to gather evidence to support a court injunction against any alt-right protesters who engage in violence or demonstrable incitement of hatred. Many LGBTQ+ residents are also anxiously awaiting the [results of a city probe](#) into a municipal IT worker, Marc Lemire, linked to a notorious white supremacist group. Marginalized residents are waiting for "concrete actions," said Hugh Tye, executive director of the Hamilton Community Legal Clinic. He argued that starts with staking out a "crystal-clear stance" that the city will not ignore or condone hate on its doorstep. "We need to speak out against hate, name it and not be shy about where we stand," said Tye, who is seeking council support for a community-wide '[No Hate in the Hammer](#)' campaign that launched Thursday. There are other steps, small and large, that the city could support, he added.

Even if banning informal protests is not possible under the law, Tye argued the city can at least withhold permits for events in parks from groups known to espouse hateful messages. The city could also fast-track efforts to resurrect the Hamilton Anti-Racism Resource Centre, which was [abruptly put on hiatus earlier this year](#) to the dismay of many residents. "For some people, this was the only place they felt safe reporting discrimination or harassment," said Tye. "Without that body, how do you reliably track incidents of hatred or act on them?"

22. Hamilton had highest rate of police-reported hate crimes in 2018: Statistics Canada: 'I think that we are seeing some of the reasons why residents have been clamoring for action,' Kojo Damptey, manager of programs at the Hamilton Centre for Civic Inclusion, said Tuesday.

[Teviah Moro](#) The Hamilton Spectator

<https://www.thespec.com/news-story/9516085-hamilton-had-highest-rate-of-police-reported-hate-crimes-in-2018-statistics-canada/>

Jul 24, 2019 by

Hamilton ranked highest among census metropolitan areas for police-reported hate crimes last year, according to a new Statistics Canada study. The study released Monday noted the Hamilton CMA, which includes Burlington and Grimsby, tallied 97 police-reported hate crimes in 2018.

23. Hamilton anti-hate rally: 'As long as they're still here, we need to be here' Pro-diversity advocates blame the yellow-vest movement for stoking anti-immigrant sentiment.

[Teviah Moro](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9523271-hamilton-anti-hate-rally-as-long-as-they-re-still-here-we-need-to-be-here-/>

Jul 27, 2019

Pro-diversity demonstrators waved signs at passing motorists and pedestrians outside city hall Saturday amid concerns about a rise in hate group activity in Hamilton. The rally was an ongoing effort to drown out anti-immigration sentiment expressed by yellow-vest and alt-right protesters who have gathered in the Main Street West square for more than a year. "As long as they're still here, we need to be here," Rae-Lynne Campbell said alongside fellow demonstrators who held signs promoting diversity. The anti-hate rallies come as city officials grapple with the complexities of barring xenophobic messengers from the public square. They also follow violence at June 15 Pride celebrations when extremist preachers waving anti-LGBTQ+ signs were met by counterprotesters in Gage Park. On Saturday, the pro-diversity camp outnumbered a small clutch of yellow-vests huddled in the eastern part of the city hall forecourt. Roughly 12 police officers — some on bicycles — observed, mostly from a distance in the square, the competing demonstrations.

Adam, a pro-diversity demonstrator who didn't want his last name published due to safety concerns, said he once believed ignoring the "handful of crackpots" was the best approach. "But what we didn't see ... was that Hamilton was becoming known as a safe haven for people with those kinds of attitudes," the 37-year-old IT specialist said. [On Monday, Statistics Canada released a study that placed Hamilton in the No. 1 spot among 35 census metropolitan areas](#) when it came to the rate of police-reported hate crimes in 2018.

24. Steeltown or Hatetown? Hamilton tops country in hate crime report. As in previous years, the city outpaced Quebec City and Ottawa when it came to the 1,798 incidents reported to police across Canada last year.

Emerald Bensadoun The Canadian Press

<https://www.hamiltonnews.com/news-story/9521156-steeltown-or-hatetown-hamilton-tops-country-in-hate-crime-reports/>

Jul 26, 2019

Hate crimes were reported relatively more frequently in Hamilton last year than in any other city in the country, according to new data from Statistics Canada. As in previous years, the city outpaced Quebec City and Ottawa when it came to the 1,798 incidents reported to police across Canada last year. Following a 47 per cent surge in 2017, the number of police-reported hate crimes in Canada dipped 13 per cent last year, Statistics Canada reported. Despite the slight decline, the number of hate crimes in 2018 aligns with the upward trend observed since 2014. Hamilton, however, saw no decline last year, climbing 6.6 per cent in 2018 after a 30 per cent jump in 2017. At 17.1 reported incidents per 100,000 population, the Hamilton rate was more than three times the national average of 4.9 per cent per 100,000 people. By contrast, Quebec City had 11 and Ottawa 9.8. Some observers said the Steeltown numbers came as no surprise. "We have been a hot bed for far-right, neo-Nazi organizing," said Matthew Green, executive director for the Hamilton Centre for Civic Inclusion. "What has been accepted as acceptable discourse now includes such a far range of racist, xenophobic, homophobic language that people feel like it's OK for them to say things and do things under the guise of free speech that cross the threshold of hate crimes." The Statistics Canada data, released on Tuesday, show 97 hate incidents were reported to Hamilton police in 2018. Of those, 41 were against the Black community, and another 30 were directed at Jewish people. In 2016, Hamilton saw 70 hate crimes reported, with 26 per cent aimed at the Black population and 27 per cent at Jews. Hamilton Det. Paul Corrigan said the most common form of hate crime was graffiti, most of which involved swastikas, with assaults in second place. Tina Fetner, an associate sociology professor at McMaster University, said Hamilton has high levels of diversity and inequality. She wondered how many of the reports resulted in convictions. Diversity of residents is not reflected in the leadership of the city, Fetner said. At the same time, she said, hatermongers have had free rein. "There's been a tolerance for extreme right and, some would say, hate groups that have been mobilizing around city hall on a weekly basis," Fetner said. "There's been a tolerance for people with white supremacist ties (and) people with anti-LGBTQ histories who have been given a place to perform their activism with no consequences." In a statement, Mayor Fred Eisenberger urged residents to stand up against prejudice, exclusion and discrimination.

"The statistics show that hate is an ongoing challenge in our city," Eisenberger said. "An increase in reported hate crimes can be a direct result of increased outreach by our police services or greater public awareness and encouragement of reporting hate." Corrigan said Hamilton police have been providing officers with sensitivity training, talking about discrimination in schools, and hosting up to 70 events in the community each year.

The fact that people are reporting hate incidents is a good thing, he said. "Being No. 1 is not where we want to be, but it does show that we are reaching out to communities and communities are talking to us," Corrigan said.

Green, however, said most racism and hate crimes remain unreported. He said city leaders had failed to publicly denounce white supremacy, thereby emboldening and legitimizing racism while unintentionally alienating marginalized members of the community. "We are unsurprised that there's a growing boldness and public face to this movement that has been largely underground for the last decade," Green said. "They have re-emerged but they certainly have not just appeared out of the blue." Green, a former city councillor, also said what police call a hate crime is problematic. "We have to take a serious look at the threshold of a hate crime, who gets to decide what that is," he said. "The laws as they stand create too much of an arbitrary decision by law enforcement."

25. Hamilton's landscape of hate: How far-right extremists are finding fertile ground: Don't dismiss it as just a few bad apples on the fringe, anti-discrimination advocates warn.

[Teviah Moro](#) The Hamilton Spectator

<https://www.hamiltonnews.com/news-story/9480306-hamilton-s-landscape-of-hate-how-far-right-extremists-are-finding-fertile-ground/>

Jun 28, 2019

He was 12 when two neo-Nazi thugs followed him and his brother into a downtown Hamilton shopping mall and jumped them. Matthew Green, who is black, shares this Jackson Square incident of more than 20 years ago to show how a pair of goons can do a lot of damage. "It only took two of them to change the way I felt in my own city," [says Green, executive director of the Hamilton Centre for Civic Inclusion and a former city councillor now running federally for the NDP.](#) He also offers this anecdote in the aftermath of a bigoted, violent protest mounted by Christian extremists, with alt-right companions in tow, that targeted Pride celebrants at Gage Park on June 15. Drawing from his own experience at Jackson Square, Green speaks with authority when he laments how the LGBTQ+ teens who were exposed to the hatred will remember it for years to come. "It was a traumatic experience for them. What should have been a celebration has turned into this trauma." Green and other advocates say the Gage Park violence was just another sign that dangerous right-wing extremists have found fertile ground in Hamilton to organize activities. Consider some of the characters who have attended regular alt-right rallies outside city hall for the past several months:

- white nationalist godfather [Paul Fromm, who ran for mayor in the last election](#);
- members of the Canadian Nationalist Party, which states the country "must maintain the demographic status of the current European-descended majority";
- [Proud Boys](#), an Islamophobic and anti-Semitic group whose members call themselves "western chauvinists."

The gatherings coincide with an ongoing municipal investigation into Marc Lemire, a former member of the now-defunct Heritage Front who has worked in the city's IT department for years. Lemire, who's now in his 40s and on leave, has dismissed his dealings with the white supremacist organization as a dalliance of his youth.

[In May, he told The Spectator he rejects the "Heritage Front for what it was; as I have stated consistently for over 11 years."](#)

As a young man, Lemire embraced the early days of the internet to disseminate more efficiently neo-Nazi propaganda, as well as the material of infamous Holocaust denier Ernst Zundel. Before the web, hate groups had to deliver pamphlets to people's doors, which Lemire and Fromm did in a Mountain brow neighbourhood in 2001 to hate-monger amid an Ebola scare at the Concession Street hospital. The reach of the internet has made hate groups more dangerous, [says Evan Balgord, executive director of the Toronto-based Canadian Anti-Hate Network](#). But, vexingly, it's also difficult to hold anyone to account under Canada's current anti-hate laws, Balgord says. The Criminal Code-based process is cumbersome, he says, noting police must take their cases to Crown attorneys, who, in turn, need sign-off from provincial attorneys general. Investigative work can take as many as 18 months, which means only about a half-dozen of the most egregious and sustained hate propagandists are brought to justice in a single year. "So if you're talking about this being an effective legal tool, no, not even a little bit," Balgord says. That's why the network is pushing for the return of a provision under the Canadian Human Rights Act that allowed people to take hate-speech complaints straight to the federal commission. Decisions could result in cease-and-desist orders and fines, with the spectre of contempt-of-court convictions for not obeying.

[But the mechanism was repealed in 2013 under the Harper government after critics argued it strangled free expression and unduly imposed censorship.](#)

Media outlets were among Section 13's detractors, but so was Lemire, who, until recently, maintained a "pro-free-speech" website that included an archive that memorialized Doug Christie, a lawyer who defended Zundel and Nazi-era war criminals. Since the scandal broke earlier this year, Lemire has since taken down [www.freedom.org](#), which he last updated in 2015. Balgord says the Section 13 resource didn't exactly stamp out hate propaganda, but he believes it at least allowed for what he describes as a "lull." "What's going on today really makes it apparent that without it, you've got nothing, and we need something."

[The number of right-wing extremist organizations in Canada has increased considerably in recent years, notes Barbara Perry, an Ontario Tech University professor who specializes in the subject.](#)

Perry, who's also director of the Centre on Hate, Bias and Extremism, says she and her colleagues estimated there were a little more than 100 active groups in 2015. Since then, there has been what she describes as a "very dramatic increase." "I can confirm that there are likely very close to 300 active right-wing extremist groups in Canada," Perry said via email this week.

"They range in size from very small groups of 2-4, up to larger groups in the 100s." The variety includes recent arrivals to Canada, [such as the Soldiers of Odin, which have drawn inspiration from the original Finnish anti-immigrant counterparts.](#) But Perry's list also notes new chapters of longer-standing organizations, [such as Blood & Honour, which the federal government has classified as an illegal terrorist organization.](#) Another, called Combat 18, was also named as an outlaw group in the Canadian Security Intelligence Service's announcement this week. The rise in far-right extremist groups mirrors a spike in police-reported hate crimes in Canada.

- In 2017, they spiked by 47 per cent over 2016, [according to Statistics Canada.](#)
- Ontario saw the sharpest increase at 67 per cent, with reported cases rising to 1,023 in 2017 from 612 the year before. StatsCan says the big jump in this province was driven by more hate crimes against Muslim (207 per cent), black (84 per cent) and Jewish (41 per cent) populations. Ontario saw a 38 per cent rise in hate crimes targeting sexual orientation.
- [The Hamilton census metropolitan area, which includes Grimsby and Burlington, had the second-highest rate of police-reported hate crime in the country at 16 per 100,000 population in 2017.](#) Thunder Bay, where Indigenous people, in particular, have been targeted, had the highest rate at 17.4.
- Statistics Canada noted non-violent crimes, such as graffiti and vandalism to buildings, represented the bulk of the national upward trend. But 2017 was also the year that a gunman shot six people dead at a mosque in Quebec City.

After the terrorist attacks that toppled the Twin Towers in New York City on Sept. 11, 2001, Muslims across North America experienced a rash of hate-fuelled acts. Hamilton was no exception. Arsonists set fire to [the Hindu Samaj Temple on Twenty Road four days after 9/11. The culprits also smashed windows at the Hamilton Mosque on Stone Church Road East that same night.](#)

Of course, since then, there have been other cases of hate-related property crime and mischief, such as swastikas spray-painted on buildings. But societal factors that have fueled the rise in far-right extremist groups in Canada in the past four years aren't easy to nail down. Still, it's difficult not to point to the election of President Donald Trump in the United States as a factor in whatever's going on. Trump was elected on a populist platform that promised to not only "drain the swamp" in Washington, but also crack down on illegal immigration by building a wall at the Mexican border. In Canada, notwithstanding the election of a federal Liberal government in 2015, far-right Conservatives [like Kellie Leitch still managed to find room for a "Canadian values" screening for newcomers and a "barbaric cultural practices" snitch line.](#) And today, shopworn tropes of immigrants stealing "our" jobs, exhausting social services and crowding out "old-stock" Canadians are fertilizing the far-right landscape. [The climate has also given space to Maxime Bernier, who split from the federal Conservatives to found his more radical People's Party](#) of Canada. It remains to be seen just how much of the right-wing electorate Bernier can swing.

The election is Oct. 21. Some of it will be the racist fringe, which already has a proven tendency to gravitate to milder right-wing political parties. Recall how Preston Manning had to weed out such extremist hitchhikers from his Reform Party of Canada in the 1990s. In 1993, Paul Fromm, a former Mississauga high school teacher, told The Canadian Press his ideas were on par with the Reform platform.

"I would not call myself a white supremacist." [This is the part of the extremist's playbook, suggests Ameil Joseph, an assistant professor of social work at McMaster University in Hamilton.](#) And it is nothing new, he says. "We know since the '60s, people like David Duke tried to make mainstream the Ku Klux Klan positions as political ones divorced from the hatred so that they could be implemented. "And we've seen that example flourish. We've seen hate groups wield social media and online environments do this similar kind of proliferation." Alt-right adherents in Canada, for instance, parrot Trumpisms, complaining about "fake news" and adopting slogans like "Make Canada Great Again."

In a video posted online, [septuagenarian John Beattie, who founded the Canadian Nazi Party in the 1960s](#), is seen with two masked young men giving tips on how to suit up with far-right extremist organizations. One of them suggests reaching out to like-minded neighbours, or checking out the Yellow Vest populist movement that rails against immigration, globalism and government corruption. Justin Long, a Yellow Vest mainstay in Hamilton, says he doesn't support any political party. He and his fellow protesters have held rallies in the city hall forecourt on Main Street West for several months, much to the chagrin of local anti-racism advocates, including Green and Joseph.

(Under increasing pressure after the violence at Pride, city council discussed this week ways to keep the far-right radicals out of the public square.) Other than citing "200 years of government corruption," Long declines to go into detail about what drew him to Yellow Vest populist movement, which takes its name from an unrelated working-class uprising in France. But, he insists to reporters gathered to cover a recent city hall rally, that the media has conducted a "smear campaign" against the domestic Yellow Vest movement. Long says he's not anti-immigrant but against lax immigration politics that allow Islamic terrorists to enter Canada unchecked. This claim is made absent of any credible sources and facts.

[On June 15, the Saturday of the Pride violence, some Yellow Vests, but not Long, splintered from their regular city hall rally and headed to Gage Park.](#)

Once there, they filmed a clutch of Christian extremist preachers waving homophobic-themed signs and bellowing diatribes through a megaphone. What followed was captured on video — shot by more than one cellphone and camera. A formation of pink-masked Pride supporters fanned across the grassy east-end park with a big, black fabric screen to block the volatile display from celebrants' view. The preachers — who say they're affiliated with a Toronto-based ministry called Servanthoods — tried to out maneuver the portable barrier. One of the preachers threw a punch, connecting with a "pink bloc" member's face. It spiraled from there with more punches, kicks and shoves. At one point, an alt-right thug, decked out in pseudo-body armour, swings his helmet — not once, but twice — into people's faces. [Chris Vanderweide, 27, was arrested this week at his home in Kitchener and taken to the Hamilton-Wentworth Detention Centre. He faces](#)

[two counts of assault with a weapon](#). But let's get back to Long. It's a week after the homophobic Pride protest, and he's addressing reporters in a southeastern corner of the city hall forecourt. [Police have set up barriers to separate Long's Yellow Vest rally from a much larger one against hate groups](#). He says his Yellow Vest colleagues only went to Pride to "observe," just as he might go to watch a sports event.

Long insists he has "no problem" with Pride festivals, but sticks to his guns about gay people wanting "to destroy the family unit." He's also quick to point out he told Paul Fromm, the longtime white nationalist, not to attend the Saturday rallies after he found out about his politics. As he fields reporters' questions, a posse of Proud Boys — [modelled after the same ones who chanted "Jews will not replace us" during a torchlit "Unite the Right" rally in Charlottesville, Va., in 2017](#) — stands by his side, occasionally interjecting with jabs about "fake news." This, however, doesn't seem to faze Long, who goes on to declare how he "would not disavow" the Canadian Nationalist Party. "If they feel like they want to stand with us in the Yellow Vest protest, then they are more than welcome to." In fact, men wearing Canadian Nationalist Party garb stood shoulder to shoulder with Yellow Vests and extremist preachers at the Pride protest. The party, which isn't registered, notes the organization's goals are to "improve the social and economic conditions of an ethnocentric Canada." "We must maintain the demographic status of the current European-descended majority," the group's website says. Leader Travis Patron has posted videos warning of the "parasitic tribe" that has infiltrated the media, central banking and politics. "And what we need to do perhaps more than anything is remove these people once and for all from our country." [Ottawa-based human rights lawyer Richard Warman](#) has filed a formal criminal complaint with the RCMP about Patron's video and other material he has posted. In the complaint, Warman notes how anti-Semites have referred to Jews as the "parasitic tribe" for a long time. What he finds most alarming is Patron's "once and for all" remark, allegedly a "call to genocide against the Jewish community." The RCMP have since launched a hate crime investigation. With the Yellow Vests battered with bad press, Guy Annable, the movement's Ontario spokesperson, calls up The Spectator to offer a "rational voice to the conversation."

Annable wants to talk about the "antifa," a term that's generically applied to anti-fascist activists, who have been the alt-right's most diligent agitators — on the street and online, dredging up racist, xenophobic and homophobic posts and exchanges. "We are not violent people. We are people who are wearing yellow vests. We don't hide our faces," he says, alluding to how the movement's persistent antagonists wear masks. Annable, who called from Ottawa, says some racists latched onto the movement, but he explains that's because it grew very quickly. He says it went from 18,000 members in early December to 109,000 by the end of that month. The Canadian version of the Yellow Vest movement — which originated in France as a protest over fuel taxes — made headlines in February, when a "United We Roll" convoy of oil and gas workers travelled from Western Canada to Ottawa. [Members of extremist organizations, going along for the weeklong ride, uttered racist and xenophobic remarks](#). But the Canadian movement, Annable insists, is about four things: "Build the pipelines, no carbon taxes, oil to tide water, and remove ourselves from the migration compact." But he goes on. "Taxpayers are pissed off. Normal people are sick of seeing their children degenderized. These Pride parades, that's the latest huge one. You should see the outrage from parents on this on these huge Pride parades and everything else. No, we have a voice, too." So the conversation steers back to the violence at the Hamilton Pride celebration. Yes, he says, the Gage Park situation was bad.

There were some "bad apples on our side, as well." Annable adds he won't defend "what they call 'Helmet Guy.' We don't want that." Neither does Jyssika Russell, who's a member of [Hamilton Queers Against Hate](#). But Russell — like Green, like Joseph — says it's important to not accept the a-few-bad-apples argument, whoever's making it. The damage caused by the extremist fringe that showed up to the park that day is enormous.

"There is absolutely fear," Russell says about the dread the LGBTQ+ people have felt since the violence of June 15. Community events for youths have been cancelled due to security concerns, says Russell, who works with young people. Neither does Jyssika Russell, who's a member of [Hamilton Queers Against Hate](#). But Russell — like Green, like Joseph — says it's important to not accept the a-few-bad-apples argument, whoever's making it. The damage caused by the extremist fringe that showed up to the park that day is enormous. "There is absolutely fear," Russell says about the dread the LGBTQ+ people have felt since the violence of June 15. Community events for youths have been cancelled due to security concerns, says Russell, who works with young people.

APPENDIX "C"

IMPACT TEST SPECIFICATIONS FOR VEHICLE SECURITY BARRIER SYSTEMS

PAS 68:2013



BSI Standards Publication

Impact test specifications for vehicle security barrier systems

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Summary of pages

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Foreword

Publishing information

This Publicly Available Specification (PAS) was sponsored by the UK Government's Centre for the Protection of National Infrastructure (CPNI). Its development was facilitated by BSI Standards Limited and published under license from the British Standards Institution. It came into effect on 31 August 2013.

Acknowledgement is given to the following organizations that were involved in the development of this specification as members of the steering group.

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- Perimeter Security Suppliers Association (PSSA)
- Transport Research Laboratory (TRL).

Acknowledgement is also given to the valuable contribution made by those organizations that reviewed the working drafts of PAS 68 and who submitted comments for consideration. The contributions helped to improve the specification and are much appreciated.

Supersession

This PAS supersedes PAS 68:2010, which will be withdrawn on publication of this PAS.

Information about this document

BSI retains ownership and copyright of this PAS. BSI reserves the right to withdraw or amend this PAS on receipt of authoritative advice that it is appropriate to do so. This PAS will be reviewed at intervals not exceeding two years, and any amendments arising from the review will be published as an amended PAS and publicized in *Update Standards*.

This PAS is not to be regarded as a British Standard. It will be withdrawn upon publication of its content in, or as, a British Standard.

The PAS process enables a document to be rapidly developed in order to fulfil an immediate need in industry. A PAS may be considered for further development as a British Standard, or constitute part of the UK input into the development of a European or International Standard.

This new edition of PAS 68 incorporates key technical changes only. It does not represent a full review or revision of the standard.

The following principal changes are as follows.

- Terms and definitions have been updated for clarity and to align with CWA 16221.
- Normative and informative references have been updated.
- Classification codes have been updated.
- Test classification N1G has been changed from a single to a crew cab 4x4 pick up.
- References to "weight" have been altered to "mass".

- Subclause 5.2, test methodology, Clause 7, documentation, and 8.3, impact point, have been updated to align with CWA 16221.
- Annex B, Generic rigid test foundation for a single fixed bollard for vehicle impact tests has been removed and replaced with an annex regarding VSB system classifications (see Annex A).
- Annex C has been removed as the alternative methods of impact testing listed in PAS 68:2010 edition are still being researched and developed.
- List item o) in D.1.1 has been removed as a repetition of D.1.1 l). Annex D is now Annex B.
- Some editorial amendments have been undertaken.

Relationship with other publications

PAS 68 was originally developed with PAS 69 which is guidance for the selection, installation and use of vehicle security barriers (VSBs). An international workshop agreement (IWA) is currently in development for the International Organization for Standardization (ISO) that will cover similar content to PAS 68 and PAS 69. However, both PAS 68 and PAS 69 are well established in the UK and they are being revised to meet immediate industry requirements and developments in the VSB industry since their last publication.

Product testing. Users of this PAS are advised to consider the desirability of third-party testing of product conformity with this PAS. Appropriate conformity attestation arrangements are described in BS EN ISO/IEC 17025. Users seeking assistance in identifying appropriate conformity assessment bodies or schemes may ask BSI to forward their enquiries to the relevant association.

Presentational conventions

The provisions of this standard are presented in roman (i.e. upright) type. Its requirements are expressed in sentences in which the principal auxiliary verb is "shall".

Commentary, explanation and general informative material is presented in smaller italic type, and does not constitute a normative element.

Requirements in this standard are drafted in accordance with *The BSI guide to standardization – Section 2: Rules for the structure, drafting and presentation of British Standards*, subclause 11.3.1, which states, "Requirements should be expressed using wording such as: 'When tested as described in Annex A, the product shall ...'". This means that only those products that are capable of passing the specified test will be deemed to conform to this standard.

Contractual and legal considerations

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

Compliance with a British Standard cannot confer immunity from legal obligations.

Particular attention is drawn to the following specific Acts:

- The Road Traffic Act 1991 [1];
- The Data Protection Act 1998 [2].

Introduction

PAS 68 has been prepared to address the needs of organizations who wish to have assurance that vehicle security barrier (VSB) systems will provide the level of impact resistance which is sought.

Many systems are available that are either promoted or considered suitable for use as VSB systems. As their characteristics differ in both function and form, a comparative means of assessing their performance is required.

This Publicly Available Specification identifies impact test methods, tolerances, test vehicle type and vehicle performance criteria that need to be met in order to conform to PAS 68. Design guidance for installing barriers is provided in PAS 69.

Declarations of conformity to PAS 68 are relevant only for the edition of the PAS to which testing was undertaken and with which all requirements were complied.¹⁾

1 Scope

This Publicly Available Specification (PAS) cites a classification system for the performance of vehicle security barriers (VSBs) and their supporting foundations when subjected to a single horizontal impact.

This PAS specifies two test methods of determining the performance classification of VSB systems:

- the vehicle impact method;
- the design method [which includes the use of finite element analysis (FEA) techniques if validated by test data].

This PAS does not cover the performance of a VSB system when subjected to blast or ballistic impact.

2 Normative references

The following documents, in whole or in part, are normatively referenced in this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

BS EN 1317-1: 2010, *Road restraint systems – Part 1: Terminology and general criteria for test methods*

BS EN 12390-2, *Testing hardened concrete – Part 2: Making and curing specimens for strength tests*

3 Terms and definitions

For the purposes of this PAS, the following terms and definitions apply.

3.1 ballast

mass securely fixed to the vehicle

3.2 dispersion

distance beyond the VSB system datum line to the location of the furthest item of major debris (see 3.8)

¹⁾ Marking PAS 68:2013 on or in relation to a product represents a manufacturer's declaration of conformity, i.e. a claim by or on behalf of the manufacturer that the product meets the requirements of the standard. The accuracy of the claim is solely the claimant's responsibility. Such a declaration is not to be confused with third-party certification of conformity.

- 3.3 fixed bollard**
fixed vertical post/tube embedded into specified foundations and designed to prevent the passage of a vehicle
- 3.4 impact angle**
angle in the horizontal plane between the intended impact face and the approach path of the test vehicle into the test item
- 3.5 impact point**
initial point of contact between the test vehicle and the test item
- 3.6 inertial test vehicle mass**
mass of vehicle including ballast
- 3.7 leading edge of goods vehicle load platform**
forward edge of the upper surface of the load bed intersecting the head-board or the transverse line where the head-board would be fitted
- 3.8 major debris**
single item having a mass of 25 kg or above, which, as a consequence of the impact has been entirely detached from:
- a) the test vehicle; or
 - b) its ballast; or
 - c) the VSB system;
- and that has been projected beyond the original position of the VSB system datum line
- NOTE Inclusion of the dispersion distance of any major debris in a test report assists with the choice of an appropriate VSB system.*
- 3.9 test item**
single or multiple items which when combined with their foundations constitute a VSB system
- 3.10 test system**
operating equipment required for the test and specified foundations
- 3.11 test vehicle**
production model vehicle that is representative of current traffic in the intended country of use, with an unmodified chassis, load bed and frontal structure used in an impact test to evaluate the performance of a VSB system
- NOTE 1 Modifications may be made to the vehicle solely for the purpose of restraining forward movement of ballast, provided that this does not affect the dynamic behaviour of the vehicle.*
- NOTE 2 Further information regarding test vehicles can be found in BS EN 1317-1:2010, 5.2. BS ISO 6813 is a terminology for the collision classification of road vehicles.*
- 3.12 test vehicle impact speed**
speed of the test vehicle measured along its approach path at a point no further than 8 m before the impact point
- 3.13 unladen mass**
mass of test vehicle, excluding ballast but with the manufacturer's standard equipment, quantities of engine oil and coolant, and a minimum amount of fuel
- 3.14 vehicle penetration**
maximum distance between the leading edge of the load platform of a day cab vehicle as marked on the chassis, or the intersection of the base of the windscreen and the "A" pillar of a car or 4x4 pickup, and the original rear face

of the VSB/VSB system datum line, when measured at 90° to the VSB system (e.g. by analyzing film, video and/or instrumentation) during or after the impact

3.15 vehicle security barrier (VSB) system

physical vehicle barrier, operating mechanism, power source and associated controls designed and installed to bring to rest or redirect an impacting vehicle

NOTE See Annex A for details of VSB system element classifications.

3.15.1 active VSB system

VSB which requires operation either by personnel or powered equipment

NOTE For example a manual dropping/lifting-arm barrier or an automated retractable/rising bollard.

3.15.2 passive VSB system

static VSB which is fixed in place or is removable using personnel or plant

NOTE For example a structural wall, a fixed bollard, a removable bollard or a planter.

4 Vehicle impact method – classification code

The VSB system elements shall be defined in accordance with Annex A.

The performance class shall be expressed in terms of a 7-part classification in accordance with Table 1.

The classification code shall include the letter V.

Table 1 Performance classification – vehicle impact test

	1	2	3	4	5	6	7
	VSB system type	V	Inertial test vehicle mass kg	Test speed km/h	Impact angle °	Vehicle penetration m	Dispersion of major debris m
<i>Example:</i>	PAS 68:2013 Fixed bollard	V	4- or 5-digit vehicle mass and test vehicle classification	2-digit or 3-digit impact speed	Any angle between 0° and 90° in 5° intervals	To 1 decimal place where X.X is the penetration	To 1 decimal place where Y.Y is the dispersion distance

Performance classes:

EXAMPLE 1

a) PAS 68:2013 Fixed bollard V/1 500(M1)/48/90:1.7/5.2 denotes:

- 1) a fixed bollard;
- 2) tested using the vehicle impact method;
- 3) capable of withstanding an impact by a 1 500 kg car;
- 4) impact speed of 48 km/h;
- 5) impacted at 90° to the front face of the bollard;
- 6) where the vehicle penetration was 1.7 m beyond the original position of the rear face of the bollard;
- 7) where major debris landed no more than 5.2 m beyond the original position of the rear face of the bollard.

EXAMPLE 2

b) PAS 68:2013 Anti ram fence V/7 500(N3)/80/45:2.0/3.4 denotes:

- 1) an anti-ram fence;
- 2) tested using the vehicle impact method;
- 3) capable of withstanding an impact by a 7 500 kg goods vehicle of N3 classification;
- 4) impact speed of 80 km/h;
- 5) impacted at an angle of 45° to the front face of the fence;
- 6) where the vehicle penetration was 2.0 m beyond the original position of the rear face of the fence;
- 7) where the major debris landed no more than 3.4 m beyond the original position of the rear face of the fence.

The vehicle mass and impact speed combination shall be selected from one of the combinations specified in Table 2.

Table 2 Vehicle impact test criteria

Test vehicle classification	Test classification	Test speed	Equivalent test speed (nominal)	Impact angle	
	kg-km/h	km/h	(mph)	(°) (±2°)	
Car	M1	1 500-16	16 ±2	0° to 90° in 5° intervals	
		1 500-32	32 ±2		
		1 500-48	48 ±3		
		1 500-64	64 ±3		
		1 500-80	80 ±5		
		1 500-96	96 ±5		
		1 500-112	112 ±5		
4x4 pick-up (crew cab design)	N1G	2 500-16	16 ±2	0° to 90° in 5° intervals	
		2 500-32	32 ±2		
		2 500-48	48 ±3		
		2 500-64	64 ±3		
		2 500-80	80 ±5		
		2 500-96	96 ±5		
		2 500-112	112 ±5		
Day cab vehicles	3 500 kg flat bed (RWD)	N1	3 500-16	16 ±2	0° to 90° in 5° intervals
			3 500-32	32 ±2	
			3 500-48	48 ±3	
			3 500-64	64 ±3	
			3 500-80	80 ±5	
	7 500 kg 2-axle rigid	N2	3 500-96	96 ±5	0° to 90° in 5° intervals
			7 500-16	16 ±2	
			7 500-32	32 ±2	
			7 500-48	48 ±3	
			7 500-64	64 ±3	

Table 2 Vehicle impact test criteria (continued)

Test vehicle classification		Test classification	Test speed	Equivalent test speed (nominal)	Impact angle
		kg-km/h	km/h	(mph)	(°) (±2°)
Day cab vehicles (continued)	18 000 kg 2-axle N3 rigid	7 500-16	16 ±2	(10)	0° to 90° in 5° intervals
		7 500-32	32 ±2	(20)	
		7 500-48	48 ±3	(30)	
		7 500-64	64 ±3	(40)	
		7 500-80	80 ±5	(50)	
	32 000 kg 4-axle N3 rigid	30 000-16	16 ±2	(10)	0° to 90° in 5° intervals
		30 000-32	32 ±2	(20)	
		30 000-48	48 ±3	(30)	
		30 000-64	64 ±3	(40)	
		30 000-80	80 ±5	(50)	

NOTE 1 Vehicle speeds in km/h have been rounded to the nearest integer value.

NOTE 2 The N2 test vehicle is only acceptable for impact speeds up to and including 64 km/h. This is due to an inability to ensure that the ballast remains fixed to the load bed, without major modifications to the vehicle, at the moment of impact.

NOTE 3 See Figure 1 for vehicle classification illustrations.

5 Vehicle impact assessment

5.1 Performance requirements

When tested using the vehicle impact method the VSB system shall:

- bring to rest; or
- redirect an impacting vehicle on the approach side of the barrier.

Damage to, or movement of the VSB system shall be recorded and reported. The measurement shall record a maximum horizontal opening measured 600 mm above finished ground level.

NOTE 1 A gap of 1.2 m or more measured at 600 mm above finished ground level is deemed to be encroachable by a second vehicle.

If the VSB system consists of bollards (active or passive VSB systems), each bollard shall meet the performance requirements individually.

Movement, lateral and rotational, of any foundation, and/or the bollard, shall be recorded and reported (see also Figure 6).

NOTE 2 If the VSB system is also intended to resist access by pedestrian intruder, then following a vehicle impact, the barrier should be assessed using the test block shown in Figure 3. The test block should be offered to the opening formed in the VSB system by the impact to assess whether or not the full length of the block can pass axially through the opening; the result should be reported in the test report (see 5.2.6 and B.2).

If the manufacturer has specified more than one direction of impact, then the impact test shall be repeated for each specified direction using new test items.

5.2 Test methodology

5.2.1 Principle

The client shall specify the impact criteria of the product, against which they wish it to be tested. A vehicle conforming to one of the specifications outlined in Table 3 shall be impacted at a known speed into the VSB system under test to determine its impact resistance and subsequent classification.

Table 3 Vehicle impact method: Test vehicle specification

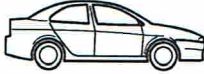
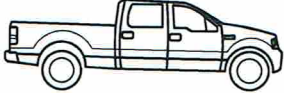

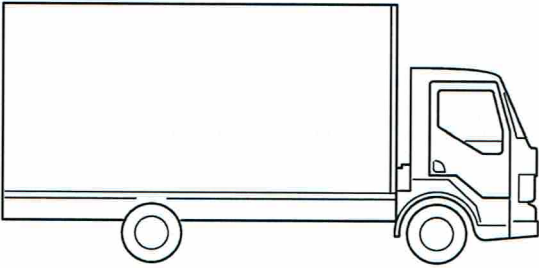
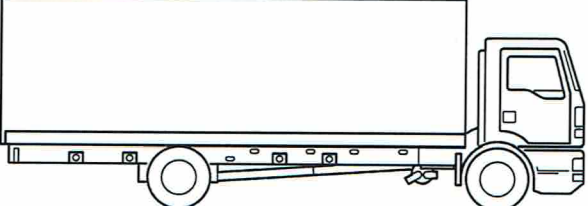
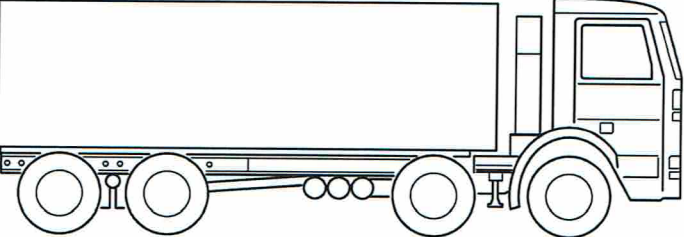
UN ECE international vehicle classification	M1	N1G	N1	N2	N3	N3
Type of test vehicle ^{A)}	Car	4x4 pick-up (crew cab design)	Day cab vehicles			
			3 500 kg flat bed (RWD) ^{B)}	7 500 kg 2-axle rigid	18 000 kg 2-axle rigid	32 000 kg 4-axle rigid (Tipper)
Nominal test vehicle mass (kg)	1 500	2 500	3 500	7 500	7 500	30 000
Minimum unladen mass (kg)	1 234	1 620	1 675	3 575	6 100	10 500
Maximum ballast (kg) ^{C)}	266	880	1 825	3 925	1 400	19 500
Inertial test vehicle mass (kg)	1 500	2 500	3 500	7 500	7 500	30 000
Tolerance (kg)	±50	±50	±100	±150	±150	±600
Overall vehicle length (mm)	4 500	4 900	6 200	7 612	9 557	10 240
Tolerance (mm)	±360	±320	±380	±1 522	±1 911	±500
Wheel base length (between extreme axles) (mm)	2 700	2 900	3 805	4 310	5 907	6 500
Tolerance (mm)	±540	±580	±710	±830	±1 250	±200

^{A)} The types of vehicle are illustrated in Figure 1.

^{B)} RWD = rear wheel drive.

^{C)} The maximum ballast includes measuring and recording equipment, if requested. Such equipment should conform to the requirements of BS EN 1317-1:2010, Clause 6.

Figure 1 Vehicle classifications – Illustrations

Type of test vehicle	UN ECE International vehicle classification	Illustration
Car	M1	
4x4 pick up (crew cab design)	N1G	
Day cab vehicles	N1	
	N2	
	N3	
	N3	

5.2.2 Apparatus and measurement means

NOTE See also Clause 7 regarding documentation and information to be provided for testing purposes.

5.2.2.1 Test vehicle, a production model representative of the current traffic, having characteristics and dimensions within the vehicle specifications given in Table 3. The test vehicle shall be not more than 10 years old for vehicle types M1,

N1G, N1 and N2 and N3 (18 000 kg) and not more than 15 years for vehicle type N3 (32 000 kg).

The condition of the test vehicle shall be road worthy with respect to its:

- a) tyres;
- b) suspension;
- c) wheel alignment;
- d) bodywork;
- e) brakes; and
- f) chassis.

NOTE Attention is drawn to the Road Traffic Act 1991 [1] including its MOT requirements.

5.2.2.2 Winch, or alternative method of delivering the test vehicle to the test item at the specified impact speed. It shall be capable of propelling the test vehicle in a stable manner and in a straight line to a point as close as possible to the test item, at which point it is released to travel freely.

5.2.2.3 Two means of speed measurement, capable of measuring the impact speed along the test vehicle's approach path at not more than 8 m before the impact point and with an accuracy in accordance with Table 2.

NOTE 1 A minimum of two independent methods of speed recording should be used. The determination of impact speed is an essential parameter.

NOTE 2 Suitable methods could include a timing gate, determination of winch cable speed, the use of pressure pads activated by the passage of the vehicle, or the analysis of overhead high-speed film records.

NOTE 3 For guidance on suitable instrumentation see BS AU 164/ISO 3784.

5.2.2.4 A method of measuring the approach angle, capable of measuring the test vehicle approach angle along the test vehicle approach path at not more than 8 m before the impact point and within a tolerance of $\pm 2^\circ$.

NOTE Suitable means could be the analysis of overhead high-speed film records.

5.2.2.5 A means of measuring distance, capable of measuring the maximum dispersion distance to an accuracy of 2%.

5.2.2.6 Photographic equipment, capable of clearly recording:

- a) the behaviour of the test item;
- b) the vehicle motion pre-impact from a minimum of 8 m before the point of impact and post-impact to a minimum of 25 m beyond the point of impact; and
- c) the distribution of major debris at a minimum of 25 m beyond the point of impact.

The period of recording shall commence from when the test vehicle is not less than 8 m before the impact point and shall conclude after the test vehicle and debris have come to rest.

High-speed camera systems shall be operated at a minimum of 200 frames per second and be capable of producing noise-free, correctly exposed²⁾ results in year round outdoor lighting conditions without resorting to the use of electronic gain or non-standard film processing to correct the exposure. The cameras shall be

²⁾ Results are considered to have been correctly exposed when the brightness range of the area of interest has been captured in its entirety. This is achieved through understanding (and utilization) of the camera variables (i.e. aperture, shutter speed, frame rate, sensor/film sensitivity).

fitted with lenses of a flat field type in order to minimize any distortion of the image; these lenses shall be of a (photographic) quality capable of achieving the optimum sensor, or film, resolution of the camera.

NOTE 1 Figure 2 illustrates the indicative camera locations.

NOTE 2 Additional high-speed cameras are recommended, particularly where the test item has specific components that need to be assessed.

The minimum number of high-speed cameras and layout shall be as follows:

- 1) (see Figure 2, item a): one camera, sited at right angles to the path of the test vehicle and in a position to obtain a clear overall pictorial record of the impact and its consequences;
- 2) (see Figure 2, item b1): camera in-line with the test item and with an unobstructed view of its front face to record the test vehicle to test item interaction;
- 3) (see Figure 2, item b2): camera in-line with and facing the test vehicle approach direction;
- 4) (see Figure 2, item c): environmental conditions permitting and in agreement with the client, a minimum of two overhead cameras, located in such a way as to cover the vehicle motion from at least 5 m before the impact point to a distance adequate to record the performance of the test, the penetration of the test vehicle and the dispersion of the major debris up to a distance of 5 m from the rear face datum of the test item;

NOTE 3 Where environmental conditions (such as wind) prevail which could have an effect on the safety of personnel and equipment, it is advisable to carry out the test without use of the overhead high-speed cameras. Where overhead cameras are not used due to prevailing environmental conditions, other methods of measuring the approach angle include global positioning satellite (GPS) may be used.

- 5) (see Figure 2, item b3): one camera, to record the interaction of the test vehicle and the test item, location as agreed by the person carrying out the test and the client.

NOTE 4 In order to minimize distortion, for the overhead photography, a lens with a focal length of 9 mm or longer used with 16 mm cine (or equivalent) should be used.

When cameras are used for determining speed, a time reference shall be recorded by the camera.

NOTE 5 Time references for camera recording can include, for example, distance marks at ground level, timing light, timing drum or timing marks made within the camera's field of view.

5.2.3 Pedestrian intruder access

If the VSB system is also intended to resist access by a pedestrian intruder, then following a vehicle impact, the barrier shall be assessed using the test block shown in Figure 3. The test block shall be offered to the opening formed in the VSB system by the impact to assess whether or not the full length of the block can pass axially through the opening. The result shall be recorded within the test report.

Figure 2 Indicative camera locations (plan view)

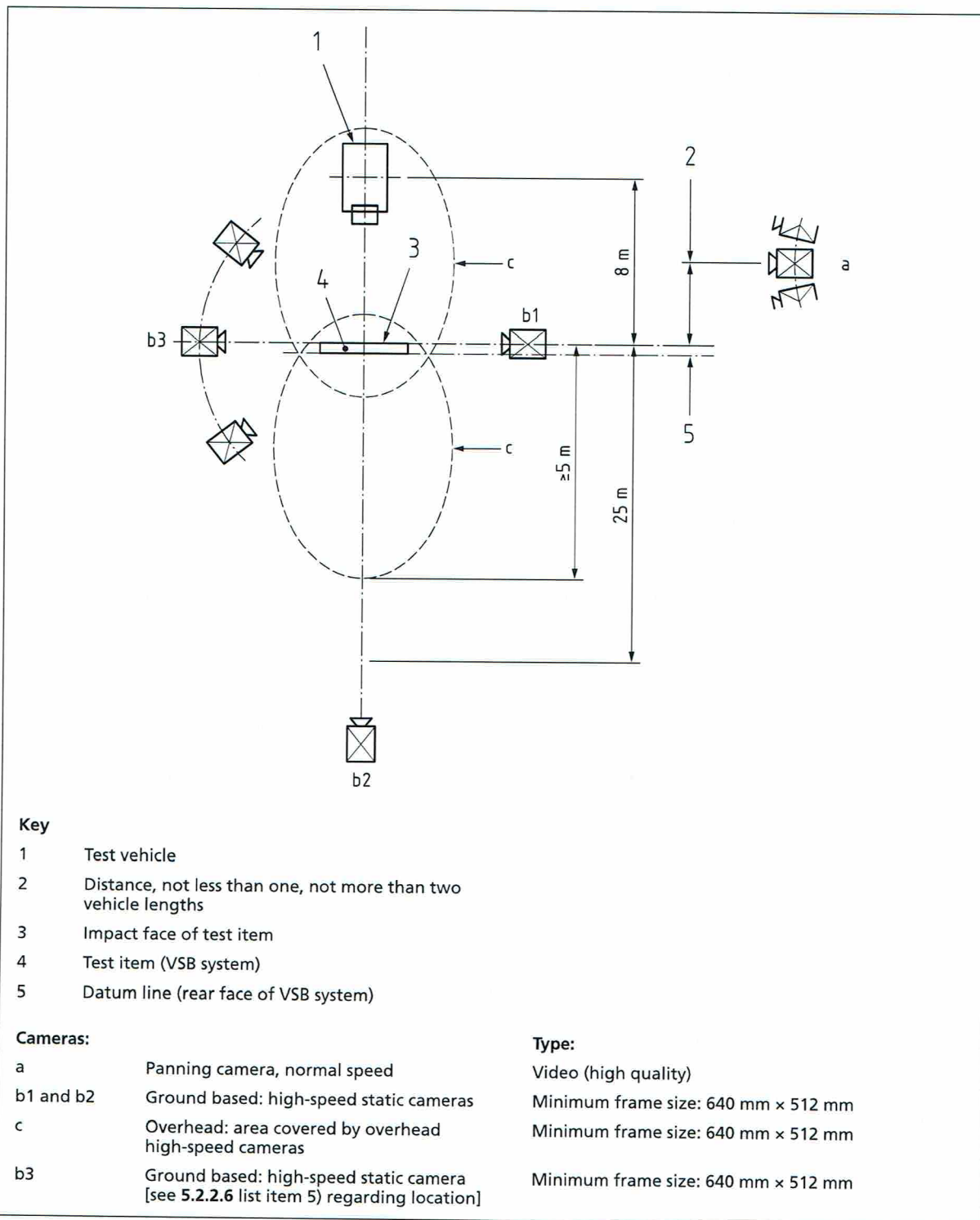
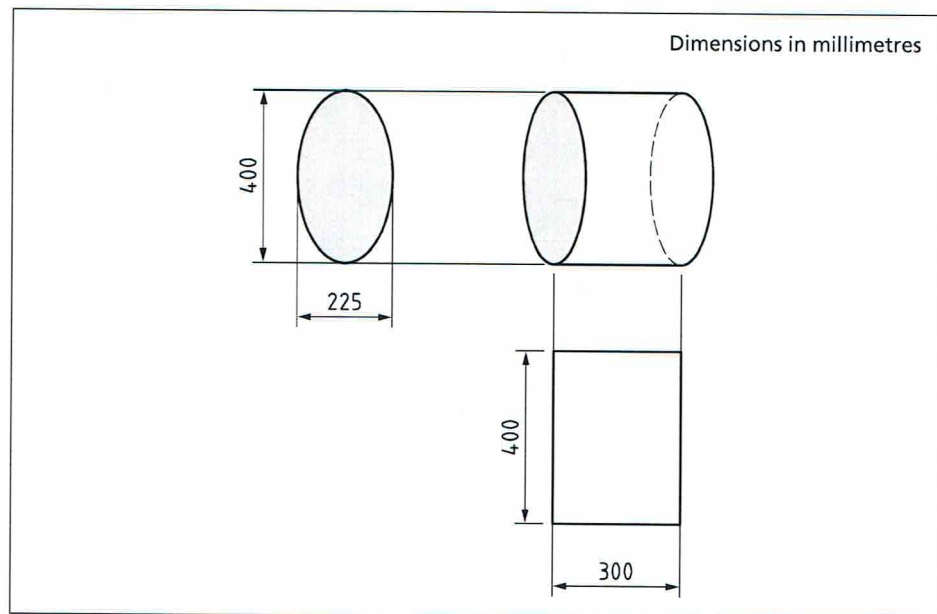


Figure 3 Pedestrian intruder test block



5.2.4 Preparations for testing

5.2.4.1 Test facility

5.2.4.1.1 The test facility shall be flat with a gradient not exceeding 2.5% in any plane. It shall be of sufficient size to enable the test vehicle to be accelerated to the required speed and controlled so that its approach to the test item is stable (negligible roll, pitch and yaw).

5.2.4.1.2 The area around the test item and the foundation to the test item shall have a level surface and shall be clear of standing water (e.g. puddles), ice or snow at the time of the test.

5.2.4.1.3 To enable the test vehicle exit characteristics to be evaluated, the firm surface shall extend not less than 25 m beyond the rear face of the original test item.

5.2.4.1.4 Appropriate measures (e.g. dampening down and/or sweeping the test area) shall be taken in order to minimize dust or water spray generation from the test site and the test vehicle during the impact test so that photographic records are not obscured.

5.2.4.1.5 The test site shall be marked to indicate the rear face of the test item for the determination of the vehicle penetration and dispersion.

NOTE Suitable means of marking include spray painting lines, grids or target markers.

5.2.4.2 Test vehicle

5.2.4.2.1 The tyres shall be inflated to the vehicle/tyre manufacturer's recommended pressures.

5.2.4.2.2 The test vehicle shall be clean and any deposits that might cause dust on impact shall be removed prior to testing, as far as is practicable.

5.2.4.2.3 The test vehicle shall not be restrained by external control of the steering or any other method (for example, by engine power or by braking) during impact or after the impact point whilst the vehicle is within a distance of 25 m of the rear face of the original test item (unless the test vehicle poses a safety or operational risk).

5.2.4.2.4 All ballast shall be evenly distributed and fixed to the test vehicle in such a way as not to exceed the permissible axle loads for the vehicle.

5.2.4.2.5 Where the test vehicle is a car or a 4x4 pick-up, mark the intersection of the base of the windscreen and the "A" pillar with a quartered target marker.

NOTE Figure 4 illustrates test vehicles in the pre-impact condition and the post-impact condition.

5.2.4.2.6 When preparing a goods vehicle for test, the position of the leading edge of the load platform shall be marked with a quartered target marker. This position shall be duplicated with a clear mark on the chassis in case the load platform moves with relation to the chassis (see Figure 4).

NOTE 1 In the case of a goods vehicle, the equivalent longitudinal position (datum) should be marked on the vehicle chassis. Experience has shown that a second mark should be made towards the rear of the chassis and the distance from the datum recorded. This enables the position of the leading edge of the load bed to be determined more readily if the front of the vehicle/chassis is distorted due to the vehicle impact with the VSB system.

NOTE 2 Additional marks might be required in order to provide reference points for measurement purposes.

5.2.4.3 Test item

5.2.4.3.1 Photographs shall be taken to record the preparation and installation of the test item and its foundation.

5.2.4.3.2 For bollards, the test item shall have:

- a) a foundation constructed to drawings, as provided; or
- b) an integrated foundation.

NOTE Where the foundation to the test item is surrounded by natural soil or an infill material, compaction values should be recorded for the soil/backfill.

5.2.4.3.3 The test item shall be installed and located in its foundation or on the test site in accordance with the detailed drawings and installation instructions provided (see Clause 7).

5.2.4.3.4 The test item shall be installed to the specified height above ground in accordance with the detailed drawings and installation instructions provided.

5.2.4.3.5 If the test item is a direction-sensitive product, it shall have a mark visible when installed to indicate the plane designed to receive the impact. The relationship between the mark and the plane of impact shall be identified in the test item drawing.

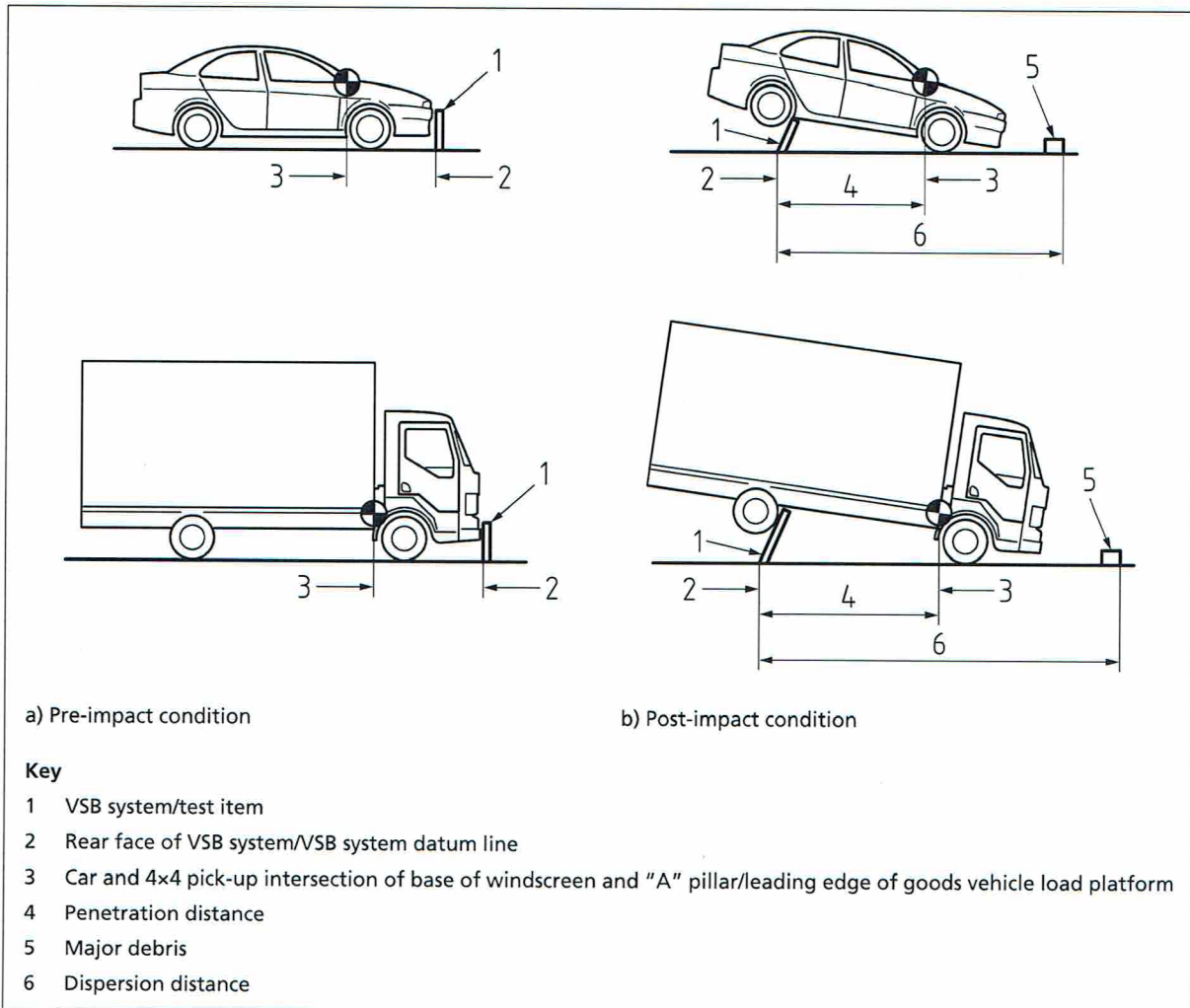
NOTE The alignment of the test item should be detailed in the installation instructions.

5.2.4.4 Occupant severity indices (optional)

If the determination of occupant severity indices is requested, measurement and recording equipment conforming to the requirements of BS EN 1317-1:2010, Clause 6, shall be installed.

NOTE Acceleration severity indices (ASI), Theoretical head impact velocity (THIV) are both examples of occupant severity indices.

Figure 4 Test vehicle impact condition



5.2.5 Test procedure

5.2.5.1 Pre-impact test data

The following pre-impact test data shall be recorded:

- a) where the VSB system is installed in or on cast concrete foundations, information covering the:
 - 1) date foundation was cast;
 - 2) results of test concrete cubes undertaken, in accordance with BS EN 12390-2 and tested at the intervals indicated in Table 4:

Table 4 Performance classification – Vehicle impact test

Time between concrete pour and test day	Day sample is tested			
	Day 7	Day 14	Day 28	Test day
Days				
0–7				✓
8–14	✓			✓
15–27	✓	✓		✓
≥28	✓	✓	✓	✓

NOTE Samples are tested at intervals after the installation date (i.e. after the concrete has been poured) to determine the concrete strength, for example:

- i) if testing ≥ 28 days after the concrete is poured, samples are tested on day 7, day 14, day 28 (to allow the curing rate to be monitored), and on the day of the test;
- ii) if the test day is on day 11 after the concrete has been poured, samples are taken on day 7 and day 11 (the day of the test);
- iii) if the test day is on day 5 after the concrete has been poured, a sample is only taken on day 5 (the day of the test).

- b) height, angle of inclination (bollards), location within foundation and installation depth;
- c) mass of the test vehicle;
- d) vehicle dimensions;
- e) location of the centre of gravity of the test vehicle in the test condition, including added ballast, for test vehicles having a test vehicle mass of 1 500 kg and 2 500 kg (see Table 3);

NOTE 1 Attention is drawn to BS ISO 10392.

- f) location of the centre of gravity of the added ballast for test vehicles having a test vehicle mass of 3 500 kg, 7 500 kg and 30 000 kg (see Table 3);
- g) still photographs taken at 90° and 45° to each face of the following, as a minimum:
 - 1) construction of foundation and installation of test item;
 - 2) test item;
 - 3) test vehicle;
 - 4) test vehicle at impact point, including an overhead view, where practicable;
 - 5) interior of the test vehicle;
- h) intended test vehicle impact point (see 5.2.5.2);
- i) height of contact between the test vehicle and the intended impact point on test item; and
- j) for an active VSB system, the operating cycle (e.g. rising/dropping/sliding/swinging) of the test item.

NOTE 2 Where applicable, the ground conditions during testing may be included in the test report, if requested.

NOTE 3 Other standards regarding concrete, cement and mortar include: BS 4449, BS 4483, BS EN 934-3, BS 8500-1, BS 8500-2, BS 8666, BS EN 197-1, BS EN 934-2, BS EN 1008, BS EN 12620 and BS EN 13139. See the bibliography for further information.

5.2.5.2 Impact

Subject the test item to a single vehicle impact applied at a point in the client's defined plane of impact to the selected test impact criteria.

5.2.5.3 Impact data

Record the following impact data:

- a) impact speed (km/h), measured using speed measurement equipment (see 5.2.2.3) along the test vehicle approach path no further than 8 m before the impact point;
- b) test vehicle approach angle, measured using approach angle measurement equipment (see 5.2.2.4) along the test vehicle approach path no further than 8 m before the impact point (measured in degrees);

NOTE For guided test vehicles, this may be a static measurement made in advance of the actual test.

- c) actual test vehicle impact point (see 5.2.5.2), relative to the defined point of impact;
- d) photographically (see 5.2.2.6): the behaviour of the test item, the test vehicle motion pre-impact and post-impact up to 25 m beyond the point of impact as well as the distribution of major debris;
- e) height of contact between the vehicle (mid height of bumper) and barrier;
- f) vehicle acceleration data, if requested, for the evaluation of occupant severity indices.

5.2.5.4 Post-impact data

Record the following post-test data:

- a) vehicle penetration (static and dynamic);
- b) dispersion maximum distance of major debris and/or any VSB system components using distance measurement equipment (see 5.2.2.5);
- c) damage to the VSB system, foundation and test vehicle;
- d) movement of the test item/foundation (e.g. linear and/or rotational) and its displacement;
- e) still photographs taken at 90° and 45° to each face of the following, as a minimum:
 - 1) foundation and test item;
 - 2) test item;
 - 3) test vehicle;
 - 4) interior of the test vehicle;
- f) for an active VSB system, the operating cycle (e.g. rising/dropping/sliding/swinging) of the test item with the test vehicle in place;
- g) for an active VSB system, the operating cycle (e.g. rising/dropping/sliding/swinging) of the test item with the test vehicle removed (as necessary);
- h) for bollards, irregularities in the gap between the test item and its foundation;
- i) for bollards, crush/distortion of section;
- j) the movement of the test item foundation (e.g. linear and/or rotational) (as shown in Figure 5);
- k) with the test vehicle removed, determine the damage and deformation of the test item. For a bollard, also record the angle of inclination from a line normal to the surface of the test item foundation as shown in Figure 6;
- l) if requested, evaluate the occupant severity indices.

NOTE For the purposes of recording penetration and dispersion, examples of the datum line (rear-face) of the VSB system are shown in Figure 5.

Figure 5 Foundation movement criteria for VSB systems (excluding bollards) to be recorded

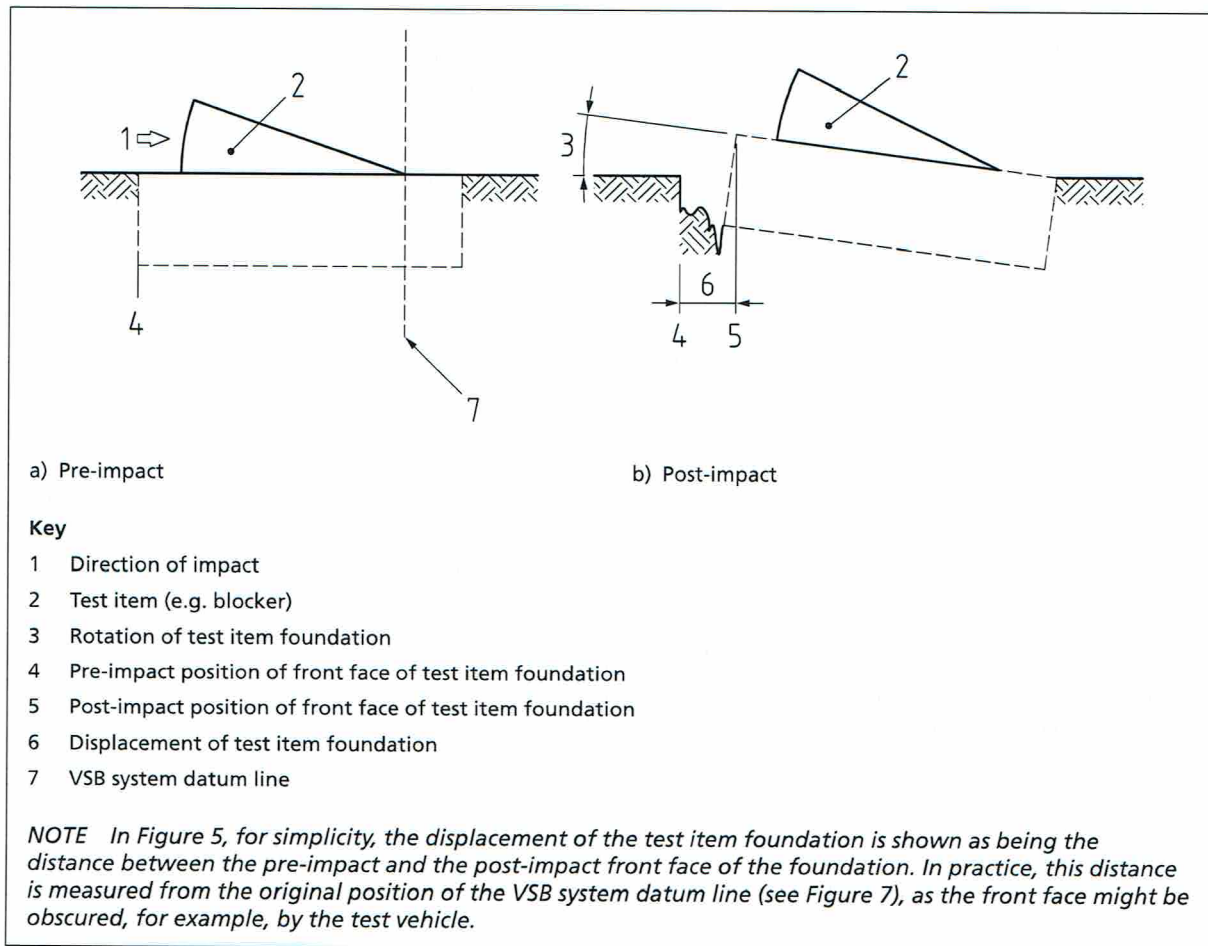


Figure 6 Foundation movement and bollard criteria to be recorded

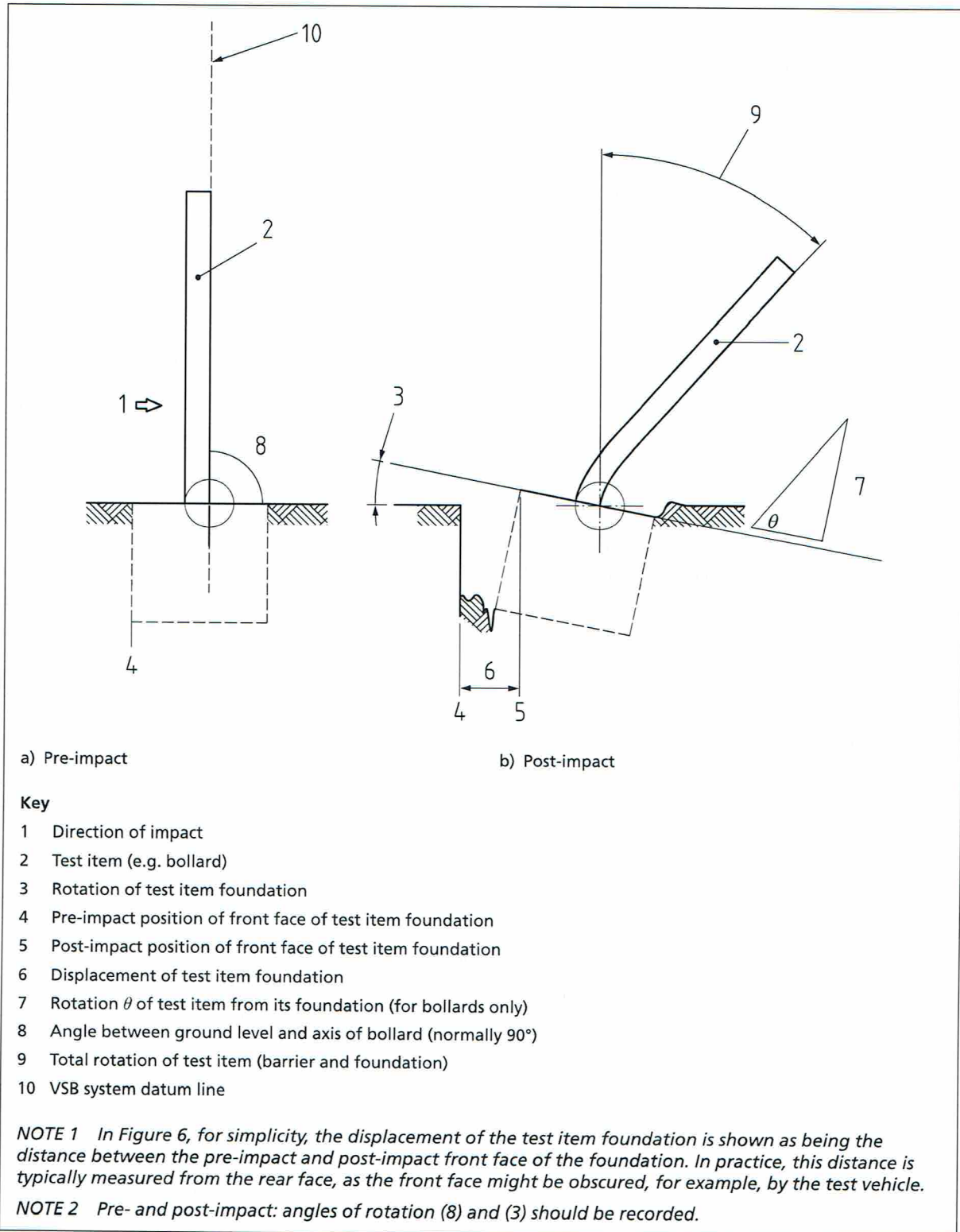
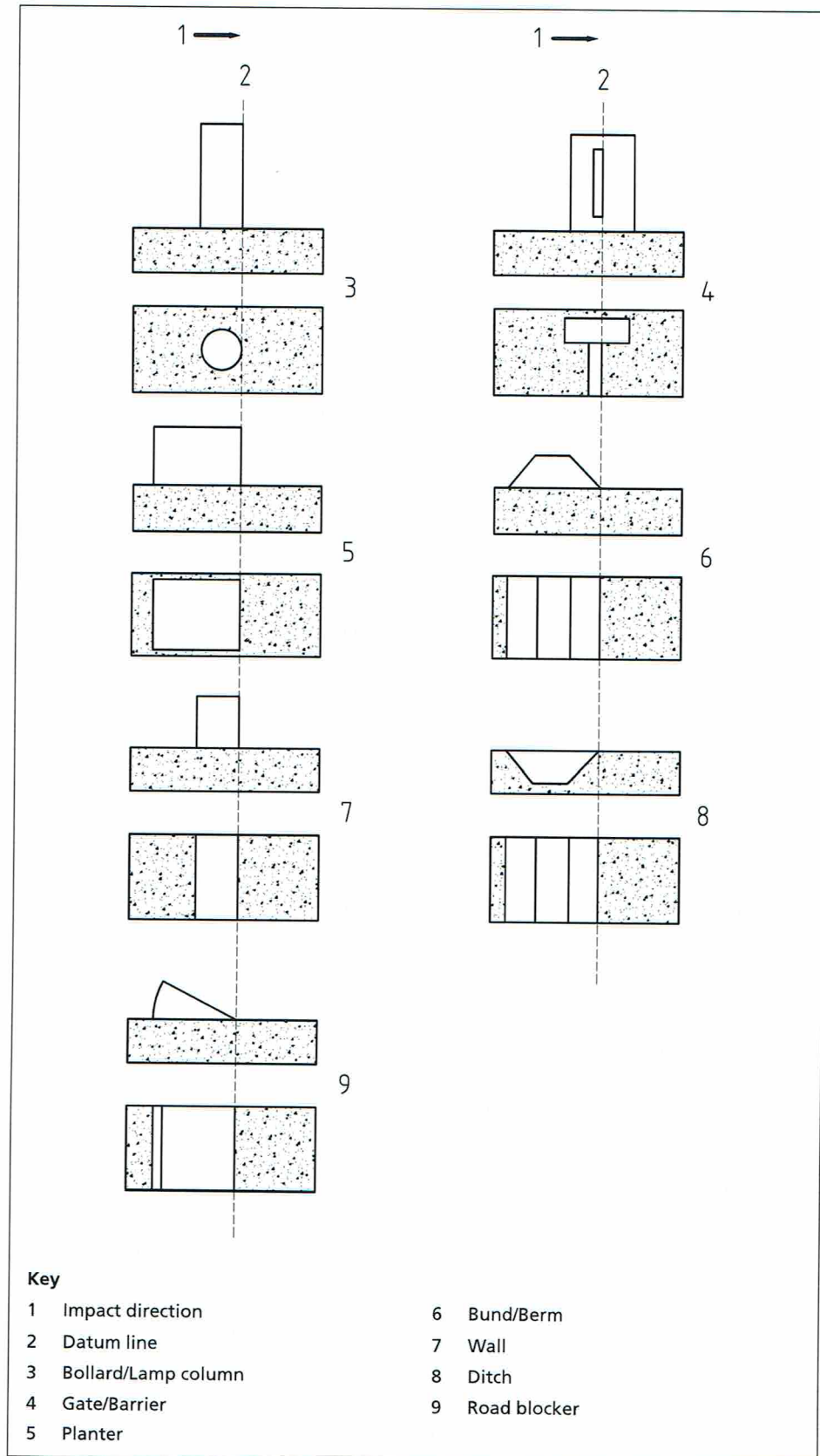


Figure 7 VSB system datum line



5.2.5.5 Post-impact vehicle encroachment data

With reference to a vertical plane from the base of the test item barrier in its pre-impact position, measure the maximum horizontal distortion/displacement at 100 mm intervals taken from finished ground level to 600 mm above finished ground level.

NOTE A gap of 1.2 m within the line of the VSB system(s) measured at 600 mm above finished ground level is deemed to be encroachable by a subsequent vehicle.

5.2.5.6 Post-impact person access data

Where the test item is also intended to resist access by a pedestrian intruder, record the result in accordance with 5.2.3.

5.2.5.7 Further impact tests

Where additional impact angles and/or impact speeds are to be assessed, repeat the impact test (5.2.5) for each specified impact angle [see Table 2] and/or impact speed.

A new test item shall be used for each impact test, unless the test item is determined to be fit for further evaluation.

NOTE The impact points to represent the worst-case scenario and whether the test item is fit for further evaluation should be assessed.

5.2.6 Test report

A test report shall be prepared for each impact.

NOTE See Annex B for test report recommendations.

5.2.7 Modifications to tested and classified products

If the tested product specification is modified in any way, it shall be reassessed according to Annex C.

6 Design method

NOTE The design method is used for variations or modifications in design to a previously classified VSB. Full-scale test data is used for interpolation and finite element analysis (FEA) may form part of this method. Further information on FEA and computer modelling validation can be found in PD CEN/TR 16303-4.

6.1 Performance classification

The VSB system assessed in accordance with the design method shall be classified for performance in accordance with Table 5.

Table 5 Design method: Performance classification

1 VSB system type ^{A)}	2 D	3 Test inertial mass kg	4 Impact speed km/h	5 Impact angle °	6 Impact energy kJ
Blocker	D	7 500	48	45	472

EXAMPLE PAS 68:2013 Blocker D/7 500(N2)/48/45/472:

- 1) Blocker
- 2) Design method
- 3) Delivered by a 7 500 kg (N2) vehicle
- 4) Impact speed: 48 km/h
- 5) Impact angle: 45° to the front face of the blocker
- 6) Theoretically capable of withstanding an impact of 472 kJ (taking into account angle of impact)

^{A)} See Annex A.

6.2 Design criteria

The design impact energy shall be selected from the values given in Table 6 which is derived from vehicle impact criteria.

NOTE This also indicates the impact speed/vehicle mass combinations, which can theoretically be withstood by the VSB system.

Table 6 Design method: Impact energy values (kJ)

UNECE vehicle classification	M1	N1G	N1	N2	N3	N3
Test vehicle impact speed km/h	Test vehicle mass kg					
	1 500	2 500	3 500	7 500	7 500	30 000
16	15	25	35	74	74	296
32	59	99	138	296	296	1 185
48	133	222	311	667	667	2 667
64	237	395	553	1 185	1 185	4 741
80	370	617	864	1 852	1 852	7 407
96	533	889	1 244			
112	726	1 210				

NOTE 1 Vehicle speeds have been rounded to the nearest integer value.

NOTE 2 When designing VSB systems using Table 6, energy values are not transferable between vehicle classifications and selected impact speeds should be either adjacent to each other or not separated by more than one speed.

6.3 Design procedure

Full-scale test impact data shall be used for interpolation in designing a VSB system.

NOTE FEA procedures, validated by full-scale impact test data, may also be used.

6.4 Design data

6.4.1 The calculations demonstrating that the VSB system theoretically meets its claimed performance class shall be provided.

6.4.2 The following minimum information about the VSB system shall be provided:

- a) overall product dimensions;
- b) component thickness including wall thickness of hollow sections;
- c) specifications for all materials used (including fill materials used on the product); and
- d) design of foundation.

7 Documentation

For impact tests, the following information and documentation shall be provided for testing purposes:

- a) contact details of the client undertaking the test;
- b) VSB system manufacturer contact details, if not the client;
- c) whether the VSB system is a prototype or is in production;
- d) model designation of the VSB system;
- e) the test vehicle specification and impact criteria against which the VSB system is to be tested;
- f) which face of the VSB system is designed to resist impact;
- g) general arrangement drawings, installation drawings and installation instructions;
- h) component drawings and foundation designs with dimensions, tolerances and all material specifications and finishes;
- i) factory sub-assembly drawings;
- j) parts list;
- k) components – certificate or material specification, where compliance stated;
- l) maintenance and repair instructions (if applicable);
- m) operating manual (if applicable);
- n) any other relevant information (e.g. information for disposal and/or recycling of the VSB system, details of toxic or dangerous materials in the product and safety issues).

NOTE 1 Attention is drawn to the Data Protection Act 1998 [2].

Where required, the document shall be marked "commercial in confidence" and shall be retained, handled and stored by the test house accordingly.

NOTE 2 For the design method, see Clause 6.

8 Test preparation

NOTE Users of this PAS are advised to consider the desirability of third-party testing of product conformity with this PAS. Appropriate conformity attestation arrangements are described in BS EN ISO/IEC 17025. Users seeking assistance in identifying appropriate conformity assessment bodies or schemes may ask BSI to forward their enquiries to the relevant association. BS EN ISO/IEC 17025 also provides testing procedures [handling of test item(s), event record requirements and presentation of the test report].

8.1 Conformity between test item(s) and documentation

The documentation provided for testing purposes shall be checked and compared against the test item and confirmed to be accurate (see Clause 7). Any discrepancies shall be recorded and reported to the manufacturer prior to the test.

The manufacturer shall resolve the discrepancy through the provision of corrected drawings and/or test item before proceeding with testing.

A set of corrected drawings identified by an updated version number shall be provided together with a list of dated amendments.

8.2 Test item selection

Prior to testing, the selected test item shall be examined and confirmed to have dimensional conformity to the design drawings.

NOTE See also 8.1.

8.3 Impact point

For impact tests, the designated impact point between the vertical centre-lines of the impact faces of the test vehicle and the VSB system shall be recorded and be achieved within ± 100 mm.

For the vehicle impact test, quartered targets shall be applied to the centre-lines of both the test vehicle and the VSB system so as to be visible from the downstream camera (see 5.2.2.6 and Figure 2).

8.4 Test system operation

During pre- and post-impact, the operation of an active VSB system (e.g. rising, falling, sliding or swinging) shall be demonstrated and the functionality of the system shall be recorded [see 5.2.5.1 and 5.2.5.4].

Annex A (normative) VSB system classification types

A.1 General

VSB systems shall be classified according to the following criteria and in accordance with A.2 to A.5:

- foundation type;
- activity;
- operation (active VSB systems only); and
- VSB system type.

NOTE Further standards regarding VSB systems include: BS EN 1317-2, BS EN 1317-3, BS EN 12899-2 and DD ENV 1317-4. See the bibliography for further information.

A.2 Foundation

The VSB system foundation shall be classified according to Table A.1.

Table A.5 Foundation classification

Classification	Description
A	Freestanding; having no ground fixings
Ap	Surface mounted but also pinned or bolted to the ground
B	Depth ≤ 0.5 m below ground level
C	Depth > 0.5 m below ground level

A.3 Activity

The VSB system activity shall be classified according to Table A.2.

Table A.6 VSB system activity

Classification	Description
Active VSB system	VSB system that can be opened to enable passage to vehicles
Passive VSB system	Static VSB system having no moving parts

A.4 Operation (applicable to active VSB systems only)

The VSB system operation shall be classified according to Table A.3.

Table A.7 VSB system operation (active VSB systems only)

Classification	Description
Retractable	Pivoting in the vertical plane
Rising	Vertical or rotating movement in the vertical plane
Sliding	Horizontal movement in the vertical plane
Swinging	Pivoting in the horizontal plane

A.5 VSB system type

The VSB system type shall be classified according to Table A.4.

Table A.8 **VSB system type**

Classification	Description
VSB system	Structure preventing vehicle passage. Can be permeable (e.g. bollard) or continuous (e.g. wall). Can be active or passive
Ditch	Profiled excavation
Berm	Profiled mound of soil
Fence	Series of linked posts
Wall	Continuous vertical structure
Planter	Passive unit containing plant or trees
Bollard	Passive or active post (typically rising vertically)
Blocker	Active vehicle access control system (typically retracting into the ground)
Gate	Active vehicle access control system (typically rising, swinging or sliding)
Door	Active vehicle access control system in a wall

NOTE Wherever practicable, the detailed dimensions of the different VSB system types should be given as follows:

- *Blocker – height, width (of front face);*
- *Bollard – height, diameter;*
- *Door – aperture height, aperture width;*
- *Fence – height;*
- *Gate – upper and lower height of arm or boom, aperture width;*
- *Planter – height, width (of front face), depth (front to rear face);*
- *Wall – height, depth (front to rear face).*

**Annex B
(informative)****Proforma test report****B.1 Impact test report**

The following should be reported when an impact test report is prepared for PAS 68:

- a) product name;
- b) test number;
- c) test date;
- d) report number and a version number, where applicable;
- e) type of test, i.e. mass, speed, angle;
- f) date of report issued;
- g) author and technical reviewer, including appropriate approval signatures.

B.2 Contents of report

The following should be contained in an impact test report:

- a) introduction;
- b) executive summary;
- c) test item description;
- d) impact results;
- e) system damage;
- f) test vehicle damage;
- g) conclusions and any associated notes;
- h) ground level views from high speed video;
- i) overhead views from high speed video;
- j) post-impact test item and test vehicle damage images;
- k) general comments;
- l) disclaimer(s);
- m) data summary and analysis, where applicable;
- n) occupant severity indices, where applicable;
- o) concrete cube strength tests, where applicable.

Annex C (normative) Prototypes

The implications of any modifications to an assessed VSB system shall be evaluated and declared in respect of its effect on the performance of the VSB system. If a prototype VSB system meets the requirements of this PAS and subsequently an application is made for its formal approval, then the following conditions shall apply.

- a) If there are no changes to the original product or its associated design drawings, then the VSB system may be approved.
- b) If there are any modifications, the manufacturer shall describe them in respect of drawings and specifications used to define the VSB system in the original assessment. The procedure for the assessment of modified products shall be in accordance with Table C.1.

Table C.1 Assessment of modified VSB systems

Category	Change	Description	Action
A	Slight	Modifications requiring no mechanical changes to the VSB system or to its foundations or installation, e.g. changes to the finish of components, such as painting or galvanizing.	<p>Changes shall be described on the drawings and a set of revised drawings with a unique identifier supplied to the party responsible for testing.</p> <p>A statement to the effect that "the modification will have no effect on the tested performance", shall be supplied by the VSB system manufacturer and this together with the drawings shall be recorded and retained by the party responsible for testing.</p>
B	Moderate	Modifications to one or more components where their effects on the performance of the system can be determined by static or dynamic analysis, e.g. FEA procedures or physical testing, change of component material specification.	<p>Component analysis or test shall be undertaken.</p> <p>Results of the analysis or test shall be reported, together with a copy of the original pre-modification results. A uniquely identified revised set of documents (including drawings) shall be supplied to the party responsible for testing for recording and retention.</p>
C	Significant	Modifications in excess of A or B	<p>A re-assessment of the VSB system in accordance with PAS 68 by impact test.</p> <p>All documentation shall clearly identify all modifications to the VSB system and its code, as amended, e.g. Version 2 (see Clause 7).</p>

Bibliography

Standards publications

For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

BS 4449, *Steel for the reinforcement of concrete – Weldable reinforcing steel – Bar, coil and decoiled product – Specification*

BS 4483, *Steel fabric for the reinforcement of concrete – Specification*

BS 8500-1:2006+A1:2012, *Concrete – Complementary British Standard to BS EN 206-1 – Part 1: Method of specifying and guidance for the specifier*

BS 8500-2:2006+A1:2012, *Concrete – Complementary British Standard to BS EN 206-1 – Part 2: Specification for constituent materials and concrete*

BS 8666, *Scheduling, dimensioning, bending and cutting of steel reinforcement for concrete – Specification*

BS AU 164/ISO 3784, *Specification for measurement of impact velocity in collision tests on road vehicles*

BS EN 197-1, *Cement – Part 1: Composition, specifications and conformity criteria for common cements*

BS EN 934-2, *Admixtures for concrete, mortar and grout – Part 2: Concrete admixtures – Definitions, requirements, conformity, marking and labelling*

BS EN 934-3, *Admixtures for concrete, mortar and grout – Admixtures for masonry mortar – Part 3: Definitions, requirements, conformity, marking and labelling*

BS EN 1008, *Mixing water for concrete – Specification for sampling, testing and assessing the suitability of water, including water recovered from processes in the concrete industry, as mixing water for concrete*

BS EN 1317-2, *Road restraint systems – Part 2: Performance classes, impact test acceptance criteria and test methods for safety barriers including vehicle parapets*

BS EN 1317-3, *Road restraint systems – Part 3: Performance classes, impact test acceptance criteria and test methods for crash cushions*

BS EN 12620, *Aggregates for concrete*

BS EN 13139, *Aggregates for mortar*

BS EN 12899-2, *Fixed, vertical road traffic signs – Part 2: Transilluminated traffic bollards (TTB)*

BS EN ISO/IEC 17025, *General requirements for the competence of testing and calibration laboratories*

BS ISO 6813, *Road vehicles – Collision classification – Terminology*

BS ISO 10392, *Road vehicles – Determination of centre of gravity*

CWA 16221, *Vehicle security barriers – Performance requirements, test methods and guidance on application*

DD ENV 1317-4, *Road restraint systems – Part 4: Performance classes, impact test acceptance criteria and test methods for terminals and transitions of safety barriers*

PAS 69, *Guidance for the selection, installation and use of vehicle security barrier systems*

PD CEN/TR 16303-4, *Road restraint systems – Guidelines for computational mechanics of crash testing against vehicle restraint system – Part 4: Validation procedures*

Other publications

- [1] UNITED KINGDOM. The Road Traffic Act 1991. London: The Stationery Office.
- [2] UNITED KINGDOM. The Data Protection Act 1998. London: The Stationery Office.

Further reading

BS 4-1, *Structural steel sections – Part 1: Specification for hot rolled sections*

BS 5606, *Guide to accuracy in building*

BS 7973:1, *Spacers and chairs for steel reinforcement and their specification – Part 1: Product performance requirements*

BS EN 40 (all parts), *Lighting columns*

BS EN 1090-2, *Execution of steel structures and aluminium structures – Part 2: Technical requirements for steel structures*

BS EN 1993-1-2, *Eurocode 3 – Design of steel structures – Part 1-2: General rules – Structural fire design*

BS EN 10025-1, *Hot rolled products of structural steels – Part 1: General technical delivery conditions*

BS EN 12899-1, *Fixed, vertical road traffic signs – Part 1: Fixed signs*

BS EN ISO 8503 (all parts), *Preparation of steel substrates before application of paints and related products – Surface roughness characteristics of blast-cleaned steel substrates*

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APPENDIX "D"

CLASS 'D' ESTIMATE

HAMILTON CITY HALL PLAZA UPGRADE

**CITY OF HAMILTON
HAMILTON CITY HALL PLAZA UPGRADE
HAMILTON, ONTARIO**

CLASS 'D' ESTIMATE

**February 28, 2020
Updated September 1, 2020**

Hanscomb

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1.0 INTRODUCTION**Page 1**

1.1 General

This Class 'D' Estimate report is intended to provide a high level, realistic allocation of direct and indirect construction costs for the proposed redevelopment to the Hamilton City Hall Plaza Upgrade in Hamilton, Ontario with the exception of items listed in 1.4 below.

Accordingly, this Class 'D' Estimate report should only be considered in conjunction within the full context and recommendations of documents provided for this estimate.

1.2 Methodology

From the documentation and information provided, quantities of all major elements were assessed or measured where possible and priced at rates considered competitive for a project of this type under a stipulated sum form of contract in Hamilton, Ontario.

Pricing shown reflects probable construction costs obtainable in the Hamilton, Ontario area on the effective date of this report. This estimate is a determination of fair market value for the construction of this project. It is not a prediction of low bid. Pricing assumes competitive bidding for every portion of the work.

Costs reported in this estimate provide for all building construction but exclude any related site development work, allowances for Furnishings & Equipment and Professional Fees & Expenses. Separate provision has also been made where appropriate for such things as building demolition, etc.

1.3 Specifications

For building components and systems where specifications and design details are not available, quality standards have been established based on discussions with the design team.

1.4 Exclusions

This Class 'D' Estimate does not provide for the following, if required:

- owner's staff and management expenses
- all costs associated with hazardous or contaminated materials abatement
- land acquisition costs and expenses
- financing and/or fund raising expenses
- professional fees and all other soft costs

2.0 DOCUMENTATION

Page 2

This Class 'D' Estimate has been prepared from the documentation provided. Accordingly, this Class 'D' Estimate report should only be considered in conjunction within the full context and recommendations of documents provided for this estimate.

All of the above documentaton was received from OMC Landscape Architecture and was supplemented with information gathered in meeting(s) and telephone conversations with the design team, as applicable.

Design changes and/or additions made subsequent to this issuance of the documentation noted above have not been incorporated in this report.

3.0 COST CONSIDERATIONS**Page 3**

3.1 Cost Base

All costs are estimated on the basis of competitive bids (a minimum of 6 general contractor bids and at least 3 subcontractor bids for each trade) being received in February 2020 from general contractors and all major subcontractors and suppliers based on a stipulated sum form of contract.

Escalation during the construction period is included in the unit rates used in this estimate.

3.2 Escalation

An allowance of 4% per annum has been made for construction cost escalation that may occur between February 2020 and the anticipated bid date for the project. Escalation during the construction period is included in the unit rates used in this estimate.

3.3 Contingencies

An allowance of 10% has been included to cover design and pricing unknowns. This allowance is not intended to cover any program space or quality modifications but rather to provide some flexibility for the designers and cost planners during the remaining design stages.

A separate allowance of 5% has been made to cover construction (post contract) unknowns.

3.4 Unit Rates

The unit rates in the preparation of this Class 'D' Estimate include labour and material, equipment, subcontractor's overheads and profit.

3.5 Taxes

No provision has been made for the Harmonized Sales Tax (HST). It is recommended that the owner make separate provision for the HST in the project budget.

3.6 Statement of Probable Costs

Hanscomb has no control over the cost of labour and materials, the general contractor's or any subcontractor's method of determining prices, or competitive bidding and market conditions. This opinion of probable cost of construction is made on the basis of experience, qualifications and best judgment of the professional consultant familiar with the construction industry. Hanscomb cannot and does not guarantee that proposals, or actual construction costs will not vary from this or subsequent estimates.

3.0 COST CONSIDERATIONS**Page 4**

3.7 Ongoing Cost Control

Hanscomb recommends that the Owner and the design team carefully review this Class 'D' Estimate document, including line item description, unit price clarifications, exclusions, inclusions and assumptions, contingencies, escalation and mark-ups. If the project is over budget, or if there are unresolved budgeting issues, alternative systems/schemes should be evaluated before proceeding into the next design phase.

Requests for modifications of any apparent errors or omissions to this document must be made to Hanscomb within ten (10) days of receipt of this estimate. Otherwise, it will be understood that the contents have been concurred with and accepted.

It is recommended that a final updated estimate be produced by Hanscomb using Bid Documents to determine overall cost changes which may have occurred since the preparation of this estimate. The final updated estimate will address changes and additions to the documents, as well as addenda issued during the bidding process. Hanscomb cannot reconcile bid results to any estimate not produced from bid documents including all addenda.

CITY OF HAMILTON
HAMILTON CITY HALL PLAZA UPGRADE
CLASS 'D' ESTIMATE



February 28, 2020

4.1 CONSTRUCTION COST ESTIMATE SUMMARY

Page 5

A Option 1				\$325,100
General Requirements		12.0%		\$39,000
Fee		3.0%		\$10,900
Sub-Total Construction Cost - Excluding Allowances	1 Sum		375,000.00	\$375,000
Design & Pricing		10.0%		\$37,500
Escalation (4% per annum)		4.0%		\$16,500
Sub-Total Construction Cost - Including Allowances	1 Sum		429,000.00	\$429,000
Construction Contingency		5.0%		\$21,500
Total Construction Cost	1 Sum		450,500.00	\$450,500

B Option 2				\$341,600
General Requirements		12.0%		\$41,000
Fee		3.0%		\$11,500
Sub-Total Construction Cost - Excluding Allowances	1 Sum		394,100.00	\$394,100
Design & Pricing		10.0%		\$39,400
Escalation (4% per annum)		4.0%		\$17,300
Sub-Total Construction Cost - Including Allowances	1 Sum		450,800.00	\$450,800
Construction Contingency		5.0%		\$22,500
Total Construction Cost	1 Sum		473,300.00	\$473,300

**CITY OF HAMILTON
HAMILTON CITY HALL PLAZA UPGRADE
CLASS 'D' ESTIMATE**

Hanscomb

February 28, 2020

**APPENDIX A
Option 1**

**CITY OF HAMILTON
HAMILTON CITY HALL PLAZA UPGRADE
CLASS 'D' ESTIMATE**

Hanscomb

February 28, 2020

Option 1

A - 2

Option 1	1 Sum	429,000.00	\$429,000
1 Existing City Hall Plaza to remain	1 Nil	0.00	\$0
2 Allowance for Vector Designs (as per Security Consultant)	1 Sum	9,000.00	\$9,000
<u>Site Reinstatement</u>			
3 Allowance for misc. site reinstatement	1 Sum	25,000.00	\$25,000
4 Allowance for utility protection	1 Sum	30,000.00	\$30,000
5 Allowance for site protection measures	1 Sum	25,000.00	\$25,000
<u>Electrical Site Services</u>			
6 Misc. electrical works (assume not required)	1 Nil	0.00	\$0
<u>Mechanical Site Services</u>			
7 Misc. mechanical works (assume not required)	1 Nil	0.00	\$0
<u>Site Demolitions</u>			
8 Remove existing unit pavers (assume 50%)	31 m2	50.00	\$1,600
9 Remove existing concrete walkway (assume 50%)	31 m2	35.00	\$1,100
10 Allowance for misc. demolitions and removals	1 Sum	7,500.00	\$7,500
<u>New Bollards</u>			
11 Trench excavation c/w removal from site, assume 1m depth	67 m3	60.00	\$4,000
12 Trench excavation c/w removal from site @ working space, assume 1m depth	40 m3	60.00	\$2,400
13 Backfill c/w granular material, allow	107 m3	45.00	\$4,800
14 Allowance for fill to regrade pathway before reinstallation of new paving, assume 150mm depth	62 m2	40.00	\$2,500
15 New foundations c/w concrete, formwork and reinforcing, allow	62 m	750.00	\$46,500
16 New stainless steel bollards (quote as per Marshalls)	40 No.	3,505.00	\$140,200
17 New removable bollards (quote as per Sureguard Security Products and Ontario Bollards)	3 No.	1,550.00	\$4,700
18 Stainless steel cover @ removable bollard, allow	3 No.	2,800.00	\$8,400
19 New concrete paving to match existing (assume 50%)	31 m2	100.00	\$3,100
20 New unit pavers to match existing (assume 50%)	31 m2	300.00	\$9,300
<i>General Requirements</i>	<i>12.0%</i>		<i>\$39,000</i>
<i>Fee</i>	<i>3.0%</i>		<i>\$10,900</i>
<i>Design & Pricing</i>	<i>10.0%</i>		<i>\$37,500</i>
<i>Escalation (4% per annum)</i>	<i>4.0%</i>		<i>\$16,500</i>

**CITY OF HAMILTON
HAMILTON CITY HALL PLAZA UPGRADE
CLASS 'D' ESTIMATE**

Hanscomb

February 28, 2020

**APPENDIX B
Option 2**

**CITY OF HAMILTON
HAMILTON CITY HALL PLAZA UPGRADE
CLASS 'D' ESTIMATE**

Hanscomb

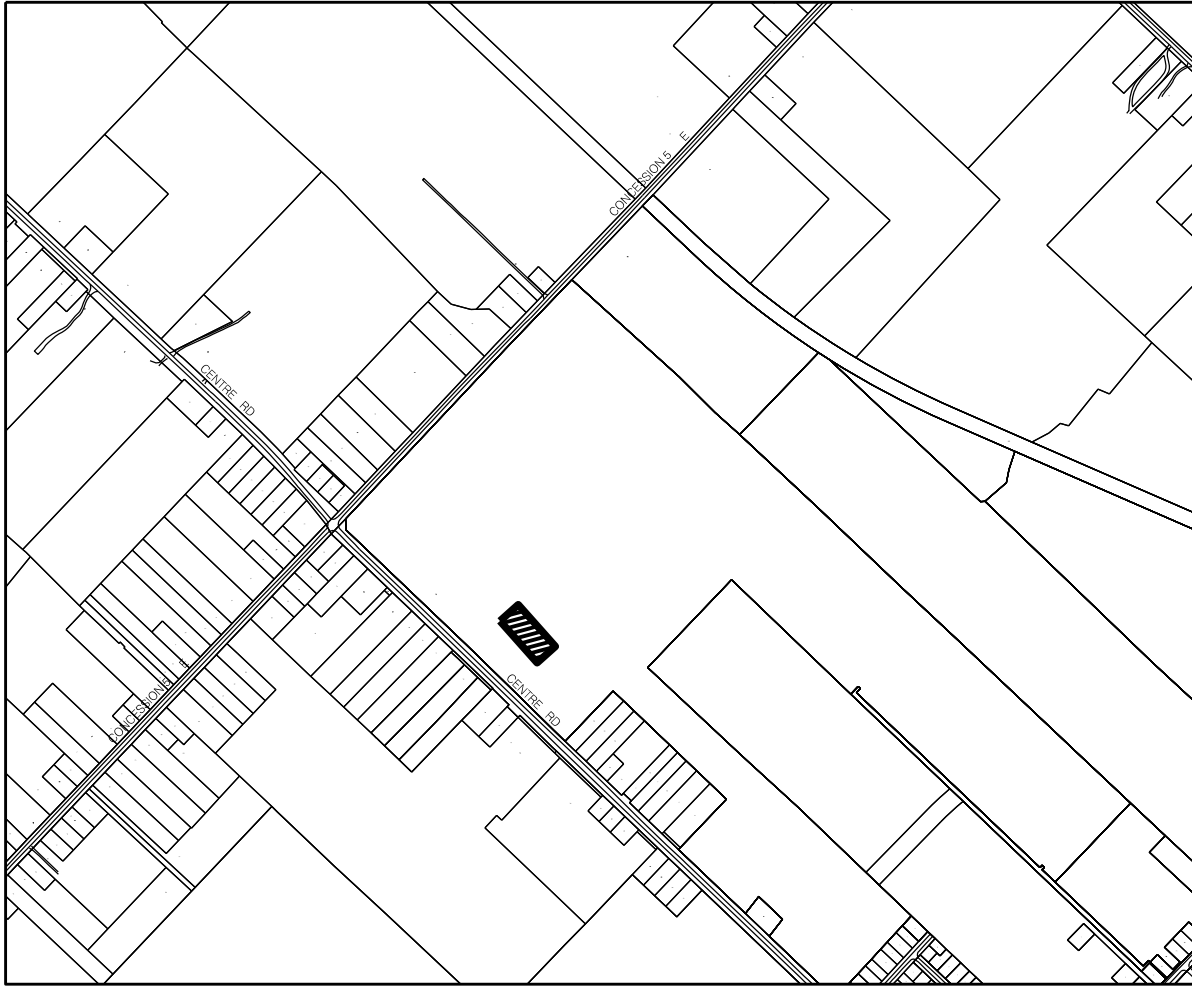
February 28, 2020

Option 2

B - 2

Option 2	1 Sum	450,800.00	\$450,800
1 Existing City Hall Plaza to remain	1 Nil	0.00	\$0
2 Allowance for Vector Analysis (as per Security Consultant)	1 Sum	9,000.00	\$9,000
<u>Site Reinstatement</u>			
3 Allowance for misc. site reinstatement	1 Sum	30,000.00	\$30,000
4 Allowance for utility protection	1 Sum	30,000.00	\$30,000
5 Allowance for site protection measures	1 Sum	25,000.00	\$25,000
<u>Electrical Site Services</u>			
6 Misc. electrical works	1 Sum	5,000.00	\$5,000
<u>Mechanical Site Services</u>			
7 Misc. mechanical works (assume not required)	1 Nil	0.00	\$0
<u>Site Demolitions</u>			
8 Remove existing unit pavers (assume 25%)	16 m2	50.00	\$800
9 Remove existing concrete walkway (assume 75%)	47 m2	35.00	\$1,600
10 Allowance for misc. demolitions and removals	1 Sum	7,500.00	\$7,500
<u>New Bollards</u>			
11 Trench excavation c/w removal from site, assume 1m depth	62 m3	60.00	\$3,700
12 Trench excavation c/w removal from site @ working space, assume 1m depth	37 m3	60.00	\$2,200
13 Backfill c/w granular material, allow	99 m3	45.00	\$4,500
14 Allowance for fill to regrade pathway before reinstallation of new paving, assume 150mm depth	62 m2	40.00	\$2,500
15 New foundations c/w concrete, formwork and reinforcing, allow	62 m	750.00	\$46,500
16 New stainless steel bollards (quote as per Marshalls)	12 No.	3,505.00	\$42,100
17 New removable bollards (quote as per Sureguard Security Products and Ontario Bollards)	28 No.	1,550.00	\$43,400
18 Stainless steel cover @ removable bollard, allow	28 No.	2,800.00	\$78,400
19 New concrete paving to match existing (assume 75%)	47 m2	100.00	\$4,700
20 New unit pavers to match existing (assume 25%)	16 m2	300.00	\$4,700
<u>New Site Amenities</u>			
21 New hand/guardrail @ existing stairs, NIC	0 m	1,000.00	\$0
22 New metal security rated swing gate, NIC	0 Nil	65,000.00	\$0
<i>General Requirements</i>	<i>12.0%</i>		<i>\$41,000</i>
<i>Fee</i>	<i>3.0%</i>		<i>\$11,500</i>
<i>Design & Pricing</i>	<i>10.0%</i>		<i>\$39,400</i>
<i>Escalation (4% per annum)</i>	<i>4.0%</i>		<i>\$17,300</i>

Appendix 1, Map B



 Dog Park Property

City of Hamilton

Joe Sams Leisure Dog Park

**CITY OF
HAMILTON**

Public Works Department
General Manager, Dan McKinnon

September 2020



PLANNING COMMITTEE REPORT

20-011

October 6, 2020

9:30 a.m.

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

Present: Councillors J. Farr (Chair) J.P. Danko (Vice Chair), C. Collins
M. Pearson, B. Johnson, L. Ferguson and M. Wilson

Absent with Regrets: Councillor J. Partridge – Personal

Also in Attendance: Councillor B. Clark

THE PLANNING COMMITTEE PRESENTS REPORT 20-011 AND RESPECTFULLY RECOMMENDS:

1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED20165) (City Wide) (Item 6.1)

That Report PED20165 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

2. Planning Division Consultation and Engagement Strategy in Response to COVID-19 (PED20174) (City Wide) (Item 6.2)

That Report PED20174 respecting Planning Division Consultation and Engagement Strategy in Response to COVID-19, be received.

3. Hamilton Municipal Heritage Committee Report 20-005 (Item 6.3)

(i) Recommendation to Designate 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) under Part IV of the Ontario Heritage Act (PED20159) (Ward 2) (Item 9.1)

- (a) That the designation of 110-122 King Street East, Hamilton (former Royal Connaught Hotel), shown in Appendix "A" to Report

PED20159, 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 “B” to Report PED20159, be approved; and,
- (c) That the City Clerk be directed to take appropriate action to designate 110-122 King Street East, Hamilton (former Royal Connaught Hotel) under Part IV of the *Ontario Heritage Act*, in accordance with the Notice of Intention to Designate, attached as Appendix “C” to Report PED20159.

(ii) Designation of 1389 Progreston Road, Carlisle (Flamborough), (Evergreen Farm) under Part IV of the Ontario Heritage Act (PED20125) (Ward 15) (deferred at the August 20, 2020 meeting) (Item 10.1)

That the recommendations in Report PED20125 respecting the Designation of 1389 Progreston Road, Carlisle (Flamborough), (Evergreen Farm) under Part IV of the Ontario Heritage Act (PED20125) (Ward 15) be amended as follows:

- (a) That maintenance of the designation of 1389 Progreston Road, Carlisle (Flamborough), (Evergreen Farm) shown in Appendix “A” to Report PED20125, as a property of cultural heritage value pursuant to the provisions of Part IV of the *Ontario s Act*, be approved;
- (b) That the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix “B” to Report PED20125, be revised to exclude the house, include the stone ruins and revise any reference of the property from the Evergreen Farm to the ‘Progreston Woolen Mill’;
- (c) That staff report back to the next Hamilton Municipal Heritage meeting with the necessary materials for the committee to review regarding the Notice of Intention to Designate 1389 Progreston Road, Carlisle (Flamborough); and
- (d) That a commemorative plaque describing the history of the property will be erected by the with input and approval from the HMHC.

(iii) Education and Communication Working Group Meeting Notes - August 19, 2020 (Item 10.2)

- (a) Hamilton Municipal Heritage Committee Heritage Recognition Award Nominations 2019-2020 (Item 1)

That the Hamilton Municipal Heritage Committee Heritage Recognition Award Nominations 2019-2020, attached hereto as Appendix "A" to Report 20-005, be approved, as presented.

(iv) Amendment to the Hamilton Municipal Heritage Committee Terms of Reference (Added Item 11.1)

WHEREAS the current Terms of Reference for the Hamilton Municipal Heritage Committee stipulates the following; and:

Meeting Schedule:
Monthly – 3rd Thursday, 12:00 Noon
Meetings are held at City Hall

WHEREAS, scheduling the monthly meetings of the Hamilton Municipal Heritage Committee without the stipulation of a date and time would allow more flexibility.

THEREFORE BE IT RESOLVED:

That the Hamilton Municipal Heritage Committee Terms of Reference be amended to read "a minimum of one meeting per month" under the heading of Meeting Schedule.

4. Applications for Amendments to the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57 for Lands Located at 35 Londonderry Drive (Ancaster) (PED20158) (Ward 12) (Item 7.1)

(a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-032, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Fontana Homes Inc. (Owner) to re-designate the subject lands from the "Low Density Residential 2d designation" to the "Medium Density Residential 2" designation within the Meadowlands Neighbourhood V Secondary Plan in order to permit a 24 townhouse unit development with a net residential density of 62 units per hectare for lands located at 35 Londonderry Drive, Ancaster, as shown on Appendix "A" to Report PED20158, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment attached as Appendix "B" to Report PED20158, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
- (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow (2019, as amended).

- (b) That Amended Zoning By-law Amendment Application ZAC-17-072, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Fontana Homes Inc. (Owner) to rezone the subject lands from the Residential Multiple “RM4-513” Zone, Modified and the Residential Multiple “RM4-535” Zone, Modified to the Residential Multiple “RM5-711” Zone, Modified, under Zoning By-law No. 87-57 (Ancaster), in order to permit a proposed development of 24 dwelling units comprised of four three-storey townhouse blocks, with a total of 55 parking spaces (two per unit plus eight visitor parking spaces), for lands located at 35 Londonderry Drive, Ancaster, as shown on Appendix “A” to Report PED20158, be APPROVED on the following basis:
 - (i) That the draft By-law attached as Appendix “C” to Report PED20158, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow (2019, as amended); and,
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. ___.
- (c) That the public submissions received regarding this matter did not affect the decision.

5. Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment, for lands located at 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West (PED20142) (Ward 1) (Item 7.2)

- (a) That Amended Urban Hamilton Official Plan Amendment application UHOPA-18-005 by GSP Group on behalf of Belmont Equity Hamilton Inc., Owner, to amend Schedule “E-1” – Land Use Designations to change the designation of 74 Queen Street South, 244 and 246 Jackson Street West from “Neighbourhoods” designation to “Mixed Use - Medium Density” designation and to amend Map B.6.6-1 Strathcona Secondary Plan by adding 244 and 246 Jackson Street West to the Strathcona Secondary Plan Area and designate those lands “Mixed Use - Medium Density” designation, and to further amend Map B.6.6-1 by adding a Site Specific Policy Area to the entire site being comprised of 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West to permit a height of 23 storeys for a multiple dwelling, including attached two and three storey townhouse units as shown on Appendix “A” to Report PED20142, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED20142, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow Plan (2019, as amended);
- (b) That Amended Zoning By-law Amendment application ZAC-18-012 by GSP Group on behalf of Belmont Equity Hamilton Inc., Owner, to add lands as Mixed Use – Medium Density (C5, 736) Zone for the lands known as 244 and 246 Jackson Street West and for a change in zoning from the Mixed Use – Medium Density (C5, 297) Zone to the Mixed Use – Medium Density (C5, 736) Zone for the lands known as 235 Main Street West and 74 Queen Street South to permit a height of 80.85 metres (23 storeys) with additional modifications related setbacks, planting strips, visual barrier and parking, for the lands known as 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West, Hamilton, as shown on Appendix “A” to Report PED20142, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED20142, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019, as amended) and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No.XXX.
- (c) That upon finalization of the amending By-law, the subject lands be re-designated from “Commercial” and “Singles and Doubles” to “Commercial and, Apartments” in the Kirkendall North Neighbourhood Plan.
- (d) That the public submissions received regarding this matter did not affect the decision.
- 6. Application for a Zoning By-law Amendment for lands located at 117 Forest Avenue and 175 Catharine Street South, Hamilton (PED20153) (Ward 2) (Item 7.3)**
- (a) That Amended Zoning By-law Amendment Application ZAC-17-008, by Urban Solutions (c/o Sergio Manchia), agent, for Representative Holdings Inc. (Owner), for a further modification to the “E-3/S-601” (High Density Multiple Dwellings) District, Modified to recognize the existing 11 storey multiple dwelling and permit a 78 unit multiple dwelling, and a seven unit

multiple dwelling in the form of three storey townhouse dwellings, with both buildings connected by an underground parking garage on lands located at 117 Forest Avenue and 175 Catharine Street South, Hamilton as shown on Appendix “A” to Report PED20153 be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “B” to Report PED20153 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law, attached as Appendix “B” to Report PED20153 be added to District Map E5 of Zoning By-law No. 6593 as “E-3/S-601a”; and,
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow Plan (2019), as amended and complies with the Urban Hamilton Official Plan.
- (b) That the public submissions received regarding this matter did not affect the decision.

7. Application for a City-wide Amendment to the Urban Hamilton Official Plan and an Area-specific Amendment for Lands Located in the Twenty Road West Area (PED20163) (City Wide) (Item 7.4)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-20-011, by Corbett Land Strategies Inc. (Applicant), on behalf of Sullstar Twenty Limited (Starward Homes), Spallacci & Sons Limited, Oxford Road Developments, Lynmount Developments Inc, The Parente Group, Twenty Road Developments Inc. and Liv Communities, for a City-wide amendment to the Urban Hamilton Official Plan to add policies to enable privately-initiated urban boundary expansion applications and an Area-specific amendment to identify lands in the Twenty Road West area as candidate areas for future urban boundary expansion, be DENIED on the following basis:
- (i) The application is proposing to update the City’s Urban Hamilton Official Plan (UHOP) policies to conform to policy directions and forecasts of the Growth Plan 2019, as amended, which is a Provincial Plan conformity exercise that should be completed by the municipality as part of the Municipal Comprehensive Review (MCR) and not through a privately initiated application;
 - (ii) The application undermines the City’s comprehensive and integrated Growth Related Integrated Development Strategy (GRIDS) 2 / MCR process by:

- (1) Prematurely identifying specific lands for future urban expansion to accommodate residential growth to the year 2031; and,
 - (2) Proposing a set of policies, along with the identification of specific studies for the completion of a secondary plan, that would be used to evaluate urban boundary expansion applications for that specific area of the City outside of the larger growth management process;
- (iii) The combination of the City's existing Vacant Residential Land Inventory (VRLI) and intensification opportunities satisfies the land supply requirements of the Provincial Policy Statement (PPS). The City's VRLI identifies a total unit supply of approximately 31,900 units (year end 2019) and there is an additional immediate intensification unit supply of at least 30,000 units based on preliminary MCR estimates, which satisfies the 15 year PPS land supply requirement. There is no need to bring additional lands into the urban boundary prior to the completion of the MCR that will provide for a full and comprehensive review of options to accommodate growth;
- (iv) There are land use, servicing and transportation issues, amongst other matters that are more appropriately assessed and evaluated as part of a comprehensive update to City's infrastructure master plans, that must be considered and evaluated prior to identifying the lands in the Twenty Road West area as a candidate future urban growth area;
- (v) The application is proposing to amend UHOP policies that are the subject of appeals to the UHOP currently before the Local Planning Appeal Tribunal (LPAT) for which no decision has been rendered. It is premature to amend these policies in advance of a decision from the LPAT which could result in changes to the section under consideration.
- (b) That all eligible lands including Twenty Road West lands be part of the consideration of future growth options (residential or employment) as part of GRIDS 2 / MCR; and,
- (c) That the public submissions received regarding this matter did not affect the decision.

8. **Addition and Extension to Temporary Use By-law to Zoning By-law No. 05-200 – Outdoor Commercial Patios Temporary Use By-law to Zoning By-law No. 05-200 for temporary tents (CI-20-F(2)) (PED20135(a)) (City Wide) (Item 7.5)**
- (a) That City Initiative-20-F(2) Outdoor Commercial Patios and Temporary Tents for Commercial and Institutional Uses to amend and extend the outdoor commercial patio regulations under Zoning By-law No. 05-200, through a Temporary Use by-law, be received; and
- (i) That in order to permit outdoor commercial patios for an extended time period to expire on October 31, 2021, in a side or rear yard that abuts a residential lot for certain commercial lands and to allow entertainment on outdoor commercial patios within the Downtown area, then approval by Council be given to:
- (1) The extension and addition of the draft Temporary Use By-law, attached as Appendix “A” to Report PED20135(a);
- (2) The draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Urban Hamilton Official Plan (UHOP).
- (ii) That in order to provide for improved operational flexibility for Outdoor Commercial Patio and Institutional operations, specifically places of worship, hospitals and educational establishments, within certain lands zoned for commercial and institutional uses to erect temporary tents for six consecutive months within the time period to expire on October 31, 2021, then the approval by Council be given to:
- (1) The draft Temporary Use By-law, attached as Appendix “A” to Report PED20135(a);
- (2) The draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Urban Hamilton Official Plan (UHOP).
- (b) That the public submissions received regarding this matter did not affect the decision.

9. Outdoor Dining Districts Winter Season (PED20169) (City Wide) (Item 9.1)

- (a) That the Outdoor Dining Districts program to allow temporary outdoor patios on public lands be extended to October 31, 2021 as follows:
 - (i) that all applicable public health requirements, including any COVID-related public health requirements, as well as all applicable Provincial Orders be followed;
 - (ii) that applications be accepted through the Economic Development Division and that staff ensure, through the SEAT circulation process, that there will be no negative impacts with respect to pedestrian safety, accessibility, emergency services, public transit, private accesses and other issues that are normally addressed through the SEAT review process;
 - (iii) that patios generally not be permitted between November 1, 2020 and April 30, 2021 on-street, except where done as part of a full street closure that does not allow for vehicular access, or where otherwise approved by the Transportation Operations and Maintenance Division of the Public Works Department;
 - (iv) that no application fee be charged and that costs related to any necessary road closure permits or parking charges be waived and/or refunded, utilizing funds from the City's Economic Development Reserve, with all other costs to be borne by the applicants;
 - (v) that any temporary outdoor patios that occupy streets or public parking spaces include written support from the BIA or, if not within a BIA, have at least two-thirds buy-in from all businesses on the affected block(s) through petition;
 - (vi) that the Ward Councillor be notified of each case of any outdoor patio application in advance of any approval or implementation;
 - (vii) that any patio not impede delivery and pick up vehicles or pedestrian access to any business who is not party to the arrangements;
 - (viii) that winter maintenance surrounding patios on public property be undertaken by the applicant and the patio not impede sidewalk maintenance equipment; and
 - (ix) that the City waive any requirement for site plan review and waive enforcement of any zoning provisions related to parking supply, provided the patios are created as temporary uses with no

permanent fixtures and having no alterations that require a Building Permit.

- (b) That the Outdoor Dining Districts program to allow temporary outdoor patios on private property in the private parking areas of commercial plazas and malls, be extended to October 31, 2021 as follows:
 - (i) that any Outdoor Dining Districts follow all applicable public health requirements, including any COVID-related public health requirements, as well as all applicable Provincial Orders;
 - (ii) that the City waive any requirement for site plan review and waive enforcement of any zoning provisions related to parking supply, provided the patios are created as temporary uses with no permanent fixtures and having no alterations that require a Building Permit;
- (c) That the fees for the On-Street Pop-Up Patio Program, which operates from May 1 to October 31 of each year, be waived for the 2021 season, and that any costs be charged to the City's Economic Development Reserve; and
- (d) That the Mayor be requested to correspond with the Premier, the Minister of Municipal Affairs and Housing, the Attorney General and the local MPPs to request that:
 - (i) the Provincial Order respecting municipal authority to pass a Temporary Use By-law with respect to patios be extended; and
 - (ii) the Province's amendments to Regulation 719 under the Liquor Licence Act to provide flexibility for liquor sales licensees (e.g. licensed bars and restaurants) to temporarily extend their physical premises beyond 14 days be extended to October 31, 2021.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

1. COMMUNICATIONS (Item 4)

The following correspondence items respecting Urban Hens Backyard Pilot Program, are being deferred to the October 20th Planning Committee meeting when a Motion on this matter will be considered:

- (a) Giselle Burt
- (b) Mike Bozzo

2. DELEGATION REQUESTS (Item 5)

- 5.1 Heather Bond respecting Urban Hens Backyard Pilot Program to be approved for the October 20th Planning Committee meeting when a Motion on this matter will be considered.
- 5.2 John Ariens respecting 6.3 Item #2 – Designation of 1389 Progreston Road, for today’s meeting, to be heard before Item 6.3.
- 5.3 Jack Dennison respecting 6.3 Item #2 – Designation of 1389 Progreston Road, for today’s meeting, to be heard before Item 6.3.
- 5.4 Designation of 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) Item #1 of Hamilton Municipal Heritage Committee Report 20-005 (Item 6.3) for today’s meeting, to be heard before Item 6.3.

- (i) Lynda Zugec
- (ii) Kristina M. Schmuttermeier

3. PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 7)

- 7.1 Applications for Amendments to the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57 for Lands Located at 35 Londonderry Drive (Ancaster) (PED20158) (Ward 12)

- (a) Written Submissions:
 - (i) Donna Brown
 - (ii) S and Z Mao
 - (iii) Joel Newman

- 7.2 Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment, for lands located at 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West (PED20142) (Ward 1)
 - (a) Written Submissions:
 - (i) Bruno and Natasa Crugnale
 - (ii) Margaret Krol
 - (iii) Doreen Stermann
 - (b) Registered Delegations:
 - (i) Carmen Cuming

- 7.4 Application for a City-wide Amendment to the Urban Hamilton Official Plan and an Area-specific Amendment for Lands Located in the Twenty Road West Area (PED20163) (City Wide)
 - (a) Written Submissions:
 - (f) John Corbett, Corbett Land Strategies (Agent)
 - (g) John Doherty
 - (h) Martin Sullivan
 - (i) Warren Caldwell
 - (j) Erin Descamps
 - (k) Mary Wesley
 - (l) Gail Sullivan
 - (m) Jim Playfair
 - (n) Linda Sullivan
 - (o) John Kerchner
 - (p) Bob Berberick
 - (q) Ann Byrne
 - (r) Kathleen Sullivan
 - (s) Tom Sullivan
 - (t) Gail Stevens
 - (u) Rory Sullivan
 - (v) Kelly Byrne
 - (w) N and G Kolaski
 - (x) Maurice Stevens
 - (y) Greg Farrell
 - (b) Registered Delegations:
 - (i) Mark Noskiewicz
 - (ii) Art Dueksen
 - (iii) Lynda Lukasik

7.5. Addition and Extension to Temporary Use By-law to Zoning By-law No. 05-200 – Outdoor Commercial Patios Temporary Use By-law to Zoning By-law No. 05-200 for temporary tents (CI-20-F(2)) (PED20135(a)) (City Wide)

(a) Registered Delegations:

(i) Susan Creer

(b) Written Submissions:

(i) Rachel Braithwaite, Barton BIA

4. DISCUSSION ITEMS (Item 9)

9.1 Outdoor Dining Districts Winter Season (PED20169) (City Wide) is being moved up in the agenda to be heard before Item 7.5

5. NOTICES OF MOTION (Item 11)

11.1 Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook

The agenda for the October 6, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

None declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) September 22, 2020 (Item 3.1)

The Minutes of the September 22, 2020 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 5)

(i) Heather Bond respecting Changes to the Urban Hen By-law (For the October 20th meeting) (Item 5.1)

The Delegation Request from Heather Bond respecting Changes to the Urban Hen By-law was approved for the October 20th meeting.

(ii) Various Delegation Requests regarding Hamilton Municipal Heritage Committee Report 20-005 (Item 6.3)

The following Delegation Requests respecting Hamilton Municipal Heritage Committee Report 20-005 (Item 6.3), were approved for today's meeting, to be heard before Item 6.3:

- (i) John Ariens respecting Designation of 1389 Progreston Road (Item 6.3 #2) (Added Item 5.2)
- (ii) Jack Dennison respecting Designation of 1389 Progreston Road (Item 6.3 #2) (Added Item 5.3)
- (iii) Lynda Zugec respecting Designation of 110 – 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1) (Added Item 5.4 (i))
- (iv) Kristina Schmuttermeier respecting Designation of 110 – 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1) (Added Item 5.4(ii))

(e) CONSENT ITEMS (Item 6)

(i) Planning Division Consultation and Engagement Strategy in Response to COVID-19 (PED20174) (City Wide) (Item 6.2)

The staff presentation was waived.

For disposition of this matter, refer to Item 2.

(f) PUBLIC HEARINGS/WRITTEN DELEGATIONS (Item 7)

(i) John Ariens respecting Designation of 1389 Progreston Road (Item 6.3 #2) (For today's meeting) (Added Item 5.2)

John Ariens addressed the Committee respecting the Designation of 1389 Progreston Road.

The Delegation from John Ariens respecting Designation of 1389 Progreston Road, was received.

For disposition of this matter, refer to Item 3 (ii).

(ii) Jack Dennison respecting Designation of 1389 Progreston Road (Item 6.3 #2) (For today's meeting) (Added Item 5.3)

Jack Dennison addressed the Committee respecting the Designation of 1389 Progreston Road.

The Delegation from Jack Dennison respecting Designation of 1389 Progreston Road, was received.

For disposition of this matter, refer to Item 3 (ii).

(iii) Lynda Zugec respecting Designation of 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1) (Added Item 5.4 (i))

Lynda Zugec addressed the Committee respecting Designation of 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1).

The Delegation from Lynda Zugec respecting Designation of 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1), was received.

For disposition of this matter, refer to Item 3 (ii).

(iv) Kristina Schmuttermeier respecting Designation of 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1) (Added Item 5.4 (ii))

Kristina Schmuttermeier addressed the Committee respecting Designation of 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1).

The Delegation from Kristina Schmuttermeier respecting Designation of 110 - 122 King Street East, Hamilton (Former Royal Connaught Hotel) (Item 6.3 #1), was received.

For disposition of this matter, refer to Item 3 (ii).

In accordance with the *Planning Act*, Chair 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.

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 and Official Plan Amendment, 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.

(v) Applications for Amendments to the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57 for Lands Located at 35 Londonderry Drive (Ancaster) (PED20158) (Ward 12) (Item 7.1)

No members of the public were registered as Delegations. Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Franz Kloibhofer with AJ Clarke and Associates, was in attendance and indicated support for the staff report.

The delegation from Franz Kloibhofer with AJ Clarke and Associates, was received.

The following written submissions were received:

1. Donna Brown (Item 7.1 (a)(i))
2. S. and Z. Mao (Item 7.1 (a)(ii))
3. Joel Newman (Item 7.1 (a)(iii))

The public meeting was closed.

- (a) That Amended Urban Hamilton Official Plan Amendment Application UHOPA-17-032, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Fontana Homes Inc. (Owner) to re-designate the subject lands from the "Low Density Residential 2d designation" to the "Medium Density Residential 2" designation within the Meadowlands Neighbourhood V Secondary Plan in order to permit a 24 townhouse unit development with a net residential density of 62 units per hectare for lands located at 35

Londonderry Drive, Ancaster, as shown on Appendix “A” to Report PED20158, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED20158, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow (2019, as amended).
- (b) That Amended Zoning By-law Amendment Application ZAC-17-072, by A.J. Clarke and Associates (c/o Franz Kloibhofer) on behalf of Fontana Homes Inc. (Owner) to rezone the subject lands from the Residential Multiple “RM4-513” Zone, Modified and the Residential Multiple “RM4-535” Zone, Modified to the Residential Multiple “RM5-711” Zone, Modified, under Zoning By-law No. 87-57 (Ancaster), in order to permit a proposed development of 24 dwelling units comprised of four three-storey townhouse blocks, with a total of 55 parking spaces (two per unit plus eight visitor parking spaces), for lands located at 35 Londonderry Drive, Ancaster, as shown on Appendix “A” to Report PED20158, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED20158, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow (2019, as amended); and,
 - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. ____.

The recommendations in Report PED20158 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, refer to Item 4.

(vi) Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment, for lands located at 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West (PED20142) (Ward 1) (Item 7.2)

Andrea Dear, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Michael Spaziani with MSAI, was in attendance and indicated support for the staff report.

The delegation from Michael Spaziani was received.

The following written submissions were received:

1. Bruno and Natasa Crugnale (Item 7.2 (a)(i))
2. Margaret Krol (Item 7.2 (a)(ii))
3. Doreen Stermann (Item 7.2 (a)(iii))

Registered Delegations:

- 7.2(b) (i) Carmen Cuming, addressed the Committee and expressed concerns with the proposal.

The delegation was received.

The public meeting was closed.

- (a) That Amended Urban Hamilton Official Plan Amendment application UHOPA-18-005 by GSP Group on behalf of Belmont Equity Hamilton Inc., Owner, to amend Schedule “E-1” – Land Use Designations to change the designation of 74 Queen Street South, 244 and 246 Jackson Street West from “Neighbourhoods” designation to “Mixed Use - Medium Density” designation and to amend Map B.6.6-1 Strathcona Secondary Plan by adding 244 and 246 Jackson Street West to the Strathcona Secondary Plan Area and designate those lands “Mixed Use - Medium Density” designation, and to further amend Map B.6.6-1 by adding a Site Specific Policy Area to the entire site being comprised of 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West to permit a height of 23 storeys for a multiple dwelling, including attached two and three storey townhouse units as shown on Appendix “A” to Report PED20142, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED20142, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow Plan (2019, as amended);
- (b) That Amended Zoning By-law Amendment application ZAC-18-012 by GSP Group on behalf of Belmont Equity Hamilton Inc., Owner, to add lands as Mixed Use – Medium Density (C5, 736) Zone for the lands known as 244 and 246 Jackson Street West and for a change in zoning from the Mixed Use – Medium Density (C5, 297) Zone to the Mixed Use – Medium Density (C5, 736) Zone for the lands known as 235 Main Street West and 74 Queen Street South to permit a height of 80.85 metres (23 storeys) with additional modifications related setbacks, planting strips, visual barrier and parking, for the lands known as 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West, Hamilton, as shown on Appendix “A” to Report PED20142, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED20142, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019, as amended) and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No.XXX.
- (c) That upon finalization of the amending By-law, the subject lands be re-designated from “Commercial” and “Singles and Doubles” to “Commercial and, Apartments” in the Kirkendall North Neighbourhood Plan.

The recommendations in Report PED20142 were **amended** by adding the following sub-section (d):

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

For disposition of this matter, refer to Item 5.

(vii) **Application for a Zoning By-law Amendment for lands located at 117 Forest Avenue and 175 Catharine Street South, Hamilton (PED20153) (Ward 2) (Item 7.3)**

Councillor Farr relinquished the Chair to Councillor Danko.

No members of the public were registered as Delegations.

The staff presentation was waived.

Matt Johnston with Urban Solutions, was in attendance and indicated support for the staff report.

The delegation from Matt Johnston with Urban Solutions, was received.

The public meeting was closed.

- (a) That Amended Zoning By-law Amendment Application ZAC-17-008, by Urban Solutions (c/o Sergio Manchia), agent, for Representative Holdings Inc. (Owner), for a further modification to the “E-3/S-601” (High Density Multiple Dwellings) District, Modified to recognize the existing 11 storey multiple dwelling and permit a 78 unit multiple dwelling, and a seven unit multiple dwelling in the form of three storey townhouse dwellings, with both buildings connected by an underground parking garage on lands located at 117 Forest Avenue and 175 Catharine Street South, Hamilton as shown on Appendix “A” to Report PED20153 be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “B” to Report PED20153 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the amending By-law, attached as Appendix “B” to Report PED20153 be added to District Map E5 of Zoning By-law No. 6593 as “E-3/S-601a”; and,
 - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow Plan (2019), as amended and complies with the Urban Hamilton Official Plan.

The recommendations in Report PED20153 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, refer to Item 6.

Councillor Farr assumed the Chair.

The Committee recessed until 1:30pm.

The Committee reconvened at 1:30 p.m.

(viii) Application for a City-wide Amendment to the Urban Hamilton Official Plan and an Area-specific Amendment for Lands Located in the Twenty Road West Area (PED20163) (City Wide) (Item 7.4)

Heather Travis, Senior Project Manager, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation received.

John Corbett with Corbett Land Strategies was in attendance and indicated he was not in support of the staff report.

Joel Farber with Fogler, Rubinoff LLP, solicitor for the owners/applicants was in attendance and indicated he was not in support of the staff report.

The delegations from John Corbett with Corbett Land Strategies and Joel Farber with Fogler, Rubinoff LLP, were received.

The following written submissions, respecting Item 7.4(a), were received:

- (a) Joe Hoffman on behalf of the Elfrida Landowners
- (b) Susan Rosenthal on behalf of the TRE (Twenty Road East) Landowners
- (c) Barry Fraser, President Phase 6 Twenty Place
- (d) Carolyn Venema
- (e) Jack Restivo on behalf of Nicholas Tsuluca
- (f) John Corbett, Corbett Land Strategies (Agent)
- (g) John Doherty
- (h) Martin Sullivan
- (i) Warren Caldwell
- (j) Erin Descamps
- (k) Mary Wesley
- (l) Gail Sullivan
- (m) Jim Playfair
- (n) Linda Sullivan
- (o) John Kerchner
- (p) Bob Berberick
- (q) Ann Byrne
- (r) Kathleen Sullivan
- (s) Tom Sullivan
- (t) Gail Stevens

- (u) Rory Sullivan
- (v) Kelly Byrne
- (w) N and G Kolaski
- (x) Maurice Stevens
- (y) Greg Farrell

Registered Delegations:

- 7.2(b)(i) Mark Noskiewicz addressed the Committee and expressed concerns with the proposal.
- 7.2(b)(ii) Art Dueksen addressed the Committee and expressed concerns with the proposal.
- 7.2(b)(iii) Lynda Lukasik, Environment Hamilton, addressed the Committee and expressed concerns with the proposal.

The delegations were received.

The public meeting was closed.

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-20-011, by Corbett Land Strategies Inc. (Applicant), on behalf of Sullstar Twenty Limited (Starward Homes), Spallacci & Sons Limited, Oxford Road Developments, Lynmount Developments Inc, The Parente Group, Twenty Road Developments Inc. and Liv Communities, for a City-wide amendment to the Urban Hamilton Official Plan to add policies to enable privately-initiated urban boundary expansion applications and an Area-specific amendment to identify lands in the Twenty Road West area as candidate areas for future urban boundary expansion, be DENIED on the following basis:
 - (i) The application is proposing to update the City's Urban Hamilton Official Plan (UHOP) policies to conform to policy directions and forecasts of the Growth Plan 2019, as amended, which is a Provincial Plan conformity exercise that should be completed by the municipality as part of the Municipal Comprehensive Review (MCR) and not through a privately initiated application;
 - (ii) The application undermines the City's comprehensive and integrated Growth Related Integrated Development Strategy (GRIDS) 2 / MCR process by:
 - (1) Prematurely identifying specific lands for future urban expansion to accommodate residential growth to the year 2031; and,

- (2) Proposing a set of policies, along with the identification of specific studies for the completion of a secondary plan, that would be used to evaluate urban boundary expansion applications for that specific area of the City outside of the larger growth management process;
- (iii) The combination of the City's existing Vacant Residential Land Inventory (VRLI) and intensification opportunities satisfies the land supply requirements of the Provincial Policy Statement (PPS). The City's VRLI identifies a total unit supply of approximately 31,900 units (year end 2019) and there is an additional immediate intensification unit supply of at least 30,000 units based on preliminary MCR estimates, which satisfies the 15 year PPS land supply requirement. There is no need to bring additional lands into the urban boundary prior to the completion of the MCR that will provide for a full and comprehensive review of options to accommodate growth;
- (iv) There are land use, servicing and transportation issues, amongst other matters that are more appropriately assessed and evaluated as part of a comprehensive update to City's infrastructure master plans, that must be considered and evaluated prior to identifying the lands in the Twenty Road West area as a candidate future urban growth area;
- (v) The application is proposing to amend UHOP policies that are the subject of appeals to the UHOP currently before the Local Planning Appeal Tribunal (LPAT) for which no decision has been rendered. It is premature to amend these policies in advance of a decision from the LPAT which could result in changes to the section under consideration.

The recommendations in Report PED20163 were **amended** by adding the following sub-section (b):

- (b) ***That all eligible lands including Twenty Road West lands be part of the consideration of future growth options (residential or employment) as part of GRIDS 2 / MCR.***

The recommendations in Report PED20163 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, refer to Item #7.

(ix) Addition and Extension to Temporary Use By-law to Zoning By-law No. 05-200 – Outdoor Commercial Patios Temporary Use By-law to Zoning By-law No. 05-200 for temporary tents (CI-20-F(2)) (PED20135(a)) (City Wide) (Item 7.5)

The staff presentation was waived.

The following written submission was received:

1. Rachel Braithwaite, Barton Village Business Improvement Area (Item 7.5 (b)(i))

Registered Delegations:

- 7.2(b) (i) Susan Creer, addressed the Committee and expressed concerns with the proposal.

The delegation was received.

The public meeting was closed.

- (a) That City Initiative-20-F(2) Outdoor Commercial Patios and Temporary Tents for Commercial and Institutional Uses to amend and extend the outdoor commercial patio regulations under Zoning By-law No. 05-200, through a Temporary Use by-law, be received; and
 - (i) That in order to permit outdoor commercial patios for an extended time period to expire on October 31, 2021, in a side or rear yard that abuts a residential lot for certain commercial lands and to allow entertainment on outdoor commercial patios within the Downtown area, then approval by Council be given to:
 - (1) The extension and addition of the draft Temporary Use By-law, attached as Appendix “A” to Report PED20135(a);
 - (2) The draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Urban Hamilton Official Plan (UHOP).
 - (ii) That in order to provide for improved operational flexibility for Outdoor Commercial Patio and Institutional operations, specifically places of worship, hospitals and educational establishments, within certain lands zoned for commercial and institutional uses to erect temporary tents for six consecutive months within the time period to expire on October 31, 2021, then the approval by Council be given to:

- (1) The draft Temporary Use By-law, attached as Appendix “A” to Report PED20135(a);
- (2) The draft Temporary Use By-law is consistent with the Provincial Policy Statement (PPS) 2020, conforms to the 2019 A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Urban Hamilton Official Plan (UHOP).

The recommendations in Report PED20135(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, refer to Item 8.

(g) NOTICES OF MOTION (Item 11)

- (i) Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook (Added Item 11.1)**

The Notice of Motion respecting Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook was deferred to the November 17th Planning Committee meeting to be considered as a Motion.

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

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

The following changes to the Outstanding Business List were approved:

- (a) Items to be Removed:

19R - 282 MacNab Street North (Official Plan and Zoning By-law Amendment)
(Addressed as Item 7.2 on the September 22, 2020 agenda)

- (b) Items Requiring New Due Dates:

17B - Designation of the Gore District as a Heritage Conservation District
Current Due Date: October 20, 2020
Proposed New Due Date: November 17, 2020

17E - Family Friendly Housing Policy
Current Due Date: September 2020
Proposed New Due Date: January 12, 2021

18E - 2018 Development Fee Review
Current Due Date: March 24, 2020
Proposed New Due Date: Q2 2021

18G - 8475 English Church Road - Zoning and OPA Amendments
Current Due Date: September 8, 2020
Proposed New Due Date: October 20, 2020

19DD - Anthony Longo respecting 2070 Rymal Road East
Current Due Date: None
Proposed New Due Date: Q1 2021

19EE - Angela Riley respecting a Request for a Taxi Stand
Current Due Date: None
Proposed New Due Date: Q2 2021

20B - Review of Problems Associated with Increased Visitors to Waterfalls
Current Due Date: September 8, 2020
Proposed New Due Date: December 8, 2020

(i) PRIVATE AND CONFIDENTIAL (Item 13)

(i) Closed Session Minutes – September 22, 2020 (Item 13.1)

The Closed Session Minutes from the September 22, 2020 Planning Committee meeting were received and are to remain confidential.

(j) ADJOURNMENT (Item 14)

There being no further business, the Planning Committee adjourned at 5:15 p.m.

Councillor J. Farr
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 20-015

9:30 a.m.

Wednesday, October 7, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

Absent: Councillors J. Partridge - Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-015, AND RESPECTFULLY RECOMMENDS:

1. Investigating the Feasibility of a City of Hamilton Museum (PED20172) (City Wide) (Item 9.1)

That Report PED20172, respecting Investigating the Feasibility of a City of Hamilton Museum, be received.

2. Virtual Commemoration of 175 Years of Hamilton's History (Item 10.1)

WHEREAS, 2021 will mark 175 years since the City of Hamilton was founded in 1846;

WHEREAS, the citizens of Hamilton have expressed support for the idea of a Museum of Hamilton; and,

WHEREAS, a virtual museum approach offers significant and cost-effective potential for offering public content and experiences within COVID-19 restrictions and will complement and expand in-person programs at the existing civic museums;

THEREFORE, BE IT RESOLVED:

That Tourism and Culture Division staff be directed to develop a proposal to create and deliver an online commemoration of the 175 years of Hamilton's history in 2021, as a first phase of a virtual Museum of Hamilton, and report back to General Issues Committee.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

5. DELEGATION REQUESTS

- 5.1 Hamilton2026 Commonwealth Games Bid Corporation, respecting the Commonwealth Games 2026 Hosting Opportunity – This item has been withdrawn from the agenda.

11. NOTICES OF MOTION

- 11.1 Virtual Commemoration of 175 Years of Hamilton's History

12. GENERAL INFORMATION / OTHER BUSINESS

- 12.1.b.b. Review of the Value and Implications of Alternative Disposition Options for LaSalle Park – This matter was DEFERRED to the October 21, 2020 meeting of GIC; and, therefore, will remain on the outstanding business list.

The agenda for the October 7, 2020 General Issues Committee meeting, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 3)

(i) September 23, 2020 (Item 3.1)

The Minutes of the September 23, 2020 General Issues Committee meeting were approved, as presented.

(d) COMMUNICATIONS (Item 4)

Communication Items 4.1 and 4.2 respecting the 2026 Commonwealth Games, were received:

- (i) Hamilton Olympic Club and 91st Highlanders Athletic Association, respecting the Commonwealth Games 2026 (Item 4.1)
- (ii) Kevin Gonci, respecting the 2026 Commonwealth Games Proposal (Item 4.2)

(e) PUBLIC HEARINGS / DELEGATIONS (Item 7)

(i) Danny Cerino, respecting COVID-19 related Matters (Item 7.1)

Danny Cerino addressed Committee respecting COVID-19 related matters.

The presentation provided by Danny Cerino, respecting COVID-19 related matters, was received.

(f) STAFF PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

Paul Johnson, General Manager of Healthy and Safe Communities; and, Dr. Elizabeth Richardson, Medical Officer of Health, addressed Committee and provided a verbal update respecting COVID-19.

The verbal update respecting COVID-19 was received.

(i) Encampment Matter Verbal Update (Item 8.2 - Added)

At the request of Committee, Paul Johnson, General Manager of Healthy and Safe Communities; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided a verbal update respecting the encampment matter.

The verbal update, respecting the encampment matter was received.

(g) NOTICES OF MOTION (Item 11)

(i) Virtual Commemoration of 175 Years of Hamilton's History

Mayor F. Eisenberger introduced a Notice of Motion respecting the Virtual Commemoration of 175 Years of Hamilton's History.

The Rules of Order were waived to allow for the introduction of a Motion respecting the Virtual Commemoration of 175 Years of Hamilton's History.

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

(ii) Release of Appendices related to the Encampment Update Matter (Item 8.2)

Councillor Farr introduced a Notice of Motion respecting the Release of Appendices related to the Encampment Update Matter.

The Motion respecting this matter will be placed on the October 14, 2020 Council agenda for consideration.

(h) GENERAL INFORMATION / OTHER BUSINESS (Item 12)

(i) Amendments to the Outstanding Business List (Item 12.1)

The amendments to the General Issues Committee's Outstanding Business list were approved, as follows:

12.1.a. Proposed New Due Dates:

12.1.a.a. Pier 8 Development Opportunity RFP -
Summary of the 4 Proposals

Current Due Date: August 10, 2020

Proposed New Due Date: November 18, 2020

- 12.1.a.b. Revenue Enhancement Opportunities at the John C. Munro International Airport

Current Due Date: August 10, 2020
Proposed New Due Date: June 16, 2021

- 12.1.a.c. Code of Conduct for Council-Approved Citizen Members of External Boards and Agencies

Current Due Date: September 23, 2020
Proposed New Due Date: February 17, 2021

- 12.1.a.d. Innovation Factory Request for Funding Renewal Option

Current Due Date: July 6, 2020
Proposed New Due Date: November 4, 2020

- 12.1.a.e. Sidewalk Snow Removal

Current Due Date: August 10, 2020
Proposed New Due Date: October 21, 2020

- 12.1.a.f. Municipal Accommodation Tax - Structure and Implementation Plan

Current Due Date: September 23, 2020
Proposed New Due Date: November 18, 2020

- 12.1.b. Items to be Removed:
 - 12.1.b.a. Annual Review of the Municipal Funding Program - Synapse Life Sciences Consortium

(Addressed at the September 23, 2020 GIC as Item 6.3 - Report PED19057(a))

 - 12.1.b.b. Request for Relief for the Hamilton Farmers' Market with an Equivalence of the Canadian

Commercial Rent Assistance Program
(CECRA)

(This matter is being addressed through the
Hamilton Farmers' Market Shareholder.)

12.1.b.c. Divesting and Defunding of the Hamilton Police
Service

(Addressed at the September 23, 2020 GIC as
Item 8.3 by the Hamilton Police Service.)

(i) PRIVATE & CONFIDENTIAL (Item 13)

**(i) Closed Session Minutes – September 9, 2020; September 14, 2020;
and September 23, 2020 (Items 13.1 to 13.3))**

- (a) The Closed Session Minutes of the September 9, 2020; September 14, 2020; and, September 23, 2020 General Issues Committee meetings, were approved; and,
- (b) The Closed Session Minutes of the of the September 9, 2020; September 14, 2020; and, September 23, 2020 General Issues Committee meetings shall remain confidential.

(j) ADJOURNMENT (Item 15)

There being no further business, the General Issues Committee adjourned at
12:09 p.m.

Respectfully submitted,

Deputy Mayor Lloyd Ferguson
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-008

9:30 a.m.

October 8, 2020

Council Chambers

Hamilton City Hall

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

Absent: J. Partridge - Personal

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 20-008 AND RESPECTFULLY RECOMMENDS:

1. CONSENT ITEMS (Item 6)

That Consent Items 6.1 through 6.3, be received as presented:

- (i) 2020 Second Quarter Request for Tenders and Proposals Report (FCS20033(a)) (City Wide) (Item 6.1)**
- (ii) 2020 Second Quarter Emergency and Non-competitive Procurements Report (FCS20034(a)) (City Wide) (Item 6.2)**
- (iii) Second Quarter Non-compliance with the Procurement Policy Report (FCS20035(a)) (City Wide) (Item 6.3)**

2. Procurement Sub-Committee Report 20-002 – October 1, 2020 (Item 9.1)

- (a) Commercial Relationship Between City of Hamilton and Garda Canada Security Corporation also known as GardaWorld Canada Security Corporation also known as GardaWorld Corporation (LS20025) / (FCS20083) (City Wide) (Item 13.1)**
 - (i)** That the direction provided to staff in Closed Session respecting Report LS0025 / FCS20083, the Commercial Relationship Between City of Hamilton and Garda Canada Security Corporation also known as GardaWorld Canada Security Corporation also known as GardaWorld Corporation, be approved;
 - (ii)** That the contents of Report LS0025 / FCS20083, respecting the Commercial Relationship Between City of Hamilton and Garda

Canada Security Corporation also known as GardaWorld Canada Security Corporation also known as GardaWorld Corporation, remain confidential; and,

- (iii) That Confidential Appendix “A” to Procurement Sub-Committee Report 20-002, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

9. DISCUSSION ITEMS

- 9.1 Procurement Sub-Committee Report 20-002 – October 1, 2020

13. PRIVATE AND CONFIDENTIAL

- 13.1 Confidential Appendix “A” to Procurement Sub-Committee Report 20-002 – October 1, 2020

The agenda for the October 8, 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) September 24, 2020 (Item 3.1)

The Minutes of the September 24, 2020 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) COMMUNICATIONS (Item 4)

(i) Correspondence from MPAC, respecting Municipal Levy Letter (Item 4.1)

The Correspondence from MPAC, respecting Municipal Levy Letter, was received.

(e) DELEGATION REQUEST (Item 5)

(i) Kevin Rachman, SmartCentres REIT, respecting an Extension to Development Charges Credit (Item 5.1)

The Delegation Request from Kevin Rachman, SmartCentres REIT, respecting an Extension to Development Charges Credit, was approved for a future meeting.

(f) ADJOURNMENT (Item 14)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 9:39 a.m.

Respectfully submitted,

Councillor Clark, Vice-Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 20-008

1:30 p.m.

Thursday, October 8, 2020
Council Chambers
Hamilton City Hall
71 Main Street West

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

Regrets: Councillors E. Pauls and T. Whitehead – Personal

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 20-008, AND RESPECTFULLY RECOMMENDS:

1. 2020 Arena Opening Plan (HSC20031(a)) (City Wide) (Item 10.1)

That Report HSC20031(a), respecting 2020 Arena Opening Plan, be received.

2. Residential Care Facility Liaison Update (HSC20040) (City Wide) (Item 10.2)

That Report HSC20040, respecting Residential Care Facilities Update, be received.

3. Long Term Care Inspection Report - Wentworth Lodge (HSC20043) (Ward 13) (Item 10.3)

That Report HSC20043, respecting Long Term Care Inspection Report - Wentworth Lodge, be received.

4. Long Term Care Home Incident Investigation Report (LS20028/HSC20049) (City Wide) (Added Item 14.1)

That Report LS20028/HSC20049, respecting Long Term Care Investigation Report, be received and remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

14. PRIVATE AND CONFIDENTIAL (Item 14.1)

14.1 Long Term Care Home Incident Investigation Report
(LS20028/HSC20049) (City Wide)

The agenda for the October 8, 2020 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Merulla declared an interest to Item 5.1, correspondence from Katie Sullivan, respecting Support ACORN's Defending Our Homes campaign, which relates to rental properties, as he is a landlord.

Councillor Merulla declared an interest to Item 8.1, the Delegation from Bryan Hayes, respecting reno victions and tenant harassment in Hamilton, which relates to rental properties, as he is a landlord.

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

(i) September 24, 2020 (Item 4.1)

The Minutes of the September 24, 2020 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

The correspondence from Katie Sullivan, respecting Support ACORN's Defending Our Homes campaign (Item 5.1), was received.

(e) PUBLIC HEARINGS/DELEGATIONS (Item 6)

Bryan Hayes addressed the Committee respecting reno victions and tenant harassment in Hamilton.

The Delegation from Bryan Hayes, respecting reno victions and tenant harassment in Hamilton (Item 8.1), was received.

(f) PRIVATE AND CONFIDENTIAL (Item 14)

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

**(i) Long Term Care Home Incident Investigation Report
(LS20028/HSC20049) (City Wide)**

For disposition of this matter, refer to Item 4.

(g) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee meeting adjourned at 2:24 p.m.

Respectfully submitted,

Councillor N. Nann
Vice-Chair, Emergency and Community
Services Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk



**HAMILTON ENTERPRISES HOLDING CORPORATION
SHAREHOLDER ANNUAL GENERAL MEETING
REPORT 20-001**

9:30 a.m.

October 13, 2020

Due to COVID-19 and the Closure of City Hall, this meeting was held virtually.

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

Absent: Councillor E. Pauls – Other City Business
Councillors T. Whitehead, J. Partridge – Personal

THE HAMILTON ENTERPRISES HOLDING CORPORATION PRESENTS REPORT 20-001, AND RESPECTFULLY RECOMMENDS:

1. **Shareholders Resolution - Consolidated Financial Statements - Year Ended December 31, 2019; Appointment and Remuneration of Auditor; Number of Directors; and, Appointment of Directors for the Corporation (Item 5.1)**
 - (a) **Consolidated Financial Statements - Year Ended December 31, 2019**

That the Audited Consolidated Financial Statements of Hamilton Enterprises Holding Corporation for the year ended December 31, 2019, as approved by the Board of Directors of the Corporation, be received and approved by the Shareholder;
 - (b) **Appointment and Remuneration of Auditor**
 - (i) That the present auditor, KPMG LLP, be appointed as the auditor of the Corporation for the 2020 fiscal year of the Corporation; and,
 - (ii) That the remuneration to be paid to KPMG LLP as auditor of the Corporation for the 2020 fiscal period of the Corporation shall be

Council – October 14, 2020

fixed by the Directors of the Corporation, the Directors of the Corporation being hereby authorized to fix such remuneration.

(c) Number of Directors

WHEREAS, the Articles of Incorporation of the Corporation provide that the Board of Directors shall consist of a minimum of one (1) and a maximum of twenty (20) Directors;

WHEREAS, it has heretofore been resolved that the Corporation shall have eight (8) Directors; and,

WHEREAS, it is desirable for the Corporation to decrease the number of Directors to seven (7) to ensure continuity and a seamless transition in meeting the Sole Shareholder's requirement to have the majority of the Directors be residents of the City of Hamilton;

THEREFORE, BE IT RESOLVED,

That effective the date of these Resolutions, and thereafter until otherwise determined by the Shareholder of the Corporation, the number of Directors that the Corporation shall have shall be seven (7).

(d) Appointment of Directors for the Corporation

WHEREAS, it has been resolved that the Corporation shall have seven Directors;

WHEREAS, the Corporation presently has the seven Directors that it was resolved that the Corporation shall have;

WHEREAS, Councilor Sam Merulla has been selected by the Council of the Shareholder to serve as the Mayor's Designate in the capacity of Director of the Corporation and continues to serve as a Director of the Corporation;

WHEREAS, at the 2019 Annual General Meeting of the Corporation each of Laurie Tugman and Julia Kamula was elected as a Director of the Corporation for a three-year term and each of Greg McCamus and Christa Wessel was elected as a Director of the Corporation for a two-year term, and each continues to hold office as a Director of the Corporation for the balance of the term each was elected to serve as a Director of the Corporation;

WHEREAS, at the 2019 Annual General Meeting of the Corporation each of Tony Thoma and Lesley Gallinger was elected as a Director of the Corporation for a one-year term which expires with the 2020 Annual General Meeting of the Corporation;

WHEREAS, with the expiry of the terms of Tony Thoma and Lesley Gallinger as Directors of the Corporation the Corporation will have only five Directors; and,

WHEREAS, it is desirable to elect each of Tony Thoma and Lesley Gallinger as Director of the Corporation in order that the Corporation might have seven Directors;

THEREFORE, BE IT RESOLVED,

That each of Tony Thoma and Lesley Gallinger, each being a resident Canadian and each having previously consented to act as a Director of the Corporation, are elected as a Director of the Corporation to hold office for a three-term commencing July 1, 2020 and expiring June 30, 2023 and thereafter until his or her, as the case may be, successor is duly elected or appointed.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 13, 2020 Hamilton Enterprises Holding Corporation Annual General Meeting 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 5, 2019 (Item 3.1)

The Minutes of the June 5, 2019 Hamilton Enterprises Holding Corporation Shareholder Annual General meeting were approved, as presented.

(d) PRESENTATIONS (Item 5)

(i) Hamilton Enterprises Holding Corporation (Item 5.1)

Jeff Cowan, President and CEO of the Hamilton Enterprises Holding Corporation (HEHCo), provided the presentation respecting HEHCo.

The presentation, respecting the Hamilton Enterprises Holding Corporation, was received.

(e) ADJOURNMENT (Item 11)

There being no further business, the Hamilton Enterprises Holding Corporation Annual General Meeting adjourned at 10:28 a.m.

Respectfully submitted,

Mayor Fred Eisenberger, Chair

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk



**HAMILTON UTILITIES CORPORATION
SHAREHOLDER ANNUAL GENERAL MEETING
REPORT 20-001**

10:45 a.m.

October 13, 2020

Due to COVID-19 and the Closure of City Hall, this meeting was held virtually.

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

Absent: Councillor A. VanderBeek – Other City Business
Councillor T. Whitehead - Personal

**THE HAMILTON UTILITIES CORPORATION PRESENTS REPORT 20-001, AND
RESPECTFULLY RECOMMENDS:**

**1. Shareholders Resolution - Hamilton Utilities Corporation Audited
Consolidated Financial Statements - Year Ended December 31, 2019;
Appointment and Remuneration of Auditor; Continuation of Directors of the
Corporation; Alectra Audited Financial Statements (Item 6.1)**

**(a) Hamilton Utilities Corporation Audited Consolidated Financial
Statements - Year Ended December 31, 2019**

That the Audited Consolidated Financial Statements of Hamilton Utilities Corporation for the year ended December 31, 2019, as approved by the Board of Directors of the Corporation, be approved by the Shareholder;

(b) Appointment and Remuneration of Auditor

- (i) That the present auditor, KPMG LLP, be appointed as the auditor of the Corporation for the 2020 fiscal year of the Corporation; and,
- (ii) That the remuneration to be paid to KPMG LLP as auditor of the Corporation for the 2020 fiscal period of the Corporation shall be

fixed by the Directors of the Corporation, the Directors of the Corporation being hereby authorized to fix such remuneration.

(c) Continuation of Directors of the Corporation

WHEREAS, it has been resolved that the Corporation shall have five Directors;

WHEREAS, the Corporation presently has the five Directors that it was previously resolved that the Corporation shall have;

WHEREAS, Councilor Sam Merulla has been selected by the Council of the Shareholder to serve as the Mayor's Designate in the capacity of Director of the Corporation and continues to serve as a Director of the Corporation;

WHEREAS, at the 2019 Annual General Meeting of the Corporation each of Laurie Tugman and Julia Kamula was elected as a Director of the Corporation for a three-year term and each of Greg McCamus and Christa Wessel was elected as a Director of the Corporation for a two-year term, and each continues to hold office as a Director of the Corporation serving for the balance of the term that each was elected to serve as a Director of the Corporation; and,

WHEREAS, no action is necessary in relation to the appointment of the Directors for the Corporation:

THEREFORE, BE IT RESOLVED:

- (i) That each of the Directors of the Corporation, being Sam Merulla, Laurie Tugman, Julia Kamula, Greg McCamus and Christa Wessel, continue in office, as a Director of the Corporation, serving for the balance of the term that each was elected to serve as a Director of the Corporation; and,
- (ii) The Audited Consolidated Financial Statements of Alectra Inc. for the year ended December 31, 2019, as approved by the Board of Directors of Alectra Inc., were received by the Shareholder.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the October 13, 2020 Hamilton Utilities Corporation Annual General Meeting 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 5, 2019 (Item 3.1)

The Minutes of the June 5, 2019 Hamilton Utilities Corporation Shareholder Annual General meeting were approved, as presented.

(d) PRESENTATIONS (Item 5)

(i) Hamilton Utilities Corporation / Alectra (Item 5.1)

Brian Bentz, President & CEO of Alectra Inc.; John Basilio, Executive Vice President and Chief Financial Officer of Alectra Inc.; and, Blair Peberdy, Vice President, of Corporate Communications for Alectra Inc., provided the presentation for Item 5.1.

The presentation, respecting the Hamilton Utilities Corporation, was received.

(e) ADJOURNMENT (Item 11)

There being no further business, the Hamilton Utilities Corporation Annual General Meeting adjourned at 12:17 p.m.

Respectfully submitted,

Mayor Fred Eisenberger, Chair

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON MOTION

Council: October 14, 2020

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY COUNCILLOR

Demolition Permit and Development Charges Credit Extension for 696, 716, 718 and 720 Barton Street in Stoney Creek

WHEREAS 696, 716, 718 and 720 Barton Street, Stoney Creek is in the Fruitland/Winona Secondary Plan and major development is intended in this area.

WHEREAS the owner is part of a consortium of developers who will be pursuing building intensification on these lands and surrounding lands.

WHEREAS the owner has boarded up the vacant property but continues to have untoward activity at the property that is uninhabitable.

WHEREAS it is not appropriate to pursue repair or restoration of this building as prescribed by the Property Standards By-law or maintain the property on the Vacant Building Registry and demolition is appropriate; and,

WHEREAS the timelines for such development at this point is not finite due to potential delays that may be beyond the developers' control.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demotion permit for 696, 716, 718 and 720 Barton Street, Stoney Creek, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208; and

That the City Development Charges (DC) demolition credits for 696, 716, 718 and 720 Barton Street in Stoney Creek be extended for a period of up to 10 years to the effect that all demolition credits will expire on or before November 1, 2030.

CITY OF HAMILTON MOTION

Council: October 14, 2020

MOVED BY COUNCILLOR M. PEARSON.....

SECONDED BY COUNCILLOR

Demolition Permit and Development Charges Credit Extension for 832 Barton Street, Stoney Creek

WHEREAS 832 Barton Street, Stoney Creek is in the Fruitland/Winona Secondary Plan and major development is intended in this area.

WHEREAS the owner is part of a consortium of developers who will be pursuing building intensification on these lands and surrounding lands.

WHEREAS the owner has boarded up the vacant property but continues to have untoward activity at the property that is uninhabitable.

WHEREAS it is not appropriate to pursue repair or restoration of this building as prescribed by the Property Standards By-law or maintain the property on the Vacant Building Registry and demolition is appropriate; and,

WHEREAS, the timelines for such development at this point is not finite due to potential delays that may be beyond the developers' control.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demotion permit for 832 Barton Street, Stoney Creek, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208; and

That the City Development Charges (DC) demolition credits for 832 Barton Street in Stoney Creek be extended for a period of up to 10 years to the effect that all demolition credits will expire on or before November 1, 2030.

CITY OF HAMILTON

NOTICE OF MOTION

Council: October 14, 2020

MOVED BY COUNCILLOR N. NANN.....

Reconsideration of the decision that was approved at the September 30, 2020 Council meeting respecting Item 4.8, the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that formally reprimanded Cameron Kroetsch as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

That the decision that was approved at the September 30, 2020 Council meeting respecting Item 4.8, the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that formally reprimanded Cameron Kroetsch as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, and reads as follows, be reconsidered:

That having been found to have breached the Hamilton Advisory Committee/Task Force Code of Conduct as per Item 4.8, respecting the Submission of Integrity Commissioner Investigation Report – Complaint Filed Against a Citizen Committee Member, that Cameron Kroetsch be and is hereby formally reprimanded as it relates to the breach of privacy under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

Authority: Item 17, Public Works Committee
Report 07-011
(TOE2005b/FCS02026b/PED07248)
CM: September 26, 2007
Ward: 12

Bill No. 207

**CITY OF HAMILTON
BY-LAW NO. 20-**

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Garner Road West from Hamilton Drive to Approximately 420m Westerly, in the City of Hamilton

WHEREAS the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of Sewer Works by approving, on September 26, 2007, Item 17 of Public Works Committee Report 07-011 (Report TOE02005b/FCS02026b/PED07248);

WHEREAS a developer, LIV Communities, in satisfaction of terms and conditions of site plan application DA-18-047 and an external works agreement, did construct certain Sewer Works, in the City of Hamilton, as more particularly described in Schedule "A" attached to this By-law;

WHEREAS to the extent that the construction of the said Sewer Works benefits the property owners described in Schedule "A", such works were services or activities that were provided or done on behalf of the City of Hamilton with the express intention that section 391(1)(a) of the Municipal Act, S.O. 2001, c. 25 as amended would apply thereto;

WHEREAS the cost of the said Sewer Works, including sanitary drain connections, that relate to the benefitting property owners described in Schedule "A" is \$205,149.25, and this amount is to be recovered from all benefitting property owners as set forth in this By-law; and,

WHEREAS the said Sewer Charges are imposed pursuant to Part XII of the Municipal Act, S.O. 2001, c. 25 as amended and pursuant to section 14 of The City of Hamilton Act, 1999, S.O., 1999, c. 14, Schedule C as amended;

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

1. Sewer Charges are imposed upon the owners or occupants of land who benefit from the construction of the Sewers Works (the "Assessed Owners").
2. The Assessed Owner's lands and the respective Sewer Charges are more particularly described in Schedule "A", which Schedule is attached to and forms part of this By-law.
3. The Sewer Charges have been established using the approved method for cost apportionment per City of Hamilton Report TOE02005b/FCS02026b/PED07248 (Funding Methodologies for Municipal Infrastructure Extensions Review and Update),

establishing a Flat Fee Sanitary Sewer Charge of \$7,745.00 attributable to each Assessed Owner of an existing residential lot, in addition to the actual cost of the connection for each sanitary drain connection. A per metre charge of \$958.82 for 467 Garner Road West shall be applied to the street frontage of the entire property along Garner Road West less the amount of the flat rate sanitary sewer charges, if previously recovered. 446 Garner Road West is subject to an additional flat rate charge in the event a second building is connected to the sanitary sewer.

The Flat Fee and per metre charge shall be annually adjusted to the current rate in the City's User Fees and Charges By-law. The Sanitary drain connection charges shall be indexed in accordance with the percentage change in the composite Canadata Cost Index (Ontario Series) commencing from the completion date of construction, December 31, 2019 to the date of permit issuance.

4. The amount resulting from the application of the Sewer Charges (the "Indebtedness"), shall be collected at the time of permit issuance for any connection to the said Sewer Works, in addition to any applicable permit fees.
5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years from the date of permit issuance for connection by entry on the tax roll, to be collected in the same manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then-current 15 year borrowing rate (2020 rate 3.00%).
6. Notwithstanding Section 5, an Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
7. Should an Assessed Owner sever or subdivide their parcel of land, the Sewer Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above, shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
8. The developer, LIV Communities, upon satisfying the City that it has completed its obligations with respect to the construction of the said Sewer Works, shall receive repayment of that portion of the associated cost of the construction hereunder, pursuant to the terms and conditions of its external works agreement.
9. Unpaid Sewer Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
10. If any provision or requirement of this By-law, or the application of it to any person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Garner Road West from Hamilton Drive to Approximately 420m Westerly, in the City of Hamilton

Page 3 of 4

11. This By-law comes into force on the day following the date of its passing.

PASSED this 14th day of October 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule "A" to By-law No.

Garner Road West
Sanitary Sewer including Sanitary Drain Connections on Garner Road West from Hamilton Drive to approximately 420m Westerly.

Sewer Charges

Property Address	Sanitary Sewer Charge	Sanitary Sewer Drain Connection	Total Charge
446 Garner Road W	\$ 15,490.00	\$ 5,284.97	\$ 20,774.97
500 Garner Road W	\$ 7,745.00	\$ 6,686.34	\$ 14,431.34
506 Garner Road W	\$ 7,745.00	\$ 6,686.34	\$ 14,431.34
516 Garner Road W	\$ 7,745.00	\$ 5,593.78	\$ 13,338.78
PIN 17412006	\$ 7,745.00	\$ 6,686.34	\$ 14,431.34
451 Garner Road W	\$ 7,745.00	\$ 5,184.64	\$ 12,929.64
467 Garner Road W (existing house)	\$ 7,745.00	\$ 5,184.64	\$ 12,929.64
467 Garner Road W (land severance charges)	\$ 75,922.59	\$ 0.00	\$ 75,922.69
487 Garner Road W	\$ 7,745.00	\$ 5,184.64	\$ 12,929.64
424 Garner Road W	\$ 7,745.00	\$ 5,284.97	\$ 13,029.97
TOTAL	\$153,372.59	\$ 51,776.66	\$205,149.25

Authority: Item 9, Public Works Committee
Report 07-016 (PW07153)
CM: December 12, 2007
Ward: City Wide

Bill No. 208

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 01-215 to regulate traffic;

AND WHEREAS on the 27th day of June 2007, the Council of the City of Hamilton approved Item 5 of Public Works Committee Report 07-010 to amend By-law 01-215;

AND WHEREAS on the 12th day of July 2019, the Council of the City of Hamilton approved Item 5 of Public Works Committee Report 19-010 to amend By-law 01-215;

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

1. The heading for Section 8 of By-law 01-215 is deleted and replaced with the following new heading:

DESIGNATED AREAS AND SCHOOL ZONES – REDUCED SPEED LIMITS

2. Section 8 of By-law 01-215 is amended by deleting subsection 8(1) and replacing it with the following:
 - (1) A reduced speed limit for motor vehicles is hereby prescribed for those highways or parts of highways which are listed in Schedules 3 and 31.
3. Section 8 of By-law 01-215 is further amended by adding a new subsection 8(3) as follows:
 - (3) Schedule 31 describes the following:

- (a) in column one thereof, the name of the designated area for a reduced speed and upon which the reduced speed limit is in force and effect;
 - (b) in column two thereof, the East/West limits between which the reduced speed is in force and effect;
 - (c) in column three thereof, the North/South limits between which the reduced speed is in force and effect;
 - (d) In column four thereof, the arterial or major collector roadways within that designated area excluded from the reduced speed limit under section 8(3)(a);
 - (e) in column five thereof, the reduced speed limit in km/h which is in force and effect; and
 - (f) in column six thereof, a map of the designated area upon which the reduced speed limit is in force and effect in accordance with section 8(3).
4. Subsection 61(3) of By-law 01-215 is amended by deleting the reference to subsection “62(5)” from the first line of the subsection and replacing it with “63(5)”.
 5. Subsection 63(3) of By-law 01-215 is amended by deleting the reference to subsection “62(2)” from the first line of the subsection and replacing it with “63(2)”.
 6. Subsection 63(4) of By-law 01-215 is amended by deleting the reference to subsections “62(2) and 62(3)” from the first line of the subsection and replacing it with “63(2) and 63(3)”.
 7. Schedule 31 (Designated Areas – Reduced Speed Limit – 40 km/h Neighbourhoods) to designate specific areas, or neighbourhoods, for reduced speed limits, in the form attached hereto as Appendix “A” to this by-law is hereby added to By-law 01-215.
 8. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" (Ancaster) thereof the following items, namely:

Highway	From	To	Speed (km/h)
Panabaker Drive	Braithwaite Avenue	Garner Road	30
Braithwaite Avenue	Westerly Limit	150 m east of Panabaker Drive	30

And by removing from Section "A" (Ancaster) thereof the following items, namely:

Highway	From	To	Speed (km/h)
Miller Dr.	Garden Avenue (west intersection)	Anson Dr.	40

Garden Avenue	Fiddler's Green Road	Anson Drive	40
Braithwaite Avenue	Westerly Limit	Garner Avenue West	40
Panabaker Drive	Garner Road West	Braithwaite Avenue	40
Hamilton Drive	Wilson Street West	Garner Road West	40
Lloyminn Avenue	Lovers Lane	Jerseyville Road West	40
Colleen Crescent	Crestview Avenue	Lloyminn Avenue	40

And by adding to section "B" (Dundas) thereof the following items, namely;

Highway	From	To	Speed (km/h)
Bridlewood Drive	Governor's Road	Barrington Court	30
Alma Street	Sydenham Street	Parkside Avenue	30
Cameron Avenue	Marion Crescent	York Road	30
McKay Road	100 m west of Cameron Avenue	250 m east of Cameron Avenue	30
Robinhood Drive	Little John Road (Westerly Intersection)	Little John Road (Easterly Intersection)	40
Melville Street	Brock Street North	Sydenham Street	40
Park Street West	Westerly limit	Sydenham Street	40

And by removing from section "B" (Dundas) thereof the following items, namely;

Highway	From	To	Speed (km/h)
Highland Park Drive	375 m west of Lynndale Drive	75 m west of Lynndale Drive	40
Old Ancaster Rd	Turnball Rd	Town boundary	40
Old Ancaster Rd	Turnball Rd	Pleasant Ave	40
Old Ancaster Rd	Pleasant Ave	Ogilvie St	40
Robinhood Dr.	Old Ancaster Rd.	Little John Rd.	40
Victoria St.	Princess St.	Sydenham St.	40
Melville Street	Brock Street North	Cross Street	40
Park Street West	Westerly limit	York Road	40
Cross Street	Alma Street	King Street West	40
Helen St	Beginning	To end	40
Willet Hill	Beginning	To end	40
Cameron	York	McKay	40
McKay	Cameron	York	40
Macklin Street	Longwood Road	King Street	40
Bond Street North	Northerly limit	King Street West	40
Parkside Drive	Glen Road	Kipling Road	40
Glen Road	Bond Street North	Parkside Drive	40
Cline Avenue North	King Street West	Marion Avenue North	40
Dalewood Crescent	Oak Knoll Drive	King Street	40
Arnold Street	Forsyth Avenue	Haddon Avenue	40
Paisley Avenue North	Oak Knoll Drive	King Street West	40

Bond Street South	King Street West	Main Street West	40
Dalewood Avenue	King Street	Main Street	40
Cline Ave. S.	Main St. W.	southerly limit	40
Frid Street	Main Street	Chatham Street	40
Chatham Street	Westerly Limit	Locke Street South	40

And by adding to section “C” (Flamborough) thereof the following items, namely;

Highway	From	To	Speed (km/h)
Mill Street North	John Street East	Wellington Street	30
Main Street North	John Street East	Kelly Street	30
Skinner Road	Burke Street	150 m east of McKnight Avenue	30
Green Spring Road	Concession 8 East	540 m north of Concession 8 East	60

And by removing from section “C” (Flamborough) thereof the following items, namely;

Highway	From	To	Speed (km/h)
Boulding Avenue	Parkside Drive	Milverton Close	40
First Street	Laurendale Avenue	Dundas Street East	40
Fox Run	Houndtrail Drive	Blue Sky Trail	40
Golden Iris Crescent	Houndtrail Drive (west leg)	Houndtrail Drive (east leg)	40
Houndtrail Drive	Pamela Street	Spring Creek Drive	40
Humphrey Street	Denholm Road	Easterly limit	40
Main St. N.	Buchan Ct.	John St.	40
McCartney Street	McKnight Avenue	Skinner Road	40
McKnight Avenue	Denholm Road	Skinner Road	40
Mill Street North	Parkside Drive	Dundas Street East	40
Niska Drive	First Street	Spring Creek Drive	40
Prudham Crescent	McKnight Avenue	Easterly limit	40
Skinner Road	Burke Street	Easterly Limit	40
Spring Creek Drive	Dundas Street East	Parkside Drive	40
Alderson Road	Carlisle Road	Southerly limit	40
Laurendale Avenue	First Street	Fellowes Crescent	40
Blue Sky Trail	Houndtrail Drive	Spring Creek Drive	40
Denholm Road	McKnight Avenue	Humphrey Street	40
Prudham Crescent	McKnight Avenue	Easterly limit	40
Greensprings Road	8th Conc East	Progeston Road	60

And by adding to section “E” (Hamilton) thereof the following items, namely;

Highway	From	To	Speed (km/h)
Bendamere Avenue	Columbia Drive (westerly leg)	Columbia Drive (easterly leg)	30

Colombia Drive	Laurier Avenue	40 m south of Stacey Street	30
Laurier Avenue	Columbia Drive	Stacey Street	30
Stacey Street	Colombia Drive	Laurier Avenue	30
Caledon Avenue	80 m north of Lotus Avenue	120 m south of Tyrone Drive	30
Tyrone Drive	40 m west of Hawkridge Avenue	Caledon Avenue	30
Appleblossom Drive	Moonbeam Drive	75 m south of Brigadoon Drive	30
Greencedar Drive	Amalfi Street	60 m east of Greenguild Avenue	30
Guildwood Drive	Trevi Road	Greencedar Drive/Megna Court	30
Magnolia Drive	Wendover Drive	140 m south of Lionsgate Avenue	30
Wendover Drive	Magnolia Drive	Lynwood Road	30
Lynwood Road	Wendover Drive	Appleford Road	30
Rexford Drive	Robson Crescent (west leg)	Ashcroft Drive	30
Ravenbury Drive	Rexford Drive	70 m west of Rendeau Street	30
High Street	Fennell Avenue East	Woodside Drive	30
Sherwood Rise	Princeton Drive	High Street	30
Princeton Drive	Morningside Drive	Donlea Drive	30
Oakcrest Drive	Woodside Drive	Donlea Drive	30
Woodside Drive	High Street	Oakcrest Drive	30
Donlea Drive	Princeton Drive	Oakcrest Drive	30
Sandalwood Avenue	Brentwood Drive	Toby Crescent	30
Broker Drive	Brentwood Drive	Toby Crescent	30
Kingslea Drive	Grandfield Street	Huntington Avenue	30
Brentwood Drive	Broker Drive	Idlewood Avenue	30
Idlewood Avenue	Broker Drive	Glenford Avenue	30
Wildewood Avenue	Brentwood Drive	Kingslea Drive	30
East 18 th Street	Inverness Avenue East	Concession Street	30
East 19 th Street	Inverness Avenue East	Concession Street	30
Vickers Road	East 16 th Street	East 19 th Street	30
East 16 th Street	Sheridan Drive	Vickers Road	30
South Bend Road East	East 16 th Street	Holt Avenue	30
Holt Avenue	South Bend Road East	Sheridan Drive	30
Arnold Street	Forsyth Avenue South	Haddon Avenue	30
Dalewood Avenue	King Street West	Main Street West	30
Haddon Avenue South	Arnold Street	Main Street West	30
Longwood Road South	80 m south of King Street West	Main Street West	30
Bond Street North	Devon Place	King Street West	30
Glen Road	Devon Place	Bond Street North	30
Stanley Avenue	60 m east of MacDonald Avenue	Dundurn Street South	30
Homewood Avenue	60 m east of MacDonald Avenue	Dundurn Street South	30
Herkimer Street	90 m east of Dundurn Street South	Locke Street South	30
Locke Street South	Stanley Avenue	50 m north of Herkimer Street	30

Duke Street	Queen Street South	Westerly Limit	30
Robinson Street	Queen Street South	Westerly Limit	30
Hess Street North	40m north of Mill Street	Cannon Street West	30
Central Avenue	Craigroyston Road	Parkdale Avenue	30
Lucerne Avenue	Craigroyston Road	Parkdale Avenue	30
Glenholme Avenue	Central Avenue	150 m south of Lucerne Avenue	30
Summerhill Avenue	Central Avenue	150 m south of Lucerne Avenue	30
Albright Road	Montmorency Drive	71 m west of Quigley Road	30
Mountain Park Avenue	Upper Wentworth Street	Upper Sherman Avenue	40
Pearl Street North	York Boulevard	King Street West	40
Pearl Street South	King Street West	Main Street West	40
Ray Street South	King Street West	Main Street West	40
Hunter Street	Queen Street South	Wellington Street	40
Young Street	James Street	Wellington Street	40
Central Avenue	Parkdale Avenue	Reid Avenue	40
Melvin Avenue	Parkdale Avenue	Talbot Street	40
Roxborough Avenue	Parkdale Avenue	Reid Avenue	40
Dunsmure Road	Parkdale Avenue	Reid Avenue	40
Britannia Avenue	Parkdale Avenue	Oriole Crescent	40
Main Street East	Parkdale Avenue	Reid Avenue	40

And by removing from section “E” (Hamilton) thereof the following items, namely;

Highway	From	To	Speed (km/h)
Kettlepoint Drive	Piano Drive	Jacqueline Boulevard	40
Kirkfield Road	Springside Frive	Jacqueline Boulevard	40
Magenta Court	Jacqueline Boulevard	East limit	40
Meadowpoint Drive	Jacqueline Boulevard	Jacqueline Boulevard	40
Piano Drive	Jacqueline Boulevard	Meadowpoint Drive	40
Springside	150m north of Kirkfield Road	250m south of Kirkfield Road	40
Brucedale Avenue	East 15 th Street	East 19 th Street	40
Inverness Avenue	East 16 th Street	Upper Wentworth Street	40
Mountville Avenue	Upper Wellington Street	East 18 th Street	40
Mountain Park Avenue	Westerly Limit	Upper Sherman Avenue	40
East 19 th Street	Concession St.	Inverness Ave.	40
East 19 th St.	Concession St.	Inverness Ave.	40
East 18 th Street	Brucedale Avenue	Concession Street	40
East 16 th Street	Northerly end of East 16 th Street	Bromley Road	40
South Bend Road	Upper Wellington Street	Holt Avenue	40
Vickers Road	Upper Wentworth Street	East 16 th Street	40
South Park Avenue	Upper Wentworth Street	Rushdale Drive	40
Rowntree Drive	Upper Sherman Avenue	Rowntree Drive	40
Ross Avenue	Rowntree Drive	Rowntree Drive	40

Regal Drive	Rowntree Drive	Upper Sherman Avenue	40
Rawlings Avenue	Rowntree Drive	Rowntree Drive	40
Rexford Drive	Robson Crescent (west leg)	Astonwood Drive	40
Princip Street	Upper Sherman Avenue	Rexford Drive	40
Atherley Drive	Upper Sherman Avenue	Rexford Drive	40
Rendeau Street	Ravenbury Drive	Rexford Drive	40
Rama Court	Ravenbury Drive	South limit	40
Ravenbury Drive	Rexford Drive	Ravenbury Drive	40
Robson Crescent	End	End	40
Rosewell Street	Rexford Drive	Robson Crescent	40
Grenadier Drive	Broker Drive	Mohawk Road	40
Kingslea Drive	Broker Drive	Sandalwood Avenue	40
Brentwood Drive	Idlewood Avenue	Sandalwood Avneue	40
Organ Crescent	Fennell Avenue	Upper Kenilworth Avenue	40
Broker Avenue	Upper Ottawa Street	Upper Kenilworth Avenue	40
Fay Avenue	Organ Crescent	Broker Drive	40
Sandalwood Avenue	Upper Ottawa Street	Toby Crescent	40
Princeton Drive	Fennell Avenue East	Donlea Drive	40
High Street	Fennell Avenue East	Woodside Drive	40
Brucedale Avenue	Upper Ottawa Street	High Street	40
Woodside Drive	Oakest Drive	High Street	40
Donlea Drive	Princeton Drive	Oakcrest Drive	40
Oakcrest Drive	Donlea Drive	Mountain Brow Boulevard	40
West 19 th Street	Northerly Limit	Mohawk Road	40
Columbia Dr.	Laurier Ave.	125m east of Marcus Ave.	40
Laurier Ave.	Columbia Dr.	South Bend Rd. (westerly end)	40
Bendamere Ave.	Columbia Dr.	57m east of Briarwood Cres. (east leg)	40
Springvalley Crescent	Waterberry Trail	Northerly limit	40
Moonbeam Drive	Chesley Street	Waterberry Trail	40
Waterberry Trail	Springvalley Court	Southerly limit	40
Brigadoon Drive	Waterberry Trail	Appleblossom Drive	40
Duncairn Crescent	Heatherdale Place	Brigadoon Drive	40
Chester Avenue	Appleblossom Drive	West 5 th Street	40
Rosehill Avenue	Annabelle Street	West 5 th Street	40
Annabelle Street	Springvalley Crescent	Southerly limit	40
Waterberry Trail	Springvalley Court	Southerly limit	40
Omni Boulevard	Stone Church Road West	Upper Horning/Gurnett Drive	40
Gurnett Drive	Greencedar Drive	Omni Boulevard	40
Greenguild Avenue	Greencedar Drive	Gurnett Drive	40
Amalfi Street	Upper Horning Road	Greencedar Drive	40
Upper Horning Road	Omni Boulevard	Northerly end of Upper Horning Road	40
Novoco Drive	Upper Paradise Road	Guildwood Drive	40
Trevi Road	Guildwood Drive	Upper Paradise Road	40

Golfwood Drive	Guildwood Drive	Greencedar Drive	40
Atkins Drive	Golfwood Drive	Greencedar Drive	40
Greencedar Drive	Guildwood Drive	Gurnett/Guildwood Drive(s)	40
Greenguild Avenue	Greencedar Drive	Gurnett Drive	40
Wendover Drive	Magnolia Drive	Magnolia Drive	40
Magnolia Drive	Mohawk Road West	Wendover Drive	40
Lynwood Road	Wendover Drive	Appleford Road	40
Appleford Road	Magnolia Drive	Wendover Drive	40
Tiffany Street	Stuart Street	Barton Street	40
Napier Street	Queen Street	Easterly Limit	40
Market Street	Queen Street	Bay Street	40
Peter Street	Queen Street	Hess Street	40
Vine Street	Bay Street	James Street	40
Mulberry Street	Bay Street	James Street	40
Railway Street	Northerly Limit	Cannon Street	40
Hess Street	Stuart Street	Southerly Limit	40
Hess Street North	Market Street	Barton Street West	40
Caroline Street	Stuart Street	Aberdeen Avenue	40
Windsor Street	Hess Street	Caroline Street	40
Stuart Street	Queen Street	MacNab Street	40
Park Street	Murray Street	Markland Street	40
Macnab Street	Strachan Street	Markland Street	40
McNeil Street	Queen Street	Easterly Limit	40
Mill Street	Hess Street	Easterly Limit	40
Harriet Street	Hess Street	Easterly Limit	40
Murray Street	Bay Street	Mary Street	40
Colbourne Street	Bay Street	James Street	40
Sheaffe Street	Westerly Limit	Easterly Limit	40
Severn Street	Colbourne Street	Southerly Limit	40
Macklin Street	Longwood Road	King Street	40
Bond Street North	Northerly limit	King Street West	40
Parkside Drive	Glen Road	Kipling Road	40
Glen Road	Bond Street North	Parkside Drive	40
Cline Avenue North	King Street West	Marion Avenue North	40
Dalewood Crescent	Oak Knoll Drive	King Street	40
Arnold Street	Forsyth Avenue	Haddon Avenue	40
Paisley Avenue North	Oak Knoll Drive	King Street West	40
Bond Street South	King Street West	Main Street West	40
Dalewood Avenue	King Street	Main Street	40
Cline Ave. S.	Main St. W.	southerly limit	40
Frid Street	Main Street	Chatham Street	40
Chatham Street	Westerly Limit	Locke Street South	40
Jackson Street	Dundurn Street	Queen Street	40
Canada Street	Westerly Limit	Queen Street	40
Hunter Street	Richmond Street	Queen Street	40

Bold Street	Locke Street	Queen Street	40
Pine Street	Locke Street	Pearl Street	40
Tuckett Street	Locke Street	Pearl Street	40
Duke Street	Westerly Limit	Queen Street	40
Robinson Street	Duke Street	Queen Street	40
Charlton Avenue	Westerly Limit	Queen Street	40
Herkimer Street	Macdonald Avenue	Queen Street	40
Homewood Avenue	Hawthorne Avenue	Queen Street	40
Hill Street	Dundurn Street	Poulette Street	40
Blanshard Street	Poulette Street	Locke Street	40
Melbourne Street	Dundurn Street South	Locke Street South	40
Melbourne Street	Dundurn Street	Locke Street	40
Stanley Avenue	Linwood Avenue	Queen Street	40
Rossmore Avenue	Westerly Limit	Hawthorne Avenue	40
Hawthorne Avenue	Aberdeen Avenue	Homewood Avenue	40
Linwood Avenue	Stanley Avenue	Aberdeen Avenue	40
Macdonald Avenue	Herkimer Street	Aberdeen Avenue	40
Poulette Street	Main Street	Melbourne Street	40
Richmond Street	Hill Street	Hunter Street West	40
Fanning Street	Melbourne Street	Chatham Street	40
Pearl Street	King Street	Tuckett Street	40
Pearl Street North	King Street West	York Boulevard	40
Ray Street	King Street	Bold Street	40
Reginald Street	Tuckett Street	Charlton Avenue	40
Alexander Street	Locke Street	Reginald Street	40
Kent Street	Charlton Avenue	Amelia Street	40
Erie Street	Main Street	Alanson Street	40
Emerald Street	Main Street	Southerly Limit	40
East Avenue	Main Street	Southerly Limit	40
Grant Avenue	Main Street	Southerly Limit	40
Ontario Avenue	Main Street	Alanson Street	40
Hunter Street	Richmond Street	Emerald Street	40
Webber Avenue	Victoria Street	East Avenue	40
Blythe Street	Stinson Street	Alanson Street	40
Alanson Street	Westerly Limit	Grant Avenue	40
Young Street	James Street	Victoria avenue	40
William Street	Birge Street	Barton Street	40
St Matthews Avenue	Birge Street	Barton Street	40
Shaw Street	Victoria Avenue	Wentworth Street	40
Oak Avenue	Birge	Cannon Street	40
Mars Avenue	Emerald	Wentworth	40
Keith Street	Emerald Street	Wentworth Street	40
Francis Street	Emerald Street	Wentworth Street	40
Ferrie Street	Wellington Street	Emerald Street	40
Emerald Street	Mars Avenue	Main Street	40

East Avenue	Birge Street	Main Street	40
Douglas Avenue	Mars Avenue	Shaw Street	40
Cheever Street	Mars Avenue	Barton Street	40
Clark Avenue	Ferrie Street	Burton Street	40
Burton Street	Victoria Avenue	Wentworth Street	40
Macallum Street	Burlington Street	Wentworth Street	40
Birge Street	Wellington Street	Wentworth Street	40
Arlington Road	Glendee Road	Lawrence Road	40
Central Avenue	Cochrane Road	Reid Avenue	40
Craigoyston Road	Main Street	King Street	40
Coronation Avenue	Mayhurst Avenue	Easterly Limit	40
Glencairn Avenue	Central Avenue	King Street	40
Glenholme Avenue	Central Avenue	Southerly Limit	40
Glendee Road	Glendee Court	Glenholme Avenue	40
Glendee Court	Westerly Limit	Arlington Road	40
Holmesdale Avenue	Lucerne Avenue	King Street	40
Hillside Avenue	Glendee Road	Lawrence Road	40
Modena Court	Queenston Road	Southerly Limit	40
Rosewood Road	Main Street	King Street	40
Termoli Court	Queenston Road	Southerly Limit	40
Summerhill Avenue	Central Avenue	King Street	40
Walter Avenue	Barton Street	King Street	40
Shelby Avenue	Barton Street	Britannia Avenue	40
Selkirk Avenue	Normanhurst Avenue	Main Street	40
Tolton Avenue	Barton Street	Main Street	40
Mahony Avenue	Adeline Avenue	Parkdale Avenue	40
Guelph Street	Mahony Avenue	Goggin Avenue	40
Goggin Avenue	Adeline Avenue	Parkdale Avenue	40
Glennie Avenue	Barton Street	Main Street	40
Normanhurst Avenue	Barton Street	Main Street	40
Melvin Avenue	Shelby Avenue	Talbot Street	40
Jefferson Avenue	Main Street	Queenston Road	40
Julian Avenue	Barton Street	Dunsmure Road	40
Isabel Avenue	Main Street	Queenston Road	40
Ivon Avenue	Barton Street	Dunsmure Road	40
Roxborough Avenue	Ottawa Street	Reid Avenue	40
Dunsmure Road	Ottawa Street	Reid Avenue	40
Britannia Avenue	Ottawa Street	Oriole Crescent	40
Adeliine Avenue	Mahony Avenue	Main Street	40
Main Street	Strathearne Avenue	Reid Avenue	40
Craigoyston Road	Main Street	King Street	40
Albright Rd.	Quigley Rd.	Westerly End	40
Albright Road	Quigley Road	90m east of Montmorency Drive	40
Nicklaus Drive	St. Andrews Drive	Albright Road	40

Cottrill Street	50m south of Sanders Boulevard	Main Street	30
Kingsmount Street	50m south of Sanders Boulevard	Main Street	30

And by adding to section “F” (Stoney Creek) thereof the following items, namely;

Highway	From	To	Speed (km/h)
Gray Road	King Street East	95 m north of Palm Court	30
Kennard Street	Gordon Drummond Avenue	Parkvista Place	30
Parkvista Place	Kennard Street	40 m south of Kennard Street	30
Winterberry Drive	Paramount Drive	Highland Road East	30
Paramount Drive	Mistywood Drive	50 m north of Audubon Street North	30
Amberwood Street	Paramount Drive	Canfield Court	30
Picardy Drive	Lormont Boulevard	Highland Road East	30
John Murray Street	Isaac Brock Drive	First Road West	30
Collegiate Avenue	Gray Road	101 m west of Canterbury Avenue	30
Lake Avenue South	King Street	Maple Avenue	30
Randall Avenue	130 m east of Centennial Parkway	East limit	30
Maple Avenue	Mountain Avenue South	Lake Avenue South	30

And by removing from section “F” (Stoney Creek) thereof the following items,
namely;

Highway	From	To	Speed (km/h)
Trillium Avenue	Westerly End	Lewis Road	40
Lewis Road	Northerly End	North Service Road	40
McNeilly Road	Northerly End	North Service Road	40
Seabreeze Drive	Watercrest Drive	McNeilly Road	40
Whitefish Crescent	Watercrest Drive	North Service Road	40
Chiara Drive	Whitefish Crescent (East leg)	Whitefish Crescent (West leg)	40
Watercrest Drive	Glover Road	North Service Road	40
Ivybridge Drive	Springbreeze Heights	Watercrest Drive	40
Springbreeze Heights	Watercrest Drive	Watercrest Drive	40
Seacove Court	Springbreeze Heights	Easterly End	40
Watershore Drive	Aquamarine Drive	Glover Road	40
Palacebeach Trail	Dartmouth Gate	Watershore Road	40
Willowbank Terrace	Galileo Drive	Palacebeach Trail	40
Willowbanks Terrace	Galileo Drive	Palacebeach Trail	40
Signalhill Pathway	Galileo Drive	Palacebeach Trail	40
Tidemore Heights	Galileo Drive	Palacebeach Trail	40
Saybrook Gardens	Galileo Drive	Palacebeach Trail	40
Galileo Drive	Jones Road	Palacebeach Trail	40
Aquamarine Drive	Northerly End	Galileo Drive	40
Copes Lane	Jones Road	Aquamarine Drive	40
Pisa Drive	Jones Road	Galileo Drive	40
Lakeside Avenue	Westerly End	Jones Road	40
Jones Road	Northerly Limit	North Service Road	40
Waterbeach Crescent	Cove Crescent	Jones Road	40
Cove Crescent	Sunvale Place	Sunvale Place	40
Sunvale Place	Northerly End	Cove Crescent	40
Waterford Crescent	Sunvale Place North	North Service Road	40
Harbour Drive	Fruitland Road	Edgewater Drive	40
Edgewater Drive	Habour Drive	Southerly End	40
Gray Road	King Street East	Palm Court	40
William Johnson Street	Isaac Brock Drive	Branthaven Drive (East Leg)	40

Branthaven Drive	William Johnson Street (West leg)	First Road West	40
Mellenby Street	Branthaven Drive	John Murray Street	40
Prideaux Street	William Johnson Street	Rand Street	40
Rand Street	Odessa Street	Odessa Street	40
Odessa Street	Rand Street (West Leg)	John Murray Street	40
John Murray Street	Isaac Brock Drive	First Road West	40
John Murray Street	First Road West	Isaac Brock Drive	40
Gatestone Drive	Highland Road West	Isaac Brock Drive	40
Kennard	Gordon Drummond	Parkvista	40
Parkvista	Kennard	southerly end	40
Marston Street	Paramount Drive	Gordon Drummond Avenue	40
Gordon Drummond Avenue	Breezewood Road	Isaac Brock Drive	40
Gordon Drummond Avenue	Breezewood Road	Gordon Drummond Avenue	40
Breezewood Road	Glenhollow Drive	Marston Street	40
Echovalley Drive	Winslow Way	Mud Street West	40
Westbank Trail	Winslow Way	Mud Street West	40
Stockbridge Gardens	Westbank Trail	Echovalley Drive	40
Winslow Way	Westbank Trail	Thornbury Court	40
Thornbury Court	Westerly End	Westbank Trail	40
Mistywood Drive	Paramount Drive	Easterly Limit	40
Driftwood Place	Northerly End	Mistywood Drive	40
Aylmer Crescent	Silvervine Drive (north leg)	Silvervine Drive (south leg)	40
Silvervine Drive	Audubon Street	Mistywood Drive	40
Audubon Street	Paramount Drive	Ackland Street	40
Audubon Street	Paramount Drive	Ackland Street	40
Ackland Street	Paramount Drive (North Leg)	Paramount Drive (South)	40
Apex Court	Paramount Drive	Easterly Limit	40
Azalea Court	Northerly Limit	Audubon Street North	40
Ashbury Lane	Westerly End	Audubon Street	40
Ambleside Place	Northerly Limit	Paramount Drive	40
Hickory Avenue	Tamwood Court	Paramount Drive	40
Tamwood Court	Southerly End	Easterly End	40
Butternut Court	Westerly Limit	Paramount Drive	40

Greengrove Avenue	Tamwood Court	Paramount Drive	40
Tamarack Place	Kingsview Drive	Southerly Limit	40
Lasalle Court	Northerly End	Kingsview Drive	40
Davis Crescent	Kingsview Drive (west drive)	Kingsview Drive (east leg)	40
Kingsview Drive	Old Mud Street	Athenia Drive	40
Old Mud Street	Westerly End	Easterly End	40
Cedarville Drive	Old Mud Street	Cornerstone Drive	40
Clement Drive	Old Mud Street	Cedardville Road	40
Cornerstone Drive	Old Mud Street	Upper Mount Albion Road	40
Upper Mount Albion Road	Old Mud Street	Southerly Limit	40
Winterberry Drive	Old Mud Street	Mud Street	40
Atlas Street	Allanbrook Street	Paramount Drive	40
Canfield Court	Amberwood Street	Northerly End	40
Burnham Place	Foxhound Court	Easterly Limit	40
Foxhound Court	Atlas Street	Southerly End	40
Amberwood Street	Paramount Drive	Amberwood Street	40
Amesbury Crescent	Paramount Drive (west leg)	Paramount Drive (east leg)	40
Astra Street	Paramount Drive	Athenia Drive	40
Sugarplum Court	Westerly End	Astra Street	40
Gumwood Place	Paramount Drive	Northerly end	40
Meadow Wood Crescent	Old Mud Street (west leg)	Old Mud Street (east leg)	40
Athenia Drive	End	End	40
Ada Court	Ainsworth Street	Easterly Limit	40
Ainsworth Street	Athenia Drive (west leg)	Athenia Drive (east leg)	40
Acacia Street	Ainsworth Street	Athenia Drive	40
Alkin Street	Athenia Drive	Allanbrook Street	40
Allanbrook Street	Athenia Drive	Alkin Street	40
Paramount Drive	Mud Street West	Winterberry Drive	40
First Street South	King Street West	westerly end	40
Second Street North	King Street West	Charles Street	40
Randall Ave.	Centennial Prkwy	Easterly limit	40
Wardrope Avenue	King Street West	Alba Street	40
Lake Avenue Drive	King Street	Queenston Road	40

Collegiate Avenue	Gray Road	Lake Avenue Drive	40
Canterbury Avenue	Dale Avenue	Collegiate Avenue	40
Burwell Avenue	Donn Avenue	Canterbury Avenue	40
Donn Avenue	Queenston Road	Southerly End	40
Evergreen Avenue	Collegiate Avenue	Passmore Street	40
Passmore Street	Donn Avenue	Gray Road	40
Mountain Ave.	King St. E.	Lake Ave. Dr.	40
James Avenue	Donn Avenue	Cartwright Avenue	40
Dale Avenue	Donn Avenue	Canterbury Avenue	40

9. Schedule 3 (Flashing School Zones – Reduced Speed Limit) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following items, namely:

Highway	From	Limit (km/h)	Times in Effect
Bay Street South	Robinson Street to Hunter Street	30	8:15 a.m. to 9:00 a.m. 12:55 p.m. to 1:50 p.m. 3:05 p.m. to 3:55 p.m.

10. 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.
11. This By-law shall come into force and take effect on the date of its passing and enactment.




PASSED this 14th day of October, 2020.

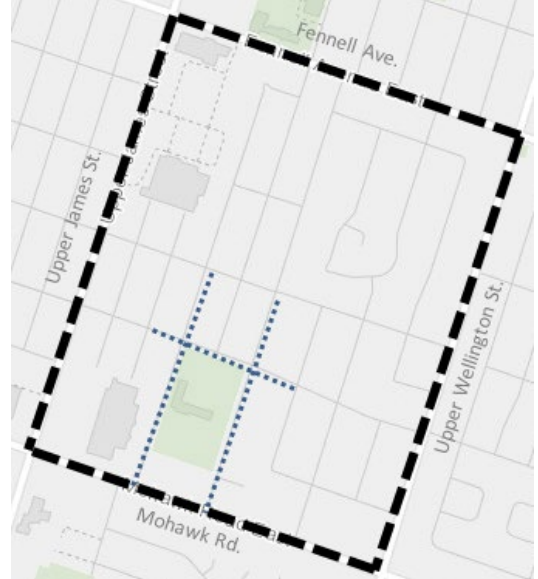
F. Eisenberger
Mayor



A. Holland
City Clerk


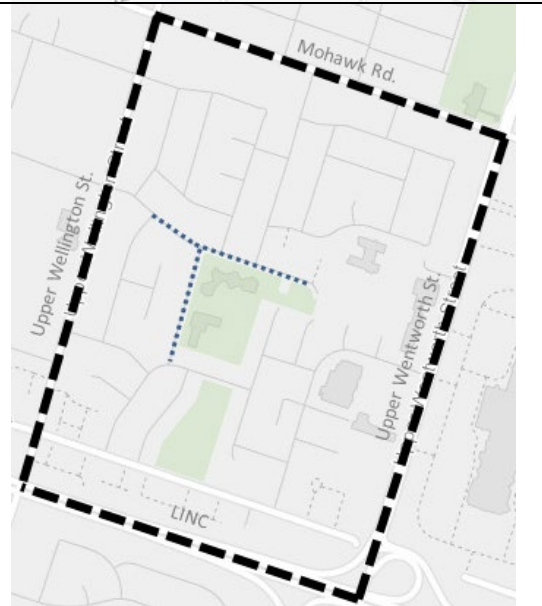
Schedule 31 (Designated Area – Reduced Speed - 40km/h Neighbourhoods)

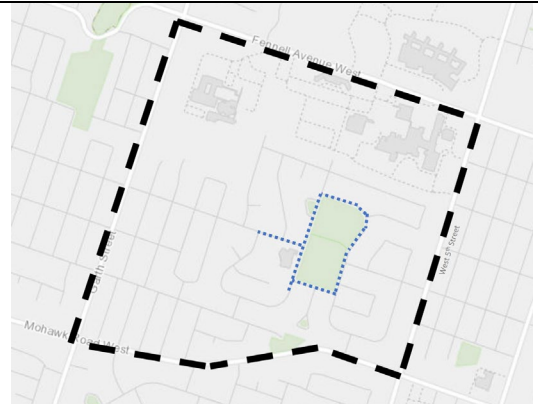
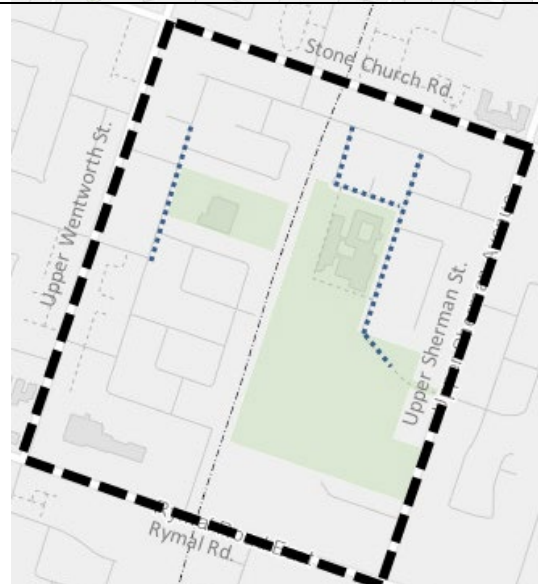
Neighbourhood	East/West Limits	North/South Limits	Excluded Roadways	Speed (km/h)	Area Map <div style="display: flex; justify-content: space-around; align-items: center;"> — — — — — Neighbourhood Limit 30km/h Roadway — ■ — ■ — Excluded Roadway </div>
Ainslie Wood North Ward 1 Phase 1 - 2019	Hydro corridor to west limit of Cootes Drive	Dundas Town Limit to north limit of Main Street West	None	40	
Ainslie Wood, Ainslie Wood East, Ainslie Wood West Ward 1 Phase 1 - 2019	East limit of Wilson Street/Main Street West to west limit of Longwood Road	South limit of Main Street West to Escarpment	None	40	

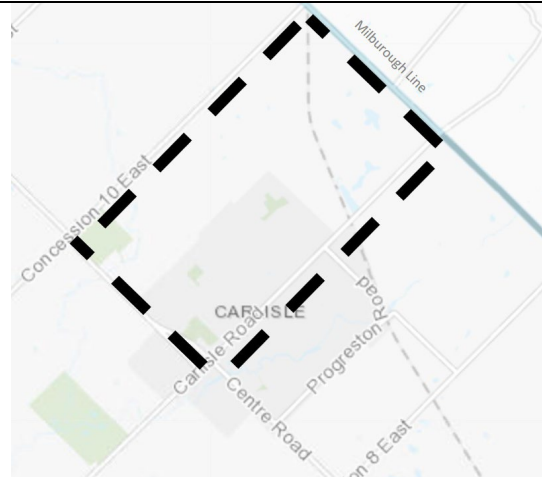

<p>Albion Ward 9 Phase 2 - 2020</p>	<p>East limit of Red Hill Valley Parkway to east limit of Echovalley Drive</p>	<p>Escarpment to north limit of Mud Street West</p>	<p>None</p>	<p>40</p>	
<p>Alderlea Ward 11 Phase 2 - 2020</p>	<p>East limit of Upper James Street to Turner Park</p>	<p>Hydro Corridor to north limit of Twenty Road East</p>	<p>None</p>	<p>40</p>	
<p>Allison Ward 8 Phase 2 - 2020</p>	<p>East limit of Upper James Street to Mount Hamilton Cemetery</p>	<p>South limit of Rymal Road East to Hydro Corridor</p>	<p>None</p>	<p>40</p>	


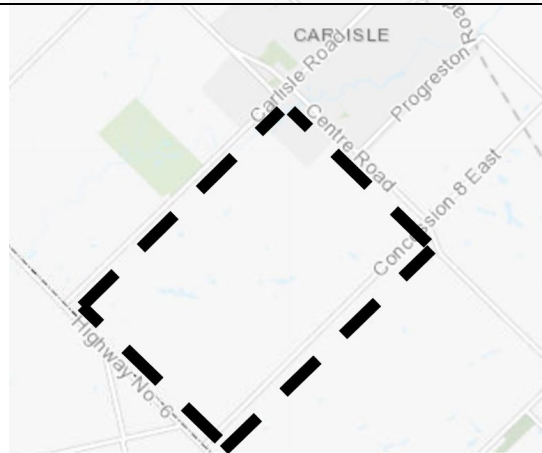
<p>Balfour Ward 8 Phase 1 - 2019</p>	<p>East limit of Upper James Street to west limit of Upper Wellington Street</p>	<p>South limit of Fennell Avenue East to north limit of Mohawk Road East</p>	<p>None</p>	<p>40</p>	
<p>Bartonville Ward 4 Phase 1 - 2019</p>	<p>East limit of Kenilworth Avenue South to east limit of Cochrane Road</p>	<p>South limit of Main Street East to south limit of Lawrence Road</p>	<p>King Street East</p>	<p>40</p>	

<p>Battlefield Ward 5 Phase 2 - 2020</p>	<p>East limit of Centennial Parkway to west limit of Lake Avenue Drive</p>	<p>South limit of Queenston Road to Escarpment</p>	<p>King Street West</p>	<p>40</p>	
<p>Beasley Ward 2 Phase 1 - 2019</p>	<p>East limit of James Street North/James Street North to West limit of Wellington Street North/Wellington Street South</p>	<p>Rail corridor (280m north of Barton Street East) to North limit of Main Street East</p>	<p>John Street North, Barton Street East, Cannon Street East, Wilson Street, King Street East</p>	<p>40</p>	

<p>Binbrook Ward 11 Phase 1 - 2019</p>	<p>East limit of Fletcher Road to west limit of Hendershot Road</p>	<p>South limit of Guyatt Road to north limit of Kirk Road</p>	<p>Binbrook Road, Cemetery Road, Regional Road 56</p>	<p>40</p>	
<p>Bruleville Ward 7 Phase 1 - 2019</p>	<p>East limit of Upper Wellington Street to west limit of Upper Wentworth Street</p>	<p>South limit of Mohawk Road to north limit of the LINC</p>	<p>None</p>	<p>40</p>	

<p>Buchanan Ward 8 Phase 2 - 2020</p>	<p>East limit of Garth Street to west limit of West 5th Street</p>	<p>South limit of Mohawk College Property Boundary to north limit of Mohawk Road West</p>	<p>None</p>	<p>40</p>	
<p>Butler Ward 7 Phase 1 - 2019</p>	<p>East limit of Upper Wentworth Street to west limit of Upper Sherman Avenue</p>	<p>South limit of Stone Church Road to north limit of Rymal Road</p>	<p>None</p>	<p>40</p>	

<p>Carlisle Northeast Ward 15 Phase 2 - 2020</p>	<p>West limit of Centre Road to west limit of Milbrough Line</p>	<p>South limit of Concession 10 East to north limit of Carlisle Road</p>	<p>None</p>	<p>40</p>	
<p>Carlisle Northwest Ward 15 Phase 2 - 2020</p>	<p>East limit of Highway 6 to west limit of Centre Road</p>	<p>South limit of Concession 10 East to north limit of Carlisle Road</p>	<p>None</p>	<p>40</p>	



<p>Carlisle Southeast Ward 15 Phase 2 - 2020</p>	<p>West limit of Centre Road to west limit of Milborough Line</p>	<p>South limit of Carlisle Road to north limit of Concession 8 East</p>	<p>Green Spring Road</p>	<p>40</p>	
<p>Carlisle Southwest Ward 15 Phase 2 - 2020</p>	<p>East limit of Highway 6 to west limit of Centre Road</p>	<p>South limit of Carlisle Road to north limit of Concession 8 East</p>	<p>None</p>	<p>40</p>	

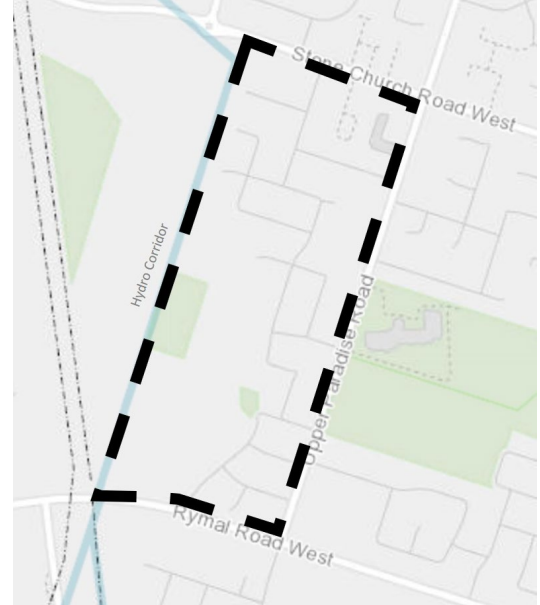
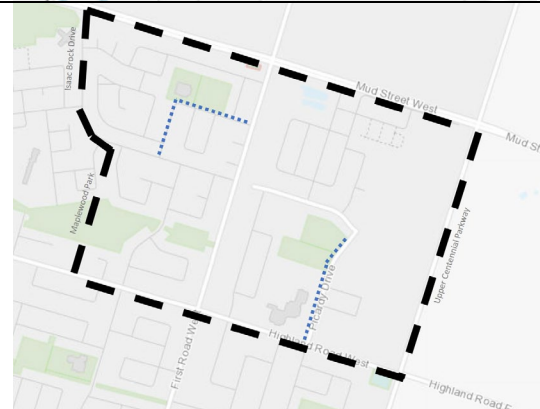
<p>Central Ward 2 Phase 2 - 2020</p>	<p>East limit of Queen Street North/Queen Street South to west limit of James Street North/James Street South</p>	<p>Rail corridor (280m north of Barton Street East) to north limit of Main Street West</p>	<p>Barton Street West, Bay Street North, Cannon Street West, York Boulevard, King Street West</p>	<p>40</p>	
<p>Clearview/Old Mill Ward 12 Phase 2 - 2020</p>	<p>Robert E. Wade Ancaster Community Park to west limit of Wilson Street East</p>	<p>South limit of Mineral Springs Road to north limit of Jerseyville Road West</p>	<p>None</p>	<p>40</p>	

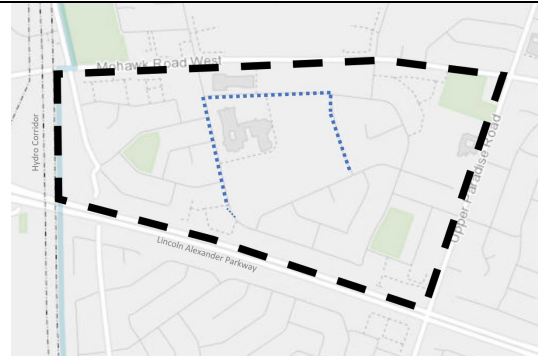
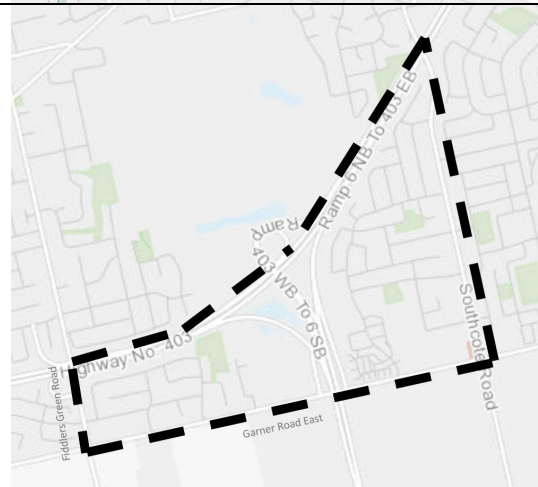
<p>Corktown Ward 2 Phase 1 - 2019</p>	<p>East limit James Street South to West limit of Wellington Street South</p>	<p>South limit of Main Street East to north limit of Claremont Access</p>	<p>John Street South, Arkledun Avenue, St. Joseph's Drive (Between James Street South and John Street South)</p>	<p>40</p>	
<p>Corman/Cherry Heights Ward 10 Phase 2 - 2020</p>	<p>East limit of Gray Road to west limit of Green Road</p>	<p>South limit of Highway 8 to Escarpment</p>	<p>King Street East</p>	<p>40</p>	

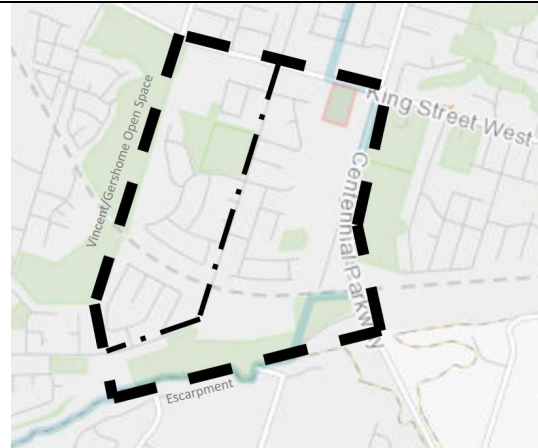

<p>Delta East Ward 4 Phase 1 - 2019</p>	<p>East limit of Ottawa Street South to West limit of Kenilworth Street South</p>	<p>South limit of Main Street East to Escarpment</p>	<p>King Street East</p>	<p>40</p>	
<p>Delta West Ward 3 Phase 1 - 2019</p>	<p>East limit of Gage Avenue South to West limit of Ottawa Street South</p>	<p>South limit of Main Street East to Escarpment</p>	<p>King Street East, Lawrence Road</p>	<p>40</p>	

<p>Durand Ward 2 Phase 1 - 2019</p>	<p>East limit of Queen Street South to West limit of James Street South</p>	<p>South limit of Main Street West to Escarpment</p>	<p>Bay Street South (Between Hunter West Street and Main Street West)</p>	<p>40</p>	
<p>Eastdale Ward 10 Phase 1 - 2019</p>	<p>East limit of Gray Road to west limit of Green Road</p>	<p>South limit of Barton Street to north limit of Highway 8</p>	<p>None</p>	<p>40</p>	

<p>Eleanor Ward 6 Phase 1 - 2019</p>	<p>East limit of Upper Sherman Avenue to West limit of Upper Gage Avenue</p>	<p>South limit of Stone Church Road to north limit of Rymal Road</p>	<p>None</p>	<p>40</p>	
<p>Falkirk East Ward 14 Phase 1 - 2019</p>	<p>East limit of Upper Paradise Road to west limit of Garth Street</p>	<p>South limit of Stone Church Road to north limit of Rymal Road</p>	<p>None</p>	<p>40</p>	

<p>Falkirk West Ward 14 Phase 2 - 2020</p>	<p>Hydro Corridor to west limit of Upper Paradise Road</p>	<p>South limit of Stone Church Road West to north limit of Rymal Road West</p>	<p>None</p>	<p>40</p>	 <p>A map showing a hydro corridor (blue line) running north-south. A dashed black line outlines a boundary starting from the south limit of Stone Church Road West, going west to the hydro corridor, then north along it to the north limit of Rymal Road West, and finally east along Rymal Road West. Other roads shown include Upper Paradise Road and Stone Church Road West.</p>
<p>Felker Ward 9 Phase 2 - 2020</p>	<p>Maplewood Park to West limit of Upper Centennial Parkway</p>	<p>Mud Street West to Highland Road West</p>	<p>None</p>	<p>40</p>	 <p>A map showing a hydro corridor (blue line) with a dashed black boundary. The boundary starts at the west limit of Upper Centennial Parkway, goes west to the hydro corridor, then north along it to Highland Road West, then east along Highland Road West to Mud Street West, and finally south along Mud Street West. Other roads shown include Maplewood Park, First Road W, and Highland Road E.</p>



<p>Fessenden Ward 14 Phase 2 - 2020</p>	<p>Hydro Corridor to west limit of Upper Paradise Road</p>	<p>South limit of Mohawk Road West to north limit of the LINC</p>	<p>None</p>	<p>40</p>	 <p>A map of the Fessenden area showing a dashed black boundary. The boundary starts at the Hydro Corridor on the west, goes north to Mohawk Road West, east to Upper Paradise Road, and south to Lincoln Alexander Parkway. A blue dotted line indicates a specific area within the boundary.</p>
<p>Garner Ward 12 Phase 2 - 2020</p>	<p>East limit of Fiddlers Green Road to west limit of Southcote Road</p>	<p>South limit of Highway 403 to north limit of Garner Road East</p>	<p>Highway 6</p>	<p>40</p>	 <p>A map of the Garner area showing a dashed black boundary. The boundary follows Fiddlers Green Road on the west, Highway No. 403 on the south, and Southcote Road on the east. It also includes a section of Ramp 6 NB To 403 EB.</p>

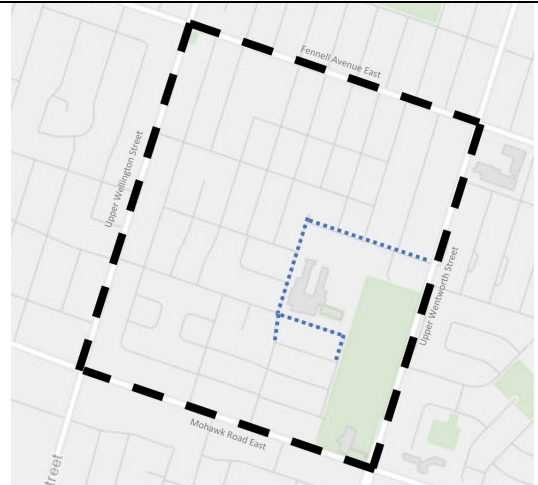

<p>Gersholme Ward 5 Phase 2 - 2020</p>	<p>East limit of Vincent/Gershome Open Space to west limit of Centennial Parkway</p>	<p>South limit of King Street East to Escarpment</p>	<p>Greenhill Avenue</p>	<p>40</p>	
<p>Gibson Ward 3 Phase 1 - 2019</p>	<p>East limit of Wentworth Street North/Wentworth Street South to West limit of Sherman Avenue North/Sherman Avenue South</p>	<p>Rail corridor (315m north of Barton Street East) to north limit of Main Street East</p>	<p>Sanford Avenue North, Sanford Avenue South, Birch Avenue, Barton Street East, Cannon Street East, Wilson Street, King Street East</p>	<p>40</p>	

<p>Gilbert Ward 14 Phase 1 - 2019</p>	<p>East limit of Upper Paradise Road to west limit of Garth Street</p>	<p>South limit of Mohawk Road to north limit of the LINC</p>	<p>None</p>	<p>40</p>	
<p>Gilkson Ward 14 Phase 1 - 2019</p>	<p>East limit of Upper Paradise Road to west limit of Garth Street</p>	<p>South limit of the LINC to north limit of Stone Church Road</p>	<p>None</p>	<p>40</p>	


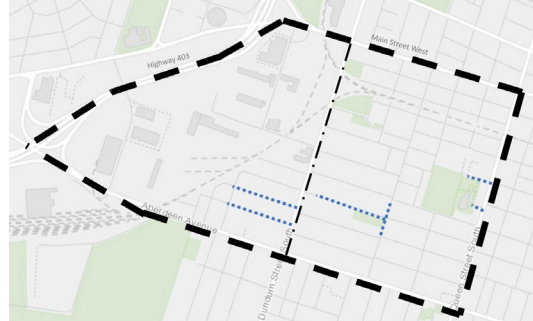
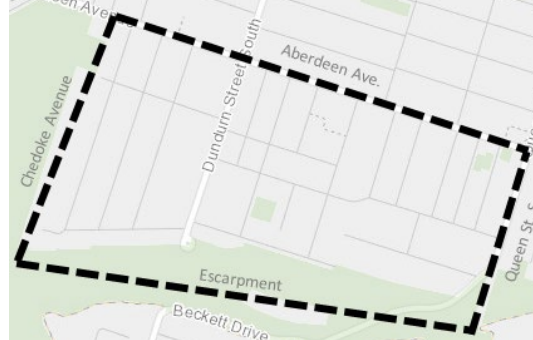
<p>Glenview West Ward 4 Phase 2 - 2020</p>	<p>West limit of Cochrane Road to west limit of Parkdale Avenue</p>	<p>South limit of Queenston Road to north limit of Lawrence Road</p>	<p>King Street East</p>	<p>40</p>	
<p>Gourley Ward 8 Phase 2 - 2020</p>	<p>East limit of Garth Street to west limit of West 5th Street</p>	<p>South limit of the LINC to north limit of Stone Church Road</p>	<p>None</p>	<p>40</p>	

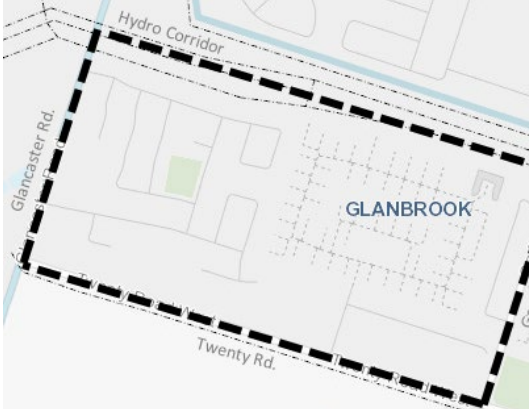

<p>Greenville Ward 13 Phase 1 - 2019</p>	<p>South limit of Highway 5 to Escarpment</p>	<p>East limit of Middletown Road to west limit of Ofield Road South</p>	<p>Brock Road, Highway 8</p>	<p>40</p>	
<p>Greti Ward 11 Phase 2 - 2020</p>	<p>East limit of Upper James Street to east limit of Greti Drive</p>	<p>South limit of Twenty Road East to Hydro Corridor (370m south of Twenty Road East)</p>	<p>None</p>	<p>40</p>	



<p>Guernsey Ward 10 Phase 1 - 2019</p>	<p>East limit of Millen Road to west limit of Dewitt Road</p>	<p>South limit of Barton Street to north limit of Highway 8</p>	<p>None</p>	<p>40</p>	
<p>Gurnett Ward 14 Phase 2 - 2020</p>	<p>Hydro Corridor to west limit of Upper Paradise Road</p>	<p>South limit of the LINC to north limit of Stone Church Road West</p>	<p>None</p>	<p>40</p>	

<p>Hill Park Ward 7 Phase 2 - 2020</p>	<p>East limit of Upper Wellington Street to west limit of Upper Wentworth Street</p>	<p>South limit of Fennell Avenue East to north limit of Mohawk Road East</p>	<p>None</p>	<p>40</p>	
<p>Homeside Ward 4 Phase 1 - 2019</p>	<p>East limit of Kenilworth Avenue North to east limit of Strathearne Avenue</p>	<p>Rail corridor (380m north of Barton Street East) to north limit of Main Street East</p>	<p>Barton Street East, Cannon Street East</p>	<p>40</p>	



<p>Huntington Ward 6 Phase 2 - 2020</p>	<p>East limit of Upper Ottawa Street to east limit of Mountain Brow Boulevard</p>	<p>South limit of Fennell Avenue East to north limit of Mohawk Road East</p>	<p>Mountain Brow Boulevard</p>	<p>40</p>	
<p>Inch Park Ward 7 Phase 2 - 2020</p>	<p>East limit of Upper Wellington Street to west limit of Upper Wentworth Street</p>	<p>Escarpment to north limit of Fennell Avenue East</p>	<p>Jolly Cut, Concession Street</p>	<p>40</p>	



<p>Industrial Sector A & Keith Ward 3 Phase 2 - 2020</p>	<p>East limit of Wellington Street North to west limit of Wentworth Street North</p>	<p>South limit of Burlington Street East to Rail corridor (280m north of Barton Street East)</p>	<p>Victoria Avenue North</p>	<p>40</p>	
<p>Kirkendall North Ward 1 Phase 2 - 2020</p>	<p>East limit of Highway 403 to west limit of Queen Street South</p>	<p>South limit of Main Street West to north limit of Aberdeen Avenue</p>	<p>Dundurn Street South</p>	<p>40</p>	
<p>Kirkendall South Ward 1 Phase 1 - 2019</p>	<p>West limit of Chedoke Avenue to west limit of Queen Street</p>	<p>South limit of Aberdeen Avenue to Escarpment</p>	<p>None</p>	<p>40</p>	



<p>Kopperfield Park Ward 11 Phase 1 - 2019</p>	<p>East limit of Glancaster Road to west limit of Garth Street</p>	<p>Hydro Corridor to north limit of Twenty Road</p>	<p>None</p>	<p>40</p>	 <p>A map showing the Kopperfield Park area. A dashed black line outlines a rectangular area. The top boundary is labeled 'Hydro Corridor'. The left boundary is labeled 'Glancaster Rd'. The bottom boundary is labeled 'Twenty Rd.'. The word 'GLANBROOK' is visible in the center of the outlined area.</p>
<p>Landsdale Ward 3 Phase 1 - 2019</p>	<p>East limit of Wellington Street North/Wellington Street South to West limit of Wentworth Avenue North/Wentworth Avenue South</p>	<p>Rail corridor (280m north of Barton Street East) to north limit Main Street East</p>	<p>Victoria Avenue North, Victoria Avenue South, Barton Street East, Cannon Street East, Wilson Street, King Street East</p>	<p>40</p>	 <p>A map showing the Landsdale area. A dashed black line outlines a rectangular area. The top boundary is labeled 'Rail Corridor'. The left boundary is labeled 'Wellington St. N'. The bottom boundary is labeled 'Main St. E'. Other streets shown include 'Wentworth St. N', 'Barton St. E', 'King St. E', and 'Wilson St. E'.</p>

<p>Leckie Park Ward 9 Phase 1 - 2019</p>	<p>West limit of Second Road to west limit of Upper Centennial Parkway</p>	<p>South limit of Highland Road to north limit of Rymal Road</p>	<p>None</p>	<p>40</p>	
<p>Leeming Ward 12 Phase 1 - 2019</p>	<p>East limit of Hamilton Drive to west limit of Fiddler's Green Road</p>	<p>South limit of Wilson Street to north limit of Highway 403</p>	<p>None</p>	<p>40</p>	

<p>Lisgar Ward 6 Phase 1 - 2019</p>	<p>East limit of Upper Ottawa Street to west limit of Upper Kenilworth Avenue</p>	<p>South limit of Mohawk Road East to south limit of Limeridge Road</p>	<p>None</p>	<p>40</p>	
<p>Meadowlands Ward 12 Phase 1 - 2019</p>	<p>East limit of Southcote Road to Hydro Corridor</p>	<p>South limit of the LINC/Hwy 403 to north limit of Garner Road</p>	<p>Golf Links Road, Stone Church Road West</p>	<p>40</p>	

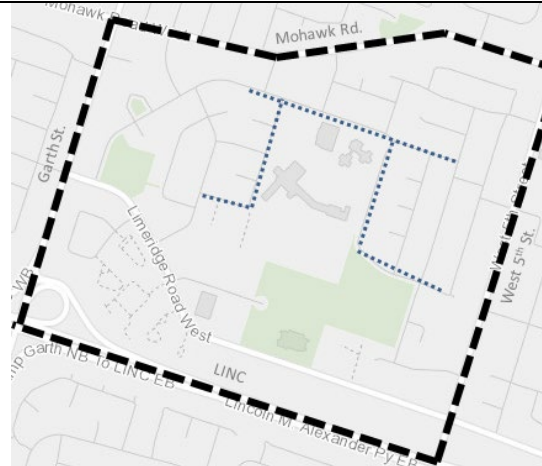

<p>Morden/Sobel/Creighton East/Creighton West Ward 13 Phase 1 - 2019</p>	<p>East limit of Dundas Conservation Lands to west limit of Main Street</p>	<p>South limit of Escarpment/ King Street West to north limit of Governors Road</p>	<p>None</p>	<p>40</p>	
<p>Mount Hope Ward 11 Phase 1 - 2019</p>	<p>East limit of Glancaster Road to West limit of Upper James Street</p>	<p>South limit of Dickenson Road West to north limit of White Church Road</p>	<p>Airport Road West, Highway 6</p>	<p>40</p>	

<p>Normanhurst Ward 4 Phase 2 - 2020</p>	<p>West limit of Strathearne Avenue to west limit of Parkdale Avenue North</p>	<p>Rail corridor (280m north of Barton Street East) to north limit of Queenston Road</p>	<p>Barton Street East</p>	<p>40</p>	
<p>Pinehill Ward 9 Phase 1 - 2019</p>	<p>East limit of Trinity Church Road to west limit of Regional Road 56</p>	<p>South limit of Rymal Road to north limit of Golf Club Road</p>	<p>Fletcher Road</p>	<p>40</p>	

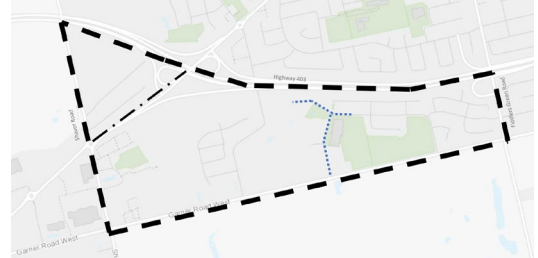

<p>Poplar Park Ward 10 Phase 2 - 2020</p>	<p>East limit of Green Road to West limit of Millen Road</p>	<p>South limit of Barton Street to north limit of Highway 8</p>	<p>None</p>	<p>40</p>	
<p>Raleigh Ward 7 Phase 1 - 2019</p>	<p>East limit of Upper Sherman Avenue to west limit of Upper Gage Avenue</p>	<p>Escarpment to north limit of Fennell Avenue</p>	<p>Concession Street</p>	<p>40</p>	

<p>Randall Ward 6 Phase 2 - 2020</p>	<p>East limit of Upper Sherman Avenue to west limit of Upper Gage Avenue</p>	<p>South limit of the LINC to north limit of Stone Church Road East</p>	<p>None</p>	<p>40</p>	
<p>Redhill Ward 5 Phase 1 - 2019</p>	<p>East limit of Red Hill Valley Parkway to east limit of Montmorency Drive/Mount Albion Road</p>	<p>South limit of King Street East to Escarpment</p>	<p>None</p>	<p>40</p>	

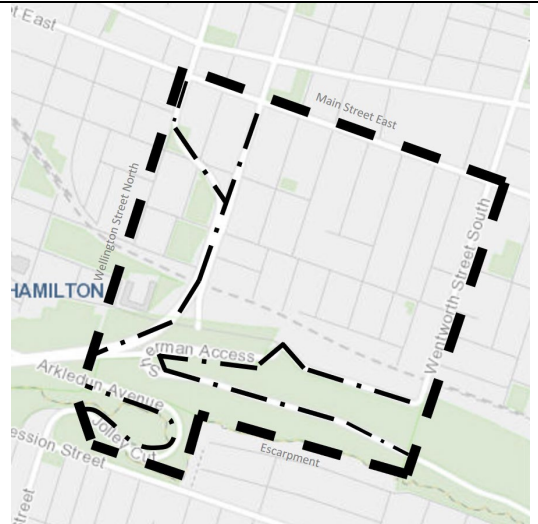
<p>Riverdale East Ward 5 Phase 1 - 2019</p>	<p>East limit of Lake Avenue to west limit of Gray Road</p>	<p>South limit of Barton Street East to north limit of Queenston Road</p>	<p>None</p>	<p>40</p>	
<p>Riverdale West Ward 5 Phase 1 - 2019</p>	<p>East limit of Centennial Parkway North to west limit of Lake Avenue North</p>	<p>South limit of Barton Street East to north limit of Queenston Road</p>	<p>None</p>	<p>40</p>	

<p>Rolston Ward 8 Phase 1 - 2019</p>	<p>East limit of Garth Street to west limit of West 5th Street</p>	<p>South limit of Mohawk Road to north limit of the LINC</p>	<p>None</p>	<p>40</p>	
<p>Rosedale Ward 4 Phase 1 - 2019</p>	<p>Escarpment to west limit of Red Hill Valley Parkway</p>	<p>North limit of Lawrence Road to south limit of Greenhill Avenue</p>	<p>None</p>	<p>40</p>	

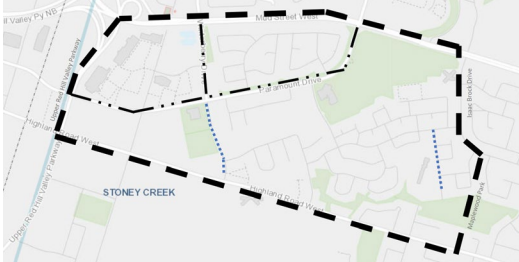
<p>Rushdale Ward 7 Phase 2 - 2020</p>	<p>East limit of Upper Wentworth Street to west limit of Upper Sherman Avenue</p>	<p>South limit of the LINC to north limit of Stone Church Road East</p>	<p>None</p>	<p>40</p>	
<p>Ryckmans Ward 8 Phase 1 - 2019</p>	<p>East limit of Upper James to west limit of Upper Wellington</p>	<p>South limit of Stone Church Road to north limit of Rymal Road</p>	<p>None</p>	<p>40</p>	

<p>Shaver Ward 12 Phase 2 - 2020</p>	<p>East limit of Shaver Road to west limit of Fiddlers Green Road</p>	<p>South limit of Highway 403 to north limit of Garner Road West</p>	<p>Wilson Street West</p>	<p>40</p>	 <p>A map of the Shaver area showing a dashed black boundary and a blue dotted boundary. The dashed boundary is roughly rectangular, with a small protrusion on the top side. The blue dotted boundary is a smaller, more irregular shape within the dashed boundary. Labels on the map include 'Garner Road West', 'Wilson Street West', and 'Fiddlers Green Road'.</p>
<p>Sherwood Ward 6 Phase 2 - 2020</p>	<p>East limit of Upper Ottawa Street to east limit of Mountain Brow Boulevard</p>	<p>Escarpment to north limit of Fennell Avenue East</p>	<p>Mountain Brow Boulevard, Kenilworth Access</p>	<p>40</p>	 <p>A map of the Sherwood area showing a dashed black boundary and a blue dotted boundary. The dashed boundary is roughly rectangular, with a small protrusion on the top side. The blue dotted boundary is a smaller, more irregular shape within the dashed boundary. Labels on the map include 'Mountain Brow Boulevard', 'Kenilworth Access', 'Escarpment', 'Upper Ottawa Street', and 'Fennell Avenue East'.</p>



<p>South Meadow Ward 10 Phase 1 - 2019</p>	<p>East limit of Green Road to west limit of Millen Road</p>	<p>South limit of Highway 8 to Escarpment</p>	<p>King Street East</p>	<p>40</p>	
<p>Spring Valley Ward 12 Phase 1 - 2019</p>	<p>East limit of Shaver Road to west limit of Fiddler's Green Road</p>	<p>South limit of Jerseyville Road to North limit of Wilson Street</p>	<p>None</p>	<p>40</p>	

<p>Stinson Ward 3 Phase 2 - 2020</p>	<p>East limit of Wellington Street South to west limit of Wentworth Street North</p>	<p>South limit of Main Street East to Escarpment</p>	<p>Victoria Avenue North, Claremont Access, Sherman Access, Charlton Avenue</p>	<p>40</p>	
<p>Stipley Ward 3 Phase 1 - 2019</p>	<p>East limit of Sherman Avenue North to West limit of Gage Avenue North</p>	<p>Rail corridor (350m north of Barton Street) to North limit of Main Street East</p>	<p>Barton Street East, Cannon Street East, King Street East</p>	<p>40</p>	

<p>Stoney Creek Ward 5 Phase 2 - 2020</p>	<p>East limit of Lake Avenue Drive to west limit of Gray Road</p>	<p>South limit of Queenston Road to Escarpment</p>	<p>King Street West</p>	<p>40</p>	
<p>Sunninghill Ward 6 Phase 1 - 2019</p>	<p>East limit of Upper Gage Avenue to West limit of Upper Ottawa Street</p>	<p>Escarpment to north limit of Fennell Avenue</p>	<p>Concession Street, Mountain Brow Boulevard</p>	<p>40</p>	


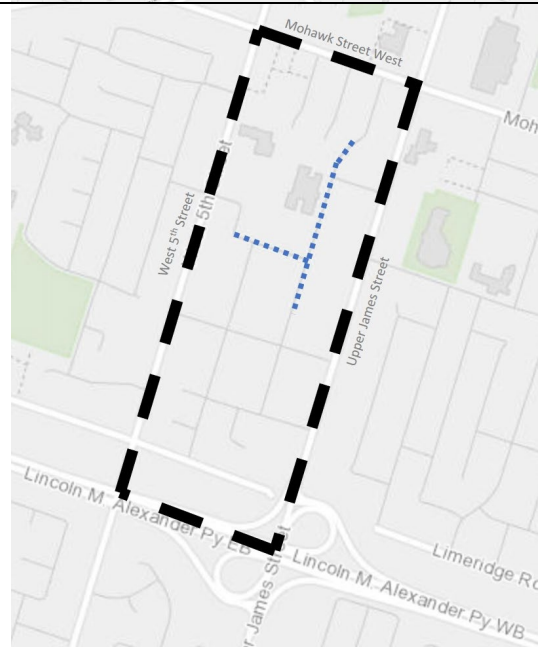
<p>Trillium Ward 10 Phase 2 - 2020</p>	<p>East limit of Fruitland Road to west limit of Winona Road</p>	<p>Lake Ontario to north limit of North Service Road</p>	<p>None</p>	<p>40</p>	
<p>Turnball/Highland Hills West/ Highland Hills East/ Pleasant Valley West/ Pleasant Valley East Ward 13 Phase 2 - 2020</p>	<p>Dundas town limits to Spencer Creek</p>	<p>Rail corridor to Escarpment</p>	<p>Governors Road</p>	<p>40</p>	
<p>Valley Park Ward 9 Phase 2 - 2020</p>	<p>East limit of Upper Red Hill Valley Parkway to Maplewood Park</p>	<p>Mud Street West to Highland Road West</p>	<p>Winterberry Drive, Paramount Drive</p>	<p>40</p>	

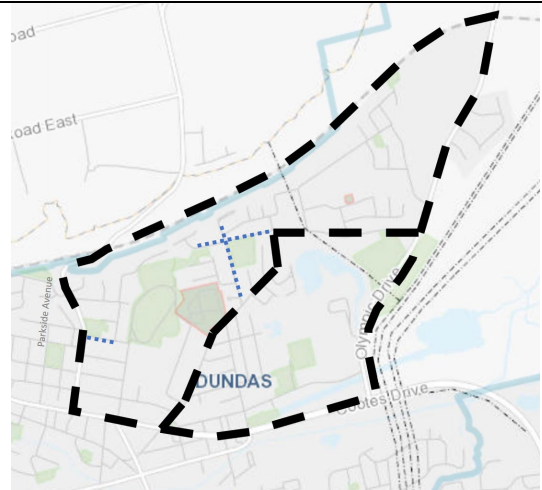
<p>Vincent Ward 5 Phase 2 - 2020</p>	<p>East limit of Montmorency Drive/Mount Albion Road to west limit of Vincent/Gershome Open Space</p>	<p>South limit of King Street East to Escarpment</p>	<p>Greenhill Avenue, Quigley Road</p>	<p>40</p>	 <p>A map of the Vincent area showing a boundary outlined with a thick black dashed line. The boundary starts at the Escarpment, goes north to King Street East, then east to Quigley Road, then north to Greenhill Avenue, then east to the west limit of Vincent/Gershome Open Space, then south to Montmorency Drive, then west to Mount Albion Road, then south to the east limit of Montmorency Drive, and finally back to the Escarpment. Other roads shown include Red Hill Valley Pkwy SB, Nash Road, and Vincent/Gershome Open Space.</p>
<p>Waterdown East Ward 15 Phase 2 - 2020</p>	<p>East limit Hamilton Street North to limit City Limits</p>	<p>South limit of Parkside Drive to north limit of Dundas Street East</p>	<p>Avonsyde Boulevard</p>	<p>40</p>	 <p>A map of the Waterdown East area showing a boundary outlined with a thick black dashed line. The boundary starts at the north limit of Dundas Street East, goes east to Parkside Drive, then south to the south limit of Parkside Drive, then west to Hamilton Street North, then north to the east limit of Hamilton Street North, then east to the City Limits, then south to Avonsyde Boulevard, then west to Mountain Brow Road, then north to Dundas Street East, then west to Hamilton Street North, then north to the north limit of Dundas Street East, and finally back to the south limit of Parkside Drive. Other roads shown include Robson Road, Mountain Brow Road, and City Limits.</p>

<p>Waterdown Northeast Ward 15 Phase 2 - 2020</p>	<p>East limit of Centre Road to west limit of Milborough Line</p>	<p>South limit of Concession 5 Road East to north limit of Parkside Drive</p>	<p>Robson Road</p>	<p>40</p>	
<p>Waterdown Northwest Ward 15 Phase 1 - 2019</p>	<p>East limit of Highway 6 to west limit of Centre Road/Hamilton Street North</p>	<p>South limit of Concession 5 Road East to north limit of Parkside Drive</p>	<p>None</p>	<p>40</p>	

<p>Waterdown Southeast Ward 15 Phase 2 - 2020</p>	<p>East limit of Mill Street South to City Limits</p>	<p>South limit of Dundas Street East to Escarpment</p>	<p>None</p>	<p>40</p>	
<p>Waterdown Southwest Ward 15 Phase 1 - 2019</p>	<p>East limit of Highway 6 to west limit of Mill Street South</p>	<p>South limit of Dundas Street to Escarpment</p>	<p>None</p>	<p>40</p>	

<p>Waterdown West Ward 15 Phase 1 - 2019</p>	<p>East limit of Highway 6 to west limit of Hamilton Street North</p>	<p>South limit of Parkside Drive to north limit of Dundas Street</p>	<p>None</p>	<p>40</p>	
<p>Westdale North Ward 1 Phase 2 - 2020</p>	<p>Churchill Park to west limit of Highway 403</p>	<p>Westdale North Open Space to north limit of King Street West</p>	<p>None</p>	<p>40</p>	

<p>Westdale South Ward 1 Phase 2 - 2020</p>	<p>West limit of Forsyth Avenue North/Forsyth Avenue South to west limit of Highway 403</p>	<p>Churchill Park/North limit of King Street West to north limit of Main Street West</p>	<p>Paradise Road South, Main Street West</p>	<p>40</p>	
<p>Yeoville Ward 8 Phase 2 - 2020</p>	<p>East limit of West 5th Street to west limit of Upper James Street</p>	<p>South limit of Mohawk Road West to north limit of the LINC</p>	<p>None</p>	<p>40</p>	

<p>York Heights/Hunter Ward 13 Phase 2 - 2020</p>	<p>East limit of Sydenham Street to west limit of Olympic Drive/York Road</p>	<p>Rail Corridor to north limit of King Street East</p>	<p>None</p>	<p>40</p>	 <p>The map shows a geographical area with a dashed black boundary line. A blue dashed line forms a small square in the center. A red dashed line follows a path along the top and right sides. Labels on the map include 'DUNDAS' in the center, 'Olympic Drive' on the right, 'Parkside Avenue' on the left, 'Road East' at the top, and 'York Road' at the bottom right. The map also shows green areas representing parks and blue areas representing water bodies.</p>
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Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 2, 3, 15

Bill No. 209

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Rate	Adding/ Deleting
5 - Parking Meters	E	Bay	West	Market to York	1 hr	\$1.50	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 - No Parking	E	Victoria	East	Stinson to 70 feet south	Anytime	Deleting

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

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8 - No Parking	E	Victoria	West	From T.H.&B. Tracks to 85 ft. south	Anytime	Deleting
8 - No Parking	E	Victoria	West	T.H. & B. Tracks to 25.9m southerly	Anytime	Deleting
8 - No Parking	E	Victoria	West	from 18m south of Sawyer to 67.5m southerly	Anytime	Deleting
8 - No Parking	E	Victoria	West	Ferrie to Sawyer	Anytime	Deleting
8 - No Parking	E	Victoria	West	Burlington to Ferrie	Anytime	Deleting
8 - No Parking	E	Victoria Ave.	East	King St. to Burlington St.	Anytime	Deleting
8 - No Parking	E	Victoria Avenue North	West	from 18 metres south of Sawyer Road to 37 metres south thereof	Anytime	Adding
8 - No Parking	E	Victoria Avenue North	East	King Street to Barton Street	Anytime	Adding
8 - No Parking	C	Cole Street	East	Nisbet Boulevard to Hugill Way	Anytime	Adding
8 - No Parking	C	Savage Drive	East	Hugill Way to Hugill Way	Anytime	Adding
8 - No Parking	C	Hiscott Drive	East	Hugill Way to Hugill Way	Anytime	Adding
8 - No Parking	C	Hugill Way	South, West & North	Inside side of Crescent, from Cole Street to Cole Street	Anytime	Adding
8 - No Parking	C	Parkside Dr.	North	Hamilton St. to Main St.	Anytime	Deleting
8 - No Parking	C	Parkside Dr.	South	Main St. to 65m westerly	Anytime	Deleting
8 - No Parking	C	Parkside Drive	Both	Main Street to 230 metres west of Hollybush Drive	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 - Permit	E	John	East	from 22.2m south of Picton to 5.7m southerly	Anytime	Deleting
12 - Permit	E	West	West	from 44m south of Wilson to 6m southerly	Anytime	Deleting
12 - Permit	E	Crooks St.	West	38m north of York Blvd. to 6m northerly	Anytime	Deleting
12 - Permit	E	Jackson St.	South	65m west of Ray St to 6m westerly	Anytime	Deleting

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 - No Stopping	E	Bay	West	from 30m north of King to 13m north of Market	Anytime	Deleting
13 - No Stopping	E	Bay	West	from 30m north of Market to 38m northerly	Anytime	Deleting
13 - No Stopping	E	Bay	West	from 84m north of Market to York	Anytime	Deleting
13 - No Stopping	E	Bay Street	West	York Boulevard to 194 metres south thereof	Anytime	Adding
13 - No Stopping	E	Victoria	East	King William to 15.2m northerly	Anytime	Deleting
13 - No Stopping	E	Victoria	East	Wilson to 22.9m northerly	Anytime	Deleting
13 - No Stopping	E	Victoria	West	King William to 22.9m northerly	Anytime	Deleting
13 - No Stopping	E	Victoria	West	King William to 15.2m feet southerly	Anytime	Deleting
13 - No Stopping	E	Victoria	West	Wilson to 22.9m southerly	Anytime	Deleting
13 - No Stopping	E	Victoria	West	Wilson to 27.4m northerly	Anytime	Deleting
13 - No Stopping	E	Victoria	West	Birge to 76m southerly	Anytime	Deleting
13 - No Stopping	E	Victoria Avenue North	West	from 33 metres south of Birge Street to 36 metres south thereof	Anytime	Adding
13 - No Stopping	E	Victoria Ave.	West	Claremont Access to Birge St.	7:00 a.m. to 9:00 a.m. Monday to Friday	Deleting
13 - No Stopping	E	Victoria Avenue North	West	Claremont Access to Barton Street	7:00 a.m. to 9:00 a.m. Monday to Friday	Adding
13 - No Stopping	E	Victoria Avenue North	West	Sawyer Road to Burlington Street	Anytime	Adding
13 - No Stopping	E	Victoria Avenue North	East	Barton Street to Burlington Street	Anytime	Adding
13 - No Stopping	C	Concession 10 East	North	Centre Road to 425 metres east thereof	Anytime	Adding
13 - No Stopping	C	Parkside Drive	Both	Hollybush Drive to 105 metres west thereof	Anytime	Adding
13 - No Stopping	C	Parkside Drive	South	Duncan Avenue to 90 metres west thereof	Anytime	Adding
13 - No Stopping	C	Parkside Drive	North	Molen Street to 20 metres west thereof	Anytime	Adding
13 - No Stopping	C	Parkside Drive	North	Molen Street to 35 metres east thereof	Anytime	Adding
13 - No Stopping	C	Parkside Drive	South	Keewaydin Street to 80 metres west thereof	Anytime	Adding

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
15 - Comm Veh LZ	E	Victoria	West	from 17.3m south of Sawyer to 37.4m southerly	9:00 a.m. to 6:00 p.m. Monday to Friday	Deleting

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 14th day of October 2020.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

Authority: Item 9, Public Works Committee
Report 07-016 (PW07153)
CM: December 12, 2007
Ward: 2, 3, 6, 7, 8, 9, 12, 14

Bill No. 210

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 2 (Speed Limits) 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;

Stone Church	East Town Limits	Golf Links Road	60
Stone Church Paramount Drive	The western limit of the Town of Stoney Creek	Mud Street	50

2. Schedule 3 (Flashing School Zones – Reduced Speed Limit) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following items, namely:

Charlton	From 50 m west of Aurora to 107 m east	40	8:20 a.m. to 4:00 p.m.
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of Catharine

3. Schedule 13 (Designated Traffic Lanes) 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:

Victoria	100 ft south of Burlington and Burlington	East	Anytime	Northerly to Easterly
Victoria	100 ft south of Burlington and Burlington	2nd lane from east curb	Anytime	Northerly and northerly to Easterly
Victoria	100 ft south of Burlington and Burlington	2nd lane from west curb	Anytime	Northerly to Westerly
Victoria	100 ft south of Burlington West and Burlington	West	Anytime	Northerly to Westerly

And by adding to Section "E" (Hamilton) thereof the following items, namely:

Victoria Avenue North	42 m south of Burlington Street East to Burlington Street East	2 nd lane from east curb	Anytime	Northerly to Westerly
Burlington Street East	29 m east of Victoria Avenue North to Victoria Avenue North	4 th lane from north curb	Anytime	Westerly to Southerly

4. Schedule 18 (Bike Lanes) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following item, namely:

Victoria Avenue	Barton St to Ferrie St	East curb lane	Anytime	Northbound
Upper Sherman	Stone Church Road East to 60 metres	East Curb lane	Anytime	Northbound

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

Avenue	south of Limeridge Road East				
Upper Sherman Avenue	Limeridge Road East to 35 metres south of Stone Church Road East	West curb lane	Anytime	Southbound	

And by adding to Section "E" (Hamilton) thereof the following items, namely:

Victoria Avenue North	Barton Street East to Burlington Street East	East curb lane	Anytime	Northbound	
Victoria Avenue North	Ferrie Street East to Burlington Street East	West curb lane	Anytime	Southbound	
Upper Sherman Avenue	60 m south of Limeridge Road East to southerly end	East Curb lane	Anytime	Northbound	
Upper Sherman Avenue	Limeridge Road East to southerly end	West curb lane	Anytime	Southbound	

And by adding to Section "F" (Stoney Creek) thereof the following items, namely:

First Road West	Toffee Trail to 22 m south of Mud Street West	East curb lane	Anytime	Northbound	
First Road West	Toffee Trail to 22 m south of Mud Street West	West curb lane	Anytime	Southbound	

5. 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.

6. This By-law shall come into force and take effect on the date of its passing and enactment.

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

PASSED this 14th day of October, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 211

CITY OF HAMILTON

BY-LAW NO. 20-

Respecting: Removal of Part Lot Control
Block 89 (Parts 1-8), Registered Plan No. 62M-1249 "Empire Caterini, Phase 1", municipally known as 240, 242, 244, 246, 248, 250, 252 and 254 Kinsman Drive

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

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

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

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

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

1. Sub-section 5 of Section 50 of the Planning Act, for the purpose of creating 8 residential parcels for street townhouse dwellings, shown as Parts 1 to 8, inclusive, on deposited Reference Plan 62R-21453, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 89, Registered Plan No. 62M-1249, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 14th day of October, 2022.
4. **PASSED** this 14th day of October, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 2, Planning Committee
Report: 20-010 (PED19071(a))
CM: September 30, 2020
Ward: 2

Bill No. 212

CITY OF HAMILTON

BY-LAW NO. 20-

To Adopt:

Amendment No. 244

to the City of Hamilton Official Plan

Respecting:

282 MacNab Street North, Hamilton

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

1. Amendment No. 244 to the City of Hamilton Official Plan consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 14th day of October 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Amendment No. 244
to the
City of Hamilton Official Plan

The following text, together with Appendix “A” Schedule M-2: General Land Use attached hereto, constitutes Official Plan Amendment No. 244 to the City of Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the West Harbour (Setting Sail) Secondary Plan by establishing a Special Policy Area to permit a 10-storey multiple dwelling with a residential density of 688 units per gross hectare.

2.0 Location:

The lands affected by this Amendment are located at 282 MacNab Street North, in the City of Hamilton.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The proposed development efficiently utilizes existing infrastructure, positively contributes to the streetscape and makes use of a vacant lot;
- The proposed development implements the vision of the West Harbour (Setting Sail) Secondary Plan in providing intensification at a form and scale that is in keeping with the character of the surrounding neighbourhood and is in proximity to existing transit; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, 2019, as amended.

4.0 Changes:

4.1 Text Changes:

4.1.1 That a new Special Policy Area be added, as Policy No. A.6.3.3.1.13.1:

“A.6.3.3.1.13.1 The following policies shall apply to the lands

known municipally as 282 MacNab Street North, designated Medium Density Residential 1 and identified as Site Specific Policy Area 9 on Schedule M-2: General Land Use of West Harbour Secondary Plan:

- i) Notwithstanding Policy A.6.3.3.1.13 ii), an 89 unit multiple dwelling with a maximum residential density of 688 units per gross hectare shall be permitted; and,
- ii) Notwithstanding Policy A.6.3.3.1.13 iii), the height of buildings shall range from 3 to 10 storeys.”

4.2 Map/Schedule Changes:

4.2.1 That Schedule M-2: General Land Use, of the West Harbour (Setting Sail) Secondary Plan is amended by:

- a) identifying the lands as Special Policy Area 9,
as shown on Appendix “A” to this Amendment.

5.0 Implementation:

An implementing Zoning By-law Amendment and Site Plan Control will give effect to this Amendment.

This is Schedule “1” to By-law No. 20-212 passed on the 14th day of October 2020.

The City of Hamilton

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 2, Planning Committee
Report 20-010 (PED19071(a))
CM: September 30, 2020
Ward 2

Bill No. 213

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, 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 20-010 of the Planning Committee, at its meeting held on the 30th day of September, 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 City of Hamilton Official Plan of the City of Hamilton upon finalization of OPA No. XX.

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

1. That Sheet No. W3 of the District Maps appended is amended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from the “J” (Light and Limited Heavy Industry, Etc.) District, Modified to the “E/S-1799-H” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Holding, Modified; the extent and boundaries of which are shown on a plan here to annexed as Schedule “A”.

To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, Hamilton

2. That the “E” (Multiple Dwellings, Lodges, Clubs, Etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593 be modified to include the following special requirements:
- a) Notwithstanding Section 11(1)(xii)(i), the Accessory and Incidental Uses listed in Section 11(1)(xii) shall be permitted.
 - b) Section 11(1)(xii)(j) shall not apply.
 - c) Notwithstanding Section 11(2)(ii), no building or structure shall exceed ten storeys or 33.0 metres in height.
 - d) Notwithstanding Section 11(3)(i)(b), a front yard depth not less than 0 metres, except that:
 - i) For any portion of the building with a height greater than 16.8 metres, a front yard depth not less than 1.5 metres; and,
 - ii) For any portion of the building with a height greater than 25.8 metres, a front yard depth not less than 3.0 metres.
 - e) Notwithstanding Section 11(3)(ii)(b):
 - i) A southerly side yard width not less than 0.7 metres, except that:
 - 1. For any portion of the building with a height greater than 4.8 metres, a southerly side yard width not less than 4.0 metres; and,
 - 2. For any portion of the building with a height greater than 25.8 metres, a southerly side yard width not less than 8.8 metres.
 - ii) A northerly side yard width not less than 0 metres, except that:
 - 1. For any portion of the building with a height greater than 4.8 metres, a northerly side yard width not less than 1.2 metres; and,
 - 2. For any portion of the building with a height greater than 19.8 metres, a northerly side yard width not less than 4.0 metres.
 - f) Notwithstanding Section 11(3)(iii)(b), a rear yard depth not less than 0 metres, except that:
 - i) For any portion of the building with a height greater than 4.8

To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, Hamilton

metres, a rear yard depth not less than 6.3 metres.

- g) Section 11(5) shall not apply.
 - h) Section 11(6) shall not apply.
 - i) Notwithstanding Section 18(3)(vi)(b)(i), a canopy, cornice, eave or gutter may project into a required front yard up to 0 metres from a street line.
 - j) Notwithstanding Section 18(3)(vi)(cc)(i), a bay, balcony or dormer may project into a required front yard up to 0 metres from a street line.
 - k) Notwithstanding Section 18(3)(vi)(cc)(ii), a bay, balcony or dormer may project into a required rear yard not more than 2.4 metres.
 - l) Notwithstanding Section 18A(7), every required parking space, other than a parallel parking space, shall have dimensions not less than 2.8 metres wide and 5.8 metres long.
 - m) Notwithstanding Section 18A Table 1 1.(g), a minimum 0.74 parking spaces per Class A dwelling unit.
 - n) Section 18A(1)(b) shall not apply.
 - o) Notwithstanding Section 18A(1)(c), one loading space shall be provided with a minimum size of:
 - i) Length: 7.0 m
 - ii) Width: 3.0 m
 - iii) Height: 4.3 m
 - p) A minimum 0.05 short term bicycle parking spaces per Class A dwelling Unit shall be required.
 - q) A minimum 0.5 long term bicycle parking spaces per Class A dwelling unit shall be required within a secure facility.
3. That the 'H' symbol applicable to the lands referred to in Section 1 of this By-law, shall be removed conditional upon:
- a) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MOECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MOECP, and submission of the City of Hamilton's current RSC administration fee.

To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, Hamilton

- b) The Owner shall investigate the noise levels on the site and determine and implement the noise control measures based on the detailed design in consultation with Canadian National Railways and Metrolinx that are satisfactory to the City of Hamilton, in meeting the Ministry of the Environment, Conservation and Parks recommended sound level limits. An updated acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the Director of Planning and Chief Planner.
- Should a peer review of the acoustical report be warranted, all associated costs shall be borne by the owner/applicant and shall be submitted to the satisfaction of the Director of Planning and Chief Planner.
- c) That the Owner establish an easement registered on title to provide maintenance access to the ground floor of the north and east main walls of the building from the abutting Metrolinx property (353 James Street North) and provides legal documentation to the City of the easement, to the satisfaction of the Director of Planning and Chief Planner.
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 "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District provisions, subject to the special requirements referred to in Sections 2 and 3 of this By-law.
5. That Sheet No. W3 of the District Maps is amended by marking the lands referred to in Section 1 of the By-law as "E/S-1799-H".
6. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1799.
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 14th day of October, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

To Amend Zoning By-law No. 6593 Respecting Lands Located at 282 MacNab Street North, Hamilton



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- Mayor ----- Clerk
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<h2 style="margin: 0;">Schedule "A"</h2> Map Forming Part of By-law No. 20-_____ to Amend By-law No. 6593	Subject Property 282 MacNab Street North "J" (Light and Limited Heavy Industry, Etc.) District to "E/S-1799-H" (Multiple Dwellings, Lodges, Clubs, Etc) District, Holding, Modified
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Scale: N.T.S.	File Name/Number: ZAC-18-037/UHOPA-18-015	
Date: Jan. 29, 2020	Planner/Technician: MK/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 8, Planning Committee
Report: 20-011 (PED20135(a))
CM: October 14, 2020
Ward: City Wide

Bill No. 214

CITY OF HAMILTON

BY-LAW No. 20-

To Amend By-law 05-200

Respecting Temporary Use By-law for Temporary Tents

AND WHEREAS, the City of Hamilton's new comprehensive Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

AND WHEREAS it is appropriate to amend the temporary tent regulations in Zoning By-law No. 05-200 to allow tents for certain commercial and institutional uses, on a temporary basis, to be erected for longer periods of time to accommodate social distancing;

AND WHEREAS this regulation would apply to certain commercial lands and institutional lands within the City;

AND WHEREAS this permission is to be incorporated into a Temporary Use By-law to Zoning By-law No. 05-200, effective to October 31, 2021;

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

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

1. That Schedule "A" – Zoning Maps of Zoning By-law 05-200 is amended by adding the Temporary Use symbol to Maps 414-415, 444-448, 480-482, 515-517, 549-550, 580-582, 612, 680, 753, 793, 819-820, 825, 827, 834, 859-862, 863-879, 871, 901-905, 906-913, 942-943, 945-958, 960-961, 988-990, 992-999, 1000-1001, 1033, 1036-1048, 1050-1051, 1079, 1080-1087, 1089-1092-1093, 1097, 1100, 1124, 1126-1146, 1149-1150, 1174-1180, 1181-1189, 1190-1999, 1200, 1205, 1228-1229, 1230-1242-1243, 1245-1254, 1258-1260, 1279-1281, 1284-1285, 1287-1295, 1298-1299, 1301-1306, 1311-1312, 1332-1334, 1336-1338, 1339-1341, 1342-1348, 1352, 1364, 1383-1392, 1394-1396, 1397-1399, 1403, 1405, 1433-1438, 1440, 1443, 1445, 1447-1449, 1450, 1452-1455, 1456-1457, 1482-1483, 1494, 1496-1504, 1505-1506, 1546-1552, 1591, 1593-1597, 1635-1636, 1639-1641, 1710-1711, 1747-1749, 1785-1786, 1819, 1884-1885, 1887, 1909-1912, 1932-1935, and 1956.
2. That Schedule "E" – Temporary Use of By-law 05-200 is amended by adding the following new Subsection:

**To Amend By-law No. 05-200
Respecting Temporary Use By-law for Temporary Tents**

- “8. Within the lands zoned Downtown Central Business District (D1) Zone, Downtown Mixed Use – Pedestrian Focus (D2) Zone, Downtown Mixed Use (D3) Zone, Neighbourhood Commercial (C2) Zone, Community Commercial (C3) Zone, Mixed Use High Density (C4) Zone, Mixed Use Medium Density (C5) Zone, Mixed Use Medium Density - Pedestrian Focus (C5a) Zone, District Commercial (C6) Zone, Arterial Commercial (C7) Zone, Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, Transit Oriented Corridor Local Commercial (TOC2) Zone, Transit Oriented Corridor Mixed Use High Density – Pedestrian Focus (TOC4) Zone, Neighbourhood Institutional (I1) Zone, Community Institutional (I2) Zone and Major Institutional (I3) Zone, the following provisions shall apply for the period running to October 31, 2021:
- a) That notwithstanding Sections 3, 4.18 d), and 5c) the following provisions shall apply to temporary tents for restaurants (outdoor commercial patios), places of worship, hospitals and educational establishments:
 - 1. the temporary use by-law shall not apply to the Residential Commercial (C1) Zone;
 - 2. the temporary tent shall not be in operation for more than 6 consecutive months;
 - 3. the temporary tent shall not be subject to any minimum or maximum yard setbacks or parking requirements of the zone;
 - 4. notwithstanding Clause 3. above, the temporary tent shall be setback a minimum of 5 metres from a Residential Zone;
 - 5. the temporary tent shall not occupy areas devoted to barrier-free parking space(s) or loading space(s);
 - 6. the temporary tent shall not be used for human habitation; and,
 - 7. for the purposes of this Temporary Use by-law, a temporary tent shall not be considered as an accessory building.
3. That this By-law comes into force in accordance with Sections 34 and 39 of the *Planning Act*.

PASSED and ENACTED this 14th day of October, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI 20-F

Authority: Item 8, Planning Committee
Report: 20-011 (PED20135(a))
CM: October 14, 2020
Ward: City Wide

Bill No. 215

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend By-law No. 05-200

As amended by By-law No. 20-181

**Respecting an Addition to and an Extension of the
Temporary Use By-law for Outdoor Commercial Patios**

WHEREAS, the City of Hamilton's new comprehensive Zoning By-law, being By-law No. 05-200, came into force on May 25, 2005;

AND WHEREAS By-law No. 20-181 added a temporary use by-law to provide temporary relief from the locational requirements and to permit entertainment on outdoor commercial patios for certain commercial zones within the City of Hamilton;

AND WHEREAS that temporary use expires on December 31, 2020;

AND WHEREAS subsection 39(3) of the *Planning Act* provides that Council may by by-law grant further periods of time that the temporary use is in effect for a period not more than three years;

AND WHEREAS there are some additional changes required to Temporary Use T-6 to add an additional provision respecting parking spaces;

AND WHEREAS this By-law conforms to the Urban Hamilton Official Plan;

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

1. That the period of time the Temporary Use By-law No. 20-181 is in effect shall be extended to October 31, 2021.
2. That By-law No. 20-181 be further amended by deleting and replacing subsection 6)b) of Temporary Use T-6 as follows:

"6)b) In addition to the provisions of Section 4.20 and Section 5c), an outdoor commercial patio:

To Amend By-law 05-200, as amended by By-law No. 20-181
Respecting an Addition to and an Extension of the
Temporary Use By-law for Outdoor Commercial Patios

- i) shall be setback a minimum of 5.0 metres from any residential zone;
 - ii) shall not obstruct a driveway, parking aisle or fire route; and,
 - iii) may occupy required parking spaces.”
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.
4. That this By-law comes into force in accordance with section 34 of the *Planning Act*.

PASSED this 14th day of October, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 6, Planning Committee
Report 20-011 (PED20153)
CM: October 14, 2020
City Wide
Bill No. 216

CITY OF HAMILTON

BY-LAW NO. 20-

To Repeal By-law No. 78-237 and to Amend Zoning By-law No. 6593 Respecting Lands Located at 175 Catharine Street South and 117 Forest Avenue, Hamilton

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

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

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

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 20-011 of the Planning Committee, at its meeting held on the 14th day of October, 2020, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided; and,

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

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

1. That By-law No. 78-237 is repealed in its entirety.
2. That By-law Nos. 76-148, 76-329 and 76-340 shall not apply to the lands shown on a plan here to annexed as Schedule “A”.
3. That Sheet No. E5 of the District Maps appended is amended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from the “E-3/S-601” (High Density Multiple Dwellings) District, Modified to the “E-3/S-

To Amend Zoning By-law No. 6593 Respecting Lands Located at 175 Catharine Street South and 117 Forest Avenue, Hamilton

- 601a” (High Density Multiple Dwellings) District, Modified; the extent and boundaries of which are shown on a plan here to annexed as Schedule “A”.
4. That the “E-3” (High Density Multiple Dwellings) District provisions, as contained in Section 11C of Zoning By-law No. 6593, applicable to Block 1, be modified to include the following special requirement:
 - a) That notwithstanding the requirements of Sections 11C, 18 and 18A, only the existing 93 unit multiple dwelling within the building existing on the date of the passing of this By-law shall be permitted on a lot with an area not less than 2,400 square metres. The existing 57 parking spaces shall be maintained for the multiple dwelling.
 5. That the “E-3” (High Density Multiple Dwellings) District provisions, as contained in Section 11C of Zoning By-law No. 6593, applicable to Blocks 2, 3 and 4, be modified to include the following special requirements:
 - a) Notwithstanding Section 2.(2)J.(xiii), Forest Avenue shall be deemed the front lot line.
 - b) That in addition to Section 11(1) and the definitions of “Dwelling, Multiple”, “Dwelling, Townhouse” and “Dwelling, Street Townhouse” as contained in Sections 2(2)A.(viii), 2(2)A.(viid) and 2(2)A.(viid) of Zoning By-law No. 6593, that a portion of a Multiple Dwelling building containing residential units that are attached to each other, side by side and each containing individual exterior access shall be considered as dwelling units within the overall Multiple Dwelling and shall be permitted.
 - c) That notwithstanding Section 11C.(1a):
 - i) For Block 2, no building or structure shall exceed 13.5 metres in height.
 - ii) For Block 3, no building or structure shall exceed 8.0 metres in height.
 - iii) For Block 4, no building or structure shall exceed 38.0 metres in height.
 - d) That notwithstanding Sections 11C.(2)(a), 11C.(2)(b) and 11C.(2)(c), the following yards shall be maintained:
 - i) For Block 2:
 1. A front yard depth not less than 2.5 metres;

To Amend Zoning By-law No. 6593 Respecting Lands Located at 175 Catharine Street South and 117 Forest Avenue, Hamilton

2. A northerly side yard width not less than 4.75 metres;
 3. An easterly side yard width not less than 0.75 metres; and,
 4. A westerly side yard width not less than 0.5 metres, except 0.0 metres to a daylight radius.
- ii) For Block 3:
1. A front yard depth not less than 2.5 metres; and,
 2. A northerly side yard width not less than 1.5 metres.
- iii) For Block 4:
1. A front yard depth not less than 0.5 metres;
 2. An easterly side yard width not less than 4.75 metres;
 3. A westerly side yard width not less than 2.75 metres; and,
 4. A rear yard depth not less than 0.75 metres.
- e) That Section 11C.(2a) shall not apply.
- f) That Section 11C.(4) shall not apply.
- g) That Section 11C.(5) shall not apply.
- h) That in addition to Section 18.(3)(vi)(cc)(iii), a balcony may project into the required northerly side yard for Block 2 not more than 3.0 metres.
- i) That notwithstanding Section 18.(3)(vi)(ee), the foundation wall for a building or structure located partially above grade and used for parking purposes in conjunction with a multiple dwelling may project into a required front, side or rear yard.
- j) That notwithstanding Section 18A.(7) every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 metres wide and 5.5 metres long.
- k) That notwithstanding Section 18A.(1)(a), a minimum 0.65 parking spaces per Class A dwelling unit.
- l) That Section 18A.(1)(b) shall not apply.

To Amend Zoning By-law No. 6593 Respecting Lands Located at 175 Catharine Street South and 117 Forest Avenue, Hamilton

- m) That Section 18A.(1)(c) shall not apply.
 - n) A minimum 0.05 short term bicycle parking spaces per Class A dwelling Unit shall be required within a bicycle parking area at grade.
 - o) A minimum 0.5 long term bicycle parking spaces per Class A dwelling unit shall be required within a secure enclosed bicycle parking area.
6. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" (High Density Multiple Dwellings) District provisions, subject to the special requirements referred to in Sections 3, 4 and 5 of this By-law.
7. That Sheet No. E5 of the District Maps is amended by marking the lands referred to in Section 1 of the By-law as "E-3/S-601a".
8. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-601a.
9. 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 14th day of October 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

To Amend Zoning By-law No. 6593 Respecting Lands Located at 175 Catharine Street South and 117 Forest Avenue, Hamilton



This is Schedule "A" to By-law No. 20-
 Passed the day of, 2020

 Mayor

 Clerk





Schedule "A"


**Map forming Part of
 By-law No. 20-_____**

to Amend By-law No. 6593

Subject Property

117 Forest Avenue & 175 Catharine Street South, Hamilton

-  Block 1 - Change in zoning from "E-3/S-601" (High Density Multiple Dwellings) District, Modified to "E-3/S-601a" (High Density Multiple Dwellings) District, Modified.
-  Block 2 - Change in zoning from "E-3/S-601" (High Density Multiple Dwellings) District, Modified to "E-3/S-601a" (High Density Multiple Dwellings) District, Modified.
-  Block 3 - Change in zoning from "E-3/S-601" (High Density Multiple Dwellings) District, Modified to "E-3/S-601a" (High Density Multiple Dwellings) District, Modified.
-  Block 4 - Change in zoning from "E-3/S-601" (High Density Multiple Dwellings) District, Modified to "E-3/S-601a" (High Density Multiple Dwellings) District, Modified.

Scale: N.T.S	File Name/Number: ZAC-17-008	
Date: July 23, 2020	Planner/Technician: MK/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Hamilton

Authority: Item 5.8, City Council
Report 20-016 (PED20050)
CM: July 17, 2020
Ward 2

Bill No. 217

CITY OF HAMILTON

BY-LAW NO. 20-

To Designate Land Located at 127 Hughson Street North, City of Hamilton as Property of Cultural Heritage Value

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6) (a) of the said Act.

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

1. The property located at 127 Hughson Street North, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of cultural heritage value.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with the statement of cultural heritage value or interest and description of heritage attributes set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - a. to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Trust by personal service or by registered mail;
 - b. to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and ENACTED this 14th day of October, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule "A"
To
By-law No. 20-217

127 Hughson Street North
Hamilton, Ontario

PIN: 17165-0153 (LT)

Legal Description:

Part Lot 5, James Hughson Survey (unregistered), east side of James Street; Part of Lot 5, James Hughson Survey (unregistered) west side of Hughson Street; Part Lot 6, James Hughson Survey (unregistered), City of Hamilton, being All of PIN 17165-0153 (LT)

Schedule "B"
To
By-law No. 20-217

127 Hughson Street North
Hamilton, Ontario

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST AND
DESCRIPTION OF HERITAGE ATTRIBUTES**

Statement of Cultural Heritage Value or Interest

The property, municipally known as 127 Hughson Street North, Hamilton is a former industrial complex. The western section of the building was the original four storey factory built circa 1911 and was joined to the storefront located at 144 James Street North. The eastern section of the building was opened in 1929 and was known as 'Style Park'. The building is a vernacular industrial building that features Art Deco influences.

127 Hughson Street North is located on the west side of Hughson Street North, Hamilton. The property is east of James Street North, west of John Street North, north of Wilson Street, and south of Cannon Street East.

DESIGN / PHYSICAL VALUE

The property is a representative example of an early 20th century vernacular industrial building with art deco influences. This value is represented in the decorative façade of the 1929 east section of the building and displays brick pilasters, unique brickwork, stylized parapets and a decorative entrance and foyer area which are representative of an Art Deco style of this era. The massing and large window openings reinforce the industrial history of the building. The two stone 'F's' located in the parapets and the 'F' located in foyer flooring are a unique feature to the building and represent the Firth Brothers.

HISTORICAL / ASSOCIATIVE VALUE

The property has associative value in its direct association with Norman and John Firth. Norman Firth began a clothing business in Hamilton in 1909. Eventually joined by his brother John, the brothers incorporated as Firth Brothers Ltd. in 1918 with Norman acting as president. The Firth Brothers had a storefront, located at 144 James Street North, and the original section of the factory (west section) was located at the rear of the storefront. The brother's clothing operation was very successful and in 1929, they expanded the factory. The new building, known as 'Style Park' cost the company \$250,000, revitalizing the area and allowing the Firth Brothers to expand their operation vastly. Members of the Firth family owned and operated the business until 1974. The property has associative value as a contributor to the industrial heritage of Hamilton.

CONTEXTUAL VALUE

The property has contextual value for its location in what may be considered Hamilton's first industrial neighbourhood. The Firth Brothers manufacturing operations began as a small-scale family run business and grew throughout the early 20th century. The property acts as a reminder of the neighbourhood's industrial past and reinforces the mixed use nature which has historically been associated with the area. The property is one of the largest industrial buildings in the immediate area and is important in defining and maintaining the industrial character of Hughson Street North.

Description of Heritage Attributes

The Cultural Heritage Value or interest of the property resides in the four storey east section of the structure, built in 1929.

Key heritage attributes associated with the split level foyer include:

- The use of marble, brass and wood;
- The marble and pebble tile Firth Brothers 'F' logo at the top of the stairs; and,
- The timber rafters with dentils and decorative supports.

Key heritage exterior attributes of the 1929 east section of the building associated with the façade include:

- Vernacular interpretation of Art Deco style architecture;
- Red brick construction and polychrome brick façade;
- Brick pilasters;
- The multi-panelled windows with operable openings together with the locations, configuration, size, scale, and shape of these window openings which reinforce the industrial character of the building;
- Brick work, including a double herringbone pattern and soldier courses with square-shaped stone insert;
- Decorative and symmetrical use of stone throughout the brickwork, including at the top and bottom of the brick pilasters;
- Flat roof with a pair of decorative parapets with centrally placed stone 'F's';
- Defined main entrance with stone lintel, pilasters, and dentils;
- Decorative brickwork above the main entrance; and,
- Large rectangular transom and sidelights openings found at the front door.

CITY OF HAMILTON

BY-LAW NO. 20-

To Confirm the Proceedings of City Council at its meeting held on October 14th, 2020.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 14th day of October 2020, in respect of each recommendation contained in

Public Works Committee Report 20-009 – October 5, 2020,
Planning Committee Report 20-011 – October 6, 2020,
General Issues Committee Report 20-015 – October 7, 2020, and
Audit, Finance & Administration Committee Report 20-008 – October 8, 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 14th day of October 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk 