



City of Hamilton

CITY COUNCIL REVISED

20-025

Wednesday, November 11, 2020, 1:30 P.M.

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

All electronic meetings can be viewed at:

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

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

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1. October 28, 2020

3.2. November 4, 2020

4. COMMUNICATIONS

- 4.1. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting an amendment to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the recently released new market-based Land Need Assessment methodology.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 4.2. Correspondence from Debbie France respecting Illicit Cannabis Grow Operations.
- Recommendation: Be received.
- 4.3. Correspondence from the City of Belleville requesting support for their resolution requesting that the Province of Ontario consider providing funding support and training resources to municipalities to comply with the Accessibility Standards.
- Recommendation: Be received.
- 4.4. Correspondence from Prince Edward County requesting support for their resolution urging the Government of Ontario to continue to respect Ontario municipalities' ability to apply sound representative principles in their execution of elections and to support the freedom of municipalities to run democratic elections within the existing framework the Act currently offers.
- Recommendation: Be received.
- 4.5. Correspondence from Paul Dube, Ombudsman of Ontario respecting a Closed meeting complaint about a meeting held by the General Issues Committee on August 10, 2020 alleging that it violated the Municipal Act's open meeting requirements.
- Recommendation: Be received.
- 4.6. Correspondence from Loyalist Township requesting support for their resolution requesting confirmation from the governments of Ontario and Canada that funding will be available for local smaller charities, community groups and service clubs.
- Recommendation: Be endorsed
- *4.7. Correspondence from Walter Cairns respecting E-bikes and Hamilton Conservation.
- Recommendation: Be received.

- *4.8. Correspondence from Donna Skelly, MPP Flamborough-Glanbrook advising the City of Hamilton that they will be receiving \$7,434,008 through the Ontario government's investment in local infrastructure projects, and that in accordance with Federal government

guidelines all applications must be submitted no later than March 31, 2021 and all projects must be completed by December 31, 2021.

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

- *4.9. Correspondence from Scott Snider, Turkstra Mazza respecting the Application for Rural Hamilton Official Plan Amendment ("OPA") for lands located at 2069 Binbrook Road, Glanbrook (PED20146).

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 20-013.

5. COMMITTEE REPORTS

- 5.1. General Issues Committee (Budget) Report 20-017 - October 29, 2020
- 5.2. Planning Committee Report 20-013 - November 3, 2020
- 5.3. General Issues Committee Report 20-018 – November 4, 2020
- 5.4. Audit, Finance and Administration Committee Report 20-010 – November 5, 2020
- 5.5. Emergency and Community Services Committee Report 20-009 – November 5, 2020

6. MOTIONS

- 6.1. Feasibility of Connectivity Options to Help Address the Digital Divide

7. NOTICES OF MOTIONS

- *7.1. Cannabis Retail Store Authorization Application, 11 Hatton Drive (also referred to as 9 Hatton Drive), Ancaster (AGCO File #946701)

8. STATEMENTS BY MEMBERS

9. PRIVATE AND CONFIDENTIAL

9.1. Closed Session Minutes - October 28, 2020

Pursuant to Section 8.1, Sub-sections (c), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (c), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; 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.

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

Pursuant 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. 235

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1313 Baseline Road (Stoney Creek)

Ward: 10

ZAC-16-016

10.2. 236

To Adopt Official Plan Amendment No. 140 to the Urban Hamilton Official Plan, Respecting 1912 Rymal Road East (Glanbrook)

Ward: 9

10.3. 237

To Amend Zoning By-law No. 4647 (Glanbrook), Respecting Lands Located at 1912 Rymal Road East (Glanbrook)

Ward: 9

ZAC-18-029

UHOPA-18-11

10.4. 238

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)

Ward: 1, 2, 3, 4, 9, 10, 13, 14, 15

10.5. 239

To Confirm the Proceedings of City Council

11. ADJOURNMENT



CITY COUNCIL MINUTES 20-023

9:30 a.m.

October 28, 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, S. Merulla, L. Ferguson (Deputy Mayor), A. VanderBeek, T. Whitehead, E Pauls and J. Partridge.

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 respecting the Urban Hens Backyard Pilot Program:

- (a) Aly Livingston
- (b) Scott McLaughlin
- (c) Joanne Fenbow

Recommendation: Be received and referred to the consideration of Item (h) (i) of Planning Committee Report 20-012.

- 4.12. Correspondence from Joseph Minor respecting Can we do a better job of telling people about the highly contaminated "do not eat" fish downstream of the Hamilton International Airport?

Recommendation: Be received.

- 4.13. Correspondence from Graydon Smith, AMO President respecting the Proposed Transition Schedule for your Blue Box Program to the New Full Producer Responsibility Regulation.

Recommendation: Be received.

- 4.14 Correspondence from Mike Moore, Board Chairman, Hamilton Challenger Baseball Association respecting Hamilton 2026 Commonwealth Games Bid Corporation.

Recommendation: Be received.

- 4.15 Correspondence from Fawn "Hibbert" Briscoe respecting Long-Term Care Homes in Canada, our Armed Forces, the Legion, Remembrance Day.

Recommendation: Be received.

- 4.16 Correspondence from Robert Burke respecting coronavirus.

Recommendation: Be received.

- 4.17 Correspondence from Lyla Miklos replacing her correspondence that was placed on the October 14th Council Agenda and additional information respecting Council's decision on the Integrity Commissioner's Report at the September 30, 2020 Council meeting.

Recommendation: Be received.

7. NOTICES OF MOTION

- 7.1 Staff Comments to Proposed Regulation for Blue Box Program Transition

10. BY-LAWS AND CONFIRMING BY-LAW

- 20-231 To Repeal and Replace By-law No. 19-295, Respecting Removal of Part Lot Control, Block 255, within Registered Plan No. 62M-1257, municipally known as 59, 63 and 67 Cuesta Heights
Ward: 9

- 20-232 A By-law to authorize the issue of Debentures in the principal amount of \$51,705,000 for the purposes of the City of Hamilton herein referred to
Ward: City Wide

(Pearson/Partridge)

That the agenda for the October 28, 2020 meeting of Council be approved, **as amended**.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Ferguson declared an interest to Communication Item 4.5, Correspondence from Anthony Rizzuto, Blue Line Transportation Limited respecting Outstanding Taxi Licence Fees. as he is an investor in the taxi industry.

Councillor Pauls declared an interest to Item 6.1, respecting 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), as her son is employed with the Hamilton Police Service.

APPROVAL OF MINUTES OF PREVIOUS MEETING**3. October 14, 2020 (Item 3.1)****(Pearson/Partridge)**

That the Minutes of the October 14, 2020 meeting of Council be approved, as presented.

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

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

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

COMMUNICATIONS

(Ferguson/Clark)

That Council Communications 4.1 to 4.4 and 4.6 to 4.17 be approved, as **amended** as follows:

- 4.1. Correspondence from the Honourable Caroline Mulroney, Minister of Transportation in response to the Mayor's letter requesting changes to the province's automated speed enforcement (ASE) framework and the Highway Traffic Act.

Recommendation: Be received.

- 4.2. Correspondence from the Town of Plympton-Wyoming requesting support for the Municipality of Tweed's Cannabis Production Facilities, the Cannabis Act, and Health Canada Guidelines.

Recommendation: Be endorsed.

- 4.3. Correspondence from the Township of Lake of Bays requesting support for their resolution requesting a reform to the Municipal Insurance Policy.

Recommendation: Be received.

- 4.4. Correspondence from the Ministry of the Solicitor General respecting Court Security and Prisoner Transportation Program Review.

Recommendation: Be received **and forwarded to the Hamilton Police Services Board for their information.**

- 4.6. Correspondence from Craig Burley respecting an article on ongoing encampment of homeless persons in Northern Ontario.

Recommendation: Be received.

- 4.7. Correspondence from Dr. Sonya Carl respecting Chicken keeping in the capital - BBC London.

Recommendation: Be received and referred to the consideration of Item (h) (i) of Planning Committee Report 20-012.

4.8. Correspondence from Carlee Kantautas respecting Mask wearing while exercising:

- (a) October 22, 2020
- (b) October 23, 2020

Recommendation: Be received.

4.9. Correspondence from the Township of Oro-Medonte requesting support for their resolution requesting that the Province of Ontario consult the ski industry through the Ontario Snow Resorts Association to review re-opening policy considerations currently impacting the industry.

Recommendation: Be received.

4.10. Correspondence from Helen Downey, President, SportHamilton noting SportHamilton's full support of the Commonwealth Games and the Hamilton 2026 Bid Corporation.

Recommendation: Be received.

4.11. Correspondence respecting the Urban Hens Backyard Pilot Program:

- (a) Aly Livingston
- (b) Scott McLaughlin
- (c) Joanne Fenbow

Recommendation: Be received and referred to the consideration of Item (h) (i) of Planning Committee Report 20-012.

4.12. Correspondence from Joseph Minor respecting Can we do a better job of telling people about the highly contaminated "do not eat" fish downstream of the Hamilton International Airport?

Recommendation: Be received **and forwarded to the Ministry of Natural Resources and Forestry and Fisheries and Oceans Canada.**

4.13. Correspondence from Graydon Smith, AMO President respecting the Proposed Transition Schedule for your Blue Box Program to the New Full Producer Responsibility Regulation.

Recommendation: Be received.

4.14 Correspondence from Mike Moore, Board Chairman, Hamilton Challenger Baseball Association respecting Hamilton 2026 Commonwealth Games Bid Corporation.

Recommendation: Be received.

4.15 Correspondence from Fawn "Hibbert" Briscoe respecting Long-Term Care Homes in Canada, our Armed Forces, the Legion, Remembrance Day.

Recommendation: Be received.

4.16 Correspondence from Robert Burke respecting coronavirus.

Recommendation: Be received.

4.17 Correspondence from Lyla Miklos replacing her correspondence that was placed on the October 14th Council Agenda and additional information respecting Council's decision on the Integrity Commissioner's Report at the September 30, 2020 Council meeting.

Recommendation: Be received.

Due to a declared conflict, Item 4.5 was voted on separately as follows:

(Johnson/Pearson)

That Council Communication 4.5 be approved, as ***amended*** as follows:

4.5. Correspondence from Anthony Rizzuto, Blue Line Transportation Limited respecting Outstanding Taxi Licence Fees.

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

Result: Motion on Item 4.5 CARRIED by a vote of 14 to 0, as follows:

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

Result: Motion on the balance of the Communication Items CARRIED by a vote of 16 to 0, as follows:

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

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

(Ferguson/Pearson)

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

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

BOARD OF HEALTH 20-006

(Ferguson/Wilson)

That Board of Health Report 20-006, being the meeting held on Monday, October 19, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Board of Health Report 20-006, CARRIED by a vote of 16 to 0, as follows:

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

- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-010

(Danko/Merulla)

That Public Works Committee Report 20-010, being the meeting held on Monday, October 19, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Public Works Committee Report 20-010, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-012

(Danko/Farr)

That Planning Committee Report 20-012, being the meeting held on Tuesday, October 20, 2020, be received and the recommendations contained therein be approved.

At Council's request, Item 2 was voted on separately as follows:

- 2. To Incorporate City Lands into North Waterdown Drive by By-Law (PED20166) (Ward 15) (Item 6.2)**

Result: Item 2 of Planning Committee Report 20-012, CARRIED by a vote of 15 to 1, as follows:

- NO - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Nann/Wilson)

That Item (h)(i) respecting Urban Hen Backyard Pilot Program, be lifted from the Information Section of Planning Report 20-012 and added as Item 8.

Result: Motion CARRIED by a vote of 10 to 6, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- 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
- NO - Ward 15 Councillor Judi Partridge
- NO - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- NO - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- NO - Ward 11 Councillor Brenda Johnson
- NO - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

8. Urban Hen Backyard Pilot Program (Item 10.1)

(Nann/Wilson)

WHEREAS, through the COVID-19 pandemic, it will continue to be crucial for cities to enable food resilience and improve access to inexpensive and nutritious foods close to home;

WHEREAS, to reduce negative impacts on the climate, Canadians and Hamiltonians are encouraged to reduce consumption of high carbon & processed foods;

WHEREAS, since 2018, at least 8 other Canadian Cities, many neighbouring Hamilton, have released restrictions on Urban Hens in favour of Urban Hen programs, reporting successes;

WHEREAS, pilots across the country have resulted in best practices which can be adapted to meet the needs of Hamiltonians interested in raising hens and to address public health and safety concerns, including registration of 4 hens maximum, non-commercial use only, to not be housed in front yards, age of hens, odour and noise assumptions, etc.;

WHEREAS, the most effective way to mitigate negative effects of urban hen-keeping is to regulate it according to best practices in other municipalities;

WHEREAS, ticks and associated illnesses continue to be a major health concern and can be mitigated by keeping hens in urban areas;

WHEREAS, it is suggested that chickens create rich fertilizer which may be composted with yard waste or used to enrich soil;

THEREFORE, BE IT RESOLVED:

- (a) That the appropriate staff be directed to provide the Planning Committee with a Pilot Urban Hens Program report that integrates:
 - (i) A food resilience framework;
 - (ii) A review and analysis of best practices and by-laws from the additional municipalities which have permitted urban hens since the initial report Keeping of Chickens in Urban Areas (PED12247/BOH12039) was considered by Council in 2012;
 - (iii) Regulatory considerations which could permit up to a maximum of 10 hen keepers in each Wards 1, 2 & 3 as urban Wards with a plan for licensing and evaluation that address previously identified issues including, but are not limited to, health, odour, nuisance, etc.; and,
- (b) That fines associated with the current bylaw prohibiting the keeping of urban hens be suspended until this report is received.

Result: Item 8 of Planning Committee Report 20-012, DEFEATED by a vote of 10 to 6, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NO - 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
 NO - Mayor Fred Eisenberger
 NO- Ward 15 Councillor Judi Partridge
 NO - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 NO - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 NO - Ward 11 Councillor Brenda Johnson
 NO - Ward 10 Councillor Maria Pearson
 NO - Ward 9 Councillor Brad Clark

6. Applications to Amend the Urban Hamilton Official Plan and Glanbrook Zoning By-law No. 464 for Lands Located at 1912 Rymal Road East, Glanbrook (PED20164) (Ward 9) (Item 7.2)

(Clark/Johnson)

That recommendation (b) of Item 6 of the Planning Committee Report 20-012 respecting Applications to Amend the Urban Hamilton Official Plan and Glanbrook Zoning By-law No. 464 for Lands Located at 1912 Rymal Road East, Glanbrook (PED20164) (Ward 9), be **amended** by deleting (b) (i), (ii) and (iii) and replacing (b) (i), (ii) and (iii), as follows:

- (b) That Zoning By-law Amendment Application ZAC-18-029, by Wellings Planning Consultants, Agent, or behalf of Royal Living Developments, Owner, for a change in zoning for the lands known as 1912 Rymal Road East from the Agricultural “A1” Zone to the Residential Multiple “H-RM4-319” Zone, Modified to permit a five storey, 92 unit multiple dwelling as shown on Appendix “A” to Report PED20164, be APPROVED on the following basis:
- (i) ***That the draft By-law attached as Appendix “C” to Report PED20164, be amended by deleting Subsections 1, 2 and 3 in their entirety and replacing Subsections 1 and 2 with the text in Schedule “A” attached hereto;***
 - (ii) ***That pursuant to Section 34(17) of the Planning Act, R.S.O. 1990, c. P.13, further notice of this change made to the proposed By-law shall not be required;***
 - (iii) ***That the amended draft By-law pursuant to sub-section (i) herein, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,***
 - (iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.

Result: Amendment to Item 6 of Planning Committee Report 20-012, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

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

6. Applications to Amend the Urban Hamilton Official Plan and Glanbrook Zoning By-law No. 464 for Lands Located at 1912 Rymal Road East, Glanbrook (PED20164) (Ward 9) (Item 7.2)

- (a) That Urban Hamilton Official Plan Amendment Application UHOPA-18-011 by Wellings Planning Consultants, Agent, on behalf of Royal Living Developments, Owner, for an amendment to the Rymal Road Secondary Plan to redesignate the lands known as 1912 Rymal Road East from “Low Density Residential 2h” to “Medium Density Residential 2c”, as shown on Appendix “A” to Report PED20164, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20164, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Zoning By-law Amendment Application ZAC-18-029, by Wellings Planning Consultants, Agent, or behalf of Royal Living Developments, Owner, for a change in zoning for the lands known as 1912 Rymal Road East from the Agricultural “A1” Zone to the Residential Multiple “H-RM4-319” Zone, Modified to permit a five storey, 92 unit multiple dwelling as shown on Appendix “A” to Report PED20164, be APPROVED on the following basis:
- (i) ***That the draft By-law attached as Appendix “C” to Report PED20164, be amended by deleting Subsections 1, 2 and 3 in their***

entirety and replacing Subsections 1 and 2 with the text in Schedule "A" attached hereto;

- (ii) That pursuant to Section 34(17) of the Planning Act, R.S.O. 1990, c. P.13, further notice of this change made to the proposed By-law shall not be required;*
- (iii) That the amended draft By-law pursuant to sub-section (i) herein, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,*
- (iv) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.

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

Result: Item 6 - Main Motion as Amended of Planning Committee Report 20-012, CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning Committee Report 20-012, CARRIED by a vote of 16 to 0, as follows:

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

YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-016

(Ferguson/VanderBeek)

That General Issues Committee Report 20-016, being the meeting held on Wednesday, October 21, 2020, be received and the recommendations contained therein be approved.

At Council's request, Item 6 was voted on separately as follows:

6. LaSalle Park Disposition Review (PED20156) (City Wide) (Item 13.1)

Result: Item 6 of General Issues Committee Report 20-016, CARRIED by a vote of 12 to 4, as follows:

NO - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 NO - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 YES - Ward 7 Councillor Esther Pauls
 NO - Ward 8 Councillor John-Paul Danko
 NO - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

For further disposition of General Issues Committee Report 20-016, please refer to General Issues Committee Report 20-016 – Continued following the Private and Confidential portion of the meeting.

HAMILTON RENEWABLE POWER INC. ANNUAL GENERAL MEETING REPORT 20-001

(Ferguson/Whitehead)

That Hamilton Renewable Power Inc. Annual General Meeting Report 20-001, being the meeting held on Wednesday, October 21, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Hamilton Renewable Power Inc. Annual General Meeting Report 20-001, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-009
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(Wilson/VanderBeek)

That Audit, Finance and Administration Committee Report 20-009, being the meeting held on Thursday, October 22, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Audit, Finance and Administration Committee Report 20-009, CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Ferguson/Partridge)

That Section 5.7(2) of the City's Procedural By-law 18-270, which provides that a minimum of 48 hours shall pass before a Committee Report is presented to Council, be waived in order to consider the CityHousing Hamilton Shareholder Annual General Meeting Report 20-001.

Result: Motion CARRIED by a 2/3 vote of 15 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 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 - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

CITYHOUSING HAMILTON SHAREHOLDER ANNUAL GENERAL MEETING REPORT 20-001**(Johnson/Clark)**

That the CityHousing Hamilton Shareholder Annual General Meeting Report 20-001, being the meeting held on Tuesday, October 27, 2020, be received and the recommendations contained therein be approved.

Result: Motion on CityHousing Hamilton Shareholder Annual General Meeting Report 20-001, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – 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
 NOT PRESENT - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

Council recessed at 11:55 a.m.

Council reconvened at 12:30 p.m.

MOTIONS

- 6.1 (i) **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)***

(Nann/Wilson)

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)*.

(Whitehead/Collins)

That the Motion to Reconsider 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)*, be deferred until after the conclusion of the Judicial Review.

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

6.2 Amendment to Item 7.6 of Council Minutes 18-018, respecting the Hamilton Municipal Heritage Committee Report 18-009, the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the Ontario Heritage Act (PED18214) (Ward 8)

(Pearson/Whitehead)

WHEREAS, staff have advised that recommendation (b) to item (g)(i) of the Hamilton Municipal Heritage Committee Minutes 18-009, respecting Recommendation to Designate the Property located at Sanatorium Road, Hamilton (Long and Bisby Building) Under Part IV of the Ontario Heritage Act (PED18214) (Ward 8), states that if the Cross of Lorraine is determined to be situated on private property, it should be removed from the Statement of Cultural Heritage Value of Interest, attached as Appendix "C" to Report PED18214 respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the Ontario Heritage Act;

WHEREAS, upon review of the video of the September 13, 2018, Hamilton Municipal Heritage Committee meeting and follow-up conformation with the Hamilton Municipal Heritage Committee, staff have advised that recommendation (b) to item (g)(i) does not accurately reflect the intentions of the Hamilton Municipal Heritage Committee regarding the inclusion of the Cross of Lorraine in the Statement of Cultural Heritage Value of Interest for 828 Sanatorium Road;

WHEREAS, staff have advised the intent of the Hamilton Municipal Heritage Committee was for the Cross of Lorraine to remain in the Statement of Cultural Heritage Value of Interest for 828 Sanatorium Road if the Cross was found to be located within the boundary of the lands located at 828 Sanatorium Road, privately owned property, and not on escarpment lands, meaning the City owned property located north of the subject property;

THEREFORE BE IT RESOLVED:

- (i) That sub-section (b) to item (g)(i) of the Hamilton Municipal Heritage Committee Minutes 18-009, respecting Report PED18214, Recommendation to Designate the Property located at Sanatorium Road, Hamilton (Long and Bisby Building) Under Part IV of the Ontario Heritage Act, which was received by Council on September 26, 2018, be **amended** by deleting the words 'private property' and replacing the words with '**lands owned publicly by the City of Hamilton**', as follows:

- (a) That staff be directed to determine if the Cross of Lorraine is situated on private property or escarpment lands, with a report back to the Hamilton Municipal Heritage Committee; and
 - (b) If the Cross of Lorraine is determined to be situated on ~~private property~~ **lands owned publicly by the City of Hamilton**, it should be removed from the Statement of Cultural Heritage Value of Interest, attached as Appendix “C” to Report PED18214 respecting the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the Ontario Heritage Act.
- (ii) That Item 7.6, 1 (b) of Council Minutes 18-018, respecting the Hamilton Municipal Heritage Committee Report 18-009, the Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the Ontario Heritage Act (PED18214) (Ward 8), be amended to read as follows:

7.6 Hamilton Municipal Heritage Committee Report 18-009 (Referred from Planning Committee September 18, 2018 to Council)

- 1. Recommendation to Designate the Property Located at 828 Sanatorium Road, Hamilton (Long & Bisby Building) Under Part IV of the *Ontario Heritage Act* (PED18214) (Ward 8) (Item 7.1)**
 - (a) That Item 7.6, respecting the Hamilton Municipal Heritage Committee Report 18-009, Item 1, be referred to the December 11, 2018 Planning Committee meeting, with the letter from the Developer, to allow staff to prepare an updated Statement of Cultural Heritage Value or Interest;
 - (b) That the Information Section of the Hamilton Municipal Heritage Committee Report 18-009, be received **as amended**; and,
 - (c) That it be recognized that the Developer has withdrawn his demolition permit.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

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

YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.3 Protection of Century Manor

(Danko/Whitehead)

WHEREAS, Century Manor is contextually, historically, and architecturally significant as it is rooted in the development of institutionalized mental healthcare in Hamilton in the late 19th century, and is a rare example of a special-purpose building designed to house patients receiving mental health care, and is the only surviving building of its kind in Hamilton and one of the few still standing in the Province;

WHEREAS, there have been recent break-ins and vandalism at Century Manor which not only poses a significant threat to this important building, but also poses a threat to the health and safety of the public;

WHEREAS, the City of Hamilton's Property Standards By-law (10-221) requires owners of vacant buildings to secure and protect buildings against the unauthorized entry of persons by closing and securing openings to the building;

WHEREAS, while Century Manor is Provincially owned, the City of Hamilton wants to ensure that all appropriate security measures are being taken to protect this historical heritage asset;

THEREFORE, BE IT RESOLVED:

That City staff communicate with the Provinces Regional Facility Manager to request that the Province prepare a plan to better secure Century Manor and that the plan, in addition to the measures already in place, also include the following:

- (a) Metal sheathing covering all the lower doors and windows with distorted screw heads which is consistent with the City of Hamilton Property Standards Bylaw;
- (b) Motion sensors on exteriors;
- (c) Security cameras monitored by facility management; and,
- (d) A regular method of contact between the Regional Facility Manager and the City of Hamilton's Municipal Law Enforcement and Development Planning, Heritage & Design staff to ensure the security and status of the building.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

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

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

6.4 Amendment to Sub-Sections (c), (d) and (i) of Item 5.4(e) of Council Minutes 20-010, May 13, 2020, respecting Report LS20010 – 2020 Property and Liability Insurance Renewal Report

(Pearson/Pauls)

- (a) That sub-section (c) to Item 5.4(e) of the May 13, 2020 Council agenda, being Report LS20010 – 2020 Property and Liability Insurance Renewal Report, which was approved by Council at its meeting of May 13, 2020, be **amended** by deleting the words “referred to” and replacing them with the words “**be included in**”, to read as follows:
- (c) That, to realize of a 7.5% discount, the primary layer of liability coverage for the term January 1, 2021, to January 1, 2022, be continued through Arthur J. Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$2,173,750 (net of taxes) and ~~referred to~~ **be included in** the 2021 RMS Budget;
- (b) That sub-section (d) to Item 5.4(e) of the May 13, 2020 Council agenda, being Report LS20010 – 2020 Property and Liability Insurance Renewal Report, which was approved by Council at its meeting of May 13, 2020, be **amended** by adding the words “**which is included in the amount of \$7,748,615 in sub-section (b) above**”; and, by deleting the words “referred to” and replacing them with the words “**included in**”, to read as follows:
- (d) That, to mitigate market volatility, the second layer of liability coverage for the term January 1, 2021, to January 1, 2022 be continued through Arthur J; Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$950,000 (net of taxes, **which is included in the amount of \$7,748,615 in sub-section (b) above**) and be ~~referred to~~ **included in** the 2021 RMS Budget;
- (c) That sub-section (i) to Item 5.4(e) of the May 13, 2020 Council agenda, being Report LS20010 – 2020 Property and Liability Insurance Renewal Report, which was approved by Council at its meeting of May 13, 2020, be **amended** by deleting the letters “RMS” and replacing them with the words “**Risk Management Services**”; and, by deleting the word “Council” and replacing it with the words “**General Issues Committee**”, to read as follows:

- (i) That ~~RMS~~ **Risk Management Services** report back to Council ~~the~~ **General Issues Committee** with a work plan for expanding enterprise risk management.

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

5.4 (e) 2020 Property and Liability Insurance Renewal Report (LS20010) (City Wide)

- (a) That the Liability and Property Insurance coverage for the term January 1, 2020, to January 1, 2021, be renewed through Arthur J. Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$7,748,615 (net of taxes) and be funded through the 2020 Risk Management Services (RMS) Budget of \$6,600,074, \$1,033,690 from the Tax Stabilization Reserve (110046) and \$114,850 from the Waterworks Capital Reserve (108015), in accordance with Appendix "A", attached to Report LS20010;
- (b) That the 2021 Risk Management Property and Liability budget be adjusted to \$7,748,615 and that the 2021 departmental and appropriate Boards and Agencies budgets be adjusted accordingly;
- (c) That, to realize of a 7.5% discount, the primary layer of liability coverage for the term January 1, 2021, to January 1, 2022, be continued through Arthur J. Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$2,173,750 (net of taxes) and **included in** the 2021 RMS Budget;
- (d) That, to mitigate market volatility, the second layer of liability coverage for the term January 1, 2021, to January 1, 2022 be continued through Arthur J; Gallagher Canada Ltd. and Marsh Canada Ltd. at a cost of \$950,000 (net of taxes, **which is included in the amount of \$7,748,615 in sub-section (b) above**) and be **included in** the 2021 RMS Budget;
- (e) That the General Manager, Finance and Corporate Services, be authorized and directed to execute all associated documents related to the renewals of the Liability and Property Insurance coverage for the terms January 1, 2020, to December 31, 2020, and January 1, 2021 to December 31, 2021, through Marsh Canada Ltd., on behalf of the City of Hamilton;
- (f) That four (4) permanent FTE be added to the Legal Services and Risk Management complement, namely a litigation solicitor, law clerk and two administrative assistants, and that the annual compensation costs totalling \$393,000 be cost recovered from City Departments and appropriate Boards and Agencies in 2021 and;
- (g) That the one-time costs of \$20,000 related to equipment and materials in support of the additional complement be funded from the Unallocated Capital Reserve (108020).

- (h) That staff be directed to assess insurance options and litigation staffing prior to August 2021 in order to consider possible insurance options for the City, and adequacy of staffing for in-house litigation for 2022; and
- (i) That ***Risk Management Services*** report back to ***the General Issues Committee*** with a work plan for expanding enterprise risk management.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.5 Staff Comments to Proposed Regulation for Blue Box Program Transition

(Whitehead/Farr)

WHEREAS, the Ministry of Environment, Conservation and Parks released a Proposed regulation, and proposed regulatory amendments, to make producers responsible for operating blue box programs;

WHEREAS, the Committee of the Whole Report PW20028 approved by City Council on May 27, 2020 to endorse the preferred transition date for the City of Hamilton to be April 1, 2023;

WHEREAS, the requested endorsement was forwarded to the Association of Municipalities of Ontario and the Ontario Ministry of the Environment, Conservation and Parks for their consideration;

WHEREAS, the proposed regulation transition schedule identifies that the City of Hamilton will not transition until 2025; and,

WHEREAS, the delay of transitioning to producer responsibility by two years will delay the taxpayers of the City of Hamilton relief from funding at least 50% of the Blue Box program;

THEREFORE, BE IT RESOLVED:

- (a) That the staff report being considered at the Public Works Committee meeting on November 16, 2020 to have City Council endorse comments to the Ministry of the Environment, Conservation and Parks with respect to the proposed regulation to transition the blue box program to producer responsibility include that any benefits realized by municipalities who transition in 2023 and 2024 be equitably distributed amongst all municipalities and proportional to any realized savings; and
- (b) That the Mayor forward a letter to the Minister of the Environment, Conservation and Parks identifying and formalizing Council’s position with respect to the proposed regulation to transition the blue box program to producer responsibility.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- YES - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

NOTICES OF MOTION

7.1 Staff Comments to Proposed Regulation for Blue Box Program Transition

(Whitehead/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Staff Comments to Proposed Regulation for Blue Box Program Transition.

CARRIED on a 2/3rds Majority

Refer to Item 6.5 for further disposition of this item.

STATEMENTS BY MEMBERS

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

PRIVATE & CONFIDENTIAL

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

9.1 Closed Session Minutes – October 14, 2020

(Pearson/Whitehead)

That the Closed Session Minutes dated October 14, 2020 be approved, as presented, and remain confidential.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
YES - Ward 14 Councillor Terry Whitehead
YES - Ward 13 Councillor Arlene VanderBeek
YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Whitehead/Pearson)

That Council move into Closed Session respecting Item 9.2 and Item 9 of General Issues Committee Report 20-016, respecting , Notice of Motion - Potential Opportunity For Economic and Community Development of Waterdown Lands (Item 13.5), pursuant to Section 8.1, Sub-sections (c), (f) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (c), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; 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.

Result: Motion CARRIED by a vote of 16 to 0, as follows:

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

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

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

(Ferguson/Collins)

That Confidential Report PW20068(a), respecting the City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, be received 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
 NOT PRESENT - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 YES - Ward 14 Councillor Terry Whitehead
 YES - Ward 13 Councillor Arlene VanderBeek
 YES - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 NOT PRESENT - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-016 - CONTINUED

At Council's request, Item 6 was voted on separately as follows:

9. Notice of Motion - Potential Opportunity for Economic and Community Development of Waterdown Lands (Item 13.5)

(Partridge/Farr)

(a) That the *amended* direction provided to staff in Closed Session, respecting the matter of a Potential Opportunity for Economic and Community Development of Waterdown Lands, be approved; and,

- (b) That the **amended** Motion respecting the matter of a Potential Opportunity for Economic and Community Development of Waterdown Lands, remain confidential until completion of the real estate transaction.

Result: Item 9 as amended of General Issues Committee Report 20-016, CARRIED by a vote of 12 to 1, as follows:

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

Result: Motion on the balance of the General Issues Committee Report 20-016, CARRIED by a vote of 13 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- NOT PRESENT - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – 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 - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- NOT PRESENT - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Ferguson/Clark)

That the Committee of the Whole Rise and Report.

CARRIED

BY-LAWS

(Ferguson/Partridge)

That Bills No. 20-219 to No. 20-233 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:

- 20-219 A By-law to Amend By-law No. 12-031, a By-law for Responsible Animal Ownership
Ward: City Wide

- 20-220 Being a By-law to Permanently Close a Portion of Road Allowance Abutting 1479 Baseline Road, Stoney Creek, being part of the Unopened Road Allowance between the Townships of Saltfleet and North Grimsby (Closed by By-law CD416970), lying North of Baseline Road, Stoney Creek, in the City of Hamilton, designated as Part 1 on Reference Plan 62R-5036, being All of PIN 17370-0062(LT), City of Hamilton
Ward: 10

- 20-221 To Repeal and Replace By-law No. 09-067, as amended, being a By-law to Provide for and Regulate a Waste Management System for the City of Hamilton
Ward: City Wide

- 20-222 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic Schedule 5 (Stop Control)
Ward: 2, 13, 14

- 20-223 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 20 (School Bus Loading Zones)
Schedule 23 (Special Enforcement Area)
Ward: 2, 4, 6, 7, 9, 10, 12, 15

- 20-224 To Establish City of Hamilton Land Described as Block 18 on Plan 62M-640, Park 4 on Plan 62R-17671 and Parts 2, 5, and 8 on Plan 62R-20885 as Part of Arvin Avenue
Ward: 10

- 20-225 To Rename a Portion of Mosaic Drive to North Waterdown Drive
Ward: 15

- 20-226 To Establish City of Hamilton Land Described as Parts 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 20, 21 and 22 on Plan 62R-20684, as a Public Highway to form Part of North Waterdown Drive
Ward: 15

- 20-227 To Adopt Official Plan Amendment No. 138 to the Urban Hamilton Official Plan Respecting 35 Londonderry Drive, Ancaster
Ward: 12

- 20-228 To Amend Zoning By-law No. 87-57, with Respect to Lands Located at 35 Londonderry Drive, Ancaster
Ward: 12
ZAC-17-072

- 20-229 To Adopt Official Plan Amendment No. 139 to Urban Hamilton Official Plan Respecting 235 Main Street West, 74 Queen Street South, 2444 and 246 Jackson Street West (Hamilton)
Ward: 1

- 20-230 To Amend Zoning By-law No. 05-200 Respecting Lands 235 Main Street West, 74 Queen Street South, 244 and 246 Jackson Street West
Ward: 1
ZAC-18-012

- 20-231 To Repeal and Replace By-law No. 19-295, Respecting Removal of Part Lot Control, Block 255, within Registered Plan No. 62M-1257, municipally known as 59, 63 and 67 Cuesta Heights
Ward: 9

- 20-232 A By-law to authorize the issue of Debentures in the principal amount of \$51,705,000 for the purposes of the City of Hamilton herein referred to
Ward: City Wide

- 20-233 To Confirm the Proceedings of City Council

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

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

(Ferguson/Partridge)

That, there being no further business, City Council be adjourned at 3:27 p.m.

Result: Motion CARRIED by a vote of 12 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
NOT PRESENT - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NO - 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 - Deputy Mayor - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NOT PRESENT - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk



SPECIAL CITY COUNCIL MINUTES 20-025

3:53 p.m.
November 4, 2020
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor T. Whitehead – Personal
Councillors M. Pearson – Other City Business

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

APPROVAL OF THE AGENDA

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

(Clark/Johnson)

That the agenda for the November 4, 2020 meeting of Council be approved, as presented.

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

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

YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – 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
Absent - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
Absent - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

There were no declarations of interest.

MOTIONS

3.1 Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (HSC20056) (City Wide)

(VanderBeek/Nann)

- (a) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to enter into the Rapid Housing Initiative Contribution Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative Major Cities Stream allocation of \$10,760,585 for the creation of new affordable housing units through conversion or rehabilitation of existing buildings or modular construction;
- (b) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to administer the Rapid Housing Initiative Major Cities Stream and provide support to projects applying to the Rapid Housing Initiative Projects Stream including: entering into any agreements and ancillary agreements on such terms as he considers appropriate; approving purchase orders; exempting actions from approved City policies, procedures, and business practices as needed to meet RHI timelines; and taking other actions needed to ensure success; and,
- (c) That the Housing Services Division report back to Council through updates or reports as appropriate and possible within time constraints, on the City's progress with the Rapid Housing Initiative.

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

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

YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
Absent - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
Absent - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

BY-LAWS

(VanderBeek/Partridge)

That Bill No. 20-234, be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

20-234 To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – 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
Absent - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
Absent - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

(Clark/Partridge)

That, there being no further business, Special City Council be adjourned at 4:04 p.m.

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

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

YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
Absent - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
Absent - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor Fred Eisenberger

Andrea Holland
City Clerk

La version française suit.

**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



234-2020-3404

October 14, 2020

City Clerk Andrea Holland
City of Hamilton

City Clerk Holland:

On June 16, 2020, our government consulted on Proposed Amendment 1 to **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow)**. As part of the COVID-19 economic recovery efforts, the proposed changes included updates to the population and employment forecasts and related policy changes; a change to the Plan horizon year; a change to address Major Transit Station Areas within Provincially Significant Employment Zones (PSEZ); and other policy revisions that support our government's objectives to increase housing supply, create more jobs, attract business investments and better align infrastructure. Our government also consulted on a new Land Needs Assessment methodology concurrently. Both consultation periods closed on July 31, 2020.

As a result of our recent consultation, our government has amended **A Place to Grow** and released a new market-based Land Needs Assessment methodology. The Environmental Registry of Ontario decision notices can be found at:

- Amendment 1 to **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**: [019-1680](#)
- Land Needs Assessment Methodology for **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**: [019-1679](#)

An office consolidation version of Amendment 1 to **A Place to Grow** can be found [here](#) and the new market-based approach to Land Needs Assessment Methodology can be found [here](#).

These changes will help municipalities anticipate and plan for growth, as well as support economic recovery from the COVID-19 outbreak. The amendments work together to provide more flexibility to your municipality as you do your long-term planning to address demographic, employment, market demand, and housing affordability trends in

the Greater Golden Horseshoe. As well, following feedback received from Indigenous partners, environmental and agricultural stakeholders, we are no longer moving forward on new mineral aggregate operation policies.

These changes will come into effect today, August 28, 2020. The date by which upper and single-tier municipalities must update their official plans to conform with the policies in **A Place to Grow** will remain July 1, 2022. For lower-tier municipalities, the deadline for conformity with this Plan will continue to be one year after the relevant upper-tier conformity amendment takes effect.

Should you or your staff have any questions about **A Place to Grow** or any of these changes, please feel free to contact the Ontario Growth Secretariat at growthplanning@ontario.ca.

Thank you for your ongoing commitment to strengthening the quality of life and the economic growth of your community and the province of Ontario.

Sincerely,



Steve Clark
Minister

OFFICE OF THE CITY CLERK	
OCT 28 2020	
REF'D TO	<u>Bike</u>
REF'D TO	_____
REF'D TO	_____
ACTION	<u>Council</u>
<u>AS</u>	<u>Nov. 14 Refer to GM EC Dev.</u>

Pilon, Janet

Subject: Federal Cannabis Online Petition**From:** Debbie France**Sent:** October 27, 2020 4:10 PM

To: clerk@hamilton.ca; Office of the Mayor <mayor@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>

Subject: Re: Federal Cannabis Online Petition

Hello City of Hamilton Council,

As a follow up to my Stop Illicit Cannabis Grow Operations email, please be advised that my MP, the Honourable Diane Finley for Haldimand-Norfolk has initiated a Canada Wide Online Cannabis Petition.

Act now to protect your communities before it's too late. This is a way for concerned Canadians to keep pressure on the Federal Government. Share this important information about this online petition with your community, coworkers, friends and family.

Why?

- OPP confirm Health Canada's medical pot permit loophole is fuelling illegal grow-ops.

[Health Canada's medical pot permit loophole fuelling illegal grow-ops, say OPP | CBC News](#)

The ask....

- Encourage your residents to voice their concerns by signing the Federal Online petition discussed below.

Be assured that Diane will address all cannabis concerns.

Clicking the link in the media release below takes you right to the petition.

Thanks kindly
Debbie France

MP Diane Finley Urges Community to Participate in Petition to Address Cannabis Growing Loopholes**FOR IMMEDIATE RELEASE****October 22, 2020**

Simcoe, ON – “For years now, Liberal Health Ministers have been unwilling to address the serious issues within the legal regime governing medical marijuana growing, particularly what’s referred to as the designated grower component of the regulations.” said Haldimand-Norfolk Member of Parliament Diane Finley.

On October 22, 2020 petition e-2920 was launched to give Canadians an opportunity to call on the Government of Canada to take action on this growing problem.

“The designated grower program is rife with abuse, lacks sufficient oversight from Health Canada, and has loopholes that allow operations to grow to the size of large-scale commercial operations, with none of the oversights or controls that would prevent odours and environmental impacts on our communities. Law enforcement is also aware of a growing number of designated grower facilities that are linked to organized crime,” stated Finley.

The petition will remain open until January 20, 2021. Those wishing to participate in the petition can visit dianefinley.ca/cannabis, to add their name in support.

“I encourage as many people as possible to visit the petition website and show your support and send a message to the government. The people of Haldimand-Norfolk, and communities right across the country, have been dealing with the consequences of this poorly crafted program. Loopholes need to be closed, and our local officials and law enforcement need the tools to investigate and prosecute unlawful operations and to safeguard against the impact that unlawful growers are having on Canadians’ health and quality of life,” concluded Finley.

-30-

Contacts

Jeremy McIntee
Director of Operations,
Office of the Hon. Diane Finley
diane.finley.c1a@parl.gc.ca
[519-426-3400](tel:519-426-3400)

On Sep 9, 2020, at 9:04 AM, Debbie France wrote:

Stop Illicit Cannabis Grow Ops

This email is being sent to all municipalities in Ontario who are being unjustly impacted by the outbreak in cannabis grow operations that choose not to follow municipal bylaws and regulations.

These grow operations are surging throughout Ontario exposing residents to personal safety and health risks.

THE ASK...We are requesting municipalities to join together and place this at the top of our Provincial and Federal Governments "must urgently fix" list. All levels of government need to be involved in developing a standardized and enforceable solution.

What has caused the problem?

Loopholes in cannabis legislation

Loophole after loophole in cannabis legislation continues to be exploited. The legalization of cannabis was meant to keep cannabis from our youth and to get it off the black market. According to law enforcement, legislation has had the opposite effect. It has allowed organized crime to gain an even stronger foothold.

Why work together with other municipalities?

Residents are suffering from the unintended consequences of some of the components of cannabis legislation.

- According to police, there is a threat to community safety. Guns have been seized at raids. Profits have been known to fund other crimes such as methamphetamine labs and cannabis can be used as currency to trade for cocaine and guns coming from United States. Organized crime has found a way to be comfortably sheltered within existing cannabis laws.
- Obnoxious skunk-like odours are adversely impacting the health and well being of residents.
- Risks to drinking water supply and contamination.
- Light and noise pollution.
- Greenhouses and other facilities that could be used for more legitimate job creating purposes are often being used for illicit cannabis production.
- Residents are afraid to voice their concerns in public as they fear the criminal element.
- Many cannabis operations are operating without the required municipal permits, required set-backs and in areas not municipally zoned for cannabis operations.
- A standardized and enforceable solution will significantly reduce many of the costs municipalities are currently facing.

Over the last few weeks, I have fielded phone calls and emails from residents of Norfolk County and across the province who live in municipalities attempting to control the outbreak. The municipalities all appear to be going to great lengths to help their impacted residents but the common response from everyone is that there isn't an immediate enforceable solution.

In developing a solution, it is important to consider the contributing factors to this problem

- It appears as though many cannabis producers are boldly going forward with their operation without regard for municipal regulations believing they can potentially hide behind the Ministry of Agriculture, Right to Farm legislation that was established to protect farmers who feed our country.
- Far too often, cannabis operations disregard compliance to local bylaws and zoning regulations. Court cases often take years.
- Many cannabis operations are difficult to monitor and are improperly regulated.
- There doesn't seem to be a cannabis tracking system in place for the vast majority of these operations. Where is the cannabis going?
- The secluded locations of these growers make it challenging for enforcement.
- Police raids have revealed that many of these operations are growing beyond their allowable plant limits.
- When the national cannabis prescription average is 2 grams per day as of March 2020 one has to question why the College of Physicians and Surgeons are not questioning or investigating prescriptions as high as 100-150 grams per day.

The purpose of the Cannabis Act was to displace the illicit market but it has actually given it a banner to flourish under a legal license.

Unfortunately, our government put us in this position. It's long overdue for our Ministers of Municipal Affairs and Housing, Health, Agriculture and Justice to place the personal safety and health of residents first.

What should a solution involve?

- Change in Federal and Provincial legislation and/or regulation is required to eliminate the loopholes that the criminal element has taken advantage of.
- Delegation of inspection authority to local municipalities would allow for fire, health and building inspections. Law enforcement would continue to have authority of plant count and the validity of operational authenticity.

There is strength and leverage in numbers. Join together with other municipalities and demand an enforceable solution from our Ministers.

Thanks kindly,
Debbie France



City of Belleville

CORPORATE SERVICES DEPARTMENT
TELEPHONE 613-968-6481
FAX 613-967-3206

169 FRONT STREET
BELLEVILLE, ONTARIO
K8N 2Y8

October 28, 2020

The Honourable Doug Ford
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford:

**RE: Accessibility for Ontarians with Disabilities Act – Web-site Support
 New Business
 10, Belleville City Council Meeting, October 26, 2020**

This is to advise you that at the Council Meeting of October 26, 2020, the following resolution was approved.

“WHEREAS Section 14(4) of O. Reg 191/11 under the Accessibility for Ontarians with Disabilities Act requires designated public sector organizations to conform to WCAG 2.0 Level AA by January 1, 2021; and

WHEREAS the City remains committed to the provision of accessible goods and services; and

WHEREAS the City provides accommodations to meet any stated accessibility need, where possible; and

WHEREAS the declared pandemic, COVID-19, has impacted the finances and other resources of the City; and

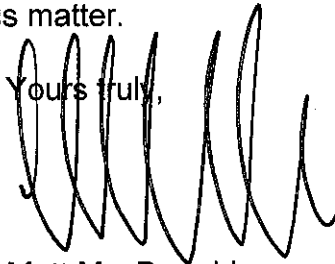
WHEREAS the Accessibility for Ontarians with Disabilities Act contemplates the need to consider technical or economic considerations in the implementation of Accessibility Standards;

BE IT THEREFORE RESOLVED THAT the Corporation of the City of Belleville requests that the Province of Ontario consider providing funding support and training resources to municipalities to meet these compliance standards; and

THAT this resolution be forwarded to the Premier of the Province of Ontario, Prince Edward-Hastings M.P.P., Todd Smith, Hastings – Lennox & Addington M.P.P., Daryl Kramp, the Association of Municipalities of Ontario and all municipalities within the Province of Ontario.”

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Matt MacDonald', written over the text 'Yours truly,'.

Matt MacDonald
Director of Corporate Services/City Clerk

MMacD/nh

Pc: AMO

Todd Smith, MPP Prince Edward-Hastings
Daryl Kramp, MPP Hastings – Lennox & Addington
Councillor Thompson, City of Belleville
Ontario Municipalities



From the Office of the Clerk
The Corporation of the County of Prince Edward
332 Picton Main Street, Picton, ON K0K 2T0
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

November 3, 2020

Please be advised that during the Committee of the Whole meeting on October 29, 2020 the following motion was carried;

RESOLUTION NO. CW-407-2020

DATE: October 29, 2020
MOVED BY: Councillor MacNaughton
SECONDED BY: Councillor St-Jean

Resolution by Councillor MacNaughton regarding Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020 is proposing changes to the Municipal Elections Act of 1996

WHEREAS municipalities in Ontario are responsible for conducting the fair and democratic elections of local representatives; and

WHEREAS Government of Ontario, with Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020 is proposing changes to the Municipal Elections Act of 1996

- to prohibit the use of ranked ballots in future Municipal Elections, and
- extend nomination day from the end of July to the second Friday in September; and

WHEREAS each municipal election is governed by the Municipal Elections Act which was amended in 2016 to include the option to allow Municipalities to utilize ranked ballots for their elections and shorter nomination periods; and

WHEREAS London, Ontario ran the first ranked ballot election in 2018 and several other municipalities since have approved bylaws to adopt the practice, or are in the process of doing so including our regional neighbours in Kingston via a referendum return of 63%; and



From the Office of the Clerk
The Corporation of the County of Prince Edward
332 Picton Main Street, Picton, ON K0K 2T0
T: 613.476.2148 x 1021 | F: 613.476.5727
clerks@pecounty.on.ca | www.thecounty.ca

WHEREAS the operation, finance and regulatory compliance of elections is fully undertaken by municipalities themselves; and,

WHEREAS local governments are best poised to understand the representational needs and challenges of the body politic they represent, and when looking at alternative voting methods to ensure more people vote safely, it becomes more difficult to implement these alternatives with the proposed shorter period between Nomination day and the October 24, 2022 Election day;

NOW THEREFORE BE IT RESOLVED THAT Corporation of the County of Prince Edward Council send a letter to the Ministry of Municipal Affairs and Housing urging that the Government of Ontario continues to respect Ontario municipalities' ability to apply sound representative principles in their execution of elections;

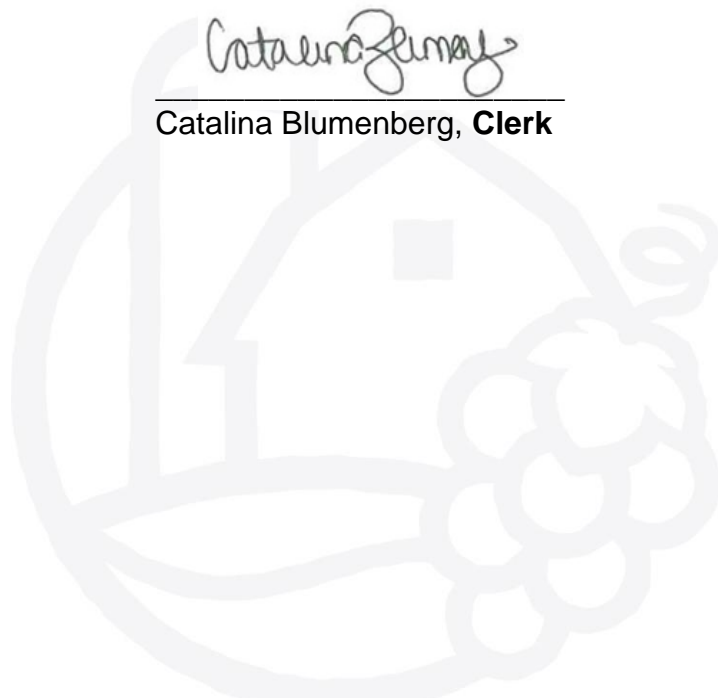
AND THAT the Corporation of the County of Prince Edward Council recommends that the Government of Ontario supports the freedom of municipalities to run democratic elections within the existing framework the Act currently offers;

AND THAT this resolution be circulated to all Ontario Municipalities, AMO and AMCTO.

CARRIED



Catalina Blumenberg, **Clerk**





Nov. 5, 2020

Council for the City of Hamilton
Hamilton City Hall
2nd floor – 71 Main Street West
Hamilton, Ontario
L8P 4Y5

Sent by email to mayor@hamilton.ca

Dear Council:

Re: Closed meeting complaint

My Office received a complaint about a meeting held by the General Issues Committee (the “committee”) for the City of Hamilton (the “city”) on August 10, 2020, alleging that it violated the *Municipal Act’s* (the “Act”) open meeting requirements. The complainant alleged that the committee’s *in camera* discussion about potential events that may take place in the city in 2022 or 2023 did not fit within the Act’s closed meeting exceptions. The complainant also alleged that the committee failed to adequately describe the matter to be discussed in the resolution to proceed into closed session.

I am writing to advise that my review has determined that the meeting in question did not violate the Act’s open meeting rules, and that the committee was entitled to go into closed session on August 10, 2020 to discuss plans to negotiate for events that may take place within the city in the future.

Ombudsman jurisdiction

Under the *Municipal Act, 2001*, all meetings of council, local boards, and committees of council must be open to the public, unless they fall within prescribed exceptions. As of January 1, 2008, the Act gives citizens the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public.

Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own. The Ombudsman is the closed meeting investigator for the City of Hamilton. In investigating closed meeting complaints, we consider whether the open meeting requirements of the Act and the municipality's governing procedures have been observed.

To assist municipal councils, staff, and citizens, we have developed an online digest of open meeting decisions that contains summaries of the Ombudsman's open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's past decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether a matter should or may be discussed in closed session, as well as issues related to open meeting procedure. Summaries of many of the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/digest.

Review

My Office reviewed the relevant meeting agenda, open and closed session minutes and other closed session materials provided by the city. We also spoke with the Clerk and Legislative Coordinator.

Application of the "negotiations" exception

The complaint we received alleged that the committee's discussion about events that may take place in the city in 2022 or 2023 did not fit within the cited closed meeting exception for negotiations. The complainant told our Office that the city had finalized its negotiations and entered into contracts for the events and, therefore, the discussion did not fit within the negotiations exception.

Section 239(2)(k) of the Act allows for a meeting to be closed if the subject matter being considered is about plans or instructions that are intended to be applied to current or future negotiations conducted by or on behalf of the municipality. The purpose of this exception is to allow a municipality to protect information that could undermine its bargaining position or give another party an unfair advantage over the municipality during an ongoing negotiation. In order for the exception to apply, the municipality must show that:

1. The *in camera* discussion was about positions, plans, procedures, criteria, or instructions;
2. The positions, plans, procedures, criteria, or instructions are intended to be applied to negotiations;
3. The negotiations are being carried on currently, or will be carried on in future; and
4. The negotiations are being conducted by or on behalf of the municipality.¹

The open session minutes indicate that while *in camera* the committee received a confidential staff report entitled “Potential for Major Events in 2022 and 2023”. Our review of the closed meeting minutes indicated that the committee’s *in camera* discussion focused on the city’s plans to negotiate for the major events. The Clerk and Legislative Coordinator confirmed that the negotiations between the city and other parties is ongoing, and the committee discussed these ongoing negotiations. After returning to open session, the committee reported out that it had provided direction to staff with respect to the negotiations.

My review indicates that on August 10, 2020, the committee was discussing plans regarding ongoing negotiations for events that might take place in the city in the future. Accordingly, this discussion was permissible under section 239(2)(k) of the Act.

Resolution to proceed into closed session

In addition, the complainant alleged that the committee’s resolution to proceed into closed session did not provide the public with sufficient information regarding the discussion about potential events.

The open session minutes of the August 10 meeting state:

That Committee move into Closed Session respecting Items 13.2 to 13.4, pursuant to ... Section 239(2), Sub-sections (e), (f), and (k) 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; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan,

¹ [St. Catharines \(City of\) \(Re\)](#), 2019 ONOMBUD 1, online.

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.

Item 13.2 of the meeting minutes is titled “Potential for Major Events in 2022 and 2023 (PED20071) (City Wide)”. The major events in question are not named or identified in further detail.

Section 239(4) of the Act provides that before moving into closed session, a municipality must state by resolution in open session that a closed meeting will be held, and state the general nature of the matter to be considered at the closed meeting. In *Farber v. Kingston (City)*², the Ontario Court of Appeal determined that the resolution to go into a closed meeting should provide a general description of the issue to be discussed in a way that maximizes the information available to the public while not undermining the reason for excluding the public. My Office has also recommended that councils provide more substantive detail in resolutions authorizing closed sessions.³

We were told by the Clerk and Legislative Coordinator that it is the city’s practice to keep information about events that could be held in the city confidential until negotiations are completed. We were told that providing additional details, such as the name of the event, could compromise the city’s bargaining position or give another party an unfair advantage over the city during negotiations.

In this case, the resolution to proceed into closed session did not identify the potential events. However, the resolution does provide some public information about the nature of the subject matter to be considered, namely, the timeframe for the events (2022 or 2023) and the reference number of the confidential staff report.

Accordingly, I am satisfied that the resolution to proceed *in camera* was sufficiently descriptive to provide information to the public without undermining the reason for excluding the public.

As a best practice, I would encourage the city to indicate in its resolutions which closed meeting exception it relies on for each matter discussed in closed session. In this case, the committee cited three closed meeting exceptions from the Act in its resolution to proceed *in camera* to discuss two matters: The exceptions for litigation or potential litigation (s. 239(2)(e)), advice subject to solicitor-client privilege (s. 239(2)(f)), and plans or instructions for negotiations (s. 239(2)(k)). According to the open session

² *Farber v. Kingston (City)*, 2007 ONCA 173, online.

³ *Niagara (District Airport Commission) (Re)*, 2016 ONOMBUD 22, online.

minutes, the resolution to proceed *in camera* did not specify which closed meeting exception related to which closed session matter. However, the meeting agenda did specify which exception related to each matter.

While the Act does not require the committee to specifically indicate which exception it intends to rely on for each matter discussed in closed session, I have encouraged other municipalities to consider this a best practice. I encourage the City of Hamilton to adopt this practice to enhance the accountability and transparency of its meetings.

I would like to thank the city for its cooperation during our review. The Mayor confirmed that this letter would be included as correspondence at an upcoming council meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Dubé", written over a large, light-colored oval shape.

Paul Dubé
Ombudsman of Ontario

Cc: City Clerk Andrea Holland, Andrea.Holland@hamilton.ca
Deputy City Clerk Janet Pilon, Janet.Pilon@hamilton.ca

4.6

October 9, 2020

The Right Honourable Justin Trudeau
Prime Minister of Canada
Email: justin.trudeau@parl.gc.ca

The Honourable Doug Ford
Premier of Ontario
Email: premier@ontario.ca

Re: Funding for community groups and service clubs affected by pandemic

Please be advised that at the Regular Meeting of Council on September 28, 2020, the Council of Loyalist Township passed the following resolution:

Resolution No. 2020.35.16
Moved by: Deputy Mayor Hegadorn
Seconded by: Councillor Porter

“Whereas, the world health organization characterized covid-19 as a pandemic on March 11, 2020

And whereas, travel restrictions were put in place March 21st, 2020 with emergency orders being established under the quarantine act

And whereas, the province of Ontario entered a state of emergency on March 17, 2020

And whereas Loyalist Township declared a state of emergency on March 26, 2020

And whereas the Kingston, Frontenac, Lennox and Addington Public Health Unit have enacted orders under Section 22 of the Ontario Health Protection and Promotion Act, 1990

And whereas the above noted state of emergencies and orders restricted the ability for charities, community groups and service clubs to raise or acquire funds through conventional methods

And whereas these charities, community groups and service clubs provide vital resources and support critical to community members

And whereas these charities, community groups and service clubs' partner with municipal governments reducing the financial pressures on the government while enhancing the lives of residents

Therefore be it resolved that Loyalist Township council requests confirmation from the governments of Ontario and Canada that funding will be available for these local smaller charities, community groups and service clubs.

AND FURTHER THAT a copy of this resolution be circulated to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; MP Derek Sloan, Hastings - Lennox and Addington ; the Honourable Daryl Kramp, MPP Hasting-Lennox and Addington; the Association of Municipalities Ontario; Rural Ontario Municipalities Association and all Municipalities within the Province of Ontario".

Regards,



Brandi Teeple
Deputy Clerk
Loyalist Township

cc. MP Derek Sloan- Hastings-Lennox and Addington
MPP Daryl Kramp- Hastings- Lennox and Addington
Association of Municipalities Ontario
Rural Ontario Municipalities Association
All Ontario Municipalities

Pilon, Janet

Subject: E-bikes and Hamilton Conservation

From: Walter Cairns

Sent: November 8, 2020 11:54 AM

To: clerk@hamilton.ca; Mike Pearson <mpearson@hamiltonnews.com>

Subject: E-bikes and Hamilton Conservation

Your assistance is required on the issue of banning e bikes in the Hamilton Conservation areas.

This is the email I sent to Lakewood Concerned Citizens regarding this issue. They suggested I contact you both for inclusion at council discussions and publishing in the Stoney Creek News.

Hi my name as you see is Walter Cairns I am a senior citizen 72 years of age I live in I live in the Bayliner condo on Frances Ave. I've been riding a bicycle in confederation Park for many years. This year my wife and I decided to purchase 2 e bikes so we could ride together and enjoy the beautiful lake and trails which we couldn't do before. Now I have noticed there are signs banning e bikes. I've called park and recreation and was told one of the issues was the speed that e bikes are capable of. Meantime there are people on roller blades, skateboards passing us not to mention the racers on bicycles going at speeds over 30 kilometres in groups up to 8 to 10. I feel this is an unfair rule that should be challenged as the majority of people I observe on e bike's are senior's. I got your website from a friend who thought you may be able to help with this.

I have also contacted Maria Pearson, our councillor for ward 10, who has informed me this is a provincial matter. I'm not sure how to continue my plight.

This is the email response I received from Maria Pearson:

Good afternoon Walter. Thank you for your email. I have investigated the E-Bike regulations and no restrictions in place are Provincial. Attached is the excerpt I have been able to pull from the Provincial website:

Electric bikes or e-bikes, both those resembling conventional bicycles and those resembling motor scooters, are allowed on roads and highways where conventional bicycles are currently permitted. They must follow the same rules of the road as set out in the Highway Traffic Act (HTA) that currently apply to cyclists, with some exceptions.

In order to operate an e-bike:

- Operators must be 16 years of age or older;
- All operators must wear an approved bicycle or motorcycle helmet at all times.

Where to ride an e-bike

You can ride your e-bike on most roads and highways where conventional bikes are permitted, with some exceptions.

You **can't** ride your e-bike:

- on certain provincial controlled access highways, such as the

In order to operate an e-bike:

- Operators must be 16 years of age or older;
- All operators must wear an approved bicycle or motorcycle helmet at all times

Also, I have reviewed the Hamilton Conservation Authority website and confirm that they also ban e-bikes on their trails.●

Your help would be appreciated.

Walter Cairns

DONNA SKELLY, MPP
Flamborough–Glanbrook

Constituency Office:
Suite 104
2000 Garth Street
Hamilton, ON L9B 0C1
Tel: 905-679-3770
Fax: 905-679-0288

October 29, 2020

Dear Mayor Eisenberger,

Great news! The Ontario government is investing in local infrastructure projects to assist in our COVID-19 recovery. Through the COVID Stream, Ontario continues to support municipalities as they build and repair roads, bridges, water and wastewater infrastructure. Our Government is upholding our commitment to support our municipalities by creating jobs, attracting economic growth and investment, and making our community the best place to live and grow.

Hamilton will receive \$7,434,008 through this investment. This funding is a part of Ontario's approximately \$250 million dollar commitment to municipalities to assist with local infrastructure projects. This investment provides the predictable and stable infrastructure funding municipalities have asked for in the wake of COVID-19. With this COVID Stream funding, we are working directly with our municipal partners to deliver community infrastructure.

In accordance with Federal government guidelines, all applications must be submitted no later than March 31, 2021. Projects must be completed by December 31, 2021. However, remote communities of 5,000 people have until December 31, 2022.

Congratulations! As we continue to fight COVID-19 and reinforce our economic recovery, our government will work with municipalities to ensure they have the resources they need to support the health and well being of residents.

Sincerely,



Donna Skelly
MPP Flamborough-Glanbrook

Scott Snider

Professional Corporation

15 Bold Street

Hamilton Ontario Canada L8P 1T3

Direct Line 905 526-6183 ext. 289

Receptionist 905 529 3476 (905 LAW-FIRM)

Facsimile 905 529 3663

November 9, 2020

City of Hamilton Mayor and Members of City Council
 c/o Ms. Janet Pilon (Janet.Pilon@hamilton.ca)
 21 King Street West, 12th floor
 Hamilton, Ontario
 L8P 4W7

cc: Steve Robichaud, Chief Planner & Director of Planning (Steve.Robichaud@hamilton.ca)
 cc: Patrick MacDonald, Legal Department, City of Hamilton (Patrick.MacDonald@hamilton.ca)
 cc: Dave Pitblado (dpitblado@paletta.ca)

Dear Mayor & Members of City Council:

**Re: Application for Rural Hamilton Official Plan Amendment (“OPA”)
 For lands located at 2069 Binbrook Road, Glanbrook
 City File No. PED20146
 Our File No. 13600**

We are counsel to the Applicant, Paletta Livestock Ltd. (“Paletta”), in this matter. Paletta is part of the Agri-Services Division of the Paletta family. The Agri-Services Division owns and operates approximately 930 hectares (2,300 acres) of farmland in the City of Hamilton alone. Paletta manages the farm operations on all of its landholdings. The lands acquired for the Agri-Services Division, including this farm at 2069 Binbrook Road, are intended strictly for agricultural purposes and not as development lands.

Shortly after acquiring this farm at 2069 Binbrook Road, Paletta made application for a consent to sever the two, permanent residential dwellings on the property as surplus farm dwellings. The dwellings are not required by Paletta for its operations and Paletta has no interest in operating rural, residential rental accommodation. The property contains two (2) existing dwellings: the original farm house that was built in the 1940’s and a second dwelling that was built in 1989 for use by members of the family who assisted with the operation of the farm. This has been characterized as a farm “help house”, although more recent occupants have not been

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involved in the farm operations. The house was not built as a temporary structure but is in fact a brick home of substantial size with an inground swimming pool and other residential amenities. We are attaching photographs of this dwelling.

LPAT Decision, December 20, 2019:

As a result of the presence of two permanent dwellings on the farm, staff recommended against the consent and the Committee of Adjustment refused the application. Paletta appealed and LPAT approved the consent. The Tribunal concluded that:

“...the second residential building has been used as a single detached dwelling (and not as a farm help house) for multiple years in the past. It also notes that the condition requiring an official plan amendment to permit two single detached dwellings on the severed parcel was proposed by the City and two single detached dwellings presently exist on the subject property.”

[53] The Tribunal finds that the proposed Consent with the conditions in Attachment 1 to this Decision is consistent with the PPS, conforms with RHOP and the Greenbelt Plan, and has regard to the criteria set out in s. 51(24) of the *Planning Act*. It facilitates a farm surplus severance and farm consolidation that sustains farming operations in the area and protects both agricultural resources and the rural character of the area. It will not result in the erection of further residential dwellings in the area, it will protect existing housing stock, and it will not increase housing density in this agricultural area.”

It is important to note that while the City opposed the consent, it was the City that recommended the condition requiring an OPA to recognize the two existing permanent dwellings if the Tribunal saw fit to approve the consent. Obviously, the Tribunal saw fit to approve the consent and imposed the condition for the OPA based on the position taken by the City.

Official Plan Amendment Application

Pursuant to the Condition recommended by the City, Paletta applied for what is a highly technical Official Plan amendment to recognize that there will be two, existing permanent dwellings on the severed lot. City staff recommended approval of the OPA. The Planning Committee voted to refuse it.

We believe there may have been a misunderstanding about the source and intent of this OPA. The planning merits of severing a lot with two existing dwellings has already been determined by the Tribunal. There was no challenge or appeal of the Tribunal’s decision. The OPA does not invite a re-examination of the merits of that decision. Rather, the OPA is a

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Attn: City of Hamilton
Mayor and Members of City Council
November 9, 2020

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technical matter required to implement a condition proposed by the City and accepted by the Tribunal. To reject the OPA as a means of frustrating the consent would be, respectfully, an abuse of process.

We respectfully request that Council refer this matter back to the Planning Committee to allow for a more fulsome discussion and consideration of this application in the context of the Tribunal's decision. Our client would be pleased to participate in that process.

Yours truly,



Scott Snider

SS:nd
Att'd.
13600/4

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TURKSTRA MAZZA ASSOCIATES, LAWYERS







GENERAL ISSUES COMMITTEE (BUDGET) REPORT 20-017

9:30 a.m.

October 29, 2020

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

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, J. Partridge

Absent: Councillor T. Whitehead - Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-017, AND RESPECTFULLY RECOMMENDS:

1. **2021 Budget Guidelines, Outlook and Process (FCS20087) (City Wide) (Item 7.1)**
 - (a) That staff be directed to prepare the 2021 Tax Operating Budget at an increase required to maintain current service levels and report back to the General Issues Committee through the 2021 budget process;
 - (b) That staff be directed to increase user fees towards full cost recovery where it is reasonable to expect that users can afford to pay;
 - (c) That for all other user fees, the fee be increased by a rate of 2.0% and that any user fee increases below the guideline be forwarded for consideration with appropriate explanation;
 - (d) That the Hamilton Police Services Board, Hamilton Library Board, Conservation Authorities and Hamilton Beach Rescue Unit target a 2021 tax operating budget guideline, based on an increase of 0%; with any increase beyond that guideline to be provided, with an explanation, to the General Issues Committee for consideration;
 - (e) That staff be directed to prepare the 2021 Tax Capital Budget with a 0% tax increase for capital financing of discretionary block funded projects;

- (f) That staff be directed to prepare the 2021 Rate Supported Budget at a rate increase of 4.28%, in alignment with the long-term financing plan approved in principle; and,
- (g) That the City Clerk forward Report FCS20087, respecting the 2021 Budget Guidelines, Outlook and Process, to local Members of Parliament, local Members of Provincial Parliament, the Federation of Canadian Municipalities, the Association of Municipalities Ontario and Ontario's Big City Mayors for the purposes of advocating senior levels of government for ongoing financial support related to COVID-19 pressures.

2. 2019 Municipal Tax Competitiveness Study (FCS20029) (City Wide) (Item 8.1)

That Report FCS20029, respecting the 2019 Municipal Tax Competitiveness Study, be received.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. DELEGATION REQUESTS

- 5.1 Arwen Roussel, respecting Report FCS20087 - 2021 Budget Guidelines, Outlook and Process (Item 7.1 on today's agenda.)

The agenda for the October 29, 2020 General Issues Committee (Budget) meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) COMMUNICATIONS (Item 4)

- (i) Correspondence from the Lakewood Beach Community Council respecting the Recommendation to Increase the Rate Budget by 4.28% (Item 4.1)**

The correspondence from the Lakewood Beach Community Council, respecting the Recommendation to Increase the Rate Budget by 4.28%, was received and referred to the consideration of Item 7.1.

(d) DELEGATION REQUESTS (Item 5)

- (i) Arwen Roussell, respecting Report FCS20087 - 2021 Budget Guidelines, Outlook and Process (Item 5.1)**

The delegation request, submitted by Arwen Roussell, respecting Report FCS20087 - 2021 Budget Guidelines, Outlook and Process, was approved to appear before the General Issues Committee on October 29, 2020.

(e) PUBLIC HEARINGS / DELEGATIONS (Item 6)

- (i) Arwen Roussell, respecting Report FCS20087 - 2021 Budget Guidelines, Outlook and Process (Item 6.1)**

Mr. Arwen Roussell was not present when called upon, and subsequently sent an e-mail during the meeting to withdraw his request.

(f) STAFF PRESENTATIONS (Item 7)

- (i) 2021 Budget Guidelines, Outlook and Process (FCS20087) (City Wide) (Item 7.1)**

Mike Zegarac, General Manager of Finance & Corporate Services, introduced Marc Desormeaux, Senior Economist - Scotiabank.

Mr. Desormeaux, of Scotiabank, provided an economic update with the aid of a PowerPoint presentation, and answered questions of Committee.

The presentation, respecting an economic updated, provided by Marc Desormeaux, Senior Economist - Scotiabank, was received.

Mike Zegarac, General Manager of Finance & Corporate Services, provided a PowerPoint presentation respecting Report FCS20087, the 2021 Budget Guidelines, Outlook and Process.

The presentation respecting Report FCS20087, the 2021 Budget Guidelines, Outlook and Process was received.

The General Issues Committee recessed for one-half hour and reconvened at 1:20 p.m.

Sub-section (d) to Report FCS20087, respecting the 2021 Budget Guidelines, Outlook and Process, was deleted in its entirety and replaced with the following in lieu thereof:

- ~~(d) That City Council provides a 2021 Tax Operating Budget guideline as it relates to Boards and Agencies and that any increase beyond the guideline be forwarded for consideration with appropriate explanation;~~
- (d) That the Hamilton Police Services Board, Hamilton Library Board, Conservation Authorities and Hamilton Beach Rescue Unit target a 2021 tax operating budget guideline, based on an increase of ___%; with any increase beyond that guideline to be provided, with an explanation, to the General Issues Committee for consideration;**

The following Amendment was DEFEATED:

That the 2021 tax operating budget target guidelines, for the Hamilton Police Services Board, Hamilton Library Board, Conservation Authorities and Hamilton Beach Rescue Unit, be set at 2%, to read as follows:

- (d) That the Hamilton Police Services Board, Hamilton Library Board, Conservation Authorities and Hamilton Beach Rescue Unit target a 2021 tax operating budget guideline, based on an increase of **2%**; with any increase beyond that guideline to be provided, with an explanation, to the General Issues Committee for consideration;

The 2021 tax operating budget target guidelines, for the Hamilton Police Services Board, Hamilton Library Board, Conservation Authorities and Hamilton Beach Rescue Unit, was set at 0%, to read as follows:

- (d) That the Hamilton Police Services Board, Hamilton Library Board, Conservation Authorities and Hamilton Beach Rescue Unit target a 2021 tax operating budget guideline, based on an increase of **0%**; with any increase beyond that guideline to be provided, with an explanation, to the General Issues Committee for consideration;

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

(j) NOTICES OF MOTION (Item 10)

Councillor S. Merulla introduced the following Notice of Motion:

(i) Chedoke Creek Budgetary Plan (Item 10.1)

That staff be directed to develop the necessary budgetary plan to address the Chedoke Creek matter, once the investigation has concluded.

(k) ADJOURNMENT (Item 13)

There being no further business, the General Issues Committee (Budget) adjourned at 2:43 p.m.

Respectfully submitted,

Deputy Mayor Lloyd Ferguson
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



PLANNING COMMITTEE REPORT

20-013

November 3, 2020

9:30 a.m.

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

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

**Absent With
Regrets:** Councillor M. Wilson - Personal

THE PLANNING COMMITTEE PRESENTS REPORT 20-013 AND RESPECTFULLY RECOMMENDS:

**1. Active Official Plan Amendment, Zoning By-law Amendment and Plan of
Subdivision Applications (PED20182) (City Wide) (Item 6.1)**

That Report PED20182 respecting Active Official Plan Amendment, Zoning
By-law Amendment and Plan of Subdivision Applications, be received.

2. Hamilton Municipal Heritage Committee Report 20-006 (Added Item 6.2)

(a) Built Heritage Inventory Strategy Update (PED20133) (Item 9.1)

That the presentation respecting the Built Heritage Inventory Strategy
Update (PED20133) be received.

**(b) Inventory & Research Working Group - Recommendations on
Various Properties (Item 10.1)**

- (i) That the pre-confederation property located at 187-189 Catharine
Street North, Hamilton be included on the Municipal Register of
Properties of Cultural Heritage Value or Interest;
- (ii) That the property at 24 Blake Street (former "Eastcourt" carriage
house), Hamilton, be added to the Municipal Register of Properties

Cultural Heritage Value or Interest, and added to staff work plan for designation with a medium high priority based on the cultural heritage evaluation.

(iii) The following properties be added to the Municipal Register of Properties of Cultural Heritage Value or Interest:

- 9751 Twenty Road West, Glanbrook
- 2081 Upper James, Glanbrook
- 311 Rymal Road East, Hamilton
- 7105 Twenty Road West, Glanbrook
- 623 Miles Road, Glanbrook
- 9445 Twenty Road West, Glanbrook

(c) Bill 108, More Homes, More Choice Act, 2019 - Ontario Regulations and Ontario Heritage Act (PED19125(b)) (City Wide) (Added Item 10.2)

- (i) That Council adopt the submissions and recommendations as provided in Report PED19125(b), attached hereto as Appendix "A", regarding the proposed Regulation under the Ontario Heritage Act, as amended by Bill 108, More Homes, More Choice Act, 2019;
- (ii) That the Director of Planning and Chief Planner be authorized and directed to confirm the submissions made to the Province attached as Appendix "B" to Report PED19125(b); and,
- (iii) That in advance of the Proclamation of the amendments to the Ontario Heritage Act and associated regulations, the Director of Planning and Chief Planner be authorized to make any changes to internal guidelines and application forms as may be required to implement the changes to the Ontario Heritage Act.

(d) Designation of 1389 Progreston Road, Carlisle (Flamborough), under Part IV of the Ontario Heritage Act (PED20125(a)) (Ward 15) (Added Item 10.3)

- (i) That Council, in accordance with the advice provided by the Hamilton Municipal Heritage Committee, advise the landowner that it has no objection to the demolition of the existing house at 1389 Progreston Rd. (the "Property") and the construction of the new house at 1389 Progreston Rd. in accordance with the architectural plans presented to the Hamilton Municipal Heritage Committee;
- (ii) That the revised Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix "A" to Report PED20125(a), be approved;

- (iii) That the revised Notice of Intention to Designate, attached as Appendix “B” to Report PED20125(a), be approved;
 - (iv) That, as recommended by the Hamilton Municipal Heritage Committee, Council withdraw the existing Notice of Intent to Designate and issue a new revised Notice of Intent to Designate 1389 Progreston Road;
 - (v) That the Clerk be directed to serve a notice of withdrawal of the Notice of Intention to Designate (as approved by Council on April 22, 2020, and issued on April 23, 2020) on the owner of 1389 Progreston Rd. and the Ontario Heritage Trust, and to cause the notice to be published in a newspaper having general circulation in the municipality and provided to the Conservation Review Board (refer to Appendix “C” of PED20125(a));
 - (vi) That the Clerk be directed to issue a new Notice of Intent to Designate 1389 Progreston Rd., Carlisle (Flamborough) under Part IV of the Ontario Heritage Act as a property of cultural heritage value, in accordance with Report PED20125(a);
 - (vii) That if there are no objections to the designation in accordance with the Ontario Heritage Act, that staff be directed to place a designation by-law before Council for adoption;
 - (viii) That if there are objections to the designation in accordance with the Ontario Heritage Act, the Clerk be directed to refer the designation to the Conservation Review Board for review; and,
 - (ix) That if the designation is referred to the Conservation Review Board, the City Solicitor and appropriate staff be directed to attend any hearing held by the Conservation Review Board in support of Council’s decision to designate the property.
- (e) Deferral of an Upcoming Report to the Hamilton Municipal Heritage Committee respecting the Ancaster High School Lands (Added Item 11.1)**

WHEREAS, the City of Hamilton is currently conducting virtual meetings for its Council, Standing Committees, Sub-Committees and Advisory Committees;

WHEREAS, a report regarding the Ancaster High School Lands is proposed for the November 30, 2020 Agenda of the Hamilton Municipal Heritage Committee;

WHEREAS, the report respecting the Ancaster Highschool Lands is garnering a great deal of interest by the constituents of Ancaster;

WHEREAS, a petition of 11,000 residents of Ancaster has been received by the City regarding this issue which could result in 100 or more people requesting delegation status; and

WHEREAS, while delegations are permitted in these virtual meetings, they are not without their technical challenges;

THEREFORE BE IT RESOLVED:

That the Report respecting the Ancaster High School Lands be deferred until such time as an in-person meeting of the Hamilton Municipal Heritage Committee can be conducted, or the beginning of Q3 2021, whichever event occurs first.

(f) Amendments to the Register Beasley Heritage Project Batch 1 (Added 11.2)

WHEREAS, several property owners have requested further engagement, and some argue that the pandemic is negatively affecting their properties and business and that the still unknown effects of the pandemic is enough of a challenge at this time; and

WHEREAS the historic Central and Beasley Neighbourhoods are identified as short-term priorities in the City's Built Heritage Inventory Strategy Work Plan, and any properties removed from the Register Beasley list will be reviewed at a future date as part of the City-initiated inventory work;

THEREFORE BE IT RESOLVED:

(a) That the following properties be removed from the Register Beasley Heritage Project: Batch 1 - Recommended Register Listings, October (attached hereto as Appendix "B" to Report 20-006):

- 203-205, 207-211, 213 James Street North
- 229, 235, 241, 245, 274 James Street North
- **240-242 James Street North**
- 282 James Street North
- 294-296 James Street North
- 309 James Street North; and

(b) That the remaining properties on the Register Beasley Heritage Project: Batch 1 be added to the Register.

- 3. Applications for a Rural Hamilton Official Plan Amendment and a Zoning By-law Amendment for Lands located at 2069 Binbrook Road, Glanbrook (PED20146) (Ward 11) (Item 7.1)**
- (a) That Rural Hamilton Official Plan Amendment application RHOPA-20-014, by Paletta Livestock Ltd., (Owner), to add a Site Specific Policy Area to recognize two existing single detached dwellings on a severed lot in order to meet the conditions of the December 20, 2019 Local Planning Appeal Tribunal Decision (Case No. PL180696) (GL/B-17:110) for lands located at 2069 Binbrook Road, as shown on Appendix “A” to Report PED20146, be DENIED.
 - (b) That Zoning By-law Amendment application ZAA-20-022, by Paletta Livestock Ltd. (Owner), for a change in zoning from Agriculture (A1) Zone to Agriculture (A1,118) Zone to prohibit the construction of a single detached dwelling and a residential care facility and to recognize the reduced lot area for the retained agricultural parcel, for lands located at 2069 Binbrook Road as shown on Appendix “A” to Report PED20146, be DENIED.
- 4. Application for Zoning By-law Amendment for Lands Located at 1313 Baseline Road (Stoney Creek) (PED20181) (Ward 10) (Item 7.3)**
- (a) That Zoning By-law Amendment Application ZAC-16-016 by A. J. Clarke and Associates Ltd. on behalf of Malatesta Brothers Construction, Owner, for a change in zoning from the Single Residential “R1” Zone to the Single Residential “R3-44” Zone, Modified in the City of Stoney Creek Zoning By-law No. 3692-92 to facilitate the development of five residential lots for single detached dwellings on lands located at 1313 Baseline Road (Stoney Creek), as shown on Appendix “A” to Report PED20181, be APPROVED on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED20181, 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) and conforms to A Place to Grow (2019); and,
 - (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan and the Urban Lakeshore Area Secondary Plan.
 - (b) That the public submissions received on this matter did not affect the decision.

5. Site Plan Fees for Lapsed Applications (Added Item 11.2)

WHEREAS, the current Tariff of Fees for Planning and Engineering Development Applications provides for a Site Plan application fee for new applications, and application extensions, but does not provide for situations in which a Site Plan has lapsed;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to review the Tariff of Fees for Planning and Engineering Development Applications with respect to Site Plan applications, to introduce a new fee for the renewal of lapsed Site Plans, and report back to Planning Committee; and,
- (b) That until such time as staff has reported back and Council has provided direction with respect to a fee for renewal of lapsed Site Plans, that staff apply the Site Plan Extension fee of \$1,605.00 to any application that lapsed on or after May 1, 2020, based on the following:
 - (i) that the Site Plan lapsed for no more than 90 days and the Director of Planning and Chief Planner, or their designate, has determined that the applicant has been actively working towards obtaining Site Plan approval;
 - (ii) that where re-submissions of any supporting studies are required, these be charged the existing re-submission fee where applicable; and,
 - (iii) that for administrative purposes, a new Site Plan file be opened for the purpose of calculating Development Charges.

6. Demolition Permit For 552 Jerseyville Road West, Ancaster (Added Item 11.3)

WHEREAS, the owner has boarded up the vacant properties but continues to have untoward activity at the properties that are uninhabitable; and,

WHEREAS, it is not appropriate to pursue repair or restoration of these building as prescribed by the Property Standards By-law or maintain the properties on the Vacant Building Registry and demolition is appropriate; and,

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 552 Jerseyville Road West, Ancaster, Ontario, 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 conditions 6(a), (b), and (c) of the Demolition Control By-law 09-208.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

1. DELEGATION REQUESTIONS (Item 5)

- 5.1 John Ariens, IBI Group, respecting Designation of 1389 Progreston Road (Item 6.2)
- 5.2 Jack Dennison respecting Designation of 1389 Progreston Road (Item 6.2)

2. CONSENT ITEMS (Item 6)

- 6.2 Hamilton Municipal Heritage Committee Report 20-006

3. PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 7)

- 7.2 Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 19 Dawson Avenue, Stoney Creek (PED20195) (Ward 5)

(a) Registered Delegations:

- (i) Brad Ackles
- (ii) Tyler Ackles

(b) Written Submissions:

- (i) Brad Ackles
- (ii) Miles Budnark
- (iii) Denis and Kim Hamelin
- (iv) David Reid
- (v) Wendy Passmore

- 7.3 Applications for Zoning By-law Amendment for Lands Located at 1313 Baseline Road (Stoney Creek) (PED20181) (Ward 10)
 - (a) Written Submissions:
 - (i) Yu Hua Yin
 - (ii) Jason Van Dongen
 - (b) Agent's Presentation

4. NOTICES OF MOTION (Item 11)

11.2 Site Plan Fees for Lapsed Applications

11.3 Demolition Permit for 552 Jerseyville Road West, Ancaster

The agenda for the November 3, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor Danko declared a conflict with Item 6.2, Item #5 Deferral of an Upcoming Report to the Hamilton Municipal Heritage Committee respecting the Ancaster High School Lands, and Item 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, as his spouse is employed by the Hamilton Wentworth District School Board.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) October 20, 2020 (Item 3.1)

The Minutes of the October 20, 2020 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 5)

(i) Delegation Requests (Added Items 5.1 and 5.2)

The following Delegation Requests were approved for today's meeting, to be heard before Item 6.2:

- (a) John Ariens, IBI Group, respecting Designation of 1389 Progreston Road (Item 6.2) (For today's meeting) (Added Item 5.1)
- (b) Jack Dennison respecting Designation of 1389 Progreston Road (Item 6.2) (For today's meeting) (Added Item 5.2)

(e) **PUBLIC HEARINGS / DELEGATIONS (Item 7)**

(i) **John Ariens, IBI Group, respecting Designation of 1389 Progreston Road (Item 6.2) (Added Item 7.4)**

John Ariens, IBI Group, addressed the Committee respecting Designation of 1389 Progreston Road (Item 6.2).

The Delegation from John Ariens, IBI Group, respecting Designation of 1389 Progreston Road (Item 6.2), was received.

For disposition of this matter, refer to Item 2(d).

(ii) **Jack Dennison respecting Designation of 1389 Progreston Road (Item 6.2) (Added Item 7.5)**

Jack Dennison addressed the Committee respecting Designation of 1389 Progreston Road (Item 6.2).

The Delegation from Jack Dennison respecting Designation of 1389 Progreston Road (Item 6.2), was received.

For disposition of this matter, refer to Item 2(d).

(f) **CONSENT ITEMS (Item 6)**

Councillor Farr relinquished the Chair to Councillor Danko.

(i) **Hamilton Municipal Heritage Committee Report 20-006 (Added Item 6.2)**

Hamilton Municipal Heritage Committee Report 20-006, Item #6, Amendments to the Register Beasley Heritage Project Batch 1, sub-section (a) was **amended** to add the words "**240-242 James Street North**", as follows:

(a) That the following properties be removed from the Register Beasley Heritage Project: Batch 1 - Recommended Register Listings, October (attached hereto as Appendix "B" to Report 20-006):

- 203-205, 207-211, 213 James Street North
- 229, 235, 241, 245, 274 James Street North
- **240-242 James Street North**
- 282 James Street North
- 294-296 James Street North
- 309 James Street North; and

For disposition of this matter, refer to Item 2(f).

Councillor Farr assumed the Chair.

(g) PUBLIC HEARINGS / DELEGATIONS (Item 7) - Continued

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.

(i) Applications for a Rural Hamilton Official Plan Amendment and a Zoning By-law Amendment for Lands located at 2069 Binbrook Road, Glanbrook (PED20146) (Ward 11) (Item 7.1)

No members of the public were registered as Delegations.

Alaina Baldassara, Planner II, addressed the Committee with an overview of the application.

The staff presentation was received.

Dave Pitblado, Agent, was in attendance and indicated support for the staff report.

The delegation from Dave Pitblado, Agent, was received.

The public meeting was closed.

- (a) That Rural Hamilton Official Plan Amendment application RHOPA-20-014, by Paletta Livestock Ltd., (Owner), to add a Site Specific Policy Area to recognize two existing single detached dwellings on a severed lot in order to meet the conditions of the December 20, 2019 Local Planning Appeal Tribunal Decision (Case No. PL180696) (GL/B-17:110) for lands located at 2069 Binbrook Road, as shown on Appendix "A" to Report PED20146, be DENIED.

- (b) That Zoning By-law Amendment application ZAA-20-022, by Paletta Livestock Ltd. (Owner), for a change in zoning from Agriculture (A1) Zone to Agriculture (A1,118) Zone to prohibit the construction of a single detached dwelling and a residential care facility and to recognize the reduced lot area for the retained agricultural parcel, for lands located at 2069 Binbrook Road as shown on Appendix "A" to Report PED20146, be DENIED.

For disposition of this matter, refer to Item 3.

(ii) Applications for Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 19 Dawson Avenue, Stoney Creek (PED20195) (Ward 5) (Item 7.2)

Sean Stewart, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Nick DeFilippis with Defilippis Design, was in attendance and indicated support for the staff report.

The delegation from Nick DeFilippis with DeFilippis Design, was received.

Registered Delegations:

- 7.2(a)(i) Brad Ackles addressed the Committee and expressed concerns with the proposal.
- 7.2(a)(ii) Tyler Ackles addressed the Committee and expressed concerns with the proposal.

The delegations were received.

The following written submissions, Item 7.2(b), were received:

- (i) Brad Ackles
- (ii) Miles Budnark
- (iii) Denis and Kim Hamelin
- (iv) David Reid
- (v) Wendy Passmore

The public meeting was closed.

Report PED20195 was DEFERRED to the December 8, 2020 Planning Committee meeting.

Nick DeFilippis, Agent, was permitted to address the Committee for a second time.

Nick DeFilippis, Agent, addressed the Committee regarding the applications.

The second delegation from Nick DeFilippis, Agent, was received.

(iii) Application for Zoning By-law Amendment for Lands Located at 1313 Baseline Road (Stoney Creek) (PED20181) (Ward 10) (Item 7.3)

No members of the public were registered as Delegations.

The staff presentation was waived.

Miles Weekes with AJ Clarke & Associates, was in attendance and indicated support for the staff report.

The delegation from Miles Weekes with AJ Clarke & Associates was received.

The following written submissions, Item 7.3(a) were received:

- (i) Yu Hua Yin
- (ii) Jason Van Dongen

The public meeting was closed.

(a) That Zoning By-law Amendment Application ZAC-16-016 by A. J. Clarke and Associates Ltd. on behalf of Malatesta Brothers Construction, Owner, for a change in zoning from the Single Residential "R1" Zone to the Single Residential "R3-44" Zone, Modified in the City of Stoney Creek Zoning By-law No. 3692-92 to facilitate the development of five residential lots for single detached dwellings on lands located at 1313 Baseline Road (Stoney Creek), as shown on Appendix "A" to Report PED20181, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix "B" to Report PED20181, 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) and conforms to A Place to Grow (2019); and,

- (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan and the Urban Lakeshore Area Secondary Plan.

The recommendations in Report PED20181 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 4.

(h) 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 (Revised) (Item 11.1)**

Councillor Johnson introduced the following REVISED 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:

WHEREAS, Ecole Elementaire Michaelle Jean (2121 Hwy #56) falls under the jurisdiction of the Hamilton Wentworth District School Board,

WHEREAS, this public school has both a private water supply and private sanitary waste disposal,

WHEREAS, Ecole Elementaire Michaelle Jean (2121 Hwy #56) is located 600 meters (0.6 kilometers) outside the north urban boundary of the Binbrook Settlement Area and therefore does not qualify for municipal sewer and water connection,

WHEREAS, the property historically known as Wills Motors (2187 Hwy #56) has received Site Plan Approval for a large commercial expansion to provide a number of desirable services to the community in accordance with its existing zoning,

WHEREAS, 2187 Hwy #56 is also served by private water supply and sanitary waste disposal,

WHEREAS, 2187 Hwy #56 is located 300 meters (.3kilometers) outside the north urban boundary of the Binbrook Settlement Area and is located between the urban boundary and Ecole Elementaire Michaelle Jean, and therefore also does not qualify for municipal sewer and water connection,

WHEREAS, a precedent has been set with Oakrun Bakery, which is located outside the urban boundary and was permitted to connect to municipal services at their cost, and,

WHEREAS, a municipal sanitary sewer and municipal waterline currently run across the frontage of both properties and have adequate capacity to accommodate both properties:

NOW THEREFORE BE IT RESOLVED:

That 2121 Hwy 56 and 2187 Hwy 56, Binbrook, be permitted to connect to the City Municipal Sewer and Water at the property owner's cost, in a manner acceptable to the City of Hamilton.

(ii) Site Plan Fees for Lapsed Applications (Added Item 11.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting Site Plan Fees for Lapsed Applications.

For disposition of this matter, refer to Item 5.

(iii) Demolition Permit for 552 Jerseyville Road West, Ancaster (Added Item 11.3)

The Rules of Order were waived to allow for the introduction of a Motion respecting Demolition Permit for 552 Jerseyville Road West, Ancaster.

For disposition of this matter, refer to Item 6.

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

(i) General Manager's Update (Added Item 13.1)

Jason Thorne, General Manager of Planning and Economic Development addressed the Committee regarding the GRIDS Report being presented at the December 14th General Issues Committee meeting, and advised that the Second Dwelling Units consultation had been launched online on the City's website.

The General Manager's Update, was received.

(j) **ADJOURNMENT (Item 14)**

There being no further business, the Planning Committee was adjourned at 11:41 a.m.

Councillor J. Farr
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 20-018

9:30 a.m.

Wednesday, November 4, 2020

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.

Present: Mayor F. Eisenberger, Deputy Mayor A. VanderBeek (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,
L. Ferguson, J. Partridge

Absent: Councillor T. Whitehead – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-018, AND RESPECTFULLY RECOMMENDS:

1. Barton Village Business Improvement Area (BIA) Revised Board of Management (PED20183) (Ward 3) (Item 6.1)

That the following individual be appointed to the Barton Village Business Improvement Area (BIA) Board of Management:

- (i) Suzanne Zandbergen

2. Ottawa Street Business Improvement Area (BIA) Revised Board of Management (PED20194) (Wards 3 and 4) (Item 6.2)

That the following individual be appointed to the Ottawa Street Business Improvement Area (BIA) Board of Management:

- (i) Mark Barker

3. Arts Advisory Commission Minutes, January 28, 2020 (Item 6.3)

That Eileen Reilly be appointed as Co-Chair of the Arts Advisory Commission for the balance of the 2018-2022 term of Council or until such time as a successor has been appointed, by Council.

4. Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a) / HSC19037(a)) (City Wide) (Item 8.2)

That Report CMO19008(a) / HSC19037(a), respecting Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation, be received.

5. Kenilworth Reservoir Soils (PW20074) (Ward 4) (Item 8.3)

That Report PW20074, respecting the Kenilworth Reservoir Soils, be received.

6. Business Improvement Area (BIA) Sub-Committee Report 20-003, October 13, 2020 (Item 9.1)

(a) Ottawa Street Business Improvement Area Expenditure Request (Item 10.1)

- (i) That the expenditure request from the Ottawa Street Business Improvement Area, in the amount of \$13,110.50 for Hanging Baskets (Spring/Summer), and Holiday Decorative Swag, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
- (ii) That the expenditure request from the Ottawa Street Business Improvement Area, in the amount of \$16,884.50 for Banners, Banner Maintenance, Media, Special Events, Street Maintenance, and Christmas Hanging Baskets, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(b) Downtown Hamilton Business Improvement Area Expenditure Request (Item 10.2)

- (i) That the expenditure request from the Downtown Hamilton Business Improvement Area, in the amount of \$5,638.68 for the purchase of street furniture (umbrellas), to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
- (ii) That the expenditure request from the Downtown Hamilton Business Improvement Area, in the amount of \$11,250.33 for Banners, and Christmas Decoration Maintenance, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(c) International Village Business Improvement Area Expenditure Request (Item 10.3)

- (i) That the expenditure request from the International Village Business Improvement Area, in the amount of \$6,993.79 for Graffiti Removal, Other Beautification and Maintenance Efforts, and Office Equipment, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
- (ii) That the expenditure request from the International Village Business Improvement Area, in the amount of \$12,362.71 for Programming, and Marketing, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(d) Concession Street Business Improvement Area Expenditure Request (Item 10.4)

- (i) That the expenditure request from Concession Street Business Improvement Area, in the amount of \$7,915.15 for the purchase of a new BIA Office Laptop (\$2,000), and Decorative Summer Flowers along Concession Street (\$,5,915.15), to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
- (ii) That the expenditure request from Concession Street Business Improvement Area, in the amount of \$16,431.64 for Christmas Lights (\$3,000), Christmas Light Installation (\$2,000), Decorative

Winter Inserts for Sidewalk Planters (\$7,500), and Banner Arm Reinforcement along Concession Street (\$3,931.64), to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(e) Ancaster Business Improvement Area Expenditure Request (Item 10.5)

- (i) That the expenditure request from the Ancaster Business Improvement Area, in the amount of \$5,550.26 for Spring and Summer Flowers, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved; and,
- (ii) That the expenditure request from the Ancaster Business Improvement Area, in the amount of \$ 5,283.45 for Spring and Summer Flowers, Fall Flowers, and an Office Lap Top, to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(f) Waterdown Business Improvement Area Expenditure Request (Item 10.6)

That the expenditure request from the Waterdown Business Improvement Area, in the amount of \$5,509.72 for the Purchase and Maintenance of 49 Hanging Baskets, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

(g) Business Improvement Area Crime Statistics (Item 10.7)

WHEREAS, each Business Improvement Area is affected by crime that is happening within their Business Improvement Area boundary;

WHEREAS, currently Crime Statistics are reported by neighbourhood and not by the Business Improvement Area boundary;

WHEREAS, Crime Statistics (grouped by Business Improvement Area) including detailed information on the types of crimes, would be beneficial to increasing preventative measures within each Business Improvement Area;

THEREFORE, BE IT RESOLVED:

- (a) That Hamilton Police Service Staff be requested to compile detailed Crime Statistics using the Business Improvement Area boundaries; and,
- (b) That Hamilton Police Service staff be requested to report back to the Business Improvement Area Advisory Committee with these statistics on a quarterly basis.

7. Airport Sub-Committee Report 20-003, October 15, 2020 (Item 9.2)

(a) 2020-2021 John C. Munro Hamilton International Airport (HIA) - City of Hamilton Joint Marketing Initiatives (PED20180) (City Wide) (Item 9.1)

That the City of Hamilton approve and allocate \$55,000 from the Airport Joint Marketing Reserve Fund No. 112217 as the City's contribution to the 2020-2021 John C. Munro Hamilton International Airport – City of Hamilton Joint Marketing Initiatives outlined in Report PED20180 (Attached as Appendix "A" to Report 20-018).

(b) Tradeport / City Lease Negotiation Status Update (PED19084(d)) (City Wide) (Item 13.2)

- (i) The direction provided to staff in Closed Session, respecting Report PED19084(d) Tradeport / City Lease Negotiation Status Update, be approved; and
- (ii) Confidential Report PED19084(d), respecting Tradeport / City Lease Negotiation Status Update; confidential information included in Appendix "A"; Appendices "B", "C" and "D", be received and remain confidential.

8. Advisory Committee for Persons with Disabilities Report 20-005, October 13, 2020 (Item 9.3)

Regulation of E-Scooters

WHEREAS, a staff report respecting the regulation of e-scooters is expected to come forward to the Public Works Committee in either November or December 2020;

THEREFORE, BE IT RESOLVED:

That the Public Works Committee be requested to forward the staff report respecting the regulation of e-scooters to the Advisory Committee for Persons with Disabilities for review and comment.

9. Temporary Cap on Food Delivery Service Charges (Item 10.1)

WHEREAS, the restaurant industry plays a crucial role in the City's economy, as well as the livelihoods of residents, families and communities;

WHEREAS, the restaurant industry has been severely impacted throughout the COVID-19 pandemic, particularly due to substantially decreased indoor dining;

WHEREAS, restaurant owners have become increasingly dependent on delivery and take-out services for the viability of their businesses;

WHEREAS, restaurants are under pressure from high commission fees being charged by the major food delivery service apps;

WHEREAS, major cities throughout the United States have implemented temporary caps on the fees charged by food delivery service apps, as an option to assist the restaurant industry throughout the COVID-19 pandemic; and,

WHEREAS, the City of Hamilton does not have the authority to regulate food delivery service company fees or cap the fees that they charge;

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Premier of Ontario, and local Members of Provincial Parliament to ask that the Province implement a temporary cap on commissions for food service delivery companies; and,
- (b) That a copy of that request be sent to other municipalities in Ontario and the Association of Municipalities of Ontario for their endorsement.

10. Request for an Interim Cap on Gas Plant and Greenhouse Gas Pollution and the Development and Implementation of a Plan to Phase-Out Gas-Fired Electricity Generation (Item 10.2)

WHEREAS, the Government of Ontario is planning to increase reliance on gas-fired electricity generation from Ontario's gas-fired power plants, which is anticipated to increase greenhouse gas (GHG) pollution by more than 300% by 2025 and by more than 400% by 2040;

WHEREAS, Canada's temperature is rising more than double the rate of the rest of the world (which is in alignment with climate models and projections impacting northern climates most significantly);

WHEREAS, the Province of Ontario will adversely impact more than a third of the greenhouse gas reductions it achieved by phasing-out its dirty coal-fired power plants, due to a power plan built around ramping up gas-fired generation to replace the output of the Pickering Nuclear Station (scheduled to close in 2024);

WHEREAS, alternative options are available to reversing short sighted cuts to energy efficiency programs and stop under-investing in this quick to deploy and low-cost resource, which include maximizing our energy efficiency efforts by paying up to the same price per kilowatt-hour (kWh) for energy efficiency measures as we are currently paying for power from nuclear plants (e.g., up to 9.5 cents per kWh);

WHEREAS, the Province of Ontario should continue to support renewable energy projects that have costs that are below what we are paying for nuclear power and work with communities to make the most of these economic opportunities;

WHEREAS, the Province of Ontario has alternative options to increasing gas-fired electricity generation, such as the Province of Quebec's offer to receive low-cost 24/7 power from its water powered reservoir system as a possible alternative;

WHEREAS, a fossil-free electricity system is critically important to Hamilton's efforts to reduce GHG emissions by replacing fossil fuel use with electric vehicles, electric buses, electric heat pumps, and other steps dependent on a fossil-free electricity supply; and,

WHEREAS, our staff have noted this problem in their report on Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation where they warn that "Unless the Province of Ontario changes direction on Ontario's fuel supply mix, it is expected natural gas, and therefore GHG emissions, may continue to increase as the nuclear facilities are refurbished and the Province of Ontario further supplements the electricity grid with natural gas inputs";

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton request the Government of Ontario to place an interim cap of 2.5 mega tonnes per year on our gas plant and greenhouse gas pollution and develop and implement a plan to phase-out all gas-fired electricity generation by 2030 to ensure that Ontario meets its climate targets; and,

- (b) That a copy of this resolution be sent to the Premier of Ontario, to the local MPP's, to the Region of Waterloo and local area municipalities.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

5. ADDED DELEGATION REQUESTS

- 5.2 Ian Borsuk, Environment Hamilton, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx)
- 5.3 Cameron Kroetsch, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx)
- 5.4 Lynda Lukasik, Environment Hamilton, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx)
- 5.5 John Davey, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx)

8. ADDED STAFF PRESENTATIONS

- 8.3 Kenilworth Reservoir Soils (PW20074) (Ward 4)

9. ADDED DISCUSSION ITEMS

- 9.4 Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (HSC20056) (City Wide)

11. ADDED NOTICES OF MOTION

- 11.1 Temporary Cap on Food Delivery Service Charges
- 11.2 Request for an Interim Cap on Gas Plant and Greenhouse Gas Pollution and the Development and Implementation of a Plan to Phase-Out Gas-Fired Electricity Generation

The agenda for the November 4, 2020 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor L. Ferguson declared an interest to Item 11.1, being a Notice of Motion respecting a temporary cap on food delivery service charges, as he has family members in both the restaurant and taxi industries.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)

(i) October 21, 2020 (Item 3.1)

The Minutes of the October 21, 2020 General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 5)

The following delegation requests were approved:

- (i) Bryan Hayes, Orange Order, respecting a New Tax on Filming in Hamilton (For the November 18, 2020 GIC via WebEx) (Item 5.1)
- (ii) Ian Borsuk, Environment Hamilton, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx) (Item 5.2)

- (iii) Cameron Kroetsch, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx) (Item 5.3)
- (iv) Lynda Lukasik, Environment Hamilton, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx) (Item 5.4)
- (v) John Davey, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (For the November 4, 2020 GIC via WebEx) (Item 5.5)

(e) CONSENT ITEMS (Item 6)

(i) Arts Advisory Commission Minutes, January 28, 2020 (Item 6.3)

The Arts Advisory Commission Minutes, dated January 18, 2020, were received.

(f) PUBLIC HEARINGS / DELEGATIONS (Item 7)

(i) Cullen McDonald respecting the Benefits and Risks of Face Masks and the Mandatory Face Mask By-law (Item 7.1)

Cullen McDonald was not present when called upon by Committee.

(ii) Ian Borsuk, Environment Hamilton, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)/HSC19037(a) (City Wide) (Item 7.2)

Ian Borsuk, Environment Hamilton, addressed Committee respecting Report CMO19008(a)/HSC19037(a), Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation.

The presentation, provided by Ian Borsuk, Environment Hamilton, respecting Report CMO19008(a)/HSC19037(a), Updated

Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation, was received.

For disposition of this matter, please refer to Items 4 and (g)(ii).

(iii) Cameron Kroetsch, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)/HSC19037(a) (City Wide) (Item 7.3)

Cameron Kroetsch addressed Committee, respecting Report CMO190089(a)/HSC19037(a), Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation.

The presentation provided by Cameron Kroetsch, respecting Report CMO190089(a)/HSC19037(a), Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation, was received.

For disposition of this matter, please refer to Items 4 and (g)(ii).

(iv) Lynda Lukasik, Environment Hamilton, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (Item 7.4)

Lynda Lukasik, Environment Hamilton, addressed Committee respecting Report CMO190089(a)/HSC19037(a), Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation.

The presentation provided by Lynda Lukasik, Environment Hamilton, respecting Report CMO190089(a)/HSC19037(a), Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation, was received.

For disposition of this matter, please refer to Items 4 and (g)(ii).

- (v) **John Davey, respecting Item 8.2 - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)-HSC19037(a) (City Wide) (Item 7.5)**

Jon Davey addressed Committee respecting Report CMO190089(a)/HSC19037(a), Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation.

The presentation provided by Jon Davey, respecting Report CMO190089(a)/HSC19037(a), Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation, was received.

For disposition of this matter, please refer to Items 4 and (g)(ii).

(g) 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.

- (ii) **Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation (CMO19008(a)/HSC19037(a) (City Wide) (Item 8.2)**

Trevor Imhoff, Senior Project Manager, Air Quality and Climate Change, addressed Committee and provided a PowerPoint presentation respecting Report CMO19008(a)/HSC19037(a) - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation.

- (a) The presentation, respecting Report CMO19008(a) / HSC19037(a) - Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation, was received; and,

- (b) Staff was directed to report back to the General Issues Committee on a quarterly basis, with an update respecting the ongoing work and actions, as required, related to climate change mitigation.

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

The General Issues Committee recessed at 12:15 p.m. for one half hour, and reconvened at 12:45 p.m.

(iii) Kenilworth Reservoir Soils (PW20074) (Ward 4) (Item 8.3)

Andrew Grice, Director, Hamilton Water, addressed Committee and provided a PowerPoint presentation respecting Report PW20074, Kenilworth Reservoir Soils.

The presentation, respecting Report PW20074, Kenilworth Reservoir Soils, was received.

WHEREAS, there is no public health issues as a result of the contaminated soil at the Kenilworth Reservoir Site, staff was directed to assess all options including, but not limited to, the removal of the contaminated soil at Kenilworth Reservoir site and report back to the General Issues Committee.

For further disposition of this matter, please refer to Item 5.

(h) DISCUSSION ITEMS (Item 9)

The following item was considered by Council at the November 4, 2020 Special Council meeting:

(i) Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (HSC20056) (City Wide) (Item 9.4)

- (a) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to enter into the Rapid Housing Initiative Contribution Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative Major Cities Stream allocation of \$10,760,585 for the creation of new affordable housing units through conversion or rehabilitation of existing buildings or modular construction;

- (b) That the General Manager of the Healthy and Safe Communities Department or his designate be authorized and directed to administer the Rapid Housing Initiative Major Cities Stream and provide support to projects applying to the Rapid Housing Initiative Projects Stream including: entering into any agreements and ancillary agreements on such terms as he considers appropriate; approving purchase orders; exempting actions from approved City policies, procedures, and business practices as needed to meet RHI timelines; and taking other actions needed to ensure success; and,
- (c) That the Housing Services Division report back to Council through updates or reports as appropriate and possible within time constraints, on the City's progress with the Rapid Housing Initiative.

(i) MOTIONS (Item 10)

(i) Public Release of the Internal Corporate Climate Change Task Force Agendas, Minutes and Names of Task Force Members (Item 10.1)

That staff of the internal Corporate Climate Change Task Force be directed to publicly release the agendas, minutes and names and titles of staff on the Task Force.

The Motion, respecting the public release of the internal Corporate Climate Change Task Force agendas, minutes and names and titles of staff on the Task Force, was referred to staff for a report back to the General Issues Committee with options to meet the open and transparency component and the impact of publicly releasing the requested information; with consideration to be given to the Procedural By-law, the *Municipal Freedom of Information and Protection of Privacy Act*, staff being able to work freely, and without interference, on projects so that they may bring forward the best professional advice possible to Council for consideration.

(j) NOTICES OF MOTION (Item 11)

Councillor B. Clark introduced a Notice of Motion respecting a Temporary Cap on Food Delivery Service Charges.

(i) Temporary Cap on Food Delivery Service Charges (Item 11.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting a Temporary Cap on Food Delivery Service Charges.

For disposition of this matter, please refer to Item 9.

Councillor B. Clark introduced a Notice of Motion respecting a Request for an Interim Cap on Gas Plant and Greenhouse Gas Pollution and the Development and Implementation of a Plan to Phase-Out Gas-Fired Electricity Generation.

(ii) Request for an Interim Cap on Gas Plant and Greenhouse Gas Pollution and the Development and Implementation of a Plan to Phase-Out Gas-Fired Electricity Generation (Item 11.2)

The Rules of Order were waived to allow for the introduction of a Motion respecting a Request for an Interim Cap on Gas Plant and Greenhouse Gas Pollution and the Development and Implementation of a Plan to Phase-Out Gas-Fired Electricity Generation.

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

(k) GENERAL INFORMATION / OTHER BUSINESS (Item 12)

(i) Amendments to the Outstanding Business List (Item 12.1)

The following amendments, as amended, to the General Issues Committee's Outstanding Business List, were approved:

(1) Proposed New Due Dates:

- (aa) Outline of the Costs of the Exclusions outlined in Report PW19064 (AODA) (Item 12.1.a.a)
Current Due Date: November 18, 2020
Proposed New Due Date: March 24, 2021
- (bb) Multi-Purpose Community Hub for Diverse & Marginalized Communities – Business Case (Item 12.1.a.b.)
Current Due Date: October 7, 2020
Proposed New Due Date: June 16, 2021
- (cc) Feasibility of Creating a Technology Hub (Item 12.a.c.)
Current Due Date: September 23, 2020
Proposed New Due Date: February 3, 2021
- (dd) Sidewalk Snow Removal (Item 12.1a.d.)
Current Due Date: October 21, 2020
Proposed New Due Date: November 18, 2020

- (ee) Potential Solutions to the Chedoke Creek Matter (Item 12.1.a.e.)
Current Due Date: December 9, 2021
Proposed New Due Date: March 21, 2021
- (ff) Update on Request for Information - Downtown Parking Structure (PED16105 and PED15183)
Current Due Date: November 4, 2020 (Item 12.1.a.f)
Proposed New Due Date: May 19, 2021
- (gg) Innovation Factory Request for Funding Renewal Option (Item 12.1.a.g.)
Current Due Date: November 4, 2020
Proposed New Due Date: November 18, 2020

(2) Items to be Removed:

- (aa) Additional Cost Containment Measures to Limit Potential Budget Deficit resulting from COVID-19 (Addressed at the September 23, 2020 GIC as Item 14 - Report FCS20069) (Item 12.1.b.a)
- (bb) Revised 2020 Tax Supported Capital Financing Strategy (to free up additional funding to offset COVID-19 financial pressures) (Addressed at the September 23, 2020 GIC as Item 14 - Report FCS20069) (Item 12.1.b.b.)
- (cc) Review of Possible Methods to Assist Prospective Purchasers to better Understand Special Zoning & Land Use Restrictions on the Pleasant View Survey Lands (Addressed as Item 7 at the September 23, 2020 GIC - Report PED20154) (Item 12.1.b.c.)
- (dd) Investing in Canada Infrastructure Program - Community, Culture and Recreation Stream Intake (FCS19080) (Addressed at the August 13, 2020 Special Council as Item 3.1 - Confidential Report FCS19080(a)) (Item 12.1.b.d.)

(l) PRIVATE & CONFIDENTIAL (Item 13)

(i) Closed Session Minutes – October 21, 2020 (Item 13.1)

- (a) The Closed Session Minutes of the October 21, 2020 General Issues Committee meeting, were approved; and,
- (b) The Closed Session Minutes of the October 21, 2020 General Issues Committee meeting shall remain confidential.

(m) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 3:45 p.m.

Respectfully submitted,

Deputy Mayor Arlene VanderBeek
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Growth Management Division

TO:	Chair and Members Airport Sub-Committee
COMMITTEE DATE:	October 15, 2020
SUBJECT/REPORT NO:	2020-2021 John C. Munro Hamilton International Airport (HIA) - City of Hamilton Joint Marketing Initiatives (PED20180) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Guy Paparella (905) 546-2424 Ext. 5807
SUBMITTED BY:	Tony Sergi Senior Director of Growth Management Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

That the City of Hamilton approve and allocate \$55,000 from the Airport Joint Marketing Reserve Fund No. 112217 as the City's contribution to the 2020-2021 John C. Munro Hamilton International Airport – City of Hamilton Joint Marketing Initiatives outlined in Report PED20180.

EXECUTIVE SUMMARY

In accordance with Section 34 of the John C. Munro Hamilton International Airport (HIA) Lease Agreement between the City of Hamilton and TradePort International Corporation (TIC), the City is obliged to allocate monies to the HIA Joint Marketing Initiatives on an annual basis or as necessary. TIC has requested funding for one project for the 2020-2021 project year, namely to complete Airport Land Use Plan.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

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.

Financial: As of December 31, 2019, there was a balance of \$284,370 in the Airport Joint Marketing Reserve Fund No. 112217. There are more than sufficient funds to allocate the \$55,000 recommended for the 2020-2021 Joint Marketing Initiatives in Report PED20180.

Staffing: Not Applicable

Legal: Approval of the Joint Marketing Initiatives fulfils one of the City's obligations under Section 34 of the Head Lease Agreement with TIC for the HIA.

HISTORICAL BACKGROUND

The Regional Municipality of Hamilton-Wentworth (Region) leased the HIA from Transport Canada in 1987. On July 19, 1996, the Region entered into a 40-year Sub-Lease Agreement with TIC (to be converted to Lease upon transfer) to operate the HIA on its behalf. In December 1996, ownership of the HIA was transferred from Transport Canada to the Region.

Section 4.04 of the Lease Agreement provides for revenue sharing amongst the City and TIC which commenced in 2006. Pursuant to Sections 34.01, 34.02, 34.03 of the Agreement, the City agrees on an annual basis to dedicate no less than 25% of all Percentage Rent received by the City to match but not exceed marketing expenditures of the HIA in the immediately preceding year. In addition, the City agrees on an annual basis to dedicate a further 25% of all Percentage Rent received by the City to fund capital expenditures for municipal services in, on and around the HIA.

To comply with the HIA Lease Agreement, enable efficient use of HIA revenues, and maintain effective review procedures, staff recommended the establishment of separate HIA reserves for the revenues generated by the HIA Lease Agreement, Report PED07077 approved by Council February 28, 2007.

On December 31, 2018, staff was advised by Finance Division that there was \$284,370 in the Airport Joint Marketing Reserve Fund No. 112217. Therefore, staff is requesting approval for financial support of the proposed 2020-2021 Joint Marketing Initiatives from same.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

John C. Munro Hamilton International Airport Head Lease Agreement between TIC and the City of Hamilton.

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.

RELEVANT CONSULTATION

- Planning and Economic Development Department, Economic Development Division;
- Corporate Services Department, Finance and Administration Section; and,
- TradePort International Corporation (TIC).

ANALYSIS AND RATIONALE FOR RECOMMENDATION

There is only one project totaling \$55,000, for the City's consideration as Joint Marketing Initiatives as defined in Section 34 of the Head Lease Agreement to promote economic growth and development for the HIA. TIC or the City have not yet awarded any project listed, consultants have not been retained, and costing amounts are estimates only. TIC has advised that should the total cost of any project increase beyond the estimated cost; the City contribution would not be affected.

Project: John C. Munro Hamilton International Airport Land Use Plan Update

Basis of Funding Request:

- The City is obliged to allocate funds for growth projects at the Airport and these funds may be used for the purposes of attracting employment opportunities to Hamilton, along with developing a joint marketing plan for lands surrounding the Airport intended to attract Airport related development.

Background and Proponent:

- As interest in lands surrounding the John C. Munro Hamilton International Airport continues to grow, TradePort is requesting to jointly invest in completing an update to the Land Use Plan; and,
- To date, TradePort has completed an RFP process, and has selected MDX Development Strategists as the successful proponent. The contract has not been awarded as of yet.

Scope:

- The purpose of the update to the Land Use Plan will be to guide future development in and around the Airport lands in an efficient and cost-effective manner, while recognizing the Airport's and the City's strategic, operational and business objectives; and,

- This technical update to the current Land Use Plan within the current Master Plan will focus on land optimization to stimulate economic activity that further enhances the Airport's core business and establish the basis for marketing, offering and negotiating agreements, including "Through the Fence" agreements.

Timeline

- Projected timeframe to complete the scope of work is ten weeks after awarding the contract and initiating the project.

Cost

- Total expected cost is \$110,000, which the Airport is requesting 50% from the Airport Joint Marketing Reserve Fund (\$55,000).

Should total project cost increase, City contribution level would not be affected.

Staff are recommending that the City of Hamilton approve and allocate \$55,000 from the Airport Joint Marketing Reserve Fund No. 112217 as the City's contribution to the John C. Munro Hamilton International Airport Land Use Plan Update project outlined in Report PED20180.

ALTERNATIVES FOR CONSIDERATION

Not Applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Not Applicable

GP/as



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-010

9:30 a.m.

**November 5, 2020
Council Chambers
Hamilton City Hall**

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

Absent: Councillor L. Ferguson - Personal

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 20-010 AND RESPECTFULLY RECOMMENDS:

1. Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098) (City Wide) (Item 6.1)

That Report FCS20098 respecting Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee, be received.

2. Workplace Mental Health and Wellbeing Strategy (2019-2021) (HUR20009) (City Wide) (Item 9.2)

That Report HUR20009 respecting the Workplace Mental Health and Wellbeing Strategy (2019-2021), be received.

3. A Privacy Breach Review (FCS20097) (City Wide) (Item 9.3)

That Report FCS20097 respecting A Privacy Breach Review, be received.

4. Audit Report 2020-04 Transportation Operations Inventory Audit, Fraud & Waste Investigation, and Follow Up to Audit Report 2013-17 – Public Works – Traffic Inventory (AUD20008) (City Wide) (Item 9.4)

(a) That Appendix “A” to Report AUD20008, respecting the Transportation Operations Inventory Audit Report, be received;

(b) That the Management Responses as detailed in Appendix “A” and Appendix “B” to Audit, Finance & Administration Committee Report 20-010, and Private and Confidential Appendix “E” of Report AUD20008 be approved;

- (c) That the General Manager of Public Works be directed to instruct the appropriate staff to have the Management Responses (attached as Appendix “A” and Appendix “B” to Audit, Finance & Administration Committee Report 20-010, and Private and Confidential Appendix “E” to Report AUD20008) implemented;
- (d) That Appendix “C” to Report AUD20008, respecting the follow up of Audit report 2013-17, Public Works – Traffic Inventory, be received; and,
- (e) That Private and Confidential Appendix “E” to Report AUD20008, remain confidential.

5. 386 Wilcox Street Assessment Review Board Appeals (FCS20093 / LS20029) (City Wide) (Item 13.3)

- (a) That the direction provided to staff in Closed Session respecting Report FCS20093 / LS20029, 386 Wilcox Street Assessment Review Board Appeals, be approved and remain confidential, and;
- (b) That Report FCS20093 / LS20029, respecting 386 Wilcox Street Assessment Review Board Appeals and its appendices, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

5. DELEGATION REQUESTS

- 5.1 Cameron Kroetsch, respecting Item 6.1 - Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098) (For today's meeting)

The agenda for the November 5, 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) October 22, 2020 (Item 3.1)

The Minutes of the October 22, 2020 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 5)

(i) Cameron Kroetsch, respecting Item 6.1 - Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098) (For today's meeting) (Added Item 5.1)

That the Delegation Request from Cameron Kroetsch, respecting Item 6.1 - Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098), be approved for today's meeting.

(e) PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 7)

(i) Cameron Kroetsch, respecting Item 6.1 - Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098) (Added Item 7.1)

The Delegation from Cameron Kroetsch, respecting Item 6.1 - Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098), was moved up on the agenda to be heard prior to the consideration of Item 6.1.

Cameron Kroetsch addressed the Committee respecting Item 6.1 - Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098).

The delegation from Cameron Kroetsch, respecting Item 6.1 - Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee (FCS20098), be received.

(f) DISCUSSION ITEMS (Item 9)

(i) Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Advertising for Vacancies (Item 9.1)

(a) That Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Advertising for Vacancies, be deferred, in order for Communications staff to have the opportunity to attend and provide the Committee with advice at the November 17, 2020 LGBTQ Advisory Committee meeting;

(b) That Report FCS20098, respecting Advertising Costs Associated with Advertising for Vacancies on the LGBTQ Advisory Committee, be forwarded to the LGBTQ Advisory Committee for their information; and

(c) That the LGTBQ Advisory Committee report back to the Audit, Finance & Administration Committee on November 19, 2020.

(g) PRIVATE AND CONFIDENTIAL (Item 13)

(i) October 22, 2020 – Closed Minutes (Item 13.1)

- (a) The Closed Session Minutes of the October 22, 2020 Audit, Finance and Administration Committee meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the October 22, 2020 Audit, Finance and Administration Committee meeting, remain confidential.

(ii) 386 Wilcox Street Assessment Review Board Appeals (FCS20093 / LS20029) (City Wide) (Item 13.3)

That John O’Kane, from John. L. O’Kane Professional Corporation be permitted to attend the Closed Session portion of the meeting with respect to Report FCS20093 / LS20029, 386 Wilcox Street Assessment Review Board Appeals.

The Committee moved into Closed Session respecting Item 13.3, pursuant to Section 8.1, Sub-sections (e) and (f) of the City’s Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (e) and (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(iii) 386 Wilcox Street Assessment Review Board Appeals (FCS20093 / LS20029) (City Wide) (Item 13.3)

For further disposition of this matter, refer to Item 5.

(h) ADJOURNMENT (Item 14)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 11:11 a.m.

Respectfully submitted,

Councillor Wilson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**Audit Report 2020-04
Transportation Operations Inventory Audit**

RECOMMENDATIONS AND MANAGEMENT RESPONSES

November 5, 2020

**Office of the City Auditor
Amy Bodner, Performance Auditor
Charles Brown, City Auditor**

Recommendations

The following 18 recommendations will strengthen controls and increase process efficiencies related to inventory to reduce the risk of loss and misappropriation:

- 1. We recommend that standard operating procedures be created for all inventory-related processes, including the disposal of obsolete and excess inventory (that aligns with *Procurement By-Law No. 17-064*), disbursement of inventory to contractors and other City employees, inventory counts and security footage review. These procedures should apply to all current and future inventory locations. These procedures should include roles, responsibilities, process flow charts, sample documents and clear instructions to assist employees understand what is expected. A change management plan should be created to introduce the new operating procedures, including training and reinforcement with staff. Procedures must be reviewed at least annually and updated (as required). Evidence of the annual review should be documented and retained for audit purposes.**

Management Response

Agreed. The Transportation Operations & Business Initiatives sections will develop an operational plan to include all components of inventory management. The purpose of this operational plan is to document policies and procedures related to the operation and maintenance of the inventory system.

Anticipated completion date: Q3 2021.

- 2. We recommend that management implement a more robust system of measurement by incorporating performance metrics into the standard operating procedures outlined in Recommendation #1. These metrics should be monitored by management and used to enhance inventory management around obsolescence, shrinkage, waste and scrap values.**

Management Response

Agreed. The definition of performance metrics will be a key element in the development of the operational plan. The optimization of the new metrics will be monitored through the existing performance measurement methodology via the divisional balanced scorecard and annual reports.

The definition of metrics will be in alignment with the development of standard operating procedures in recommendation #1. The reporting and monitoring of metrics via the divisional scorecard and annual report will be incorporated in the 2022 work plan.

Anticipated completion date: Q4 2021.

- 3. We recommend that management review the job duties and roles performed for all positions to ensure that responsibility and accountability for inventory management is included at appropriate levels and duties are appropriately organized overall. Changes should be reflected in standard operating procedures as well as in job descriptions (as required).**

Management Response

Agreed. The division is reviewing and will modify the organizational structure implementing the changes accordingly. The associated changes to the roles and responsibilities will be outlined in the operational plan and standard operating procedures.

Anticipated completion date: Q1 2021.

- 4. We recommend that Transportation Operations management be provided with read-only access and training to view inventory levels in Hansen and run inventory reports.**

Management Response

Agreed. Business Initiatives will coordinate immediate access to Hansen with revised permission settings and complete require training for Supervisor level and above. Business Initiatives will develop an inventory report schedule for staff reference.

Anticipate completion date: Q4 2020.

- 5. We recommend that management undertake initiatives to break down silos between various sections and build a more inclusive, cooperative and collaborative environment. Such activities should focus on building awareness, desire, knowledge, ability and reinforcement to support change.**

Management Response

Agreed. The operational plan will also include the development of a change management plan so that the construction of an operational plan will assist in building awareness and enhance collaboration among cross-functional groups.

Anticipated completion date: 2020-2022.

- 6. We recommend that management review the primary and secondary inventory structure and what is stored in each area. Focus should be placed on the level of risk, control and access required when decided which items are stored in primary or secondary inventory.**

Management Response

Agreed. Management will undertake the risk-based assessment of storage and complete a Kaizen event to optimize the inventory structure and breakdown.

Anticipated completion date: Q2 2021.

- 7. We recommend that management implement additional controls to monitor higher risk items that remain in secondary inventory. Such controls may include cycle counts, reasonability analyses, utilizing usage-tracking technology (such as vending machines and rope counters), or creating and monitoring additional inventory classifications (such as work vehicles).**

Management Response

Agreed. The definition of control measures required for the secondary inventory will be in alignment with the development of standard operating procedures in recommendation #1.

Anticipated completion date: Q3 2021.

- 8. We recommend that management record all non-consumable items as inventory in Hansen. As part of this work, management should consult with Hansen support personnel to determine whether current capital items may be recorded in Hansen for tracking purposes only without charging costs out when materials are used.**

Management Response

Agreed. Management will prioritize the implementation of this recommendation before the end of this calendar year to ensure correct identification and tracking of all non-consumable items. Alternative approaches to Hansen will be investigated and may be adopted for tracking purposes.

Anticipated completion date: Q4 2020.

- 9. We recommend that Business Initiatives undertake a Kaizen or Kanban exercise to improve the organization of the stockroom and other secondary locations. Consideration should be given to designating specific areas to segregate and hold materials set aside for specific projects, obsolete goods awaiting disposal and items designated as "do not inventory".**

Management Response

Agreed. We will undertake a Kaizen event or a methodology that results in a stockroom that is clean, uncluttered, safe and well organized.

Anticipated completion date: Q2 2021.

- 10. We recommend that Business Initiatives review current part numbers and improve how inventory items are classified. This should include creating individual identifiers for kit components and signage.**

Management Response

Agreed. Business Initiatives will prioritize the implementation of this recommendation to ensure the correct identification and tracking of all existing part numbers before the end of the calendar year.

Anticipated completion date: Q4 2020.

- 11. We recommend that Business Initiatives include a description, picture and location code in Hansen for each part number to assist Traffic Operations Clerks locate items quickly within the warehouse.**

Management Response

Agreed, in part. Business Initiatives will investigate alternative approaches to fulfill the need of an ideal classification and identification of the inventory. Management may not necessarily use the current system Hansen for implementation of this recommendation.

Anticipated completion date: Q2 2021.

- 12. We recommend that management revise the returned materials policy to include more oversight and a more formal process over the reuse and disposal of goods (e.g. storage location, disbursement, etc.). A record should be kept of more significant disposed items which should be reviewed by management to identify possible product issues or warranty opportunities. Training should be provided to staff to build awareness of how items may be reused and recycled. Inappropriate behavior should be reinforced through the performance management process.**

Management Response

Agreed. The development of a returned material policy will be incorporated in the standard operating procedures in recommendation #1.

Anticipated completion date: Q4 2020.

- 13. We recommend that Business Initiatives reach out to Finance and Tangible Capital Assets to determine the best way to value materials returned from the street and how these transactions are recorded in Hansen. The valuation choices in Hansen should be restricted to eliminate possible data entry errors.**

Management Response

Agreed. Business Initiatives will collaborate with Finance to define the best methodology to record system transactions and value materials returned from the street.

Anticipated completion date: Q4 2020.

- 14. We recommend that management explore the feasibility of going paperless or adopting a paper-lite approach in both inventory management and operations. Opportunities should be explored in advance of implementing a new Enterprise Asset Management system in early 2021. A change management plan should be developed to support staff at all levels.**

Management Response

Agreed, in part. Management will adopt a paper-lite approach in accordance with the implementation of the Enterprise Asset Management System.

Anticipated completion date: To be determined – timeframe is dependent on the implementation of the Enterprise Asset Management System.

- 15. We recommend that management develop an inventory count procedure describing the strategy and methodology to be followed for both year end and cycle counts. Management should oversee and monitor staff performance during inventory counts, including observation during the count, review of count documents and performing sample recounts.**

Management Response

Agreed. Business Initiatives will prioritize the implementation of this recommendation to ensure an accurate inventory count procedure is adopted before the end of the calendar year.

Anticipated completion date: Q4 2020.

- 16. We recommend that management create a schedule indicating when cycle counts will occur and what will be counted. Staff should provide the cycle count forms to management at the end of the count for review and approval.**

Management Response

Agreed. Business Initiatives will prioritize the implementation of this recommendation to create a schedule for cycle counts before the end of the calendar year.

Anticipated completion date: Q4 2020.

- 17. We recommend that management implement safeguards for adjusting inventory within the system. One consideration may be for management to review and approve all inventory adjustments on a weekly basis. Management should compare the adjustment to the count form and explanations provided by staff to validate that the adjustment is appropriate. Management should sign and retain the transaction listing, along with supporting documentation, as evidence of their review for future audit purposes.**

Management Response

Agreed. The associated changes to the roles and responsibilities for inventory adjustments will be outlined in the operational plan and standard operating procedures.

Anticipated completion date: Q4 2020.

- 18. We recommend that management recommit to the nine management action plans outlined in the original audit. Management should review the audit observations to understand the issues which led to the audit recommendations and consider implementing alternative action plans (as required) considering the new recommendations brought forward.**

Management Response

Agreed. All outstanding recommendations will be addressed by the Transportation Operations & Business Initiatives sections with the development of an operational plan to include all components of Inventory Management.

The purpose of this operational plan is to document policies and procedures related to the operation and maintenance of the inventory system.

Anticipated completion date: Q3 2021.

Please note that there are four additional recommendations contained in the Private and Confidential Appendix "E" to Report AUD200008. A total of 22 recommendations were made for this audit.

Fraud & Waste Investigation – Case 2020-28312
Control Weaknesses Related to Specialized Copper Wire

November 5, 2020

Office of the City Auditor
Domenic Pellegrini, Senior Internal Auditor
Charles Brown, City Auditor

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Introduction

On May 12, 2020, the Director of Transportation Operations & Maintenance alerted the City Auditor of a possible fraud and waste at the Traffic Operations Centre (TOC). Specialized copper wire and some other potentially reusable materials, such as signs in new or nearly-new condition, had been scrapped in dumpsters at this location.

The Director stated in a recent internal review, Management reported that almost 17,000 meters of copper wire was missing (approximate value \$52K). The Director speculated that the scrapped copper wire could be the wire that was missing. The Director wanted to know why the wire had been discarded in dumpsters accessible to City staff; and how such a large quantity of copper wire could be missing. The Director also wanted a current count of the inventory at the Traffic Operations Centre to compare to the December 31st, 2019 year end inventory count, and a review of TOC's inventory control process.

This report only focuses on the missing wire. A report on the updated inventory count and the inventory control process can be found as Appendix "A" to Report AUD20008.

Preliminary Investigation and Initial Findings

The Office of the City Auditor (OCA) initiated a preliminary investigation. With the assistance of the Management, the OCA discovered that in January 2020, two Team Leads made the decision to scrap the wire found in the dumpster hopper as part of the outdoor compound clean up at the TOC. Four large spools of rubber sheathed copper wire cable had been stored outside in the TOC compound for a long period of time. As this type of copper wire cable had not been used by TOC for a long time, it was deemed obsolete. When questioned, the two Team Leads indicated that it was the practice at the Traffic Operations Centre to scrap obsolete parts by tossing them into the hoppers. Physical observation of the wooden reels shows that they were weathered, suggesting that they had been exposed to the elements for a long time. This lent to the credibility of the Team Lead's rationale. TOC inventory identifies this type of copper wire as part number TRSG1966. The December 31, 2019 Year End Inventory count describes this part as CABLE: COMM. WITH RUNNER 19 AWG FIGURE 8(6PR). It shows that 2,000 meters of this wire was in inventory at a cost to the City of \$5,049.

In early June 2020, the OCA interviewed the Management who had alerted the Director of missing copper wire. They explained that as of the end of April 2020, there was a discrepancy between Hansen and the physical inventory at the Traffic Operations Centre. This discrepancy was almost 16,800 meters of copper wire. The December 31, 2019 Year End Inventory identifies this wire as three different part numbers:

- TRSG1967 CABLE: 14-4 CONDUCTOR NO RUNNER
- TRSG1970 CABLE: 14-7 CONDUCTOR NO RUNNER; and,
- TRSG1990 CABLE: 14-14 CONDUCTOR NO RUNNER.

The OCA confirmed that the missing 16,800 meters of the three wires represents a dollar loss to the City of approximately \$52K.

On June 10, 2020, the OCA, with the assistance of the Management, performed an inventory count of all the copper wire at the TOC. The review noted that there was about 25,300 meters of various copper wires on site with a combined value of approximately \$61.5K. The most valuable copper wires in inventory were:

- TRSG1967 CABLE 14-4;
- TRSG1970 CABLE 14-7; and
- TRSG1994 CABLE 14-14.

Collectively, these three wire classes represented almost 60% of the dollar value of Traffic's copper wire inventory. TRSG1994 CABLE 14-14 is especially valuable, as its average cost to the City was approximately \$6.73 per meter in 2020.

The system currently used at the TOC accurately tracks the amount and the cost of all copper wire **purchases**. However, copper wire **usage** and the amount **scrapped** are poorly tracked. This makes it difficult to accurately determine the ending copper wire inventory and why copper wire may be missing.

Vulnerability #1: Careless Disposal of Copper Wire

The copper wire that was deemed obsolete, was disposed of in a way that could have been misappropriated as it was tossed into an open dumpster at the TOC. This dumpster is accessible to any City staff, at any given time, as some staff use the gas pump at the TOC to fuel their City vehicles. As noted above, this material was listed in the 2019 Year End Inventory report as part number TRSG1966, 2,000 m of copper wire valued at approximately \$5K. However, the value noted on the inventory report reflects the cost of the item to the City, rather than the scrap value of the item. The two Team Lead's who decided to scrap this wire because it was deemed obsolete did so without giving thought to the potential value of this asset.

Recommendations

It is recommended that the process of disposing of assets be consistent with that outlined in the Procurement Policy section 4.16 (1) the Disposal of Surplus and Obsolete Goods. That is, the Director of the client department shall:

- a) declare a good as surplus or obsolete to the needs of the City before it may be disposed; and,
- b) recommend the appropriate disposal methods, which are cost effective and in the best interest of the City, for the declared surplus or obsolete good.

It is recommended that when disposing of assets containing copper wire, the Traffic Operations Centre Management work together with the Manager of Procurement and the City's Director of Financial Services & Corporate Controller in a manner consistent with Procurement Policy section 4.16 (2) to obtain the best scrap value and/or wholesale value for the item(s) being disposed.

It is recommended that all scrap metals be kept under constant surveillance to guard against theft and to ensure that they are disposed properly.

Management Response for this Section

Agreed. A full review and training on the Procurement Policy is underway. The Transportation Operations and Business Initiatives sections will coordinate with Corporate Security to ensure appropriate disposal methods of copper wire. The definition of a returned material policy will be in alignment with the construction of standard operating procedures in recommendation #1 from Appendix B.

Anticipated completion date: Q4 2020.

Vulnerability #2: Inadequate Tracking of Copper Wire Usage

The amount of copper wire used is not tracked adequately. The copper wire spools known as part numbers TRSG1967, TRSG1970 and TRSG1994, are stored in the garage near the staff trucks. At the start of their work day, the staff pull the length of different copper wires needed from these spools and load it onto their work trucks. The amount of wire taken is neither recorded by these staff nor by the clerical staff as the copper wire spools are not located in the main stockroom.

When the staff finish their job, they complete the Daily Activity Sheet (DAS) and indicate the quantities of materials used. At the end of their shift, the staff return to the Traffic

Operations Centre and discard any scrap copper wire left over from the job into the dumpster, located at the back of the TOC. The staff submits their DAS to the Team Lead. On the DAS, the Team Lead can see the amount of wire reportedly used by the TSS. However, the amount of wire scrapped by the staff is not reported. Therefore, a reconciliation cannot be performed to ensure that the amount of wire loaded onto the truck, corresponds to the amount of wire used on a job and the amount that is scrapped upon return to the TOC location at the end of the shift. In addition, third party contractors working on City projects will sometimes come to the Traffic Operations Centre and pull out lengths of copper wire from the spools in the garage themselves, without TOC staff or management knowing the amount of wire that was taken.

Recommendations

It is recommended that the spools with the copper wire part numbers TRSG1967, RSG1970 and TRSG1994 are stored in a location where they will only be distributed by the clerical staff.

It is recommended that the staff, at the end of their work day, return any waste or unused copper wire to the clerical staff instead of disposing of the wire themselves.

It is recommended that clerical staff maintain a log showing the amount of copper wire pulled off the spools; to whom the wire was issued (including third party contractors); and the amount of wire returned to be scrapped at the end of the day.

It is recommended that Team Leads perform spot checks on a regular basis by comparing the amount of wire issued to the amount of wire used (as indicated on the DAS), and the amount of wire returned for scrap. Management should also investigate whenever the amount of wire issued exceeds the sum of that used and that returned for scrap.

Management Response for this Section

Agreed. Management will undertake the risk-based assessment of storage and complete a Kaizen event to optimize the inventory structure and breakdown. Copper wire stock will be moved into primary stock location as part of the reorganization of the facility.

Anticipated completion date: Q2 2021.

Vulnerability #3: Errors Recording Copper Wire Usage in Hansen

The data entry of copper wire usage into Hansen is prone to errors. Upon receiving the TSS Daily Activity Sheet, the Team Lead reviews and authorizes the DAS. The authorized DAS are forwarded to the clerical staff. The clerical staff enter the activity into Hansen including the amount of wire used. Since this is a manual process, there will sometimes be a difference between the amounts recorded in the DAS and the amounts keyed into Hansen.

The OCA compared the copper wire usage reported on the DAS to what was keyed into Hansen over the past four years (2017 to 2020). The OCA noted that the variance was greatest for copper wire TRSG1994 CABLE 14-14; the most expensive of the three copper wires in this review. In 2019, the usage reported by Daily Activity Sheets was 724 m less than that reported by Hansen. The value of this discrepancy totalled approximately \$4,900.

Recommendations

It is recommended that periodic reconciliations be performed to ensure that the quantities of materials used by staff, as reported on the Daily Activity Sheets, are accurately recorded in Hansen. A record of such reconciliations should be retained for at least three years.

It is recommended that management investigate and implement a method to automate the uploading of the actual quantity of materials used by staff in the field from the Daily Activity Sheets into Hansen.

Management Response for this Section

Agreed. The associated changes to the roles and responsibilities for inventory adjustments will be outlined in the operational plan and standard operating procedures related to inventory adjustment. Staff corporate policy training to be completed in Q4 – 2020, as per recommendation in Vulnerability #1.

Anticipated completion date: Q1 2021.

Vulnerability #4: Inadequate Safeguarding of Copper Wire Assets

The 2019 Year End Inventory report indicated that a total of 14,394 m of copper wire (part numbers TRSG1967, TRSG1970 and TRSG1994,) with a combined value of \$52.6K, was stored in the compound outside of the garage. That is, when the inventory

count was taken in late December 2019, these wires were stored in the outside yard. Here, they would have been accessible to different City staff that use the TOC gas pumps to fuel their City vehicles after regular business hours. When questioned, both management and the clerical staff stated that this type of copper wire has never been stored in the compound outside the garage. However, they could not produce any documentation showing who counted this inventory and where the copper wire was stored while being counted.

The three wire cables have indicators placed at regular intervals on the rubber sheathing covering the copper cable. These indicators show the amount of wire remaining on each spool. It was not possible to validate that these indicators were used to calculate the amount of wire remaining in inventory.

TOC Procedures indicate that periodic cycle counts are usually performed on inventory items with high value or those that cycle in and out of inventory quickly. Yet, despite their high value, part numbers TRSG1967, TRSG1970 and TRSG1994 were not included in the cycle counts in 2019 or 2020.

Recommendations

It is recommended that management re-organize the storage and inventory of all copper wire at the Traffic Operations Centre to ensure that all copper wire is stored in a secure location, safeguarded from potential theft.

It is recommended that periodic cycle counts performed throughout the year include all copper wire and that the indicators on the rubber sheathing be used as a quick way to gauge the amount of wire in inventory.

Management Response for this Section

Agreed. Copper wire stock will be moved into primary stock location as part of the reorganization of the facility. Management will create a schedule for inventory counts.

Anticipated completion dates: Q2 2021 for relocation of copper wire. Q4 2020 for cycle counts (to align with Rec. #19 and 20 in Appendix B).



EMERGENCY & COMMUNITY SERVICES COMMITTEE

Report 20-009

1:30 p.m.

Thursday, November 5, 2020

Council Chambers

Hamilton City Hall

71 Main Street West

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

Also Present: Councillor C. Collins

Regrets: Councillor T. Whitehead – Personal

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 20-009, AND RESPECTFULLY RECOMMENDS:

1. Consent Items (Items 7.1-7.2)

That the following Consent Items, be received.

- (a) All Seasons Soccer Facility Proposal (HSC20047) (City Wide)
(Outstanding Business List Item)
- (b) Status and Strategy for Wild Waterworks (HSC20048) (City Wide)

2. Hamilton Fire Department Service Delivery Plan (2019 - 2028) Progress Update (HSC19026(a)) (City Wide) (Item 10.1)

That Report HSC19026(a), respecting Hamilton Fire Department Service Delivery Plan (2019 - 2028) Progress Update, be received.

- 3. YWCA Seniors Program Annual Operating Grant (HSC20018) (Ward 2 and 4) (Item 10.2)**
- (a) That the City of Hamilton be authorized to enter into a new five year Older Adult Program Operating Agreement with the Young Women’s Christian Association (YWCA) effective April 1, 2020 for the operation of two Senior Recreation Centres in lower Hamilton on terms and conditions satisfactory to the City Solicitor and the Director of the Recreation Division (the “Operating Agreement”);
 - (b) That the Older Adult Program Operating Agreement include a clause permitting up to two extensions, each up to five additional years on the same terms and conditions as the Operating Agreement each at the discretion of the General Manager of the Healthy and Safe Communities Department or his designate;
 - (c) That the City of Hamilton be authorized to enter into an extension of the Lease Agreement with the YWCA for the premises located at 1715 Main Street East, Hamilton, for a period of up to one year commencing on January 1, 2021 and expiring not later than December 31, 2021 on the same terms and conditions as the existing Lease Agreement except rent which shall be prorated, at the discretion of the General Manager of the Healthy and Safe Communities Department or his designate;
 - (d) That the City provide an annual operating grant, the amount of which will be determined annually as part of the City budget process and confirmed with the YWCA once operating budgets have been approved by City Council, over the term of the agreement; and,
 - (e) That the General Manager of the Healthy and Safe Communities Department, or his designate, be authorized to execute the Older Adult Program Operating Agreement, Lease Extension as well as any ancillary and extension agreements, in a form satisfactory to the City Solicitor.
- 4. Hamilton East Kiwanis Non-Profit Homes Inc. Subsidy Transfer (HSC20032) (Ward 3) (Item 10.3)**
- (a) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to enter into, execute and administer a rent subsidy agreement with Hamilton East Kiwanis Non-Profit Homes Inc. to transfer up to \$267,780 of social housing operating subsidy from the sale of up to 32 existing scattered units to rent supplements in newly constructed units located at 6 – 14 Acorn Street for a duration of 20 years in accordance with the terms and conditions contained in the Rent Supplement Term Sheet attached as Appendix “A” to Emergency and Community Services Committee Report 20-009, in a form satisfactory to the City Solicitor;

- (b) That the value of the subsidy paid on the units at 6 – 14 Acorn Street be increased annually by the allowable rent increase guideline set by the Ministry of Municipal Affairs and Housing; and,
- (c) That during the period between the sale of the up to 32 scattered units and the rent up of the new units at 6 – 14 Acorn Street, the subsidy paid by the City of Hamilton to Hamilton East Kiwanis Non-profit Homes Inc. be applied to the development costs of 6 – 14 Acorn Street.

5. System Replacement for Discretionary Benefits for Ontario Works, Ontario Disability Support Program and Special Supports Low Income Program (HSC20039) (City Wide) (Item 10.4)

- (a) That the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, with Clark Marketing Communications (Clark) for the replacement of the Discretionary Benefits systems used for Ontario Works (OW), Ontario Disability Support Program (ODSP) and Special Supports Low Income Program, be approved and funded as follows:
 - (i) That the estimated one-time cost of \$171,410 be funded from Tax Stabilization Reserve (110046) generated from the Ontario Works forecasted 2020 Net Levy savings;
 - (ii) That the annual Discretionary Benefits System monthly maintenance cost estimate of \$49,000 annually, (\$29,400 Net Levy, \$19,600 Provincial funding), with the Net Levy portion to be funded from annual savings derived from permanent efficiencies within the Ontario Works Program to be included and approved by Council through the 2021 Budget process;
- (b) That Council approve opening a Capital Project Budget in 2020 for the Discretionary Benefit System estimated at \$171,410 as described in recommendation (a) of Report HSC20039; and,
- (c) That the General Manager, Healthy and Safe Communities Department be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with Clark Marketing Communications, in a form satisfactory to the City Solicitor.

6. Dominic Agostino Riverdale Recreation Centre Licence Agreement (HSC20052) (Ward 5) (Item 14.2)

- (a) That the directions to staff in Report HSC20052, respecting Dominic Agostino Riverdale Recreation Centre Licence Agreement, be approved;
- (b) That Report HSC20052, remain confidential until the negotiations have concluded and the agreement has been executed.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. Delegation Requests (Items 6.3-6.4)

- 6.3 Brian H. Sibley, Hamilton East Kiwanis Non-Profit Homes Inc., respecting Hamilton East Kiwanis Non-Profit Homes Inc. Subsidy Transfer (for today's meeting)
- 6.4 Robert Scott Innes, respecting an update committee on progress on affordable low-cost housing program (for a future meeting)

7. CONSENT ITEMS (Items 7.3)

- 7.3 Housing and Homelessness Advisory Committee Minutes
 - (a) February 4, 2020
 - (b) March 3, 2020

14. PRIVATE AND CONFIDENTIAL (Item 14.2)

- 14.2 Dominic Agostino Riverdale Recreation Centre License Agreement (HSC20052) (Ward 5)

The rationale for going into Closed Session respecting Item 14.2 was amended to include Section 8.1, Sub-section (k) of the City's Procedural By-law18-270, as amended, and Section 239(2), Sub-section (k) of the Ontario Municipal Act, 2001, as amended as the subject matter pertains to 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, which was missing on the original agenda.

The agenda for the November 5, 2020 Emergency and Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no Declarations of Interest.

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

(i) October 8, 2020 (Item 4.1)

The Minutes of the October 8, 2020 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved, as presented:

- (a) Angela Pugliese, respecting the Crisis with Supportive Housing for those with Disabilities (for a future meeting) (Item 6.1)
- (b) Francis Lao, McMaster Medical School Day of Action Committee, respecting homelessness in Hamilton (for a future meeting) (Item 6.2)
- (c) Brian H. Sibley, Hamilton East Kiwanis Non-Profit Homes Inc., respecting Hamilton East Kiwanis Non-Profit Homes Inc. Subsidy Transfer (for today's meeting) (Added Item 6.3)
- (d) Robert Scott Innes, respecting an update committee on progress on affordable low-cost housing program (for a future meeting) (Added Item 6.4)

(e) CONSENT ITEMS (Item 7)

(i) Housing and Homelessness Advisory Committee Minutes (Added Item 7.3)

The following Housing and Homelessness Advisory Committee Minutes, were received:

- (a) February 4, 2020
- (b) March 3, 2020

(f) PUBLIC HEARINGS/DELEGATIONS (Item 8)

(i) Brian H. Sibley, Hamilton East Kiwanis Non-Profit Homes Inc., respecting Hamilton East Kiwanis Non-Profit Homes Inc. Subsidy Transfer

Brian H. Sibley, Hamilton East Kiwanis Non-Profit Homes Inc., addressed the Committee respecting Hamilton East Kiwanis Non-Profit Homes Inc. Subsidy Transfer.

The Delegation from Brian H. Sibley, Hamilton East Kiwanis Non-Profit Homes Inc., respecting Hamilton East Kiwanis Non-Profit Homes Inc. Subsidy Transfer, was received.

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

(g) GENERAL INFORMATION/OTHER BUSINESS

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

The following amendment to the Emergency and Community Services Outstanding Business List, was approved:

(a) Items to be Removed

- (i) All Seasons Soccer Facility**
Item on OBL: 19-B
Addressed as Item 7.1 on today's agenda

(h) PRIVATE AND CONFIDENTIAL (Item 14)

The Emergency and Community Services Committee determined that it was not necessary to move into Closed Session respecting Items 14.1 and 14.2.

(i) Closed Session Minutes – October 8, 2020

The Closed Session Minutes of the October 8, 2020 meeting of the Emergency and Community Services Committee, were approved, as presented.

(ii) Dominic Agostino Riverdale Recreation Centre Licence Agreement (HSC20052) (Ward 5) (Item 14.2)

For disposition of this matter, refer to Item 6.

(g) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee was adjourned at 2:56 p.m.

Respectfully submitted,

Councillor E. Pauls
Chair, Emergency and Community Services
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

Inspection Reports Summary for Wentworth Lodge

Date of Visit	Report Received	Inspection Trigger	Area(s) of Focus	Compliance Findings
July 24 – Aug 10/20	Aug 31/20	2 Complaints 2 Critical Incidents System Reports (CIS)	Plan of Care	Resident was transferred from bed to a wheelchair which was not supported in the resident care plan. No injuries or negative outcomes. Resident Power of Attorney (POA) has now provided consent for transfers using the mechanical lift.
July 24 - Aug 10/20	Sept 1/20	7 CIS 1 Complaint	Failure to Protect from Abuse, Plan of Care, Reporting Abuse, Responsive Behaviour Program	<p>Resident with dementia and responsive behaviours had an interaction with two other residents that resulted in a bruise and a small skin tear.</p> <p>Resident is known to have responsive behaviours and MLTC indicates staff failed to anticipate or stop the interaction. Plan of care should be more fulsome.</p> <p>A staff person failed to alert a supervisor that a resident with dementia touched the chest of another resident with dementia. No finding of sexual abuse but the issue was not immediately reported to MLTC.</p>

CITY OF HAMILTON MOTION

Council: November 11, 2020

MOVED BY COUNCILLOR S. MERULLA.....

SECONDED BY COUNCILLOR.....

Feasibility of Connectivity Options to Help Address the Digital Divide

WHEREAS, the City of Hamilton recognizes that the Internet is an essential means of communication, forming an invaluable informational, educational and economic utility that should be accessible to all Hamiltonians irrespective of income.

WHEREAS, the COVID-19 pandemic has exacerbated the digital divide and further illustrated the Internet as an essential service for the wellbeing of residents and a means to fully participate in society, including but not limited to, access to public health information, pandemic support services, emergency income supports, online education, and connectivity to family and friends.

WHEREAS, HCE Telecom, a division of Hamilton Enterprises Holding Corporation (HEHCO), a wholly own corporation of the City of Hamilton, is actively supporting connectivity options and will continue to further research, explore and support connectivity opportunities that breakdown the digital divide making the Internet and its applications and connectivity infrastructure more accessible across the community.

THEREFORE, BE IT RESOLVED:

That city staff be directed to work with HCE Telecom and partners to explore the feasibility of connectivity options to help address the digital divide and become a recognized leader in providing public Internet access and connectivity infrastructure.

CITY OF HAMILTON

NOTICE OF MOTION

Council: November 11, 2020

MOVED BY COUNCILLOR L. FERGUSON.....

Cannabis Retail Store Authorization Application, 11 Hatton Drive (also referred to as 9 Hatton Drive), Ancaster (AGCO File #946701)

WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO) received an application for a Cannabis Retail Store at 11 Hatton Drive in Ancaster and the process is underway;

WHEREAS written submissions of objection to the AGCO could only be made during the 15-day public notice period ending May 22, 2020, and only by a resident of the municipality in which the proposed store is located, or the municipality itself;

WHEREAS City of Hamilton filed an official objection to this application to the Alcohol and Gaming Commission of Ontario for the following reasons:

- (a) 11 Hatton Drive is a property in the middle of a densely populated residential area that is a destination for children as they attend and return from their elementary schools on foot and by bus and the community is very concerned about the safety of children because of increased traffic in a highly residential area;
- (b) 11 Hatton Drive is surrounded by homes with residents that have lived in their homes since new (1950); and
- (c) 11 Hatton Drive is situated in a small commercial property with apartments on top and a parking lot that is problematic for drivers and walkers;

WHEREAS it has come to the Ward Councillor’s attention through City of Hamilton staff that approval of this application is imminent although as of November 9, 2020 on the AGCO website it states that the application is still in progress;

THEREFORE BE IT RESOLVED:

- (a) That the Mayor of the City of Hamilton correspond with the Honourable Doug Downey, Attorney General, Ministry of the Attorney General (MAG), to request that the application for a Cannabis Retail Store at 11 Hatton Drive in Ancaster, be denied due to the all the reasons noted in the City of Hamilton’s submitted objection and the objections submitted by City of Hamilton residents; and

- (b) That this resolution be forwarded to the Association of Municipalities Ontario (AMO), the Hamilton Wentworth District School Board (HWDSB) and the Hamilton Wentworth Catholic District School Board (HWCDSB).

Authority: Item 4, Planning Committee
Report 20-013 (PED20181)
CM: November 11, 2020
Ward: 10

Bill No. 235

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 3692-92 (Stoney Creek), Respecting Lands Located at 1313 Baseline Road (Stoney Creek)

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

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

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

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 4 of Report 20-013 of the Planning Committee, at its meeting held on the 11th day of November, 2020, recommended that Zoning By-law No. 3692-92 (Stoney Creek), be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan.

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

1. That Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:
 - (a) by changing the zoning from the Single Residential "R1" Zone, to the Single Residential "R3-44" Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, be amended by adding Special Exemption "R3-44" as follows:

“R3-44” 1313 Baseline Road, Schedule “A” Map No. 4

Notwithstanding the provisions of Paragraph (a) of Section 6.4.3 “Zone Regulations” of the Single Residential “R3” Zone, on those lands zoned “R3-44”, by this By-law, the following shall apply:

(a) Minimum Lot Area

Corner Lot

390 square metres

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

PASSED this 11th day of November, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-16-016



This is Schedule "A" to By-law No. 20- Passed the day of, 2020	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 20-_____</p> <p>to Amend By-law No. 3692-92</p>	<p>Subject Property</p> <p>1313 Baseline Road</p> <p> Change in zoning from the Single Residential "R1" Zone to the Single Residential "R3-44" Zone, Modified</p>
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Scale: N.T.S	File Name/Number: ZAC-16-016	
Date: March 4, 2020	Planner/Technician: MA/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 6, Planning Committee
Report 20-012 (PED20164)
CM: October 28, 2020
Ward: 9

Bill No. 237

CITY OF HAMILTON

BY-LAW NO. 20-

To Amending Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 1912 Rymal Road East (Glanbrook)

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

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

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item 6 of Report 20-012 of the Planning Committee at its meeting held on the 28th day of October 2020, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided; and,

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. .

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

1. That Schedule “J” – Rymal Road Planning Area, appended to and forming part of By-law No. 464 (Glanbrook), be amended by changing the zoning from Agricultural “A1” Zone to Residential Multiple “H-RM4-319” Zone, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.
2. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying **SECTION 20.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)**, provisions (b), (d), (e), (f), (g), (h), (i), (k):

RM4-319

20.2 (b) Minimum Lot Area:

0.38 hectares

- (d) Maximum Lot Coverage: 48 percent
- (e) Maximum Density: 242 dwelling units per hectare
- (f) Front Yard: 3.0 metres
- (g) Minimum Side and Rear Yards
 - (i) 3.0 metre easterly side yard
 - (ii) 13.0 metre westerly side yard
 - (iii) 3.0 metre rear yard
- (h) Minimum Floor Area per Dwelling Unit Shall not apply
- (i) Maximum Building Height 18.0 metres
- (k) Minimum Landscaped Area 27 percent of the lot area excluding the Amenity Area

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-section 7.35 - MINIMUM PARKING REQUIREMENTS – Clause (b), the following provision shall apply:

(b) Off Street Parking Space Requirements

Parking Spaces shall be provided at a rate of 1 space per dwelling unit and 0.25 visitor parking spaces per dwelling unit.

3. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “RM4-319” Zone provisions as follows:

H-RM4-319

That the “H” symbol applicable to the lands zoned “H-RM4-319” may be removed by a further amendment to this By-law at such time that the applicant submits and implements a revised Traffic Impact Study to the satisfaction of the Manager of Transportation Planning.

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 Residential Multiple “RM4” Zone

To Amending Zoning By-law No. 464 (Glanbrook)
Respecting Lands Located at 1912 Rymal Road East (Glanbrook)

Page 3 of 4

provisions, subject to the special requirements as referred to in Section 2 of this By-law.

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

PASSED this 11th day of November, 2020.

F. Eisenberger
Mayor

ZAC-18-029
UHOPA-18-11

A. Holland
City Clerk



<p style="text-align: center;">This is Schedule "A" to By-law No. 20-</p> <p>Passed the day of, 2020</p>	<p style="text-align: center;">----- Mayor</p> <p style="text-align: center;">----- Clerk</p>
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<h2 style="margin: 0;">Schedule "A"</h2> <h3 style="margin: 0;">Map forming Part of By-law No. 20-_____</h3> <h3 style="margin: 0;">to Amend By-law No. 464</h3>	<p>Subject Property</p> <p>1912 Rymal Road East</p> <p> Change in zoning from the Agriculture "A1" Zone to the Residential Multiple "H-RM4-319" Zone, Modified, Holding</p>
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Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 2, 3, 4, 9, 10, 13, 14, 15

Bill No. 238

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

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

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Duration	Times	Days	Adding/ Deleting
6 - Time Limit	E	Carling	North	Paradise to 26.8m easterly	2 hr	8 am - 9 pm	Mon - Sat	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
8 - No Parking	F	Fruitland Road	Both	From 350m north of Highway 8 to 220m south of Barton Street	Anytime	Deleting
8 - No Parking	F	Fruitland Road	Both	Highway 8 to 220m south of Barton Street	Anytime	Deleting
8 - No Parking	F	Fruitland Road	Both	From 150m north of Barton Street to 220m south of Barton Street	Anytime	Deleting
8 - No Parking	C	Hamilton St.	Both	From 100m north of Cedar St. to Parkside Dr.	Anytime	Deleting
8 - No Parking	C	Harvest Ct.	West	51m south of Harvest Rd. to 30m south thereof	Anytime	Deleting
8 - No Parking	C	Harvest Ct.	East	51m south of Harvest Rd. to 50m south thereof	Anytime	Deleting
8 - No Parking	E	Kimberly	West	from 2.4m south of the extended south curb line of Scotia to 28.8m northerly	Anytime	Deleting
8 - No Parking	E	King William	North	from 47.2m east of Mary to 33.2m easterly	Anytime	Deleting
8 - No Parking	E	Mary	West	King William to Wilson	Anytime	Deleting
8 - No Parking	E	Carling Street	North	Paradise Road South to Macklin Street South	Anytime	Adding
8 - No Parking	G	Catharine Street North	East	14 meters south of Rebecca Street to 12 meters south thereof	Anytime	Adding
8 - No Parking	F	Fruitland Road	Both	Highway 8 to North Service Road	Anytime	Adding
8 - No Parking	C	Hamilton Street North	Both	Dundas Street (Highway 5) to Parkside Drive	Anytime	Adding
8 - No Parking	C	Harvest Court	Both	Harvest Road to southerly end	10:00 a.m. to 7:00 p.m., Saturdays, Sundays & Statutory Holidays, March 15th to November 15th	Adding
8 - No Parking	E	Kimberly Drive	West	Scotia Avenue to 28 metres north thereof	Anytime	Adding
8 - No Parking	E	Kimberly Drive	Both	Scotia Avenue to 54 metres south thereof	Anytime	Adding
8 - No Parking	E	Mary Street	West	King William Street to Rebecca Street	Anytime	Adding
8 - No Parking	E	Omni Boulevard	Both	Stone Church Road West to Upper Horning Road/Gurnett Drive	Anytime	Adding

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

Schedule	Section	Highway	Location	NPA from 8am on 1st day of each month, to 11pm on 15th day of each month AND Dec-Mar	NPA from 8am on 16th day of each month to 11pm on last day of month Apr-Nov	Adding/Deleting
10 - Alt Side (Apr-Nov)	E	Carling	Paradise to Macklin	North	South	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
12 - Permit	E	Grosvenor	West	from 43.1m north of Dunsmure to 6m northerly	Anytime	Deleting
12 - Permit	E	Catharine Street North	East	78 meters north of Barton Street East to 6 meters north thereof	Anytime	Adding
12 - Permit	E	Tisdale Street North	East	from 36.9 metres south of Cannon Street East to 5.2 metres south thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
13 - No Stopping	E	Catharine	East	King William to Rebecca	Anytime	Deleting
13 - No Stopping	E	Catharine	West	Wilson to Rebecca	Anytime	Deleting
13 - No Stopping	D	Bellagio Avenue	North	57 meters west of Kingsborough Drive to 37 meters west thereof	Anytime	Adding
13 - No Stopping	D	Bellagio Avenue	North	118 meters west of Kingsborough Drive to 47 metres west thereof	Anytime	Adding
13 - No Stopping	D	Bellagio Avenue	North	48 meters east of Charleswood Crescent 35 meters east thereof	Anytime	Adding
13 - No Stopping	E	Catharine Street North	East	King William Street to 63 metres north thereof	Anytime	Adding
13 - No Stopping	E	Catharine Street North	West	Wilson Street to Rebecca Street	Anytime, Police Vehicles Only	Adding
13 - No Stopping	E	Catharine Street North	West	Wilson Street to 18 metres south thereof	Anytime	Adding
13 - No Stopping	C	Hamilton Street North	East	Cedar Street to 62 metres south thereof	Anytime	Adding

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

<i>13 - No Stopping</i>	<i>E</i>	King William Street	North	47 meters east of Mary Street to 33 meters east thereof	Anytime, Police Vehicles Only	Adding
<i>13 - No Stopping</i>	<i>E</i>	Mary Street	West	Wilson Street to 33 metres south thereof	Anytime	Adding
<i>13 - No Stopping</i>	<i>E</i>	Mary Street	West	Wilson Street to Rebecca Street	Anytime, Police Vehicles Only	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 11th day of November 2020.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

To Confirm the Proceedings of City Council at its meeting held on November 11th, 2020.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 11th day of November 2020, in respect of each recommendation contained in

General Issues Committee (Budget) Report 20-017 – October 29, 2020
Planning Committee Report 20-013 – November 3, 2020,
General Issues Committee Report 20-018 – November 4, 2020,
Audit, Finance & Administration Committee Report 20-010 – November 5, 2020,
and,
Emergency & Community Services Committee Report 20-009 – November 5, 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 11th day of November, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk