



City of Hamilton

CITY COUNCIL AGENDA

20-026

Wednesday, December 16, 2020, 9:30 A.M.

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

All electronic meetings can be viewed at:

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

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

Call to Order

1. APPROVAL OF AGENDA

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

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1. November 25, 2020

4. COMMUNICATIONS

4.1. Correspondence from the Township of Huron-Kinloss requesting support for their resolution for tougher laws and larger financial penalties when dealing with unauthorized car rallies and participants.

Recommendation: Be endorsed.

- 4.2. Correspondence respecting the protest to defund the Hamilton Police:
 - 4.2.a. Evan Ubene
 - 4.2.b. Joy Mudjar
 - 4.2.c. Ashley Daniels
 - 4.2.d. Alix MacLean
 - 4.2.e. Danielle Hitchcock-Welsh
 - 4.2.f. Grace Evans and Scott Dobbin
 - 4.2.g. Sarah Van Berkel
 - 4.2.h. Rebecca Steckle
 - 4.2.i. Seamus Atkinson
 - 4.2.j. Lauren Stephen
 - 4.2.k. Alexandra Weinberger
 - 4.2.l. Rosa Zetler
 - 4.2.m. Olivia Mancini
 - 4.2.n. Emergency Support Committee for Refugees Board of Directors
 - 4.2.o. Alexandra Weinberger
 - 4.2.p. Sabatino Parisse
 - 4.2.q. Patricia Varanesi
 - 4.2.r. Amanda Santos
 - 4.2.s. Danielle Hitchcock-Welsh
 - 4.2.t. Gillian Kearns
 - 4.2.u. Sarah Cripps
 - 4.2.v. Hannah Uzelac

4.2.w. Vilma Rossi

4.2.x. Victoria Marko

4.2.y. Sonia Martin and Alan Robson

4.2.z. Samantha Richarz

4.2.aa. Laura Katz

4.2.ab. Olivia Bozzo

4.2.ac. Maureen McKeating

4.2.ad. Krista Binnington

4.2.ae. Tanya Ritchie

4.2.af. Oliver Fraser

4.2.ag. Jess Taylor

4.2.ah. Sandra Smith

4.2.ai. Jenn Cross

4.2.aj. Olivia Bozzo

4.2.ak. Emily Kulpaka

4.2.al. Reem Mandil

4.2.am. Danielle Hitchcock-Welsh

4.2.an. Danielle Hitchcock-Welsh

4.2.ao. Alexandra Weinberger

4.2.ap. Patricia Varanesi

4.2.aq. Ani Chenier

4.2.ar. Scott Neigh

4.2.as. Danielle Hitchcock-Welsh

- 4.2.at. George Ball
 - 4.2.au. Michael Moniz
 - 4.2.av. Suzanne Kelly - Added as Item 4.31
 - 4.2.aw. Doreen Stermann
 - 4.2.ax. Kim Selman
 - 4.2.ay. 14 For Progress
 - 4.2.az. Roger Stermann
 - 4.2.ba. Diane Fields
 - 4.2.bb. Meaghan Horn
 - 4.2.bc. Ken McLaren
 - 4.2.bd. Katie King
 - 4.2.be. Sarah Van Berkel
- 4.3. Correspondence from Halton Region respecting their resolution in regards to the Water Supply for 720, 768 and 780 Mountain Brow Road West in North Aldershot, Burlington for information.
- Recommendation: ***Be received and referred to the General Manager of Public Works for appropriate action.***
- 4.4. Correspondence from Helen Jowett, Chair, Grand River Conservation Authority respecting Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures).
- 4.4.a. Additional Information
- Recommendation: Be endorsed.
- 4.5. Correspondence from Brenda Johnson, Chair and Bruce MacKenzie, Vice Chair, Niagara Peninsula Conservation Authority respecting the changes to the Conservation Authorities Act and Conservation Authorities' Role in Land Use Planning.
- Recommendation: Be endorsed.

4.6. Correspondence from Malwina Szczotka respecting In-School Speech Therapy Service Concern.

Recommendation: Be received.

4.7. Correspondence respecting Sidewalk Snow Removal:

4.7.a. LGBTQ Advisory Committee

4.7.b. Joshua Weresch

Recommendation: Be received.

4.8. Correspondence from the Township of Howick requesting support for their resolution requesting the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations under the Act that would

require tile drainage contractors to file farm tile drainage installation plans with the local municipality.

Recommendation: Be received.

4.9. Correspondence from Business Improvement Areas requesting Council to continue to advocate on their behalf when working with provincial and public health counterparts in implementing COVID-19 Response Framework; to consider their fate and

to demand a fair and level playing field for all businesses so that they have the same opportunity to make it through the pandemic...bruised and scathed but still viable:

4.9.a. Tara Crugnale, Chair, Downtown Dundas Business Improvement Area

4.9.b. Waterdown BIA Directors, on behalf of the Waterdown BIA membership

Recommendation: Be received.

4.10. Correspondence from the County of Frontenac requesting support for their resolution requesting that the Province extend the compliance deadline stated in Section 14(4) of Ontario Regulation 191/11 to require designated public sector organizations

to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022 and to consider providing funding support and training resources to municipalities to meet these compliance standards.

Recommendation: Be endorsed.

- 4.11. Correspondence from Jim Bradley, Chair, Niagara Region respecting Niagara Region's support for the Niagara Peninsula Conservation Authority Board of Directors motion requesting that the province remove the proposed Schedule 6 from Bill 229 and continue

to work with the conservation authorities on regulations proposed under Bill 108 to achieve desired improvements in the planning process.

Recommendation: Be endorsed.

- 4.12. Correspondence from Ian Borsuk of Environment Hamilton on behalf of the Hamilton Transit Alliance respecting the status of transit in the City of Hamilton and potential concerns on how the provincial government has chosen to proceed with providing municipalities like Hamilton with essential funding as a result of the pandemic.

Recommendation: Be received *and referred to the General Managers of Public Works and Finance and Corporate Services for appropriate action.*

- 4.13. Correspondence from Board of Directors of The Waterfront Regeneration Trust respecting Schedule 6 of Bill 229 which contains changes to the Conservation Authority Act, which will cripple Conservation Authorities, destroy watershed planning and politicize

the planning process.

Recommendation: Be endorsed.

- 4.14. Correspondence requesting that Council stop MZOs and stop new sprawl proposals on farmland and natural areas outside of the urban boundary:

4.14.a. Kelly Ross

4.14.b. Nancy Hurst

4.14.c. Leanna Nigro

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

- 4.15. Correspondence from the City of St. Catharines requesting support for the resolution requesting that Ontario's Health Ministry accept Hospice Niagara's request and start fully funding all hospice health care workers fully right away.

Recommendation: Be endorsed.

- 4.16. Correspondence from the Municipality of Southwest Middlesex requesting support for their resolution requesting the Province work with the Federal Minister of Transportation to address concerns regarding municipal draining matters and the need for coordination with the national railways.

Recommendation: Be received.

- 4.17. Correspondence respecting faulty work; the release of financial penalties and more transparency with respect to the bidding process:

4.17.a. Roger Stermann

4.17.b. Carmen Stermann

4.17.c. Alexander Borghesan

Recommendation: Be received.

- 4.18. Correspondence from the Region of Peel requesting support for their resolution requesting amendments to the Criminal Code that provide protections for paramedics.

Recommendation: Be received.

- 4.19. Correspondence from the City of St. Catharines requesting support for their resolution requesting the Government of Ontario to place an interim cap of 2.5 mega tonnes per year on our gas plants' 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.

Recommendation: Be received.

- 4.20. Correspondence from Principles Integrity respecting a Code of Conduct complaint against Councillor Merulla.

Recommendation: Be received.

- 4.21. Correspondence from Dawn Danko, Chair, Hamilton-Wentworth District School Board to the Honourable Stephen Lecce, Minister of Education respecting their concerns regarding student transportation during our 2020-21 school reopening.

Recommendation: Be received.

- 4.22. Correspondence from Josh Neubauer, Planner, Urban Strategies; Mary Lou Tanner, Planner, Niagara Planning Group and Kate Whalen, McMaster respecting comments on the Report of the Mayor's Task Force on Economic Recovery regarding the Task Force's Report.

Recommendation: Be received and referred to the consideration of Item 8 of General Issues Committee Report 20-023.

- 4.23. Correspondence from Suzanne Kelly respecting Homelessness.

Recommendation: Be received

5. COMMITTEE REPORTS

- 5.1. Mayor's Task Force on Economic Recovery Report 20-006 - November 26, 2020
- 5.2. Special General Issues Committee Report 20-022 - November 30, 2020
- 5.3. Board of Health Report 20-008 – December 7, 2020
- 5.4. Public Works Committee Report 20-012 – December 7, 2020
- 5.5. Planning Committee Report 20-015 – December 8, 2020
- 5.6. General Issues Committee Report 20-023 – December 9, 2020
- 5.7. Audit, Finance and Administration Committee Report 20-013 – December 10, 2020
- 5.8. Emergency and Community Services Committee Report 20-011 – December 10, 2020
- 5.9. General Issues Committee (GRIDS 2 and the Municipal Comprehensive Review) Report 20-024 - December 14, 2020

6. MOTIONS

- 6.1. Appointment to the Greater Bay Area Sub-Committee
- 6.2. Appointment to the Committee Against Racism
- 6.3. Amendments to sub-sections (d) and (e) to Item 4 of the Emergency & Community Services Committee Report 19-007, respecting Report HSC19034 – Affordable Housing Demonstration Project, which was approved by Council on June 26, 2019
- 6.4. Amendments to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program

6.5. COVID-19 Recreation User Fee Financial Relief

6.6. Amendment to Item 9.2 of the November 11, 2020 Council Minutes , respecting Report PW20068(b) - City of Hamilton Transfer Stations and Community Recycling Centres Contract Update

7. NOTICES OF MOTIONS

8. STATEMENTS BY MEMBERS

9. PRIVATE AND CONFIDENTIAL

9.1. Closed Session Minutes – November 25, 2020

Pursuant to Section 8.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e), (f), (i) 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 City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization 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 City of a local board.

10. BY-LAWS AND CONFIRMING BY-LAW

10.1. 252

To Establish City of Hamilton Land Described as Block 186 on Plan 62M-992 as Part of Provident Way

Ward: 11

10.2. 253

To Establish City of Hamilton Land Described as Block 189 on Plan 62M-992 as Part of Rosebury Way

Ward: 11

10.3. 254

To Establish City of Hamilton Land Described as Parts 1, 4, 7, and 10 on Plan 62R-21280, as Part of Skinner Road

Ward: 9

- 10.4. 255
A By-law to Establish the 2021 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton
Ward: City Wide
- 10.5. 256
To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2021 Fees and Charges
Ward: City Wide
- 10.6. 257
To Amend the Waterworks By-law No. R84-026 and Implement the 2021 Fees and Charges
Ward: City Wide
- 10.7. 258
To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2021 Fees and Charges
Ward: City Wide
- 10.8. 259
To Amend By-law No. 15-058, a By-law Respecting Building Permits and Related Matters
Ward: City Wide
- 10.9. 260
To Amend City of Hamilton By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties
Table 23 – By-law No. 20-077 Nuisance By-law
Ward: City Wide
- 10.10. 261
To Adopt Official Plan Amendment No. 141 to the Urban Hamilton Official Plan Respecting 56 Highland Road West (Stoney Creek)
Ward: 9

- 10.11. 262
To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 56 Highland Road West, Stoney Creek
ZAC-16-057
Ward: 9
- 10.12. 263
To Adopt Official Plan Amendment No. 25 to the Rural Hamilton Official Plan Respecting 2121 and 2187 Regional Road 56 (former Township of Glanbrook)
Ward: 11
- 10.13. 264
Respecting Removal of Part Lot Control, Block 155, Registered Plan No. 62M-1251 "Laguna Village", municipally known as 315 Dalgleish Trail, Glanbrook
PLC-19-035
Ward: 11
- 10.14. 265
Respecting Removal of Part Lot Control, Lots 7, 8 and 9 of Registered Plan No. 62M-1233 known as "Binbrook Heights Addition – Phase 1" (Parts 7 and 8 of Registered Plan 62R-20437), municipally known as 6, 10 and 14 Daw Avenue
PLC-20-009
Ward: 11
- 10.15. 266
To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 5 (Stop Control)
Ward: 9, 11

- 10.16. 267
To Amend By-law No. 01-215 Being a By-law To Regulate Traffic
Schedule 2 (Speed Limits)
Schedule 3 (Flashing School Zones – Reduced Speed Limit)
Schedule 9 (No Right Turn on Red)
Schedule 18 (Bike Lanes)
Schedule 24 (Designated Community Safety Zones)
Ward: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15
- 10.17. 268
To Amend By-law No. 01-215, Being a By-law to Regulate Traffic
Schedule 34 (Designated Community Safety Zones)
Ward: 3
- 10.18. 269
A By-law to Amend By-law No. 01-215, Being a By-law to Regulate Traffic
E-Scooters
Ward: City Wide
- 10.19. 270
A By-law to Regulate the Use of Commercial E-Scooters in Hamilton
Ward: City Wide
- 10.20. 271
A By-law to Amend By-law No. 01-219, to Manage and Regulate Municipal Parks
and to Amend By-law No. 17-225, Being a By-law to Establish a System of
Administrative Penalties
Table 12 – By-law No. 01-219 To Manage and Regulate Municipal Parks
Ward: City Wide

10.21. 272

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

Schedule 2 (Through Highways)

Schedule 8 (No Parking Zones)

Schedule 12 (Permit Parking Zones)

Schedule 13 (No Stopping Zones)

Schedule 14 (Wheelchair Loading Zones)

Schedule 20 (School Bus Loading Zones)

Ward: 1, 2, 3, 4, 5, 6

10.22. 273

Hamilton 60 Caledon Avenue Municipal Housing Project Facilities By-law

Ward: 8

10.23. 274

To Confirm the Proceedings of City Council

11. ADJOURNMENT



CITY COUNCIL MINUTES 20-026

9:30 p.m.

November 25, 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, A. VanderBeek (Deputy Mayor), E. Pauls and J. Partridge.

Absent: Councillor T. Whitehead – Personal.

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

4. COMMUNICATIONS

4.13 Correspondence respecting Sidewalk Snow Removal:

- (n) Lauren Stephen
- (o) Ani Chernier

Recommendation: Be received and referred to Item 4 of General Issues Committee Report 20-019.

- 4.21 Correspondence from the Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Closed meeting complaint about a meeting held by the Hamilton Farmers' Market Corporation Board of Directors on September 28, 2020.

Recommendation: Be received.

- 4.22 Correspondence from Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Close meeting held by the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee on October 20, 2020.

Recommendation: Be received.

- 4.23 Correspondence from Denis Page requesting that Council make the wearing of masks mandatory.

Recommendation: Be received.

- 4.24 Correspondence respecting e-bikes banned posted signs in Stoney Creek:

- (a) Lakewood Beach Community Council
- (b) Walter Cairns

Recommendation: Be received.

- 4.25 Correspondence from Ugo Penna respecting cameras for speeding in Hamilton.

Recommendation: Be received.

- 4.26 Correspondence from Lakewood Beach Community Council respecting the Niagara Regional Transit On Demand Pilot Project.

Recommendation: Be received and referred to the consideration of Item 5 of Public Works Committee Report 20-011.

- 4.27 Correspondence from Municipal Property Assessment Corporation (MPAC) respecting MPAC: 2021 Values and COVID-19.

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

- 4.28 Correspondence from the Hamilton Conservation Authority respecting the Board's concerns with Bill 229: *Protect, Support and Recover from COVID 19 Act (Budget Measures Act) - Schedule 6 - Conservation Authorities Act*.

Recommendation: Be received and referred to the consideration of Item 7.1.

- 4.29 Correspondence from Emily Kulpaka respecting Covid Protocols and City Priorities.

Recommendation: Be received.

- 4.30 Correspondence from Mrs. S. Bonnallie respecting Tents in front of City Hall.

Recommendation: Be received.

7. NOTICES OF MOTION

- 7.1 Bill 229 - Proposed Changes to the *Conservation Authorities Act*

9. PRIVATE AND CONFIDENTIAL

- 9.3 Potential Regulatory Litigation Update (PW19008(j)/LS19004(j)) (City Wide)

CHANGE TO THE ORDER OF ITEMS

External Counsel will be in attendance during the Closed Session portion of the meeting for Item 9.3, therefore, Item 9.3 has been moved up on the agenda to be dealt with prior to 9.2 when Council moves into Closed Session.

(Johnson/Nann)

That the agenda for the November 25, 2020 meeting of Council be approved, **as amended**.

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

DECLARATIONS OF INTEREST

Councillor Danko declared an interest to Item 3 of Planning Committee Report 20-014 respecting the Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11), as his spouse is employed by the Hamilton Wentworth District School Board.

Councillor Danko declared an interest to Item 7 of Planning Committee Report 20-014 respecting the 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.

Councillor Merulla declared an interest to Item 6 of Planning Committee Report 20-014 respecting Radon Gas Mitigation Requirements (PED20200) (City Wide) (Item 9.2) as he is a landlord.

Councillor Merulla declared an interest to Item 2 of Board of Health Report 20-007, respecting Radon Prevalence in Hamilton (BOH20022) (City Wide) as he is a landlord.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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3. November 11, 2020 (Item 3.1)

(Partridge/Clark)

That the Minutes of the November 11, 2020 meetings 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
 NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

COMMUNICATIONS

(VanderBeek/Clark)

That Council Communications 4.1 to 4.30 be approved, as ***amended*** as follows:

- 4.1. Correspondence from the Town of Grimsby requesting support for their resolution respecting amendments to Schedule 11 of Bill 108 to remove the powers provided to the Local Planning Appeal Tribunal, retaining the authority for hearing certain appeals by the Conservation Review Board and to return the authority for final decisions to municipal council's as the elected representatives of the communities wherein the property and its features of cultural heritage value exist.

Recommendation: Be received.

- 4.2. Correspondence from the Township of Amaranth requesting support for their resolution respecting rescinding of the proposed changes regarding ranked ballot voting and the nomination period included as part of Bill 218.

Recommendation: Be received.

- 4.3. Correspondence from the Municipality of Meaford requesting support for their resolution respecting Bill 218, Supporting Ontario's Recovery and *Municipal Elections Act*.

Recommendation: Be received.

- 4.4. Correspondence from the Niagara Peninsula Conservation Authority (NPCA) respecting the execution of agreements with partner municipalities to facilitate shared services of Integrity Commissioners for complaints respecting the violation of the NPCA's Code of Conduct.

Recommendation: Be received ***and referred to the City Manager for appropriate action.***

- 4.5. Correspondence from the Township of Garafraxa requesting support for their resolution requesting that the Province work with the Municipal Property Assessment Corporation to address the assessment issues so that aggregate resource properties are assessed for their industrial value.

Recommendation: Be received.

- 4.6. Correspondence from the City of Brantford requesting support for their resolution respecting the proposed changes to the *Municipal Elections Act, 1996* and requesting that the Province delay their decision until the Province has received comments from the Association of Municipalities of Ontario, Large Urban Mayor's Caucus of Ontario, the Federation of Canadian Municipalities and municipalities.

Recommendation: Be received.

- 4.7. Correspondence from the Ministry of Municipal Affairs and Housing respecting the National Disaster Mitigation Program (NDMP).

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

- 4.8. Correspondence from Ministry of Municipal Affairs and Housing respecting Enforcement of Orders under the *Reopening Ontario Act, 2020*.

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

- 4.9. Correspondence from Janet Linton respecting Report PW20071/PED20196, Road Safety Review and Appropriate Measures at York Road and Newman Road Intersection, requesting the deferral of the matter until the Niagara Escarpment Commission has made their ruling.

Recommendation: Be received and referred to the consideration of Item (g)(i) of Public Works Committee Report 20-011.

- 4.10. Correspondence from Malwina Szczotka advocating for in-school speech therapy services for her 5 year old son:

- (a) November 16, 2020
- (b) November 19, 2020

Recommendation: Be received.

- 4.11. Correspondence from the Township of Howick requesting support for their resolution requesting that the Ministry of Agriculture, Food and Rural Affairs consider lower the interest rate on Tile Drain Loans.

Recommendation: Be received.

- 4.12. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the second intake for the Audit and Accountability Fund which will further support the City's efforts to find efficiencies, while delivering the services residents and businesses rely on every day.

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

- 4.13. Correspondence respecting Sidewalk Snow Removal:

- (a) Maureen McDougall
- (b) Sarah Bayliss
- (c) Shawn Smith

- (d) Alexandra Witek
- (e) Olivia Bozzo
- (f) Sidney Melko
- (g) Nicki Munro
- (h) Paige Hutchinson
- (i) Rachel Smiley
- (j) Frances Murray
- (k) Durand Neighbourhood Association
- (l) Nathalie Bouchard
- (m) Janice Brown and Linda Miocinovich
- (n) Lauren Stephen
- (o) Ani Chernier

Recommendation: Be received and referred to Item 4 of General Issues Committee Report 20-019.

- 4.14. Correspondence from Karl Grotke respecting a 2021 property tax increase.

Recommendation: Be received and referred to the 2021 Budget deliberations.

- 4.15. Correspondence from the Conservation Halton Board Members to the Honourable Doug Ford, Premier of Ontario; the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks and the Honourable Rod Phillips, Minister of Finance respecting their response to the proposed amendment to the *Conservation Authorities Act* (CA Act), contained in Schedule 6, Bill 229.

Recommendation: Be **endorsed**.

- 4.16. Correspondence from Nancy Martire respecting the new Automated Speed Enforcement System.

Recommendation: Be received.

- 4.17. Correspondence from Councillor Lloyd Ferguson, Chair and Lisa Burnside, CAO of the Hamilton Conservation Authority respecting the Hamilton Conservation Authority's preliminary response to the Province's proposed changes to the *Conservation Authorities Act*.

Recommendation: Be **endorsed**.

- 4.18. Correspondence from the Ministry of Municipal Affairs and Housing respecting the *Ontario Rebuilding and Recovery Act*: Accelerating Infrastructure Initiatives Municipal Engagement.

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

- 4.19. Correspondence from the City of St. Catharines requesting support for their resolution respecting the proposed changes to the Conservation Authorities in Bill 229.

Recommendation: Be endorsed.

- 4.20. Correspondence from the Honourable Christine Elliott, Deputy Premier and Minister of Health advising the City of Hamilton - Child and Adolescent Services that they will be receiving \$70,000 in one-time funding for the 2020-21 funding year to support community-based child and youth mental health services.

Recommendation: Be received and referred to the General Manager, Healthy and Safe Communities.

- 4.21 Correspondence from the Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Closed meeting complaint about a meeting held by the Hamilton Farmers' Market Corporation Board of Directors on September 28, 2020.

Recommendation: Be received.

- 4.22 Correspondence from Ombudsman of Ontario notifying the City of an Ombudsman's investigation respecting a Close meeting held by the Lesbian, Gay, Bisexual, Transgender and Queer Advisory Committee on October 20, 2020.

Recommendation: Be received.

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Recommendation: Be received.

- 4.24 Correspondence respecting e-bikes banned posted signs in Stoney Creek:

- (a) Lakewood Beach Community Council
- (b) Walter Cairns

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

- 4.25 Correspondence from Ugo Penna respecting cameras for speeding in Hamilton.

Recommendation: Be received.

- 4.26 Correspondence from Lakewood Beach Community Council respecting the Niagara Regional Transit on Demand Pilot Project.

Recommendation: Be received and referred to the consideration of Item 5 of Public Works Committee Report 20-011.

- 4.27 Correspondence from Municipal Property Assessment Corporation (MPAC) respecting MPAC: 2021 Values and COVID-19.

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

- 4.28 Correspondence from the Hamilton Conservation Authority respecting the Board's concerns with Bill 229: *Protect, Support and Recover from COVID 19 Act (Budget Measures Act)* - Schedule 6 - *Conservation Authorities Act*.

Recommendation: Be **endorsed** and referred to the consideration of Item 7.1.

- 4.29 Correspondence from Emily Kulpaka respecting Covid Protocols and City Priorities.

Recommendation: Be received.

- 4.30 Correspondence from Mrs. S. Bonnallie respecting Tents in front of City Hall.

Recommendation: Be received.

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

(VanderBeek/Ferguson)

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

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

BOARD OF HEALTH REPORT 20-007

(Wilson/Nann)

That Board of Health Report 20-007, being the meeting held on Monday, November 16, 2020, be received and the recommendations contained therein be approved.

Due to a declared conflict, Item 2 was voted on separately as follows:

2. Radon Prevalence in Hamilton (BOH20022) (City Wide) (Item 9.1)

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

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Board of Health Report 20-007, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 20-011

(Danko/Merulla)

That Public Works Committee Report 20-011, being the meeting held on Monday, November 16, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Public Works Committee Report 20-011, CARRIED by a vote of 13 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- NOT PRESENT - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

PLANNING COMMITTEE REPORT 20-014

(Farr/Collins)

That Planning Committee Report 20-014, being the meeting held on Tuesday, November 17, 2020, be received and the recommendations contained therein be approved.

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

- 3. Application to Amend the Rural Hamilton Official Plan for Lands Located at 2121 and 2187 Regional Road 56, Glanbrook (PED20027) (Ward 11) (Item 7.2)**

Result: Motion on Item 3 CARRIED by a vote of 12 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
NOT PRESENT – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
CONFLICT - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 6 was voted on separately as follows:

6. Radon Gas Mitigation Requirements (PED20200) (City Wide) (Item 9.2)

Result: Motion on Item 6 CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
CONFLICT - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Due to a declared conflict, Item 7 was voted on separately as follows:

7. Connection to Municipal Services for Ecole Elementaire Michaelle Jean School, 2121 Hwy 56, and Former Wills Motors Property, located at 2187 Hwy 56, Binbrook (Item 10.1)

Result: Motion on Item 7 CARRIED by a vote of 12 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
NOT PRESENT – Ward 6 Councillor Tom Jackson
YES - Ward 7 Councillor Esther Pauls
CONFLICT - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of Planning Committee Report 20-014, CARRIED by a vote of 14 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
YES - Ward 5 Councillor Chad Collins
NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

GENERAL ISSUES COMMITTEE REPORT 20-019

(VanderBeek/Ferguson)

That General Issues Committee Report 20-019, being the meeting held on Wednesday, November 18, 2020, be received and the recommendations contained therein be approved.

Result: Motion on General Issues Committee Report 20-019, 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
 NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-011

(Wilson/Pearson)

That Audit, Finance and Administration Committee Report 20-011, being the meeting held on Thursday, November 19, 2020, be received and the recommendations contained therein be approved.

At Council’s request, Item 5 was voted on separately as follows:

5. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee – Budget Expenditure Requests (Added Item 9.4)

Result: Motion on Item 5 CARRIED by a vote of 13 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 NO - 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 Audit, Finance and Administration Committee Report 20-011, 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 20-010

(Pauls/Nann)

That Emergency and Community Services Committee Report 20-010, being the meeting held on Thursday, November 19, 2020, be received and the recommendations contained therein be approved.

Result: Motion on Emergency and Community Services Committee Report 20-010, 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(VanderBeek/Collins)

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 Sole Voting Member of the Hamilton Farmers’ Market Report 20-002; and the General Issues Committee (Rate Budget) Report 20-020.

CARRIED on a 2/3rds Majority

GENERAL ISSUES COMMITTEE (RATE BUDGET) REPORT 20-020**(VanderBeek/Collins)**

That General Issues Committee (Rate Budget) Report 20-020, being the meeting held on Monday, November 23, 2020, be received and the recommendations contained therein be approved.

Result: Motion on the General Issues Committee (Rate Budget) Report 20-020, 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET REPORT 20-002**(VanderBeek/Pearson)**

That Sole Voting Member of the Hamilton Farmers' Market Report 20-002, being the meeting held on Monday, November 23, 2020, be received and the recommendations contained therein be approved.

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

Result: Motion on Item 2 CARRIED by a vote of 13 to 1 as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 NOT PRESENT - Ward 6 Councillor Tom Jackson
 NO - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - 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
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the Sole Voting Member of the Hamilton Farmers' Market Report 20-002, CARRIED by a vote of 13 to 1, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- NOT PRESENT – Ward 6 Councillor Tom Jackson
- NO - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - 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
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(VanderBeek/Partridge)

That the Committee of the Whole Rise and Report.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

MOTIONS

6.1 Amendment to sub-sections (c) and (d) to Item 7 of the Audit, Finance and Administration Committee Report 20-001, respecting Use of External Services for Tax Assessment & Appeals (FCS20005) (City Wide)

(Wilson/Merulla)

WHEREAS, a staff report identifying the level of City involvement in Assessment Appeals will be presented to the Audit, Finance and Administration Committee on December 10, 2020;

WHEREAS, due to workloads and other priorities as a result of COVID-19, the modified Request for Proposals for consultancy firms specializing in Tax Assessment and Appeals will not be finalized until late 2020/early 2021; and

WHEREAS, no consulting costs were incurred in 2020.

THEREFORE, BE IT RESOLVED:

That sub-sections (c) and (d) to Item 7 of the Audit, Finance and Administration Committee Report 20-001, respecting Use of External Services for Tax Assessment & Appeals (FCS20005) (City Wide), which was approved by Council on January 22, 2020, be **amended** to amend the dates, as follows:

- (c) That staff report back on actual consulting costs incurred in ~~2020~~ **2021**, to determine if a sustainable funding source is required for ~~2024~~ **2022** and future; and,
- (d) That the consulting costs incurred in ~~2020~~ **2021** be funded from the Tax Stabilization Reserve. (Account number 110046).

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

6.2 Amendment to Item 22 of the General Issues Committee Report 14-009, respecting Confidential Report CES14022, Acquisition of Property in Ward 3, which was approved by Council on April 23, 2014

(Nann/Merulla)

WHEREAS, the final real estate transactions for the acquisition of the lands known municipally known as has 39, 43, 45 and 67 - 81 Lloyd Street, Hamilton are complete; therefore, this resolution may be considered in public; and,

WHEREAS, this amendment is required to correct an administrative oversight;

THEREFORE, BE IT RESOLVED:

That Item 22 of the General Issues Committee Report 14-009, respecting Confidential Report CES14022 the Acquisition of Property in Ward 3, be **amended** as follows:

- (a) That sub-section (b)(iii) to Report CES14022, respecting the Acquisition of Property in Ward 3, be amended by deleting the dollar amount of \$3,200,000 and replacing it with the dollar amount of “**\$500,000**”, to read as follows:

(iii) Ward 3 Capital Reserve	\$3,200,000	\$500,000
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- (b) That a new sub-section (vi) be added to sub-section (b) of Report CES14022, respecting the Acquisition of Property in Ward 3, to read as follows:

(vi) Parkland Acquisition Reserve (108050)	\$2,700,000
---	--------------------

Sub-section (b), as **amended**, to read as follows:

- (b) That the revised budget for acquisition, demolition and environmental remediation for the subject properties in the amount of \$12,418,475, be approved as follows:

(i) Capital WIP (Brian Timmis relocation)	\$2,000,000
(ii) Development Charges	\$ 400,000
(iii) Ward 3 Capital Reserve	\$ 500,000
(iv) Parkland Dedication Fee Reserve	\$2,600,000
(v) Area Rated Portion (Wards 1-8)	\$4,218,475
(vi) Parkland Acquisition Reserve (108050)	\$2,700,000

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

- YES - Ward 1 Councillor Maureen Wilson
- NOT PRESENT - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- NOT PRESENT – 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

6.3 Bill 229 - Proposed Changes to the *Conservation Authorities Act*

(Ferguson/Clark)

WHEREAS, the funding for the Hamilton Conservation Authority (HCA) budget is as follows, with the principal funders of the HCA being the City of Hamilton and self generated revenues with the Province contributing 2%:

- Self generated 58%
- City of Hamilton 37%
- Hamilton Conservation Foundation 2%
- Township of Puslinch 1%
- Province 2%

WHEREAS, Bill 229, will remove the HCA's authority to issue stop work orders when catastrophic damage is occurring in a protected area;

WHEREAS, Bill 229, provides the Minister with the authority to make decisions respecting the watershed, without the HCA's watershed data and expertise;

WHEREAS, Bill 229, proposes to permit applicants to appeal a decision to the Local Planning Appeal Tribunal (LPAT), which are currently appealed to the HCA;

WHEREAS, Bill 229, removes citizen appointees who currently provide valuable expertise that Councillors may not have (legal, communications, and environmental expertise etc.) from HCA's current membership (5 (five) Hamilton Councillors; 5 (five) citizens appointed by Hamilton City Council and 1 (one) member appointed by the Township of Puslinch);

WHEREAS, Bill 229, has Municipal Chairs and Vice Chairs rotating to a different municipality every two years, which will result in the appointee from the Township of Puslinch holding an unelected position on the Board as Chair or Vice Chair in perpetuity, while only contributing 1% of the revenue; and

WHEREAS, Bill 229, will remove the HCA's ability to expropriate lands, which is an important last resort tool the HCA has for land acquisition in our watershed;

THEREFORE, BE IT RESOLVED:

- (a) That the Province of Ontario withdraw Schedule 6 of the *Budget Measures Act* (Bill 229);

- (b) That the Province continue to work with Conservation Authorities to find workable solutions to reduce red tape and create conditions for growth;
- (c) That the Province respect the current Conservation Authority / Municipal relationships;
- (d) That the Province embrace their long-standing partnership with the Conservation Authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role; and
- (e) That this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario; Honourable Rod Phillips, Minister of Finance; Honourable Jeff Yurek, Minister of Environment; Honourable John Yakabuski, Minister of Natural Resources and Forestry; Honourable Steve Clark, Minister of Municipal Affairs and Housing; local MPP's; Ted Arnott, MPP Puslinch; the local Media; Conservation Ontario and Association of Municipalities Ontario (AMO).

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

NOTICES OF MOTION

7.1 Bill 229 - Proposed Changes to the *Conservation Authorities Act*

(Ferguson/Clark)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Bill 229 - Proposed Changes to the *Conservation Authorities Act*.

Result: Motion CARRIED by a 2/3 vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson

NOT PRESENT - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 YES - Ward 5 Councillor Chad Collins
 NOT PRESENT– 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 - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
 YES - Ward 12 Councillor Lloyd Ferguson
 YES - Ward 11 Councillor Brenda Johnson
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

Refer to Item 6.3 for further disposition of this item.

(Pauls/Pearson)

That Council recess at 12:40 p.m.

CARRIED

Council reconvened at 1:10 p.m.

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 – November 11, 2020

(Merulla/Collins)

That the Closed Session Minutes dated November 11, 2020 be approved, as presented, and remain confidential.

CARRIED

(Merulla/Pearson)

That Item 9.4, respecting a Regulatory Litigation Matter (Verbal Update), be added to the November 25, 2020 Council Agenda.

CARRIED

(Pauls/Ferguson)

That Council move into Closed Session respecting Items 9.2, 9.3 and 9.4 pursuant to Section 8.1, Sub-sections (e), (f), (i) and (k) of the City's Procedural By-law 18-270, as amended; and, Section 239(2), Sub-sections (e), (f), (i) 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 City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization 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 City of a local board.

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

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

9.2 Potential for Major Events in 2022 and 2023 (PED20071(a)) (City Wide) REVISED**(Ferguson/Pearson)**

- (a) That the direction provided to staff in Closed Session respecting Report PED20071(a) respecting Potential for Major Events in 2022 and 2023, be approved; and,
- (b) That Report PED20071(a) respecting Potential for Major Events in 2022 and 2023 and its appendix, remain confidential.

(Clark/Danko)

That sub-section (b) be **amended** by adding “***with the exception of the event costs which are to be released publicly following the execution of the agreements***”.

Result: Amendment CARRIED by a vote of 8 to 5, as follows:

YES - Ward 1 Councillor Maureen Wilson
NO - Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - 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
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
NO - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
NO - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

At Council's request, the sub-sections of Item 9.2 were voted on separately as follows:

- (a) That the direction provided to staff in Closed Session respecting Report PED20071(a) respecting Potential for Major Events in 2022 and 2023, be approved; and,

Result: Motion on sub-section (a) CARRIED by a vote of 12 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
NOT PRESENT - 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
NOT PRESENT - Ward 15 Councillor Judi Partridge
NOT PRESENT - 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
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

- (b) That Report PED20071(a) respecting Potential for Major Events in 2022 and 2023 and its appendix, remain confidential ***with the exception of the event costs which are to be released publicly following the execution of the agreements.***

Result: Motion on sub-section (b) as Amended CARRIED by a vote of 10 to 3, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - 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
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - 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
 NO - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

9.3 Potential Regulatory Litigation Update (PW19008(j)/LS19004(j)) (City Wide)

(Clark/Pearson)

- (a) That the direction provided to staff in Closed Session respecting Report PW19008(j)/LS19004(j) respecting Potential Regulatory Litigation Update, be approved; and,
- (b) That Report PED20071(a) respecting Report PW19008(j)/LS19004(j) respecting Potential Regulatory Litigation Update and its appendix, remain confidential.

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

YES - Ward 1 Councillor Maureen Wilson
 YES - Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - 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
 NOT PRESENT - Ward 15 Councillor Judi Partridge
 NOT PRESENT - 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
 YES - Ward 10 Councillor Maria Pearson
 YES - Ward 9 Councillor Brad Clark

9.4 Regulatory Litigation Matter (Verbal Update)

(Merulla/Jackson)

- (a) That the direction provided to staff in Closed Session respecting the Regulatory Litigation Matter, be approved; and,
- (b) That the verbal update respecting Regulatory Litigation Matter remain confidential.

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

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- NOT PRESENT - 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
- NOT PRESENT - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

BY-LAWS

(VanderBeek/Pearson)

That Bills No. 20-240 to No. 20-251 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:

- 240 To Repeal and Replace By-law No. 19-112 Imposing a Sanitary Sewer Charge Upon Owners of Land Abutting Upper Mount Albion road from Centreline of Times Square Boulevard to South Limit of Lot 4, in the City of Hamilton
Ward: 9
- 241 To Impose a Sanitary Sewer Charge and Watermain Charge Upon Owners of Lands Abutting Arvin Avenue from McNeilly Road to Approximately 330 metres Westerly, in the City of Hamilton
Ward: 10

- 242 Respecting Removal of Part Lot Control, Part of Block 1, Registered Plan No. 62M-1255, municipally known as 16 and 18 Groom Lane; 11, 13, 15, 17, 19, and 21 Pim Lane; and 1, 3, 5, 7, 9, 13, 15, 23, 25, 27, 29, 31, 33, 35, and 27 Dresser Lane, Ancaster
PLC-18-014
Ward: 12

- 243 Respecting Removal of Part Lot Control, Part of Block 1 and Block 2, Registered Plan No. 62M-1241, “Foothills of Winona – Phases 2 and 3” municipally known as 4,8, 12, 16, 20, 52 and 56 Sauvignon Crescent
PLC-20-008
Ward: 10

- 244 To Designate Land Located at 1021 Garner Road East, Ancaster, City of Hamilton as Property of Cultural Heritage Value
Ward: 12

- 245 To Permanently Close and Sell Block 156 and Block 157 on Plan 62M-1183
Ward: 15

- 246 To Permanently Close and Sell a Portion of Mosaic Drive being Parts 16 and 17 on Plan 62R-20684
Ward: 15

- 247 To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues for 2021
Ward: City Wide

- 248 To Authorize an Interim Tax Levy for 2021
Ward: City Wide

- 249 To Amend Zoning By-law No. 05-200 (Hamilton), respecting lands located at 22Cannon Street East, Hamilton
ZAD-20-035
Ward: 2

- 250 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 3 (Through Highways – No Parking Anytime)
Schedule 6 (Time Limit Parking)
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Ward: 1,2,3,4,7,10,13,15

- 251 To Confirm the Proceedings of City Council

Result: Motion CARRIED by a vote of 11 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - 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
- NOT PRESENT - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Deputy Mayor - Ward 13 Councillor Arlene VanderBeek
- NOT PRESENT - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

(Merulla/Jackson)

That, there being no further business, City Council be adjourned at 4:54 p.m.

CARRIED

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk

**The Corporation of the Township of Huron-Kinloss**

P.O. Box 130
21 Queen St.
Ripley, Ontario
N0G2R0

Phone: (519) 395-3735

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Website: <http://www.huronkinloss.com>

Honourable Doug Ford, Premier of Ontario,
Queen's Park Legislative Building
1 Queen's Park, Room 281
Toronto, ON M7A 1A1
premier@ontario.ca

November 23, 2020

Dear Honourable Doug Ford;

Please be advised the Council of the Township of Huron-Kinloss at its regular meeting held on November 16, 2020 passed the following resolution;

Re: Copy of Resolution #722

Motion No. 722

Moved by: Jeff Elliott Seconded by: Jim Hanna

THAT the Township of Huron-Kinloss Council hereby supports Northumberland County and Town of Wasaga Beach in asking that the Provincial government develop tougher laws with larger financial penalties when dealing with unauthorized car rallies and participants and FURTHER directs staff to forward a copy of this resolution to the Premier of Ontario, the Ministry of the Solicitor General, the Ministry of the Attorney General, the local O.P.P Detachment Commander, AMO and all Ontario Municipalities.

Carried

Sincerely,

Kelly Lush
Deputy Clerk

Pilon, Janet

Subject: Defund the Hamilton Police Support

From: Evan Ubene

Sent: November 25, 2020 12:35 PM

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

Subject: Defund the Hamilton Police Support

Hello Maureen,

Over the past few days a commendable protest has been ongoing at City Hall to bring attention to the inconceivably high police budget that is continually approved by the city year after year while hundreds of homeless citizens are left to struggle outside and sometimes die. I stand with this group in calling for the police budget to be defunded immediately by at least 20 % (with a plan to eventually defund up to at least 50 %) with that money going to public housing units that can be occupied by the people who need them.

If you truly believe in safer neighbourhoods as you promote on your website you should support this initiative. Higher crime rates have been shown to correlate with unemployment and poverty, and it is much easier for citizens to seek jobs when housing is provided first [1], [2]. Policing works to oppress the working class and disproportionately affects lower income citizens who are unable to pay fines and bail [3]. It has also been shown to be LESS costly for taxpayers when society gives citizens their basic needs rather than oppresses them by using a police force [4].

We need to stop viewing people living in poverty as lazy. It is often not their fault that they have ended up in the situation they are in. We need to help them live a half decent life.

Please see my references below and I hope you will consider this initiative. The protesters have shown much courage and strength as police who have nothing better to do sit idly by in cruisers nearby and at times escalate the situation. This is not a great look for a force who sat by and watched as white supremacists undermined the Hamilton Pride Parade in 2019.

Thank you,

Evan Ubene Ward 1 resident and student at McMaster University.

[1] M. Charron, "Neighbourhood Characteristics and the Distribution of Police-reported Crime in the City of Toronto," <https://www150.statcan.gc.ca/n1/pub/85-561-m/2009018/part-partie1-eng.htm>

[2] Martin A. Andresen, Paul J. Brantingham, "Hot Spots of Crime in Vancouver and Their Relationship with Population Characteristics," 2007. https://www.researchgate.net/publication/272943652_Hot_Spots_of_Crime_in_Vancouver_and_their_Relationship_with_Population_Characteristics

[3] G. Marquis, "1. Policing in nineteenth-century Canada". In Policing Canada's Century. Toronto: University of Toronto Press, 1993. doi: <https://doi-org.libaccess.lib.mcmaster.ca/10.3138/9781487578480-006>

[4] <https://www.mentalhealthcommission.ca/English/at-home>

Pilon, Janet

Subject: Defund the Hamilton Police and Invest in Housing

From: Joy Mudjar

Sent: November 25, 2020 10:29 AM

To: clerk@hamilton.ca

Subject: Defund the Hamilton Police and Invest in Housing

Dear City Clerk Office,

My name is Joy Mudjar. I am a concerned citizen residing in Hamilton regarding the issue of the Hamilton Police's annual budget and how that can be better allocated to communities' services. It is to my understanding that people have been gathering in front of Hamilton's city hall the past 2 days demanding the defunding of the Hamilton Police. As we are all currently experiencing a global pandemic, meaning they are only there because this is an important matter and following as many safety protocols as possible to ensure everyone who is participating is doing it safely. I believe in their demands, as I feel that housing security was already a huge issue before the pandemic, but is now even greater.

To my understanding, the city of Hamilton has created a roadmap called Coming Together to End Homelessness: Hamilton's Systems Planning Framework. It mentions that one of the main purposes is "to outline a Systems Planning Framework to guide the design of the City's investments in homelessness and enhance overall coordination of diverse resources locally to meet systems planning goals". Therefore, the investments mentioned being put into forwarding this plan can be brought in through the surplus of money, specifically \$171.5 million, of the Hamilton Police budget. Hamilton's Police say they're proud to serve and protect Hamilton's residents and value in making Hamilton a safe place to live, therefore that includes the people of Hamilton living in poverty, and they deserve a safe place to live.

Thank you for taking the time to read my email and consider my concerns.

Thank you,

Joy Mudjar

Pilon, Janet

Subject: Defund and reallocate

From: Ashley Daniels

Sent: November 25, 2020 10:18 AM

To: Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Cc: clerk@hamilton.ca

Subject: Re: Defund and reallocate

Mayor Eisenberger and Cllr Johnson;

No one in our city deserves to die in the street. Everyone deserves to have stable housing and live a dignified life, regardless of their income, disability, mental health, or addiction status.

Right now there is an opportunity for yours to be among the voices calling for substantive change, and, as an elected official, you have the ability and the duty to effect that change.

You may not be convinced by the intersecting message of defunding the police in order to fund housing for our most vulnerable. But if we demand a mile, we may be lucky to get half an inch.

People are dying in Hamilton's streets, and HPS spent \$279,000 on an armoured vehicle. People are dying on the streets, and officers credibly accused of violence and misconduct routinely continue collecting paychecks— an impunity unlike *any* other profession. People are dying on the streets, and the only department that consistently gets significant budget increases is the HPS.

The city's response so far has been to give a black, disabled organizer a ticket of at least \$10,000 for having the temerity to challenge the status quo. Where were the \$10,000+ tickets for the Ancaster car rally? Where were they for the many dangerous anti-mask rallies? Why does enforcement always target the most vulnerable and those fighting for equity?

Hamilton does not even have to be original; steal ideas that work from other jurisdictions around the world that have effectively tackled the housing crisis like Trieste and Helsinki. You can also crib from the demands of the coalition making the noise: do not increase the HPS budget by \$4 million; remove 50% of the existing HPS budget; and stop criminalizing protestors and vulnerable people.

If having tents at your office door is inconvenient, imagine how inconvenient it must be to live and die on the street.

Please do what is right for the most vulnerable in our city. Defund and reallocate.

Respectfully,

Ashley Daniels, M.Ed.

(To the Clerk; if at all possible, please add my letter to the agenda for this morning's meeting as a written delegation. I understand the timing may be difficult.)

Pilon, Janet

Subject: In support of reallocating police funds

From: Alix MacLean

Sent: November 25, 2020 9:34 AM

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

Subject: In support of reallocating police funds

Hello Mayor and Councillor Wilson,

I am inspired by the activists outside of city hall for the last few days, staying out in the cold around the clock to advocate for housing for all.

It's unconscionable that the city could even entertain a 4 million dollar police budget increase in this year, what with the Covid crisis, the housing crisis and the worldwide movement against police brutality. The police have a surplus every year. It would be an easy PR win for the city to freeze the police budget at this point and demand a return of any surplus to go towards our housing crisis. That would be the bare minimum. I don't know why you insist on giving in to every whim of the police department, Mayor Eisenberger, when you refuse to budge on any policy that could actually help vulnerable people in our city.

I also find it disgusting that the police presence at this protest is stronger than it was for hate speech white supremacy rallies, and certainly much stronger than it was at Pride when people were attacked by a violent neo-Nazi.

Social service organizations, hospitals, and schools are always told to do more with less, to accept years of budget cuts, and are expected to offer the same level of services. Should you not now ask the same to the police? That it is there time to sacrifice and make cuts for the good of the rest of us?

Covid-19 has laid bare for many people that the old ways of working and running a city are not working for most of the population who live here. It is time for bold action, and imagining a better world. If you can't do that, Mayor Eisenberger, please get out of the way and let others lead who will take bold action to end homelessness.

Thank you,
Alix MacLean
Ward 1

Pilon, Janet

Subject: Return the \$

From: Danielle Hitchcock-Welsh

Sent: November 24, 2020 10:20 PM

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

Subject: Return the \$

Hi there:

I support the encampment at City Hall. We need to take care of people, this year more than ever. We need safe places for our homeless people. We need more funds dedicated to social services, housing, child welfare.

The HPS does not need more money. The people of Hamilton need more money and more help. We need to divest from their budget to help Hamiltonians. All Hamiltonians.

Please do the right thing and listen to the youth at City Hall. These are peaceful protestors who are trying to imagine a way forward where people's basic needs are met so they don't resort to crime.

Defunding the police sounds extreme, but if you start listening to BIPOC and to the youth and really doing the work to learn / unlearn how these systems only serve a few it is possible to move forward. To be bold and to find a new way to serve the community.

Thank you for your time.

Sincerely,

Danielle Hitchcock-Welsh

Pilon, Janet

Subject: Defund police

From: Scott and Grace

Sent: November 26, 2020 10:17 AM

To: Farr, Jason <Jason.Farr@hamilton.ca>; clerk@hamilton.ca; hwdsbkidsneedhelp@gmail.com

Subject: Defund police

Councillor Farr,

The Hamilton police have a 171 million dollar police budget, while we are in the middle of a housing crisis across Hamilton with over 20 encampments with unhoused people.

Please defund the police in order to fund free housing. We demand an immediate 50% reduction in the police budget, and for the city to stop criminalizing peaceful protestors on the ground.

Thank you,

Grace Evans and Scott Dobbin

Ward 2

Pilon, Janet

Subject: Defund HPS

From: Sarah Van Berkel

Sent: November 25, 2020 2:03 PM

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

Cc: Merulla, Sam <Sam.Merulla@hamilton.ca>; clerk@hamilton.ca;

Subject: Defund HPS

Dear Mayor Eisenberger,

I am writing today in solidarity with DefundHPS who are outside City Hall right now. I am asking that you meet with them and listen to their demands.

Everyone deserves access to safe housing and the City needs to work with all levels of government to get the funding required to address our current crisis. No one should have to face a winter living on the streets. Our shelters and support staff are underfunded and understaffed to address the current needs. It has been proven that using police to address social problems does not work, yet police budgets skyrocket and social programs do not get a fraction of the amount they deserve. Please let's try a new approach and let Hamilton be a leader in this global movement. Defund the police.

Please see below for the list of demands presented by Defund HPS that I support and believe deserve serious discussion:

- We call on the City of Hamilton to defund the Hamilton police.
- We call on the City of Hamilton to invest the tax dollars that would have otherwise gone to the police towards initiatives fighting against food insecurity, racism and towards more affordable housing & other social services.
- We call on the City of Hamilton to ensure that HPS are not ticketing houseless people for existing in public. We call on the HPS to release accounting on taxes used to surveil & police Black, Indigenous, & racialized communities.
- We demand that the HPS halt purchases of weapons, high tech surveillance equipment, & cease surveilling communities.
- We demand HPS cease ticketing and surveilling of homeless & disabled people.
- We demand that the HPS stop targeting activists & communities pushing back against white supremacists.

Thank you,

Sarah Van Berkel

Pilon, Janet

Subject: Defund the Police, Reinvest in Housing

From: Rebecca Steckle

Sent: November 25, 2020 8:19 PM

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

Cc: clerk@hamilton.ca

Subject: Defund the Police, Reinvest in Housing

Good evening,

We are in a housing crisis. We all know this.

I believe in human rights. I believe in caring for our community. I believe in keeping our communities safe.

The police have made it evident over the last several days (and years before that), their goal is not to keep our communities safe. They have targeted peaceful protesters, intimidating and criminalizing them.

I am emailing, as a resident in this city, to say that I believe the police need to be defunded so money can be re-allocated to find free housing.

As a resident in this city, I support an immediate 50% reduction in the police budget.

As a resident in this city, I call on you to demand police stop criminalizing peaceful protestors on the ground.

Best,

Bec

Pilon, Janet

Subject: Defund HPS Protest

From: Seamus Atkinson

Date: November 25, 2020 at 8:10:38 PM EST

To: mayor@hamilton.ca

Subject: Defund HPS Protest

Hello Mayor Eisenberger,

I am a constituent in Ward 3 and am concerned to see you still have not taken the time to meet with protestors in front of City Hall.

My councillor Nrinder Nann was out there this evening listening to their concerns and working with them.

Housing is a human right and with a cold winter approaching, something every resident of Hamilton deserves. There is more than enough money to make sure this happens.

But it has to start with political will and as the mayor you need to lead the way. I look forward to seeing you out there tomorrow working hand in hand with your constituents on this issue.

Regards,

Seamus Atkinson

Pilon, Janet

Subject: Nov. 23 Bylaw Tickets

From: Lauren Stephen

Sent: November 24, 2020 11:25 PM

To: Farr, Jason <Jason.Farr@hamilton.ca>; clerk@hamilton.ca

Cc: Municipal Law Enforcement <mle@hamilton.ca>

Subject: Re: Nov. 23 Bylaw Tickets

Interesting. What was the trigger for enforcement officers to be there in the first place? A crowd over 25 persons. But doesn't that still require a complaint? The question still remains, where does that initiative come from? My understanding is that MLE does not initiate action themselves.

Regardless. Enforcement officers arrive on the scene. Make whatever call regarding crowd size and bylaw infractions there. Then bylaw enforcement officers see that people are not wearing masks. Officers have the discretion to ticket people proactively when they see a bylaw infraction, and in this case they choose to do it.

Don't they have to want to give out these tickets? Don't they have to choose, proactively, to ticket people about the mask thing? In my experience and understanding, this is a very rare thing for Hamilton MLE to do. I believe it does not happen in other circumstances. Correct me if I'm wrong, but enforcement officers do not give out tickets about snow removal infractions when they happen to see them in the course of doing other business. It's this divergence from the normal course of things that creates an appearance of discrimination.

Also contributing to the appearance of discrimination is the fact that these defund policers are super-hardcore about the covid safety. If you hang out there, you have both to wear a mask *and* keep a distance of 6 feet; both while you're outside; that's crazy safe. I was not present when the tickets were issued, but based on my perception over the past couple of days, you would really have to be making excuses for handing out tickets about mask stuff with this group. I have concerns that an MLE officer who sees the same behaviour in the line at the LCBO on Dundurn would not issue a ticket. I have concerns that a wealthy person spending money at (for example) Matson & Co. does not face the same scrutiny from MLE as citizens exercising their right to peaceful protest in front of city hall.

Your mask enforcement bylaw discriminates based on income. In a private business, for example Matson & Co., if a customer doesn't wear a mask they can be refused service, removed from the restaurant. There would be a lot of warnings, gentle reminders from servers about mask stuff. Calling bylaw enforcement would be a last resort.

Peaceful protestors on public land do not have the same protection. Private property rights effectively protect the people eating at Matson & Co from bylaw tickets. Not the people assembling at city hall. To make things equal, you could have city hall security take charge of this issue. Give people warnings, as they would get if they were shopping or in a restaurant. Ask people to leave the property if they don't wear a mask. Then you can call bylaw enforcement after you have asked people to put on masks, in the same way a private business would. City hall security does not need to be alerted by a public complaint to challenge people about their masks, and they don't have the power to issue tickets, so this would create a situation equal to what exists in Jackson Square or a grocery store.

Personally, I would like the bylaw to have a bit more teeth when it comes to private businesses. As a frontline retail employee, my hands are tied in all sorts of ways when I try to protect myself from people who are playing games with masks. It was amazing to me the ease and speed with which City Hall issued those tickets, something that could never happen at The Beer Store despite worse mask compliance.

There is the appearance of discrimination in that it is quite an exceptional thing for MLE to take the initiative and choose to ticket someone for anything without there being a public complaint. When I have called up bylaw enforcement, which

I have been doing for many years, the excuse I always hear for why they can't take action on some matter of public safety (e.g. uncleared walks) is that taking action is impossible without a public complaint. Or at least it's very very difficult. MLE simply does not have the resources to proactively enforce bylaws outside of a public complaint. Any decision to enforce bylaws proactively is an exceptional one.

LCS

Pilon, Janet

Subject: Meet with the protesters, end homelessness, and defund the police

From: Alexandra

Date: November 25, 2020 at 20:08:32 EST

To: mayor@hamilton.ca

Cc: "Nann, Nrinder" <Nrinder.Nann@hamilton.ca>

Subject: Re: Meet with the protesters, end homelessness, and defund the police

Mayor Eisenberger,

I just left you another message. I was told by your staff that you hadn't met with the protestors since you were in council, but since council is over and you still haven't, I am following up.

Once again, I would urge you to follow the leadership of Councilor Nann and commit to reallocating police surplus and finding other sources of money to care for the homeless and under housed in our city.

Thank you, Councillor Nann for speaking up and showering the leadership and caring we should expect from our mayor.

Mayor Eisenberger, I look forward to hearing your support for Councillor Nann's forthcoming motion and your plans to keep all Hamiltonians safely sheltered this winter.

Warmly,

On Nov 25, 2020, at 16:36, Alexandra Weinberger < wrote:

Mayor Eisenberger,

I called your office to inquire as to why you have not met with the protestors out in front of City Hall. I was told you were in Council.

Perhaps you do not put in the same long days of hard work as Councillor Nann, but she managed to update her constituents prior to the start of the Council meeting this morning - I'm disappointed you did not use that same time to meet with them. And even if you had a busy morning, you also had plenty of opportunities before today.

Please stop making excuses and meet with your constituents. It is completely unacceptable that anyone in this city remain unhoused, and that the city takes any action against anyone who sets up a camp outside (or the protestors for that matter).

There is a police surplus that can be used to house members of our community; we can defund the police to free up funds for it, and Councillor Nann has put forward a proposal for an immediate three-level government solution for Hamilton. I am 100% in support of this plan and as your constituent I hope you are too.

I voted for you as Mayor and you have been nothing but a disappointment. Rob Ford was my Mayor for 4 years, so it takes a lot to disappoint me.

You have an opportunity to redeem yourself here and perhaps earn back my support. I implore you to take action, to speak to the protestors, and to support Councillor Nann's plan. She has been a fierce leader in this trying time, and you would do well to follow her leadership.

Warmly,
Alexandra Weinberger
Ward 3 Resident

Pilon, Janet

Subject: Housing justice

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

From: **Rosa Zetler**

Date: Tue, Nov 24, 2020 at 2:19 PM

Subject: Housing justice

To: <nrinder.nann@hamilton.ca>

Cc: <Daniela.Giulietti@hamilton.ca>

To Nrinder Nann,

I was very pleased to see your statement in support of the demonstrations to defund the police, invest in housing. This is a life or death issue for many and I cannot express how grateful I am that I both live in a community with such brilliant and compassionate organizers willing to fight for housing justice and have a councillor that is outspoken on critical issues such as these. This housing crisis is killing people, and as you point to in your statement, we have the resources to put everyone in stable housing, we are just lacking the political will.

I hope Hamilton opts to quickly house people in Metrolinx property and work towards more stable solutions. As you said, these demands are rooted in love.

I stand with you and the folks organizing at city hall, and I look forward to continuing the fight together.

In solidarity,

Rosa Zetler

Hamilton Centre, Ward 3

4.2 (m)

Thursday, November 26, 2020.

Mayor Eisenberger and City Council,

On Monday, November 23, 2020 shortly after 12pm my friend and I were sitting together on the ledge on the outskirts of City Hall eating lunch and observing the Defund the Police Protest well over 30 feet away from other demonstrators. We were sitting there for approximately five minutes, when five by-law and police officers approached us and stated we were not wearing masks or following social distancing guidelines. We received a \$500 ticket for not maintaining two meters of distance under by-law No. 20-164 Section No. 2.1.

First, it is physically impossible to wear a mask while eating and we are not required to wear masks outside. Second, as per by-law No. 20-164 Section No. 2.1 “Every person shall maintain a distance of at least two (2) metres from every other person who is not a member of the same household or who is not a member of their Social Circle.” The person I was with was within my social circle. By-law officers and police did not gather any facts before aggressive enforcement was taken. Their actions were clear – to target and wrongfully ticket those who were protesting their budget. The tickets issued have nothing to do with protecting the public and everything to do with political speech.

The police clearly illustrated how they are over resourced by having five officers act as predators. The five officers entered my safe personal space and ignored physical distancing guidelines to intimidate and exploit me. This was a clear abuse of their power and surveillance. The police should not be allowed to ignore particular rules that they are aggressively enforcing, and it does not require five officers to issue a by-law ticket to an observer. Every picture and video displays people wearing masks, reasonably distanced, and outside at a peaceful protest where we have the right to freedom of speech – a right that was taken away from us. Videos have circulated of me receiving a ticket. It is evident I am nowhere near other demonstrators and you clearly witness five officers not maintaining two metres of distance from me.

The reason I am writing this letter is to have my ticket voided as I was not in violation of the municipal by-law I was ticketed for and to receive an apology from the by-law and police officers who inappropriately exerted their power through intimidation tactics. Also, I am expressing my extreme disappointment in the Hamilton Police Service and the City of Hamilton for allowing this to happen and being the voice for many other people who were wrongfully ticketed and exploited for deeply valuing the lives of people experiencing homelessness.

I am an essential worker and I have been tirelessly working throughout the pandemic. I am a strong advocate for people experiencing homelessness and living in poverty, for people who use drugs, and all vulnerable populations in the City of Hamilton. I follow public health guidelines – I go to work, I go home, I only see people in my tight knit social circle. As you can imagine, it was quite off-putting to be terrorized by by-law and police officers when I did not disregard public health guidelines or the municipal physical distancing by-law. In addition, it is disheartening to hear that Mayor Eisenberger is refusing to meet with the organizers of the Defund the Police Protest to collectively discuss and develop solutions to the housing crisis. However, I am greatly appreciative for the support of Councilor Nann and Councilor Wilson. A special thanks to Councilor Nann for calling on the City, Province, and the Federal Government to deliver housing now.

There were over 100 residents in the largest encampment on Ferguson St. this year. There are not enough shelter beds and hotel spaces to accommodate everyone, especially those with

persistent mental health and complex needs. We need fewer shelter beds and more permanent supportive housing. We should be having conversations about building affordable housing units, not about building more shelters. People experiencing homelessness cannot self-isolate in congregated settings, wash their hands, and follow other public health guidelines. People are going to die on the streets this winter and people with the ability to invest in housing will be responsible.

During the pandemic, as a frontline worker in shelters, drop-in spaces, and withdrawal management programs, I have seen an increase in the need for mental health supports and treatment for substance use disorders. The waitlists are growing rapidly, and people are not getting the help and support they need and deserve. We need more funding for social services to support individuals with mental health and substance use disorders.

These complex social problems are only going to continue to increase during the pandemic. People have lost their income, housing, and many resources have closed or limited their hours. We are being forced to live in isolation, but as human beings we crave social connection and interaction. Simply being isolated will have a detrimental impact on people's mental health and the need for mental health and addiction supports will continue to rise. How we frame and seek to solve these social issues is critical. The worldwide crisis is a catalyst for meaningful change and policy development in our community. Therefore, I am strongly encouraging the City of Hamilton to invest in housing, mental health supports, and addiction services. The protest needs to end with the Mayor, City Council, and every level of government to do what is necessary to end the housing crisis and improve access to social services.

Thank you,

Olivia Mancini



ESCR

Emergency
Support
Committee for
Refugees



Contact Us: **905.523.6611 (ext. 2012)**
ESCR1987@gmail.com

November 26, 2020

Fred Eisenberger,
Mayor,
City of Hamilton,

Re: Action on Housing Now-Defund the Police

The Emergency Support Committee for Refugees (ESCR) is a Hamilton-based registered charity that provides emergency loans and gifts to at-risk immigrants, refugees and other migrants. We have worked in partnership with settlement, health, educational and community organizations to successfully support migrants and refugees through research, monetary support and Advocacy in the City of Hamilton since 1987.

We unequivocally support the Defund the Police movement's recommendation to immediately reallocate municipal funds to address the concurrent **homelessness crisis** and the **COVID-19 pandemic**. In particular, we acknowledge that the organizers, Black and racialized people, have important insights and solutions which need to be heard. Our care for all who call Hamilton home underpins our work to ensure that municipal services be provided free and without discrimination to all in the City of Hamilton through Sanctuary City.

We raise our voice in solidarity with the Defund organizers' peaceful protest, and echo their call for the redistribution of municipal revenues & available relief funds to immediately prioritize actions that will solve the housing crisis now. This includes investments in the root causes of homelessness, such as coordinated social programs, supportive services, and targeted housing for people made more vulnerable by a pandemic that has disproportionately affected racialized & newcomer populations.

In our organization's three decades of supporting migrants and refugees in Hamilton, we know that safety and security are defined by the measure of wellbeing enjoyed by our society's most vulnerable.

In an historic moment where many lives hang in the balance, we ask that you take extraordinary measures to act for housing now.

Sincerely,

Nora Melara-Lopez
Jennifer Hompoth

Maria Antelo
Mary Anne Peters

Raghad Abdel-Latif
Alex Matheson

Board of Directors, Emergency Support Committee for Refugees

Cc: Members of the Council, City of Hamilton

Pilon, Janet

Subject: Meet with the protesters, end homelessness, and defund the police

From: Alexandra Weinberger

Sent: November 26, 2020 5:32 PM

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

Cc: Nann, Nrinder <Nrinder.Nann@hamilton.ca>; clerk@hamilton.ca

Subject: Re: Meet with the protesters, end homelessness, and defund the police

Mayor Eisenberger,

Despite being assured by your office this morning that you and the City Manager would be meeting with the protesters today (that you needed time to do it safely), that has not happened.

I have been told you offered them a virtual meeting. While we are in a pandemic, and that is very acceptable for many of your constituents or business lobbies, it is unreasonable for under-housed folks to be expected to only meet with you virtually. Folks who are underhoused are unlikely to have access to the technology, power, and internet speeds needed to be able to facilitate such a meeting. No one should be conducting in-person indoor meetings right now, however you are in the City Hall building and they are outside, masked and distanced. You could safely mask up and meet them outside as well. A quick look at your Instagram shows that you met outside, masked (at far less than 6 feet, I might add!) to cut the ribbon at Beckett Fine Art. If you can meet people in person outside for PR, you can meet with the protesters outside to protect our citizens.

Further, in the paperwork to the protesters indicating their tents will be removed you cite the importance of public health. I am 100% in agreement that the public health is of paramount importance. If public health were truly important to you, you would be rushing to solve the homelessness problem we have in this city. You would also allow the protesters and underhoused folks to use public property for their shelters in the interim.

Speaking of Public Health, I'm curious if your staff is working from home currently. I forgot to ask when I spoke with James today. I sure hope they are. It's for their safety and the public health.

I look forward to your reply.

Warmly,
Alex

On Wed, Nov 25, 2020 at 8:08 PM Alexandra wrote:

Mayor Eisenberger,

I just left you another message. I was told by your staff that you hadn't met with the protesters since you were in council, but since council is over and you still haven't, I am following up.

Once again, I would urge you to follow the leadership of Councilor Nann and commit to reallocating police surplus and finding other sources of money to care for the homeless and under housed in our city.

Thank you, Councillor Nann for speaking up and showering the leadership and caring we should expect from our mayor.

Mayor Eisenberger, I look forward to hearing your support for Councillor Nann's forthcoming motion and your plans to keep all Hamiltonians safely sheltered this winter.

Warmly,
Alex

Alexandra Weinberger (she/her)

On Nov 25, 2020, at 16:36, Alexandra Weinberger wrote:

Mayor Eisenberger,

I called your office to inquire as to why you have not met with the protestors out in front of City Hall. I was told you were in Council.

Perhaps you do not put in the same long days of hard work as Councillor Nann, but she managed to update her constituents prior to the start of the Council meeting this morning - I'm disappointed you did not use that same time to meet with them. And even if you had a busy morning, you also had plenty of opportunities before today.

Please stop making excuses and meet with your constituents. It is completely unacceptable that anyone in this city remain unhoused, and that the city takes any action against anyone who sets up a camp outside (or the protestors for that matter).

There is a police surplus that can be used to house members of our community; we can defund the police to free up funds for it, and Councillor Nann has put forward a proposal for an immediate three-level government solution for Hamilton. I am 100% in support of this plan and as your constituent I hope you are too.

I voted for you as Mayor and you have been nothing but a disappointment. Rob Ford was my Mayor for 4 years, so it takes a lot to disappoint me.

You have an opportunity to redeem yourself here and perhaps earn back my support. I implore you to take action, to speak to the protestors, and to support Councillor Nann's plan. She has been a fierce leader in this trying time, and you would do well to follow her leadership.

Warmly,
Alexandra Weinberger
Ward 3 Resident

Pilon, Janet

Subject: Protesting the protesters

From: sab & diane

Sent: November 27, 2020 10:43 AM

To: clerk@hamilton.ca

Subject: Protesting the protesters

Mayor and members of council,

I am not a political activist, but when defunding of Hamilton police began because of activities south of the border, and 2 councillors agreed!! that was too much to bear. I find it irrational to bring American politics to Hamilton. Our police did not kill George Floyd or anyone else in the US. I adamantly oppose penalizing our police and in turn Hamiltonians for actions that occurred in another country. Yes, Hamilton has issues so deal with Hamilton issues. No reason to import American problems.

Further, I'd like to say to councillors who meet with activists that are tenting in the forecourt are setting a dangerous precedent as they are disobeying the very by-laws you created. Although the mayor is obliged to engage, I'd like to compliment those councillors that have not fallen prey to these misguided activists and kept a distance.

Thank-you for your time.

sabatino parisse

Proud Hamiltonian

Ward 4, formerly ward 5

Pilon, Janet

Subject: Replace the tents!

From: Patricia Varanesi

Sent: November 30, 2020 10:22 AM

To: Office of the Mayor <mayor@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>

Cc: clerk@hamilton.ca; Green, Matthew - M.P. <Matthew.Green@parl.gc.ca>

Subject: Replace the tents!

Mayor Fred,

How do you sleep at night? Please enlighten us.

How do you sleep at night knowing thousands upon thousands of folks in YOUR city don't have a home. Don't have a warm bed. Don't have a place to sleep.

Don't have safety.

How disgrace and selfish can you be to let this housing crisis continue?? How can you displace folks and ruin more of their belongings in the pouring rain???

What are you going to do to fix this Mayor Fred? We have people who will die in these streets this winter if you don't step up.

Step up and help your city like you've promised

Thank you

Pat V

Pilon, Janet

Subject: YOUR POLICE OFFICERS HARASSING CITIZENS

From: Amanda Santos

Sent: November 30, 2020 9:50 AM

To: Animal Services <animalservices@hamilton.ca>; audit.services@hamilton.ca; Municipal Services Centre <taxsupport@hamilton.ca>; building <building@hamilton.ca>; Belair, Nada <Nada.Belair@hamilton.ca>; Cemeteries Generic <cemeteries@hamilton.ca>; Economic Development <economicdevelopment@hamilton.ca>; Facilities, Service Centre <HFacilities@hamilton.ca>; Film Office <film@hamilton.ca>; PW Forestry General <forestry@hamilton.ca>; DL - GIS Planning & Analysis <dlgisplanninganalysis@hamilton.ca>; DL - Water <dlwater@hamilton.ca>; helpinghands@hamilton.ca; PW Horticulture <horticulture@hamilton.ca>; Housing Services <housing@hamilton.ca>; HSR Customer Service <hrsserve@hamilton.ca>; Licensing <licensing@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>; Municipal Law Enforcement <mle@hamilton.ca>; Hamilton Municipal Parking System <parking@hamilton.ca>; clerk@hamilton.ca; Hickey-Evans, Joanne <Joanne.Hickey-Evans@hamilton.ca>; OW Directors <OWDirectors@hamilton.ca>; Culture Apps <csinfo@hamilton.ca>; Public Health Services <publichealth@hamilton.ca>; Procurement Internet Email <Procurement@hamilton.ca>; Recreation - General <recreation@hamilton.ca>; City Information <info@hamilton.ca>; Hamilton Business Centre <SmallBusinessEnterpriseCentre@hamilton.ca>; SEAT <SEAT@hamilton.ca>; Special Support <support@hamilton.ca>; Tourism Hamilton <tourism@hamilton.ca>; PW Waste Management - Customer Service <PWWaste.Management-CustomerService@hamilton.ca>

Subject: Fwd: YOUR POLICE OFFICERS HARASSING CITIZENS

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

From: Amanda Santos

Date: Mon, 30 Nov 2020 at 09:38

Subject: YOUR POLICE OFFICERS HARASSING CITIZENS

To: <askCITY@hamilton.ca>, <publichealth@hamilton.ca>, <hrsserve@hamilton.ca>, <recreation@hamilton.ca>, <eplans@hamilton.ca>

OFFICERS IN HAMILTON HAVE BEEN TASKED WITH HELPING CITIZENS REMOVE THEIR TENTS DURING A PEACEFUL PROTEST. THIS GRAB TO RETAIN CONTROL IS SAD AND IT IS ONLY HURTING YOUR CITY. YOU HAVE BECOME AN EMBARRASSMENT TO ONTARIO AND CANADA. OFFICERS RIGHT NOW ARE THROWING PEOPLES PROPERTY INTO DUMP TRUCKS. YOU ARE PAYING MONEY TO FORCEFULLY HURT AND ABUSE YOUR CITIZENS. IT IS SICK AND DISGUSTING AND UNJUST. WE SEE YOU AND WE DO NOT SUPPORT YOU.

WE DEMAND THAT HAMILTON CITY COUNCIL TAKE ACTION AGAINST THESE HORRIBLE ACTIONS OF HORRIBLE PEOPLE WHO PRETEND TO BE THERE TO HELP CITIZENS AND INSTEAD ARE STEALING PEOPLES PROPERTY AND THROWING IT IN THE GARBAGE, AND TOO ASHAMED TO EVEN WEAR UNIFORMS WHILE DOING IT.

IS THIS HOW YOU KEEP THE PEACE?

INSTAGRAM LIVE VIDEO IS BEING RECORDED, OFFICERS ARE NOT SOCIAL DISTANCING, THEY ARE NOT HELPING CITIZENS. THEY ARE. NOT PROTECTING AND SERVING ANYONE. YOU ARE PAYING THESE OFFICERS TO DO NOTHING. HOW IS REMOVING TENTS FROM A PUBLIC PROTEST PROTECT ANY CITIZENS AT ALL? YOU HAVE THROWN THEIR PERSONAL PROPERTY IN THE TRASH, AND TRIED TO CALL IT HELPING? SICK. ABSOLUTELY SHAMEFUL!

Pilon, Janet

Subject: Meet publicly with Defund HPS

From: Danielle Hitchcock-Welsh

Sent: November 28, 2020 10:57 PM

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

Subject: Meet publicly with Defund HPS

Mr. Mayor:

Please meet publicly with the peaceful demonstrators outside city hall.

That the police were given more money for their budget despite dozens of videos and letters from the citizens of Hamilton is a slap in the face to our young people, the BIPOC community, the LGBTQ+ community and all those people spending the cold winter on the streets — in addition to those of us who sent videos and letters pleading for council to look into this matter. To do the work to understand the real problems people face daily with the HPS.

Driving near First Ontario Centre is a travesty. We need housing solutions. We need more funding to children. We need more funding to mental health. We need more anti-racism training at all levels in government and within the HPS. We need serious change and now is the time to find a way to make it a reality.

The police budget is ludicrous. We give them more money than any other sector in Hamilton and we the people of Hamilton are saying enough. Divest. Defund.

Meet publicly with the activists. They are doing this for a better future and have a right to be heard.

Thank you,

Danielle

--

Danielle Hitchcock, B.Des

Pilon, Janet

Subject: Reallocation of Police Funding

From: Gillian Kearns

Sent: November 30, 2020 2:21 PM

To: clerk@hamilton.ca

Subject: Reallocation of Police Funding

Dear Mayor Eisenberger:

I am concerned with the disproportionate funding of police services by the City of Hamilton. I fully support the demonstrators' demands to reallocate funds from the police budget, and I expect that you meet with the demonstrators at City Hall to discuss how you will implement their demands.

I believe, at a minimum, the HPS surplus should be immediately reallocated towards safe housing for people who are houseless over the winter. An immediate moratorium should be placed upon any further increases to the HPS budget. An external task force should be established to investigate responsible means in dramatically reducing the HPS budget, and funding for the task force should come from the existing HPS budget.

As a mayor who is proud to be a Hamiltonian, I would be very surprised if you did not see the value in these demands.

Sincerely,
Gillian Kearns
Concerned Citizen

4.2 (u)

Pilon, Janet

Subject: Defund Hamilton Police

From: Sarah Cripps
Sent: November 30, 2020 2:03 PM
To: Office of the Mayor <mayor@hamilton.ca>
Cc: clerk@hamilton.ca
Subject: Re: Defund Hamilton Police

Thank you for your response.

With all due respect, the peaceful protesters asked for a public meeting with the mayor in the name of transparency. He refused.

Now the city is throwing the personal belongings and homes of the under-housed community in the garbage. Think about that.

Your NEIGHBOURS. Where will they go?

It's embarrassing and shameful that the Mayor was unable to walk a few steps outside his office and have a chat with the community who is advocating for a better city FOR ALL residents who are marginalized and made vulnerable by poor policy that prioritizes profit & property over people.

I don't see any leadership here. Or advocacy for your constituents. All I see is an extremely privileged man flouting authority, avoiding accountability and using police to do his personal bidding.

Nobody should have to explain to the mayor of a city why they should care for ALL people.

Why wouldn't the mayor meet publicly with this community advocating for people affected by the housing crisis that has only been exasperated by the pandemic?

Not a good look.

Sarah

From: Sarah Cripps
Sent: November 25, 2020 11:05 AM
To: Office of the Mayor <mayor@hamilton.ca>
Subject: Defund Hamilton Police
Hi there,

My name is Sarah Cripps and I wanted to write to send my solidarity to the [Defund Hamilton Police](#) (Defund HPS) organizers who began their action on November 23 and were subject to [fines and detainment from HPS](#). I'd like to denounce this state intervention and attempt to intimidate, stifle, and silence community members.

Hamilton City Council must respond to residents and meet community needs instead of continuing to support massive increases to police services. The 2020 HPS budget is \$171 million and accounts for 17% of the total City budget. There has been a \$40-million increase to this budget over the past nine years. In

the middle of a pandemic, it is unacceptable to increase funding to police services while community members face uncertainty, income and job loss, and families struggle to survive. It is unconscionable for a government to prioritize policing.

Police forces in Toronto and Hamilton are both under the jurisdiction of the Province of Ontario, and have a history of targeting Black, Indigenous and racialized people. Defund Hamilton Police has [documented instances](#) of police protecting property over people, surveilling Black, Indigenous and racialized students in schools, ticketing unhoused community members, carding, harming and killing Black, Indigenous, and racialized people experiencing mental health crises. I do not accept this biased, racist surveillance and targeted punitive actions towards our community members and friends.

Sincerely

Sarah

Pilon, Janet

Subject: Defund the HPS - November 2020

From: **Hannah Uzelac**

Date: Mon., Nov. 30, 2020, 2:00 p.m.

Subject: Re: Defund the HPS - November 2020

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

Hi,

Thanks for your response.

The protestors are peaceful, and are asking for the Mayor to meet them publicly. Meeting behind closed doors seems like a cop-out, and plus, it leaves the door open for him to make untrue statements regarding that meeting.

While the Mayor may not "direct operational matters" he still has the duty to listen to his constituents. The people are asking for him to hear them out and call on the rest of the city councillors for meaningful change.

Hamilton's police budget is astoundingly large and if their surplus was invested in housing in an ongoing way, it would help the people throughout the city in shelters or on the streets. You can see them all in front of the FirstOntario center. The problems here are glaringly obvious and an embarrassment. Rather than have the police tear down encampments or harass homeless people on the street, why not direct more funding in a way that will actually address the problem?

Please pass along this call for change directly Mr. Eisenberg. Thank you.

Hannah

From: Hannah Uzelac

Sent: November 29, 2020 11:22 PM

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

Subject: Defund the HPS - November 2020

Hello,

On Monday November 23rd, during a press conference, people of Hamilton put out a list of demands for the various levels of government. Peaceful protestors have set up at City Hall and will not be leaving until our demands are met.

- An immediate 50% defunding in the Hamilton police budget
- Hamilton City Council deny the requested increase of 4 million dollars to HPS budget- Take back the surplus to begin investing in free housing
- Immediately stop criminalizing peaceful protestors on the ground

The Hamilton police have a 171 million dollar police budget, while we are in the middle of a housing crisis across Hamilton with over 20 encampments of unhoused people.

As a resident of Hamilton, I am deeply concerned about how the excess of funding allocated to the HPS takes resources away from my community that would ultimately contribute to its safety. Police do not serve and protect our communities - they criminalize and abuse our communities. These demands are just the beginning. I am hoping that

Hamilton will follow Minneapolis's lead in moving to defund the HPS altogether and implement a community based alternative to policing that is based in restorative and transformative justice practices.

I urge you to hear my voice as one of your constituents in Hamilton, and in (ward/neighbourhood). I am asking you as my councillor to move or support a motion to defund the HPS, invest in free housing, and stop criminalizing peaceful protestors on the ground.

Thank you and have a good day.

Hannah

Pilon, Janet

Subject: Urging a public meeting with DefundHPS protesters

From: Vilma Rossi

Subject: Urging a public meeting with DefundHPS protesters

Date: November 29, 2020 at 6:38:58 PM EST

To: mayor@hamilton.ca

Dear Mr. Eisenberger:

I am writing in solidarity with the DefundHPS protesters who have been camped outside City Hall for almost one week. They have weathered the cold and the rain to draw attention to the urgent need for immediate action to ensure that every single person in the City of Hamilton - and across the country - is immediately housed. This is the bottomline for respecting the human rights and dignity of all members of our communities.

From the comfort and safety of my home (something that every single person should be entitled to!), I have followed DefundHPS on twitter. Recognizing the need to keep the Hamilton community informed of their demands and of their plans, the protesters have issued regular updates for all in the community to see. Their transparency and accountability deserves to be met in kind by you as the Mayor of the City of Hamilton. To that end, I am respectfully asking you to meet with the DefundHPS protesters in a manner that is not behind closed doors; rather, one that can be live streamed to the broader Hamilton community.

The crisis that the DefundHPS protesters are drawing attention to is a matter of public concern. Police funding is a matter of public concern. The fact that there are people forced to live on the streets is a matter of public urgency. Any meeting to discuss these issues requires an immediate publicly-accessible meeting.

Respectfully,

Vilma Rossi
Ward One Resident

Pilon, Janet

Subject: Letter from a concerned Hamiltonian

From: Tori Marko

Sent: November 30, 2020 1:17 PM

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

Cc: Matthew.Green@parl.gc.ca; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>

Subject: Letter from a concerned Hamiltonian

Mayor and Members of Council,

I am a Ward 2 resident writing today to express my outrage at the actions of HPS and City Council towards the Defund HPS protestors outside City Hall. I have been following the events of this past week with hope – I was inspired watching the video of Councillor Nrinder Nann speaking with the protestors, and excited to see the statement of support released by Hamilton Centre MP Matthew Green. I applaud these elected representatives for taking a stand. I had hoped that you, Mayor Eisenberger, would have the courage to speak with the protestors publicly, given that it is the public that elected you to office, and it is the public (people like myself) who want to hold you accountable for your words and actions. I wanted my Councillor Jason Farr to do the right thing, but given his campaign against unhoused folks at First Ontario Center this summer, I didn't have a lot of hope.

What I have watched unfold today is nothing short of shameful. Plainclothes officers without visible badges, tearing down and discarding people's property in a garbage truck! You are stealing the shelter and clothes from marginalized people, leaving them out in the freezing rain. It's no wonder you don't want to defund the police, you need them to take care of your problems when you don't like what the community is asking for.

HPS already receives 20% of the annual budget. They have a half million-dollar surplus this year, and somehow are still asking for more. How can you justify paying HPS to terrorize houseless people when you could just put that money directly towards helping them? You are making a choice – a choice to punish people for circumstances beyond their control. It is clearly not "Hamilton for all". To reiterate the demands of the protestors, as a Hamilton community member, I demand:

1. An immediate 50% defunding of the Hamilton police budget.
2. That Hamilton City Council deny the requested increase of 4-million dollars to the HPS budget and to take back the surplus to begin investing in free housing.
3. That all levels of government defund the police across the country and invest in free housing.

There seems to be a perception at City Hall that the people asking you to defund HPS are not "real" Hamiltonians. I'd like to say for the record that I have lived in Hamilton for 9 years. I am not an "activist", nor do I belong to any political party. I simply live and work here – I spent my spring and summer researching SARS-CoV-2 in a McMaster laboratory because I care about Hamiltonians and I want to protect them (unhoused people are at increased risk of COVID-19). I try my best to follow local news and events, but it is difficult when so much of what you do is deliberately hidden behind closed doors. Since I have lived here, I voted in both municipal elections. I voted for you, Mayor Eisenberger, because I thought you would bring positive change to the city. I am beyond disappointed in you.

Sincerely,
Victoria

Victoria Marko, M.Sc.
Ward 2 resident, Hamilton

Pilon, Janet

Subject: FW: Reallocation of Police Funding

From: **S. M.**

Date: Fri, Nov 27, 2020 at 9:12 AM

Subject: Reallocation of Police Funding

To: <mayor@hamilton.ca>

Cc: Alan Robson

Dear Mayor Eisenberger:

We are concerned with the disproportionate funding of police services by the City of Hamilton. We support the demonstrators' demands to reallocate funds from the police budget, and we expect that you meet with the demonstrators at City Hall to discuss how you will implement their demands.

We believe, at a minimum, the HPS surplus should be immediately reallocated towards safe housing for people who are houseless over the winter. An immediate moratorium should be placed upon any further increases to the HPS budget. An external task force should be established to investigate responsible means in dramatically reducing the HPS budget, and funding for the task force should come from the existing HPS budget.

As a mayor who is proud to be a Hamiltonian, we would be very surprised if you did not see the value in these demands.

Sincerely,
Sonia Martin and Alan Robson
Concerned Citizens

Pilon, Janet

Subject: Please place the HPS protest and demands on the future council meeting

From: Samantha Richarz

Sent: November 30, 2020 1:36 PM

To: clerk@hamilton.ca

Subject: Please place the HPS protest and demands on the future council meeting

Leadership means more than the imposition of authority. The city could have met publicly with the protesters to discuss any possibilities for improving funding for housing. The mayor claimed that he could not meet publicly due to social distancing concerns - this is simply untrue. There is no reason he could not have hosted a public discussion outside with social distancing measures in place. This lack of initiative and creativity in the face of a housing crisis is sheer negligence.

Dismantling the tents of the peaceful protestors at City Hall immediately. Throwing tents and belongings into the GARBAGE when there are many people without homes struggling to live on the streets is disgraceful and disgusting.

This needs to be discussed at the next available council meeting and must be put on the agenda. It cannot continue to be swept under the rug. I have seen only one council member respond to this issue openly and this is extremely disappointing.

Pilon, Janet

Subject: Speak to organizers in public re: funding housing

From: Laura Katz

Sent: November 30, 2020 9:37 AM

To: Ward 1 Office <ward1@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Subject: Re: Speak to organizers in public re: funding housing

PLEASE stop throwing the tents in the garbage. This is absolutely horrible and traumatizing. People are going to die this winter.

There's no reason these tents should be thrown out.

On Nov 28, 2020, at 11:53 PM, Laura Katz wrote:

I'm writing to ask that you speak to the organizers at city hall and work with them to meet their demands. I fully support their asks and find them quite reasonable. Like them, I am so fearful that people will die on the streets in the coming months.

Please accept a public meeting with these compassionate and kind people. I am so impressed by their strength and love and empathy. This is a public health crisis that absolutely needs your attention now.

Thank you.

Laura Katz

Pilon, Janet

Subject: I support the protestors at City Hall

From: Olivia Bozzo

Sent: November 30, 2020 3:50 PM

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

Subject: Re: I support the protestors at City Hall

The protest was peaceful, they were watching movies. doing yoga, and taking care of each other. Social Distancing was maintained. They demanded to be spoken to in a public setting, why wouldn't Fred give his citizens that? He works for Us. This group of people is doing more to help houseless people than our own government is, shameful.

From: Olivia Bozzo

Sent: November 30, 2020 12:24 PM

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

Subject: I support the protestors at City Hall

We demand that you listen to us. YOU work for US. Hamilton citizens need housing, not an inflated police budget. We're doing more than you ever have to support houseless people and you threaten us, fine us and arrest us? You throw peoples tents and belongings in the trash, how are these people supposed to stay warm in the winter? You are pure evil there's no doubt, people will freeze to death this winter and you don't care because that's what you want right? You want houseless people to die, it's very clear Fred. SHAME ON YOU. Speak to us in public, look these houseless people in the eyes and tell them you don't care instead of hiding like a coward. You have blood on your hands, the deaths of these people are on your soul forever. We will win.

Pilon, Janet

Subject: Cruel Reaction to Protestors

From: Maureen McKeating
Sent: November 30, 2020 5:04 PM
To: clerk@hamilton.ca
Cc: Maureen McKeating
Subject: Cruel Reaction to Protestors

> Dear Councillors,

>

> It is a miserable day outside and according to the forecast for today and tomorrow, the weather is going to get worse. I am appalled that today is the day that the City of Hamilton and the Hamilton Police have decided to move peaceful, homeless demonstrators from City Hall. The situation is made worse by the fact that their tents and belongings are being tossed into dumpsters. I just don't understand. Why couldn't the protesters be allowed to pack up and keep their few belongings? Why couldn't the Mayor and Council make any sort of a move to listen to their concerns or to help? For the most part, these individuals have been ignored by the Mayor and the majority of the Councillors.

>

> The Mayor is asking Hamiltonians to participate through Engage Hamilton. That is farcical in that the snow clearing survey was tossed aside despite citizens wanting sidewalk clearing and also indicating a willingness to pay for it through their taxes.

>

> I see Hamilton as a stalled City. I see City Council as being reactive and not transparent. I do not see vision.

>

> Those who have been protesting at City Hall have been abandoned.

>

> Maureen McKeating

> Ward 8 resident

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Pilon, Janet

Subject: We have to be better

From: krista binnington

Sent: November 30, 2020 6:48 PM

To: clerk@hamilton.ca

Subject: We have to be better

To the members of City Council

I am joining my fellow Hamiltonian in pleading with you to take the bold and necessary steps to immediately end the criminalization of encampments, and to transfer some of the Hamilton police budget into housing and mental health supports.

Our city and our people are desperate. It has been telling to see the amount of police resources and city funds used over the recent week to patrol people in front of city hall. Being a person without shelter is not a crime, however our city has been treating folks without shelter as criminals. While being unhoused is not a crime, it is criminal to turn our backs on fellow humans and charge them for being unhoused. The disproportion of funds for housing vs policing is startling.

While I understand some of the comments about not wanting to meet with community members without the safety of distancing, I am troubled that the mayor would not meet with the tax-paying community members in public. Social distancing outside IS possible and many would argue even safer. I am concerned that folks who are vulnerable cannot have open dialogue with the mayor and others in public- why is this? As public servants it is necessary to meet the public where they are; that is what your role is.

We must do a better. We have to- I ask that each member of council works to remove their judgments and instead try to be curious about why people are experiencing homelessness. It is so easy to be judgmental when you have the privilege of a warm home, supportive networks, stable employment, and enough income to cover your needs. Our people are suffering and judgment will not fix this; removing encampments will not fix this; ticketing people who are unhoused will not fix this. We need an affordable housing strategy NOW that includes crisis housing response for the many folks who are CURRENTLY unhoused. I plead with you to take leadership in this area and take a stand to support housing- this will be your legacy and I have faith that you can help make a difference for these Hamiltonians.

Thank you so much
Krista Binnington,
Ward 1

Pilon, Janet

Subject: Clearance of Defund HPS protest

From: Tanya Ritchie

Sent: November 30, 2020 8:34 PM

To: Farr, Jason <Jason.Farr@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>; clerk@hamilton.ca; horwathagp@ndp.on.ca; matthew.green@parl.gc.ca

Cc: Letters@thespec.com

Subject: Clearance of Defund HPS protest

To whom it may concern,

The actions undertaken by Hamilton Police and Bylaw to remove the protesters at city hall were unconscionable. These protesters are peaceful and responsible in their actions, and are advocating for the most vulnerable in our city.

Each and every person complicit in the despicable act of violence against the protesters should be ashamed. That begins most particularly with Mayor Fred Eisenberger. Amends must be made and actions must be taken swiftly to save the lives of Hamiltonians.

Sincerely

Tanya Ritchie
W2 resident

4.2 (af)

Pilon, Janet

Subject: issue for committee agenda

From: olifraser1

Sent: November 30, 2020 3:02 PM

To: clerk@hamilton.ca

Subject: issue for committee agenda

For the Mayor and Members of Council,

I would like to raise the issue of the grossly over-funded Hamilton Police Services and the inappropriate comparison made publically by Mayor Fred Eisenberg to compare the measly 50 million dollar housing budget over 10 years, that equates to averagely 5 million dollars a year, to the 171 million dollar budget the HPS is given in one year alone.

As a Hamiltonian I am disgusted and frustrated the Mayor would make false public statements saying the protest in the City Hall forecourt is a small number of people that do not reflect the broader community, when in fact it represents a large portion of the broader communities view. Many of whom have elected not to physically appear at the protest while still donating and supporting in other ways due to health and by-law limitations set on capping participants of outdoor events at 25. It is irresponsible, and unprofessional to make such claims without any backing, nor public survey of the broader community, and quite frankly is racially profiling, classist, and ableist to those present, and those unable to attend for a variety of COVID-19, and other health related issues, on top of those who are forced to not physically participate in the protest due to their work and monetary necessities.

Hamilton is the hate crime capital of Canada, as it has been for a number of years, and somehow you still manage to hold ignorant views despite public research that is broadly accessible showing that over-policing, and underfunding human rights, and necessities like safe, secure, unconditional housing only leads to further criminalization of the poor, racially profiled, unhealthy, and otherwise marginalized groups in communities.

Mayor Fred Eisenberg's comments of late on CHCH and other media sources have been reflective of the privilege and arrogance he holds to gaslight the Hamilton community when he feigns support, yet refuses to acknowledge the source of issues, and the gross biases and prejudices both himself and the HPS hold.

If a majority of the HPS budget goes to staffing salaries, perhaps look at the evidence and atrocities in this city that show clearly we are over-policed. While resources are underfunded, the inflation of the HPS budget only continues to grow, despite not even meeting their budget limit in the previous year.

Mounted officers are an example of the continued use of scare tactics and forceful intimidation to handle events that do not call for such a thing, and while I would personally argue the use of horses in the Hamilton city environment is abusive, it factually is a reflective sign of how the HPS doesn't know how to handle events or 'issues' in a manner outside of physical intimidation and violence. The same is to be said for officers stalking, surveying, and intimidating legal protestors leaving events or other activities, and also for the physical intimidation and removal of encampments and shelters while you continue to make no substantial progress in actually understanding or supporting any of the people involved in such instances.

The notion of procedure and refusing to meet publicly with the Defundhps organizers while claiming you understand their concerns is gaslighting and ironic. I speak only as a member of the 'broader community' witnessing what is happening between the publicly available media sources. It is unethical and immoral to allow people to die unknown, unreported, and unhoused in the streets of Hamilton while you continue to hide behind an excuse of procedure.

If you have disagreements when this matter is brought up, then I would request you read out the official procedural policy that stating where and why you cannot meet with the organizers in public. Then I would ask you to explain how you have any form of ethics, logic, or statistical evidence to support the immoral budget of 171 million dollars a year to HPS while only 5 million dollars averagely is allocated to housing the people your police force is criminalizing for having the audacity to exist in public or city spaces when they have no safe, and affordable housing to otherwise exist in?

Please, make it make sense without falling back on your ignorance, classism, ableism, or racism, because so far that is all I have gathered from the Mayor's public comments, and it is all the city of Hamilton is reflecting when they 'brush off' the issues at hand without concrete action to actually fix them.

Regards,
Oliver Fraser

Pilon, Janet

Subject: I support Defund HPS demonstrations and demands

From: Jess Taylor

Sent: December 1, 2020 9:12 AM

To: clerk@hamilton.ca

Subject: I support Defund HPS demonstrations and demands

Mayors and Members of Council,

Good morning,

I'm writing to you because I'm concerned for the people in our community who do not have access to housing and have been forced to live in tents, during a pandemic, in our city. This is unacceptable and I urge the City of Hamilton to come up with a solution to provide safe housing for our neighbours.

I support Defund Hamilton Police Service's demonstrations. I do not support the City of Hamilton dismantling the demonstrations at City Hall yesterday. I support Defund Hamilton Police Service's demands. I have included them below for reference:

Hamilton City Hall

1. 1. We call on the City of Hamilton to defund the Hamilton police.
2. 2. We call on the City of Hamilton to invest the tax dollars that would have otherwise gone to the police towards initiatives fighting against food insecurity, racism and towards more affordable housing & other social services.
3. 3. We call on the City of Hamilton to ensure that HPS are not ticketing houseless people for existing in public.

Hamilton Police Services

1. 1. We call on the HPS to release accounting on taxes used to surveil & police Black, Indigenous, & racialized communities.
2. 2. We demand that the HPS halt purchases of weapons, high tech surveillance equipment, & cease surveilling communities.
3. 3. We demand HPS cease ticketing and surveilling of homeless & disabled people.
4. 4. We demand that the HPS stop targeting activists & communities pushing back against white supremacists.

Thank you,

Jess Taylor

Resident of Ward 2

Pilon, Janet

Subject: Shelter services

From: Sandra Smith

Sent: November 26, 2020 10:51 AM

To: clerk@hamilton.ca

Subject: Shelter services

Greetings,

I am a tax-paying Hamilton home owner and resident who lives near the rail trail at the Wentworth stairs.

I recently spoke to a paramedic on the trail where I usually walk my dogs. Currently, I avoid the area due to an excess amount of human feces strewn about since there is evidence that feces can transmit the Covid 19 virus. Plus, dogs have a habit of getting into them unfortunately.

The paramedic said that there are about 600 homeless people in & around Hamilton right now. I see tents going up daily east and west of Wentworth. It is unsightly and disgusting that there is no garbage cleanup in these areas that are now providing shelter.

My husband recently encountered a middle aged, homeless woman in bad health who was obviously anxious and stressed about her situation and trying to change in the woods. This level of desperation is not necessary in a rich Province like Ontario.

I asked the paramedic why the City hasn't yet set up porta-potties as people defecate in the woods. She said that they were set up at First Ontario Center to start but deemed too difficult/expensive to keep clean. While I have sympathy for the situation,

the amount of feces and garbage is problematic as many citizens would like to enjoy this recreational area. Also, winter is approaching and people need to be housed indoors to keep this public health crisis at bay. Hamilton has the housing stock and it doesn't make sense that First Ontario Center is not remodeled into a shelter that allows for housing for all homeless in the city with social distancing. It is a huge space that can easily be sectioned off with tarps or plastic.

Also, given that the Hamilton Police Force has a large operating budget surplus, I would like to know if some of this surplus can be diverted to build more shelter space and supportive housing for the homeless population. I am not a "defund the police" advocate. I simply believe that the excess funds should be used to address this issue during this emergency situation. It currently looks like the City of Hamilton is trying to save money in the wrong places. You don't want your tax base to vacate Hamilton now that revenues have been severely impacted by the pandemic. If anything, you want to attract investors and taxpayers to flock to Hamilton. The way the city is responding (actually, by not responding at all), to the issue of homelessness has the opposite effect.

Thank you for taking note.

Sincerely,
Sandra Smith

Pilon, Janet

Subject: I support defunding Hamilton Police Services

From: Jenn C.

Sent: December 1, 2020 12:26 PM

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

Cc: Wilson, Maureen <Maureen.Wilson@hamilton.ca>

Subject: Re: I support defunding Hamilton Police Services

Hi Marco,

Thank you for your response, I have copied the Office of the City Clerk on this email. After reading the Mayor's recent comments following the demonstration outside of his house, I have further thoughts on this matter.

First, whether the Mayor officially directs operational matters by police and by-law enforcement officers or not, he is at the highest level of power in the city and he does have an influence. The fourteen officers that arrived at the demonstrations destroyed people's homes; many of those individuals lived in their tents and now have no shelter. The Mayor could have spoken out. The notion that the Mayor of Hamilton has no power over the Hamilton Police Services is deeply troubling.

Second, I am appalled by the Mayor's complete lack of empathy for the members of Defund HPS. Saying he is "delighted" that the HPS may have information on the demonstrators is appalling language. Many of them have lost their homes, belongings, and loved ones. They need support from the city, not policing. While their actions from last night may seem extreme, they have tried writing letters, making phone calls, and protesting outside of City Hall. Since the Mayor and City Council are still refusing their demands, clearly none of traditional avenues of civic engagement have worked.

Third, defunding the police is not an irrational thought. People are dying because they have no housing, no food, and no safe way to manage their addictions. Paying the police to harass them and steal their belongings will not pull them out of their situations. Access to housing, food, and addiction support is so much more valuable than policing them for existing.

I appreciate your clarification on the Mayor's offer to meet with group representatives. I am not in direct contact with the group so I have no way of confirming either side. I would also like your clarification on the reason for dismantling the protest in front of City Hall. The protest seemed peaceful and in line with the public health guidelines; could you please specify which municipal bylaws were violated?

Regardless, I am still in support of the group's demands to defund the HPS by 50%, deny the requested increase to the HPS budget, and re-allocate the HPS surplus to free permanent housing.

Sincerely,

Jenn Cross

From: Jenn C.

Sent: November 30, 2020 4:40 PM

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

Cc: Wilson, Maureen <Maureen.Wilson@hamilton.ca>

Subject: I support defunding Hamilton Police Services

Dear Mayor Eisenberger,

I am writing to express my solidarity with the people at the Freedom Camp and Defund Hamilton Police Services calling for better housing and defunded police in Hamilton. I also want to say how disappointed I am. I'm disappointed in you for caring more about optics than about listening to and protecting your constituents. And I'm disappointed in myself for voting for you and believing that you would create positive changes in Hamilton. I should not have made that mistake.

Please prove me wrong. Begin a productive, public conversation with the occupants of the Freedom Camp and members of Defund Hamilton Police Services. Change city policies to provide better housing and less policing for Hamiltonians that have been placed in vulnerable situations because of our current policies. Specifically, defund the HPS by 50%, deny the requested increase to the HPS budget, and re-allocate the HPS surplus to free permanent housing.

Sincerely,

Jenn Cross
Ward 1 resident

Pilon, Janet

Subject: Protests are not a crime

From: Olivia Bozzo

Sent: December 1, 2020 12:19 PM

To: mediarelations@hamiltonpolice.on.ca

Subject: Protests are not a crime

I am emailing you to express my support for the Hamilton Protestors that left a coffin at Fred's house. This is not a crime, no one was harmed, it was simply a statement. It represents the lives lost in Hamilton due to Fred's lack of action to provide housing for them. These citizens and doing more for houseless people than our own government is, only to be threatened, arrested, or fined, this is so shameful. How many more have to freeze to death for you to care? How many times to we have to beg for housing for you to listen? You've proven time and time again that you don't keep us safe, WE keep us safe. While you're giving the police millions of dollars and sitting in your warm home, people are on the streets overdosing, freezing to death, starving to death, and being brutalized and harassed by police. Tickets were given out for NO reason, one was given a ticket for having a flower, one was giving a ticket for calling a cop a pig. Those are not crimes. Those do not deserve tickets. The right to protest must be protected. What happened at City Hall was not surprising, these people are tired of being moved around, where can houseless people exist if you're kicking them out constantly? Shelters are full and unsafe for many women and LGBTQ+ folks, especially during COVID. Meet with your citizens publicly and listen to us for once in your life. Ignoring Hamilton's housing crisis won't make it go away.

-Olivia

Pilon, Janet

Subject: Community Feedback

From: Emily Kulpaka

Sent: December 1, 2020 12:07 PM

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

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

Subject: Community Feedback

Dear Mayor and Council Members,

I'm sure (or rather, I hope), you're receiving a flood of e-mails right now regarding the week long protest that took place at City Hall.

What I'm not hearing is your engagement. Councillor Nann showed up and made her statement. The rest of you? Councillor Whitehead, I know you came down, and yet said nothing. Councillor Wilson put her name to the poster and yet, silence. Where are you all? Why are you not sharing your community's outrage (on either side of the issue).

The mayor tells us that you don't control bylaw or the police, but it most definitely appears that there is a code of silence around their actions at the very least.

What happened on Monday, was unacceptable. Destroying belongings because someone didn't comply, is atrocious. The number of alternative options that could have occurred were staggering, but the city went for destruction. Your city workers. Your police force. Your bylaw officers. And you stay silent about it.

Many of the street involved or precariously housed folks who spent the week at City hall are folks who require intensive support. If our support systems were adequate, and we had funding, many of them would qualify for 1:1 support in a day program or residential facility, where their needs could be met. They would be on intensive case management, with action plans. But at some point, they fell through the system, and the system is too overburdened and under-resourced to help them. Now, as they started to feel safe and build community networks, our city fractured their support once again.

Don't tell me there's a shelter space for them, or a hotel room. Those are not solutions for the needs of these community members, and that's known to all of us who interact in person with them (and many of them are service restricted anyway!).

For those of you who didn't make it down, let me tell you about the beauty of community support.

People patched wounds that fester from street living, administered naloxone, bandaged self-harm, monitored sugar levels, and got multiple street involved folks to the hospital. On their vacation time. They treated each and every person, as a individual, with their own needs and stories. They listened to who they were as a person, and what they needed to feel safe and well again.

People navigated conflict between participants. They helped folks with mental illness navigate their delusions. They kept note of any unusual behaviour. They consistently ensured masks were being worn, and were clean. They sanitized items and hands.

People sorted donations, kept them dry, helped fit those who needed items and put calls out for specific items that would help quality of life for our community.

People navigated conversations with officials and ensured no one was left alone to navigate situations they felt uncomfortable in.

These people are just like me, and like some of you. They are just community members, who work on having skill sets that benefit others. Who learn and practice restorative justice, de-escalation, and people-centric frameworks. They were not organizers, they simply saw the callout and knew the community needed them, so they showed up.

We show up for our community. Police and bylaw fractured community. You have a chance to show that you're going to show up for the community in real, tangible ways. I urge you to do so.

Don't tell us it's a process, that there are plans. Show us action now. You can do that. We're ready to help.

Stop allowing Hamilton police to run the city. Reduce their budget. Cancel their surplus. Try something new!

Sincerely,

Emily Kulpaka

Pilon, Janet

Subject: Defund HPS Now

From: Reem Mandil

Sent: December 1, 2020 1:35 PM

To: clerk@hamilton.ca

Subject: Defund HPS Now

To Mayor Eisenberger and Members of Council:

I am emailing you with regards to the demands being made by the peaceful protestors at City Hall who are fighting for the safety and protection of unhoused people. I want Hamilton City Council to:

- Enact an immediate 50% reduction in the Hamilton Police budget,
- Deny the requested increase of 4 million dollars to the HPS budget, and to take back the surplus to begin investing in **free** housing for unhoused people, and
- Urge Police to stop intimidating the young black organizers who are demanding housing for all.

The Office of the Mayor has stated:

"The Mayor along with the City Manager offered to meet group representatives in City Hall with appropriate social distancing measures in place. However, the group declined his offer. Despite this, the Mayor's office remains open to listening to their concerns."

It is important to note that the Mayor was offering a **private** meeting and is unwilling to have a **public** meeting with the organizers. DefundHPS has stated that it is not interested in a private meeting and it has stated very legitimate reasons for this. The unwillingness of the Mayor to engage in public dialogue with these organizers is troubling at best.

It is also important to note that these organizers take **very seriously** the safety and health of fellow community members, particularly those engaging in their efforts of securing housing for unhoused people and defunding the Police. Organizers have maintained social distancing, as well as supplied gloves, masks, and sanitizer at their sites. Let us not forget that the housing crisis is also a public health crisis. Failure to recognize that when claiming organizers are not adhering to public health guidelines is irresponsible and lazy.

Lastly, I would like to note the failure of Councillor Ferguson of Ward 12 to respond to any of my correspondence regarding divestment from the HPS.

The organizers at City Hall are to be commended for their dedication to support and care for their community, when our elected officials have failed to do so. I urge you to stop maintaining the status quo and make real, transformative change by defunding the HPS in order to end the housing crisis in Hamilton.

Yours Sincerely,
Reem Mandil
Ancaster, ON

Pilon, Janet

Subject: Meet with Defund HPS Publicly

From: Danielle Hitchcock-Welsh

Sent: December 1, 2020 3:06 PM

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

Subject: Meet with Defund HPS Publicly

Hi Fred:

I voted for you and am unhappy with how you're handling the youth activists at City Hall.

I understand defunding the police sounds radical. When I first heard about it, I thought it was crazy. As I looked into it further, I realized it means reallocating funds to areas that would actually impact a decrease in crime.

There is an over \$500K surplus that HPS has. Why not allocate that to housing? More houselessness people are going to die this year because of COVID, why can't we *try* to do something about it? Let's do the right thing as a city and figure out a way to move some funds around. It isn't right that the police budget is so high compared to so many other important sectors in our city.

This is the future, please talk to them publicly and really consider reallocating some money. It sounds radical. But it can (and must) be done.

Thank you,
Danielle

Pilon, Janet

Subject: Meet with Defund HPS Publicly

From: Danielle Hitchcock-Welsh

Sent: December 1, 2020 3:19 PM

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

Subject: Re: Meet with Defund HPS Publicly

Mr. Mayor:

I've just read your correspondence with the CBC in the article about the coffin in front of your home.

You hope the police throw the book at them? These are the youth of our city. They're asking for your compassion and open-mindedness for a new way forward. They have been nothing but peaceful in front of city hall and they should have the book thrown at them? This is unacceptable for you to say or to think.

They've been clear they want a public meeting because they want it on record.

Personally, I'm not in favour of abolishing the police, I think they have a place in society — but we can divest. We can look to new ways to prevent crime. Police do very little in terms of crime prevention. Access to housing, mental health workers, etc. are what create less crime. There is so much data and information out there about police and how they are called upon for *everything*. We need new systems. We need to listen to youth and BIPOC folks, to the LGBTQ+ community. When they are saying they're targeted by police, they're harmed by police, we need to believe them.

There is great information about moving forward here. If you haven't, maybe look into it:

<https://www.mpd150.com/faq/>

Also, watching the way you're handling this, it's clear you haven't invested in anti-racism training. Hamilton has a serious white supremacy problem and you, your whole staff and the entire city council need to be properly trained on this issue. If you were, perhaps you'd be coming at this from a different stance and with a more open mind.

Danielle

Pilon, Janet

Subject: Public meeting with Defund HPS now

From: Alexandra Weinberger

Sent: December 2, 2020 4:06 PM

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

Cc: Nann, Nrinder <Nrinder.Nann@hamilton.ca>; clerk@hamilton.ca

Subject: Public meeting with Defund HPS now

Mayor Eisenberger,

I once again write to your office as a disappointed constituent. Not only was the clearing of the tents from Freedom Camp in the City Hall Forecourt inhumane, the fact that their homes and only belongings were thrown out was despicable. Your office's inaction and unwillingness to speak out against by-laws action was shameful.

As mayor you represent the people of Hamilton. This includes the protesters and the underhoused. You need to publicly meet with Defund HPS now.

The patronizing words you use to describe the protest in the media is all the more reason this meeting needs to be in public. You have shown a lack of respect for their message and contempt for their actions.

Your office last week described their protest and camp as 'playing politics' but now it is you who is doing so. Offering to only meet two of them and in private is a political tactic that goes back quite far. You can look like you are willing to listen and talk, and then deny any critique the protesters have of the private meeting.

The time for a private meeting has long passed. We have a housing crisis in this city, and the folx demanding change are being ignored. I am in support of their message and their actions and want public accountability. There needs to be a public meeting with the protesters now.

We need to defund the police. We need to take immediate action on keeping our citizens safe and housed. I look forward to finally seeing you step up and take this meeting publicly.

Warmly,

Alexandra Weinberger

Ward 3 Resident

Pilon, Janet

Subject: Enough is enough

From: Patricia Varanesi

Sent: December 2, 2020 7:36 PM

To: Office of the Mayor <mayor@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>

Cc: clerk@hamilton.ca; Green, Matthew - M.P. <Matthew.Green@parl.gc.ca>

Subject: Enough is enough

Mayor Fred,

I am disgusted to see that you have once again lied to the members of this city. We all saw the letter your staff handed the peaceful protestors today at City Hall, and now you have chosen violence??

How dare you arrest your citizens who are exercising their right to peacefully protest. How dare you ticket those that are trying to only help our most vulnerable!

Your citizens are all watching and we are demanding you stop this violence now! Enough is enough! Step up and do your job or step down! We want a leader with compassion for all its constituents. We want a leader who will ensure all its citizens have a space warm bed to sleep in at night.

Stop the intimidation. Stop the violence.

Pat

Pilon, Janet

Subject: Arrests at City Hall

From: Ani Chenier

Sent: December 2, 2020 9:03 PM

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

Subject: Arrests at City Hall

Dear Mayor,

I am writing to express my dismay at tonight's arrest of peaceful protesters at City Hall, and my hope that you will choose to publicly meet and engage with this group.

The calls for police and housing reforms made by this group resonate with many residents, across the City. Housing costs have risen dramatically in Hamilton over the past ten years, displacing many, and making many homeless or housing insecure. Investment in social services lags far behind need. We are in crisis.

Defund HPS protesters are working hard to foreground the needs of under-housed residents of the city, and of residents who do not feel respected and protected by our City's police. Authorities have shown more aggression towards this group than towards many of the other groups who protest in the City, and have made aggressive use of public health and other bylaws to silence them. This attitude is highly concerning.

I urge you to encourage the HPS to respect this peaceful protest and allow it to continue unimpeded.

And I urge you to speak with the protesters, safely and publicly, to work towards solutions for the current crisis.

Thank you for your time.

Respectfully,

Ani Chénier
Ward 2 Resident

Pilon, Janet

Subject: policing, housing

From: Scott Neigh

Sent: December 3, 2020 1:18 PM

To: Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Cc: clerk@hamilton.ca; HWDSB kids <hwdsbkidsneedhelp@gmail.com>

Subject: policing, housing

Hello Councillor Wilson and Mayor Eisenberger,

I am a resident of Ward One and I am writing to express my support for the BIPOC youth organizers that have been demanding that the City of Hamilton defund the police and put more money into housing solutions. These youth are paying keen attention to the ways that policing harms many people in our community and the ways that a lack of affordable housing harms many people as well, and they are acting in a way commensurate with the urgency of those harms. I wish the same could be said of Hamilton city council.

I am also distressed by the disrespectful ways that certain members of council have been talking about these organizers in the media, and the poorly informed ways they have been talking about the issues. To give just one example among many, Mayor Eisenberger, on the Bill Kelly show on December 1 you said, "I can't think of an occasion where a homeless person died as a result of that homelessness." This is a shockingly misinformed statement, and I urge you to not only meet publically with the BIPOC youth organizers who have been present at city hall, but to make time to learn from the health professionals in the Hamilton Social Medicine Response Team (HAMSMaRT) about the terrible toll that homelessness takes on people's health.

Please make our community safer by defunding the police and increasing funding for social housing.

Thank-you,

Scott Neigh
Hamilton

Pilon, Janet

Subject: In Support of Defund HPS

From: Danielle Hitchcock-Welsh

Sent: December 3, 2020 12:24 PM

To: Whitehead, Terry <Terry.Whitehead@hamilton.ca>; [SShaw-CO@ndp.on.ca](mailto:Sshaw-CO@ndp.on.ca); Office of the Mayor
<mayor@hamilton.ca>; clerk@hamilton.ca

Subject: In Support of Defund HPS

To my elected officials:

I've written Mr. Eisenberger and Mr. Whitehead several times but have decided to include Ms. Shaw on this communication as well.

The way we are treating the youth of our city who are rightfully asking us to tackle houselessness in this city by moving around the excessively high police budget is disgraceful.

They are peaceful protestors who are genuinely looking out for the most vulnerable in our society and our mayor is going on record that "the books should be thrown at them"? Ridiculous! And irresponsible!

Each person being arrested and removed from City Hall (public property) had 6+ police officers with them. Isn't that in and of itself showcasing the need for divesting funds from the police? Surely our tax dollars don't need 6 officers to 1 peaceful protestor.

Personally, I don't yet believe in abolishing the police entirely. But surely we can get to a place where the police isn't the only service to call. They shouldn't be going on mental health calls, dealing with houselessness people, etc. etc. etc. I have done the research (and continue to do the anti-racism work) to realize that we spend far too much on police in society in general. If we reallocate funds to housing, child welfare, social services, mental health services, etc. then the crime rate will decrease. People are driven to crime when they are in dire need. If we fix those issues, we can get closer to a better society.

Instead of outright exclaiming "their demands are ridiculous" or "that's not how it works" or "we are never going to defund the police", why not actually meet with them publicly and LISTEN. Isn't that what your constituents are paying you to do? To listen to their thoughts and input?

These youth leaders are the future. There will be a time when we invest more in people and less in police, why not start the conversation?

And please, if you haven't, start doing the anti-racism work. You'll realize quickly how many of Hamilton's policies are in actuality racist policies. We need to have the courage to look at ourselves and realize our complicity and we must change. **Ibram X Kendi's How to be An Anti-racist** and **Desmond Cole's The Skin We're In** are great places to start. Desmond Cole, who was arrested by Hamilton police yesterday... because he was supporting Freedom Camp.

Thanks for your time,
Danielle

Pilon, Janet

Subject: Coffins and related events.

From: Geoff Ball

Sent: December 3, 2020 8:03 PM

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

Cc: clerk@hamilton.ca

Subject: Coffins and related events.

Hi Mayor Eisenberger,

I just wanted to thank you for showing your true colours around recent events in and around city hall.

I've seen the news, and the coffin, and your horrendous response illustrating how removed you are from the reality of the difficulties experienced by the most vulnerable people in the city you are presumed to be leading. The issue of homeless people dying was brought to your doorstep and you perceived a threat? Your distance, and the resulting privileged discomfort, are not more valuable than the lives of the people who struggle in this city! I've learned that you have a budget surplus in policing, yet are looking to increase the budget for them while citizens of your city huddle and freeze in tents (those whose tents weren't thrown in the garbage, at least), and not just those at city hall. And apparently you also sit on the Police Services Board; forgive me if I do not have faith in your ability to be at all impartial in the matter of reallocating some of the money they obviously don't need to aid those who do.

This is not an optics problem, it is a compassion problem, and since you have shown no interest in being part of the solution, as far as I'm concerned you have no business being the mayor of Hamilton any more.

I will now be joining any viable campaign to have you removed from office, and if it must wait for the next election cycle, I will be actively campaigning for any opponent who does not see homeless people in this city - now of all times - as an inconvenience to be ticketed and forcibly removed; who refuses to engage with the people on the ground spending their time and energy to help the people whose well-being are your responsibility, but apparently not your problem; who through his actions (and inactions) has shown that racist protesters are just fine to have hanging around city hall for weeks, but citizens demanding safe housing for vulnerable people are ticketed; who believes that police budgets are more important than the people the police are meant to serve: the citizens of this city.

Sincerely,
Geoff Ball

Pilon, Janet

Subject: Defund Police/HomelessnessProtesters

From: Michael Moniz

Sent: December 4, 2020 10:33 AM

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

Subject: Defund Police/HomelessnessProtesters

As a life long Hamiltonian, born and raised here, I would like to register my disgust with your inability to PUBLICLY meet with the protesters at city hall. Even more so, the lack of compassion in throwing their belongings and tents into garbage trucks as winter sets in, borders on inhumane. Then to compound it by publicly stating on CHML during an interview you couldn't think of one death as a result of homelessness in our city was beyond the pale. As Mayor, I would expect you or any mayor to attempt to learn about the true plight and history of our marginalized communities and residents, not make dismissive claims and statements. Temporary shelters are not housing. People HAVE died and will die of homelessness under the status quo.

Bloated and growing police budgets are no longer acceptable, not just because of the economics, but also morally when those funds could be better used in the community to truly help prevent/reduce crime. Policing is important and is still required but policing is not above criticism when warranted, which you seem to be unable or unwilling to do. What appears to be your constant knee-jerk defense of the police whenever residents bring up concerns, makes us wonder who do you think you answer to; residents or the police service? A wholesale rethink needs to take place and your inability to even look critically at what Defund The Police is asking, to look beyond the slogan, to PUBLICLY meet with them, to my mind, shows such a profound lack of leadership, it's startling.

Add this situation to the long list of situations that have gone on in this city under your watch, and I'd like to say my faith in your ability to lead has evaporated. I'm not angry as much as I'm saddened that you have and continually fail us as residents and as a city.

Mine may be just one opinion, which you have every right to ignore, but it's one that's shared among many in our city, and it's an opinion that's growing more and more. Feel free to take these criticisms to heart and try to see our points of view, or continue to ignore us. The choice, as always, is yours.

Regretfully

Michael Moniz

Winona

Pilon, Janet

Subject: Homelessness : PLEASE LISTEN!!

From: Doreen Stermann

Sent: December 4, 2020 11:04 AM

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

Cc: Roger Stermann

Subject: Homelessness : PLEASE LISTEN!!

Dear Mayor and Council Members,

I urge you to have a public dialogue with the protesters and those representing the homeless people in our city. Leadership requires compromise. I can not blame these advocates for wanting a public meeting since this city is not known for transparency. It has been this city's lack of transparency that forces citizens to distrust their elected leaders. Another reminder about the many scandals in recent years in this city and your secrecy around them that has forced advocates to want public meetings. Protesting is a response to not being heard or not having a voice at the table. There are numerous inequalities in our society. This pandemic has made it worse for those already living on the edge.

Asking for a 50% reduction in a police budget is a starting point. So negotiate! LISTEN!. Since the HPS has a surplus of \$171.5M there is room for reduction. This surplus has increased 3.8% from 2018: By reducing the HPS budget at the very least three things can be addressed: 1) reduce an inflated budget to the HPS department; 2) redistribute funds to housing for the homeless and 3) re-allocate funds to health departments. I believe that some funding can be reallocated to health departments better suited to deliver a response to those having a health crisis. Crimes require policing. Someone having a health crisis is not a crime! Obviously there is room for a reduction in the HPS budget. No one can deny that. If you were looking at your own household budget would you seriously keep a surplus and not adjust spending if your roof was leaking? Our roof is severely leaking. The house is flooded. People need a place of shelter. People will die this winter if they are not housed.

Winter is here. There needs to be immediate action to house people even if it is just temporary until the city builds more facilities. I see vacant buildings across this city that could be transformed. Sir John A MacDonald High School is just one such building. Empty stores in plazas could be renovated.

Decades of policies and cutbacks in many sectors (Federal, Provincial and Municipal) have brought us to this crisis in homelessness. As the saying goes "The chickens have come home to roost".

All levels of government need to come to the table. Feds, Province and Municipalities so that we can honestly strive for every city or town to be a place to grow up and age gracefully .

But start locally and listen. Listen with an open heart, with empathy. But listen.

Sincerely

Doreen Stermann
Ward 1
Hamilton

Pilon, Janet

Subject: Support for Defund HPS protesters

From: Kim Selman

Sent: December 4, 2020 12:36 PM

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

Cc: clerk@hamilton.ca

Subject: Support for Defund HPS protesters

To: Mayor Fred Eisenberger

CC: Chad Collins

I am writing this letter in support of the Defund HPS protestors and to express my complete disappointment in the City of Hamilton, and specifically the Mayor's response to this peaceful protest. I join Defund HPS in calling for the Mayor to have a **public meeting** to discuss the crisis of homelessness facing our city.

I am a lifelong resident of Hamilton. I live in ward 5 and my business is located in ward 3. I have chosen to raise my child here. I have never been more disappointed in this city than over the last year. The lack of leadership in the handling of numerous issues is astounding but what hurts even more is the utter contempt that the Mayor and many members of Council show to its own citizens. The growing calls for equity and inclusion are dismissed as coming from the 'fringe'. You falsely lump together protesters / citizens who are speaking out on a broad range of issues (i.e. Pride, Wet'suwet'en pipeline, etc.) as one homogenous group. You dismiss the City's own public feedback process (i.e. snow clearing survey) as 'not representative.' What does one need to do to be considered a true resident that is worthy of having an opinion? Instead of taking the opportunity to learn from those who have a different lived experience than you, you have adopted a combative and dismissive approach. This is unproductive and damaging.

The Defund HPS movement has legitimate concerns. Disabled and racialized people are disproportionately affected by homelessness and police brutality. Yet when these same people ask for a meeting you respond by criminalizing them rather than taking the opportunity to have a public dialogue.

I understand that we are in unprecedented, challenging times. I also understand that policing is important but this does not mean that the police are above criticism. It also does not mean that bloated police budgets should go unchecked. Now is the time for resourcefulness and creativity. Now is the time to do things differently. We must challenge our institutions to do better. This is undoubtedly a massive task but the only way to start is to listen to your constituents. Have the conversation.

Sincerely,

Kim Selman

Pilon, Janet

Subject: Asking the Mayor to Meet With Defund HPS

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

From: Ward 14 <14forprogress@gmail.com>

Sent: December 5, 2020 12:15 PM

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

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

Subject: Asking the Mayor to Meet With Defund HPS

Dear Mayor & City Councillors,

On November 23rd, 2020 the Defund HPS coalition held a press conference on the forecourt of City Hall. Concerned about our houseless neighbours, Defund HPS has asked for a multi-level government response to homelessness and poverty in Hamilton. Their ask to Council is a 50% reduction to the Hamilton Police Service and that the 2020 surplus be reallocated towards supporting our neighbours living in tents across the City.

The Defund HPS coalition has sparked and started a conversation on housing and policing among residents, community organizations, unions, and a number of Councillors including our Councillor (Terry Whitehead). Thus far the Mayor has not met with organizers.

We are writing to Council to ask for the following:

- * That the Mayor meet publicly with the Defund HPS coalition. As residents of Ward 14, we would like to hear what the Mayor has to say. Private meetings on a public issue do not allow for accountability or transparency.
- * We would like the Police Budget to be cut by 50% as suggested by the Defund HPS coalition. Our group of Ward 14 residents believe we have to start investing in housing, public health, transit, bike lanes. These investments create safe communities. The over-reliance on Policing (with a budget of \$171 + million) works to criminalize houseless residents, burdens our City and fails to attend to the needs of the most vulnerable and marginalized.

In addition to our request, we will be contacting Members of Provincial Parliament and Members of Parliament on this matter.

Signed by residents of Ward 14 (14forProgress)

Pilon, Janet

Subject: Re: Homelessness : PLEASE LISTEN!!

From: Roger Stermann

Sent: December 4, 2020 5:57 PM

To: Doreen Stermann

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

Subject: Re: Homelessness : PLEASE LISTEN!!

Dear Mayor and Council,

I concur with Doreen. I would like to add as an option for the housing inventory, the decent properties that the LRT has and are not demolishing. I believe there are 12 and they are on the main bus line.

We need to slow down and make some real changes that show the city understands the plight of far more people now. These changes seem to scare the council but if you yourselves were put out of work for a year and had your income suddenly reduced by 50% and a family/friend support network did not exist, where would you turn? The city where you lived. These are shockwaves that reverberate through the city.

It is physics; the effects are not kept in a container away from everything else that is seemingly still running 'normally'. They bump into everything in their path and change the course of those elements. Believe it or not, but that's physics. You can run but you can't hide.

Sincerely,

Roger Stermann

Pilon, Janet

Subject: Reallocating of Police Funding

From: Diane Fields

Sent: December 7, 2020 11:48 AM

To: clerk@hamilton.ca

Subject: Reallocating of Police Funding

Mayor and Council Members,

I am writing you as a constituent in Ward 1, to request that you meet the demands of the group currently occupying the grounds at City Hall. This is to defund the Hamilton police budget by 50%, deny their request of a 4 million dollar increase to their budget, take back the surplus in the police budget and use these funds to invest in housing for the homeless and other necessary services that are lacking in Hamilton.

It is time you come to grips with the fact that overpolicing and underfunding of services to take care of people is causing a huge problem. A lot of problems in society could be taken care of by taking care of all people instead of criminalizing them. The police hold too much power and this needs to be dealt with, beginning with using our tax dollars more wisely.

Stop criminalizing peaceful protestors and listen to them instead. They are making some good demands that would contribute to making the world a better, kinder, more caring place.

Thanks in advance for heeding my requests and entertaining a progressive vision for the future.

Regards,

Diane Fields

Pilon, Janet

Subject: Written delegation to City Council

From: Meaghan Horn

Sent: December 5, 2020 1:11 PM

To: clerk@hamilton.ca

Cc: Office of the Mayor <mayor@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>

Subject: Written delegation to City Council

Mayor and Members of Council,

Please accept the following correspondence as my written delegation to City Council. I would like to reiterate my support as a Taxpayer in Hamilton for the demands made by the Defund HPS group. I urge you to accept a public meeting with the group organizers, and listen carefully to their perspective. This group aims to improve life for Hamiltonians, which is a common goal that City Council should also have.

Sincerely,

Meaghan Horn

From: Meaghan Horn

Sent: November 28, 2020 9:51 AM

To: Office of the Mayor <mayor@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>

Subject: Defund the Police encampment

As a resident of Hamilton Mountain, I would like the voice my support for the Defund the Police encampment. As Councillor Pauls (my city councillor) has a conflict of interest when it comes to voting on Police issues, I don't feel like the concerns of my community are being heard at city council.

The city needs to act to provide adequate housing and support for the unhoused in Hamilton. This issue will not be solved by ticketing the homeless and tearing down encampments. Homelessness is not solved through policing the homeless. Poverty is not solved by the police. Please put the city budget to better use by reallocating funds to housing and social services.

Sincerely,

Meaghan Horn

Subject: I just wanted to tell all you Councillors, and mayor this, especially you Jason

From: Ken McLaren

Sent: December 7, 2020 2:05 PM

To: Farr, Jason <Jason.Farr@hamilton.ca>

Cc: clerk@hamilton.ca

Subject: I just wanted to tell all you Councillors, and mayor this, especially you Jason

Jason, I have not always agreed with all of your decisions, and that's alright because we live in a democracy. but with the amount of backlash I'm seeing on social media about the homeless problems in Hamilton. I feel it important to give my opinion. of you and to you Jason in as public a way as possible, that's why I cc'd the clerk.

Jason, you have been a GREAT councillor to me. you have always responded in an appropriate and respectful way. I know some of the other councillors have not acted in that manner, and come election time, I fear there will be a large shake up at city hall.

You should not be part of that shake up Jason, it would be a loss to our city if you were not a councillor any longer. you will have my vote and support again! I do believe that some of the current council does need to leave city hall.

Unfortunately I cannot support our mayor's handling of various issues, especially the handling of the defund police protests. Having said that, I

do not support the defunding of police in any way. in fact I believe their funding should be increased! However, the mayor not showing up to at least talk to the protestors and then having them arrested, and all their

possessions thrown into garbage trucks came across as arrogant and cowardice. It was inhumane Hamiltonians, ARE not Arrogant, and we certainly are human with no cowardice. We

are born from iron and steel. and when a mayor projects an image that does not reflect their city, then they should not be representing the

city. If it was a one time thing, then, it can be tagged as a mistake. Mayor

Fred has made these mistakes time after time and projected the same image. by immediately lawyering up and keeping it hush hush through sewer gate,

he came across as afraid and arrogant and this is the image of our beloved city, that is being projected to the rest of the world through social media and conventional news sources. This image is unacceptable.

We are a strong, caring community, that puts humanity before anything. That is and always has been who we are!

I want a city hall that represents my community accurately. I believe YOU do, and some of the other councillors do represent us accurately, (for the most part).

So as a citizen

and your constituent, I ask the mayor to step down, and I ask you as my councillor, to represent my opinion on this

thank you Jason, for all the work you do.

Pilon, Janet

Subject: Hi!

From: Katie King

Sent: December 6, 2020 8:41 PM

To: clerk@hamilton.ca

Subject: Hi!

Hi!

I was wondering if this could be read at the next city council meeting? I wrote this piece about Freedom Camp. Thank you in advance:

Do you think we are sitting out front City Hall for fun? Do you think this is what we want to do with our youth? To skip out on work to be away from our family to stay up all night to cry for our City to understand what we need? To cry for our Mayor to pay attention to us? We don't want to get sick, we don't want to be cold, we don't want this. **But we don't know how else to tell you what we need.** Yes we play music yes we dance yes we feed each other yes we make art and share words and look at each other meaningfully or sadly or proudly or thankfully or nervously trying to understand each other through the space between our toques and our masks. But we don't want this. Know that we don't want this.

If we switch the narrative, since our demands have gone unheard - this is us communicating our needs in a relationship. The relationship is Us and the City. This is what we need. Please. We need less money put towards Hamilton Police Services and more money for free public housing. It's okay. It will be okay if we make this change. It might feel weird at first but it will be better. It's not fair that the Mayor has control over the City and the Hamilton Police. Yes, I know that he is the chair of the Police Board. We are here because this is not fair. Believe me! We are not here for a laugh. This is not for fun. This is serious. Many crises are colliding, a housing crisis and an opioid crisis and police that do not keep us safe. Except the last one has always been a crisis for BIPOC folks. Do you know why the police force was created? To protect property. To protect white folks property from black folks. Hamilton needs to listen to us. **We aren't radical youth. We are reasonable youth. This is reasonable. Free housing is reasonable.** It is reasonable to want people to feel safe, to be dry, and to have somewhere warm to sleep. It is reasonable to take money away from an institution that scares us. We aren't radical youth. We are youth that see the world in a way that prioritizes care. We need to house folks and take away money from an institution that hurts us. We are a community and I will not stand for my community feeling unsafe. Enough is enough. Please use your power to ask the Mayor to meet with Defund HPS Coalition and to meet their needs.

Sincerely,

Katharine (Katie) King
Ward 3

Pilon, Janet

Subject: Defund Hamilton Police Service

From: Sarah Van Berkel
Sent: December 9, 2020 8:51 PM
To: Merulla, Sam <Sam.Merulla@hamilton.ca>
Cc: clerk@hamilton.ca
Subject: Defund Hamilton Police Service

Hello Councillor Merulla,

I am a constituent in your riding and I support the Defund HPS project. The Mayor should agree to meet with the group publicly and listen to their concerns. I urge you to address our Mayor and let him know that citizens of your riding support these requests. The protesters are not alone.

We are in the middle of a homelessness and opioid crisis that requires much more funding. Police Services are used to address too many social problems when we should be building strong communities and addressing the root causes of poverty instead of criminalizing the end result.

Thank-you
Sarah Van Berkel

VIA EMAIL

December 2, 2020

Legislative & Planning Services
Department
Office of the Regional Clerk
1151 Bronte Road
Oakville ON L6M 3L1

Ministry of Conservation and Parks, Aziz Ahmed
Niagara Escarpment Commission, Debbie Ramsay
Conservation Halton, Barb Veale
City of Hamilton, Andrea Holland
City of Burlington, Kevin Arjoon
Town of Halton Hills, Suzanne Jones
Town of Oakville, Vicki Tytaneck
Town of Milton, Meghan Reid

Please be advised that at its meeting held Wednesday, November 25, 2020, the Council of the Regional Municipality of Halton adopted the following resolution:

RESOLUTION: LPS94-20/PW-31-20 re: Water Supply for 720, 768, and 780 Mountain Brow Road West in North Aldershot, Burlington

1. THAT Report No. LPS94-20/PW-31-20 re: “Water Supply for 720, 768, and 780 Mountain Brow Road West in North Aldershot, Burlington” be endorsed.
2. THAT Regional Council amend the Urban Services Guidelines, as outlined in Attachment #6, to support municipal water connections that cross municipal boundaries, outside of Halton Region’s Urban Areas, without the need for a Regional Official Plan Amendment (ROPA) only under the following conditions:
 - a. Where an existing or planned municipal water service is located along the frontage of the properties requiring only a service connection;
 - b. Where the municipal water connection is for an existing approved land use, and can be provided without financial impact to Halton Region;
 - c. Where the abutting municipality assumes the Halton residents receiving the water connection will become customers for the municipal water service of that municipality to the satisfaction of the Commissioner of Public Works; and,
 - d. Where there is no plan to comprehensively service the area from the Halton system to the satisfaction of the Chief Planning Official.
3. THAT Regional Council amend the Drinking Water System By-Law No. 71-19 as outlined in Attachment #7 to Report No. LPS94-20/PW-31-20.

4. THAT Regional Council support a municipal water service connection from the City of Hamilton to service the existing dwellings at 720, 768, and 780 Mountain Brow Road West on the basis that the connection can meet the revised requirements of the Urban Services Guidelines as outlined in Recommendation #2 of Report No. LPS94-20/PW-31-20.
5. THAT Regional Council direct the Commissioner of Public Works to enter into any necessary agreements with the City of Hamilton and/or the owners of 720, 768, and 780 Mountain Brow Road West, to facilitate the water service connection as outlined in Report No. LPS94-20/PW-31-20.
6. THAT the Regional Clerk forward a copy of Report No. LPS94-20/PW31-20 and attachments to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the City of Hamilton, the Niagara Escarpment Commission, Conservation Halton, and the Ministry of Environment, Conservation and Parks for their information.

Enclosed please find a copy of Report No. LPS94-20/PW31-20 for your information.

If you have any questions please contact me at extension 7110 or the e-mail address below.

Sincerely,



Graham Milne
Regional Clerk
graham.milne@halton.ca



The Regional Municipality of Halton

Report To:	Regional Chair and Members of Regional Council
From:	Bob Gray, Commissioner, Legislative and Planning Services and Corporate Counsel Kiyoshi Oka, Acting Commissioner, Public Works
Date:	November 25, 2020
Report No. - Re:	LPS94-20/PW-31-20 - Water Supply for 720, 768, and 780 Mountain Brow Road West in North Aldershot, Burlington.

RECOMMENDATION

1. THAT Report No. LPS94-20/PW-31-20 re: “Water Supply for 720, 768, and 780 Mountain Brow Road West in North Aldershot, Burlington” be endorsed.
2. THAT Regional Council amend the Urban Services Guidelines, as outlined in Attachment #6, to support municipal water connections that cross municipal boundaries, outside of Halton Region’s Urban Areas, without the need for a Regional Official Plan Amendment (ROPA) only under the following conditions:
 - a. Where an existing or planned municipal water service is located along the frontage of the properties requiring only a service connection;
 - b. Where the municipal water connection is for an existing approved land use, and can be provided without financial impact to Halton Region;
 - c. Where the abutting municipality assumes the Halton residents receiving the water connection will become customers for the municipal water service of that municipality to the satisfaction of the Commissioner of Public Works; and,
 - d. Where there is no plan to comprehensively service the area from the Halton system to the satisfaction of the Chief Planning Official.
3. THAT Regional Council amend the Drinking Water System By-Law No. 71-19 as outlined in Attachment #7 to Report No. LPS94-20/PW-31-20.
4. THAT Regional Council support a municipal water service connection from the City of Hamilton to service the existing dwellings at 720, 768, and 780 Mountain Brow Road West on the basis that the connection can meet the revised requirements of the Urban Services Guidelines as outlined in Recommendation #2 of Report No. LPS94-20/PW-31-20.

5. THAT Regional Council direct the Commissioner of Public Works to enter into any necessary agreements with the City of Hamilton and/or the owners of 720, 768, and 780 Mountain Brow Road West, to facilitate the water service connection as outlined in Report No. LPS94-20/PW-31-20.
6. THAT the Regional Clerk forward a copy of Report No. LPS94-20/PW31-20 and attachments to the City of Burlington, the Town of Halton Hills, the Town of Milton, the Town of Oakville, the City of Hamilton, the Niagara Escarpment Commission, Conservation Halton, and the Ministry of Environment, Conservation and Parks for their information.

REPORT

Executive Summary

- The residents at 720, 768, and 780 Mountain Brow Road West in North Aldershot in the City of Burlington have long had concerns with the quality and quantity of their private well water supply.
- The residents attribute their declining well water supply to excavation related to industrial and commercial development occurring on the north side of their properties in the City of Hamilton.
- Over the years, connections to the municipal water system were not advanced due to a range of factors, primarily the proximity and availability of municipal water servicing and the prescriptive planning policies that prohibit connections outside of a settlement area unless it addresses a 'large scale failure' of private services.
- Following the 2017 approval of the Niagara Escarpment Plan Amendment that permitted a municipal water servicing connection for 768 Mountain Brow Road West, the residents of the Mountain Brow Road properties have made requests to Regional staff and City of Hamilton staff for a water servicing connection from the City of Hamilton. These requests also coincide with the planned installation of a watermain to service development in the City of Hamilton within the Mountain Brow Road allowance directly in front of these properties.
- Staff from Halton Region, the Cities of Burlington and Hamilton, and the Niagara Escarpment Commission have been meeting with the residents to discuss their concerns and to identify agency requirements for a possible solution.
- The purpose of this report is to summarize the Mountain Brow residents' well water concerns and requests for a municipal water connection, as well as agency activities and decisions in support of these requests, including the current and on-going discussions.
- This report recommends that Regional Council amend the Regional Urban Services Guidelines to support municipal water servicing connections that cross municipal boundaries, outside of Halton Region's Urban Areas, without the need for a Regional

Official Plan Amendment (ROPA) provided that they meet specific conditions outlined in this report.

- The Report also recommends that Regional Council support a municipal water services connection from the City of Hamilton to service the existing dwellings at 720, 768, and 780 Mountain Brow Road West on the basis that the connections can meet the revised requirements of the Urban Services Guidelines as outlined in Report No. LPS94-20/PW-31-20.

Background

Residential properties at 720, 768, and 780 Mountain Brow Road West in North Aldershot, Burlington are located on the border between the City of Hamilton and the City of Burlington, and are accessed through the City of Hamilton. These properties are well outside of Halton Region's urban area and are not connected to or located within the vicinity of Halton's municipal water service. They rely on private services (well water and septic systems). Attachment #1 shows the location of the residential properties.

Since 2004, industrial and commercial development has been occurring on the north side of Mountain Brow Road West in the City of Hamilton. The residents assert that their well water supplies were sufficient and without interruption prior to development occurring on the north side of Mountain Brow Road between 2004 and 2010. Further, in 2019 similar concerns were raised about First Gulf's development within the Mountain Brow Road allowance directly in front of these properties and the impacts to their water quantity and quality.

Given renewed concerns about their well water supplies, in July 2019 the residents met with staff from Halton Region and the City of Hamilton to again request a water servicing connection to their properties from the City of Hamilton. A chronology of the residents' concerns and requests for a municipal water connection, agency activities and decisions in support of these requests, including the current and on-going discussion, is included as Attachment #2.

Discussion

According to the Regional Official Plan (ROP), the residential properties at 720, 768 and 780 Mountain Brow Road West are outside of the Urban Area and are designated Regional Natural Heritage System (RNHS). The ROP and related Urban Services Guidelines prohibit municipal servicing connections to lands outside the Urban Area unless municipal services are provided to satisfy the following:

- 1) Large Scale Failure of Private Water or Wastewater Systems;
- 2) Public Uses Fronting on Existing Municipal Services; or
- 3) Public Uses Not Abutting Municipal Services.

The Urban Services Guidelines (<https://www.halton.ca/Repository/Urban-Services-Guidelines>) outline the circumstances under which connection/extension of urban services can be considered. Section 2.6.2 is particularly pertinent: “Where an abutting municipality (e.g. Region of Peel or City of Hamilton) constructs a water or wastewater main on a boundary road for the purposes of servicing lands within that municipality, the Region will not permit connections to those mains by properties outside the Urban Area.

A property owner is entitled to make an application requesting permission for connection. The process is as follows:

- The Region must receive confirmation, in writing, from the abutting municipality that they are willing and able to provide service to properties located within the Region of Halton;
- The property owner must formally submit an application to amend the Regional Official Plan to permit the connection of the property to the abutting municipality’s system;
- Halton Regional Council must approve the amendment to the Regional Official Plan to extend service outside of the urban boundary;
- The Council of the abutting municipality must approve the connection of the owner’s property to their system; and,
- An agreement must be executed between the Region of Halton, the abutting municipality and the property owner. This agreement will be registered on title to the owner’s lands.

Connections will only be supported if the owner can demonstrate that the private services are inadequate and that the deficiency cannot be addressed by other means. The owner must demonstrate that all possible alternative water or wastewater systems are incapable of providing effective treatment to a level which mitigates risk to human health and the environment.”

In addition to the above planning requirements, these properties are located within the Niagara Escarpment Plan Boundary and are subject to development control within the Niagara Escarpment Plan Area.

The Region’s Drinking Water System By-Law also applies to the Mountain Brow Road West properties. In July 2019, Regional Council passed the Drinking Water System By-Law 71-19. By-Law 71-19, which updated By-Law 131-10 (the Waterworks By-law) and consolidated By-Law 61-11 (the Cross Connection Control By-law), includes a section on connecting to a drinking water system from an adjacent municipality. Section 6.2 states:

“Where an Owner of any Property located within the Region requests to connect to an adjacent municipality’s Watermain that exists in a highway or public utility corridor located outside of the Regional Urban Service Area as defined in the Regional Official Plan, the Owner is responsible for obtaining consent from the adjacent municipality and Regional Council through a request Regional Official Plan Amendment to amend the Regional Official Plan. The Region shall not be

responsible for the cost of the infrastructure or connection to the water supply from an adjacent municipality”.

Initial Requests from Mountain Brow Road Residents for a Municipal Connection to the City of Hamilton

In 2004, the resident at 768 Mountain Brow Road West approached the City of Hamilton to request a water main connection from the City and the NEC approached the Region with the same request in 2005. The City of Hamilton continued inquiries with Regional staff in 2008 and 2009 due to the resident’s concerns of declining well water supply. In 2010, the residents of 768 and 780 Mountain Brow Road made similar requests to the City of Hamilton given declining well water supplies which they attributed to excavation related to industrial development occurring on the north side of their properties in the City of Hamilton.

In 2009, the resident at 768 Mountain Brow Road had discussions with Regional Public Works staff to discuss the extension of urban services through a City of Hamilton water service located to the north of this property. Through discussions with Regional Planning in early 2010 staff indicated that:

- Regional Official Plan policies did not permit extension of urban services beyond the boundaries of the Region’s Urban Area and that the exceptions for urban services from an adjacent municipality, as listed in the Regional Official Plan, did not apply to their lands.
- A Regional Official Plan Amendment (ROPA) was needed to permit the extension of urban services from the City of Hamilton to their properties or demonstrated proof of “large scale failure” of their private wells indicating an un-rectifiable public health concern be provided.
- The Niagara Escarpment Commission (NEC) also prohibited connections outside of the urban boundary and as a result, a Niagara Escarpment Plan (NEP) Amendment and Development Permit were needed.

Subsequent discussions occurred between Regional and NEC staff to determine whether there was a public health concern that would satisfy a NEP exemption policy to permit the service extension. A well yield test was also conducted in April 2010 which indicated an unsustainable production rate (3 gallons per hour) for domestic uses as per the Regional Servicing Guidelines. As the well production rate (quantity) does not pertain to water quality, there was insufficient information to make a determination from a public health standpoint that the NEP exemption policy could be met. This information was used during review of the Development Permit application discussed below.

Ministry of the Environment’s (MOE’s) Assessment and Director’s Report

Around 2007, the resident at 768 Mountain Brow Road elevated concerns about water supply to the Ministry of the Environment (MOE). As a result of this inquiry, the MOE conducted a well assessment in 2008. The Ministry’s hydrogeologist concluded that,

based on the hydraulic characteristics of the area, there was low potential for 768 Mountain Brow Road to obtain adequate and reliable well water supply and that the drainage system, installed for the development to the north, could have had an effect on well water quantity. The MOE's hydrogeologist also noted that the detected bacteria and murky tap water in the summer of 2006 was coincident with the mounding of excavated soil on the property to the north. The Ministry's hydrogeologist recommended that inquires about alternative water supply, including municipal servicing, be made. Installation of a new well or the deepening of the existing well were not recommended given the hydrogeology and performance of wells in the area. A copy of the MOE's hydrogeologist's report is included as Attachment #3.

In July 2010, based on conclusions from its 2008 well assessment, the resident's concerns, and correspondence with the City of Hamilton and Halton Region, the MOE issued a Notice of Director's Report under the Ontario Water Resources Act (OWRA) requiring the municipalities to provide sustainable drinking water supply to the property. As part of the public review process, the Region did not object to the Director's Order. The City of Hamilton however objected to it, citing that the Director did not have the jurisdiction to issue an order in one municipality for the benefit of another and that it was not the public interest to do so. The City's objection letter is included as Attachment #4.

In an effort to resolve the resident's water supply issues Halton Region drilled a new well at 768 Mountain Brow Road in July 2011. In January 2012, the MOE notified of its decision to not issue a Director's Report as a solution was reached which did not involve a municipal supply (<https://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTEwNzQw&statusId=MTcwNzM0&language=en>).

Niagara Escarpment - Development Permit Application and Plan Amendment

In August 2010, the resident at 768 Mountain Brow Road submitted a Development Permit application to the NEC to permit the extension of a 250 metre City of Hamilton water line to connect the property. Regional staff did not object to the permit application given the MOE's Notice of Director's Report which would have precluded the policy requirements of the ROP. Regional staff continued to work with and support Ministry and City staff on the extension of the proposed water line for the applicant.

Prior to the Development Permit application, the Region's Medical Officer of Health (RMOH) wrote a letter to the NEC stating that the well yield test results, from April 2010, were inadequate to sustain a single family dwelling as indicated by the Region's Urban Servicing Guidelines. The RMOH advised that a municipal water connection would be the safest and most secure option from a public health perspective. The letter did not comment on well failure and did not conclude that there was a public health issue. The MOE's Director for the West Central Region strongly supported the Development Permit application. The City of Hamilton objected to the application citing the same jurisdictional argument from their objection to the MOE's Director's Order. In January 2011, the staff report on the NEC Development Permit recommended refusal of the application given the

City of Hamilton's objection. However, upon the applicant's request, the NEC Chair deferred the matter without specifying a time line.

Through the Coordinated Provincial Plan Review, the resident at 768 Mountain Brow Road was successful in obtaining a site-specific amendment to the Niagara Escarpment Plan to permit a municipal water servicing connection due to a failure of the private on-site well, outside the City of Burlington's Urban Area. The site-specific amendment, which was approved by Cabinet in May 2017, does not apply to the 720 or 780 Mountain Brow Road West properties. However, there are provisions in the current NEP which support servicing to neighbouring properties, based on existing connections in the area, that may allow a municipal water servicing connection to 720 and 780 Mountain Brow Road West.

In September 2020, the Region was circulated Niagara Escarpment Development Permit applications for 720 and 780 Mountain Brow Road West properties and was re-circulated the application for 768 Mountain Brow Road West for a municipal waterline extension along the Mountain Brow Road right of way to connect to the properties with the water service from the City of Hamilton.

Current Requests for a Servicing Connection from the City of Hamilton

First Gulf is currently developing lands on the north side of Mountain Brow Road West. In July 2019, all 3 residents contacted Halton Planning staff to explore opportunities to connect to a City of Hamilton water supply due to well water supply impacts from First Gulf's development in the City of Hamilton.

Aware of the residents' on-going well water concerns, and as part of the City of Hamilton's development approval requirements, First Gulf commissioned 3 reports by Terraprobe which included study of their properties: *Well Review and Private Well Survey, Proposed Commercial Development Southeast Quadrant – Intersection of Highway 5 & Highway 6, Hamilton, Ontario* (April 10, 2019); *Hydrogeological Review, Proposed Commercial Development Southeast Quadrant – Intersection of Highway 5 & Highway 6, Hamilton, Ontario* (May 21, 2019); and, *Results of Private Well Monitoring 780 Mountain Brow Road* (July 26, 2019).

Only residents of 768 and 780 Mountain Brow Road responded to the private well survey, neither gave permission to inspect and sample operational wells, and the resident at 780 Mountain Brow Road was unable to provide details of its operational well. Terraprobe made recommendations for First Gulf during its construction activities including construction notification, well interference contact information, temporary water supply, and well inspection and monitoring, as well as developer intervention (such as deepened or re-drilled wells) if impacted wells cannot recover. Terraprobe's findings recognized the low permeability soils limiting infiltration, and the inability to determine impacts to the ground water system given that ground water discharge was neither observed nor expected. The study for 780 Mountain Brow Road, detected low flows and noted the exceedance of organic carbon which indicate a possible deterioration of water supply.

Coliform bacteria and e-coli were not detected. Halton Region Public Health advises that there is no evidence of a large scale failure of the private wells.

Potential Municipal Servicing Solutions

On February 4, 2020, in an effort to advance consideration of the residents' requests, the Region's Chief Planning Official met with the residents, the NEC, and First Gulf, and identified 4 potential pathways/options:

- Option 1 – A proponent-led Regional Official Plan Amendment (ROPA) to permit the extension of urban services beyond the Urban Area and to the three properties, notwithstanding the existing policy framework.
- Option 2 – A determination of a large scale failure of private water or wastewater systems. Information to substantiate large scale failure indicating a significant risk to public health or the natural environment is required.
- Option 3 – (Related to Option 2) Issuance of a Ministry of the Environment, Conservation and Parks (MECP) Order to the City of Hamilton to provide servicing.
- Option 4 – Potential annexation of these 3 properties to the City of Hamilton. This option would require approval from the Province, and support from the Cities of Burlington and Hamilton.

A description of each option is elaborated upon in Attachment #5. There is an additional and recommended option which had not initially been communicated with the residents, but, is elaborated upon below and speaks to the purpose of this report.

Subsequent to the February 2020 meeting, First Gulf advised of its intent to apply for the ROPA on the residents' behalf and to pay for the servicing connection. To facilitate the ROPA, a pre-consultation meeting was held on March 31, 2020 with agency staff to identify the application requirements for both a ROPA and a Local Official Plan Amendment (LOPA). On June 12th First Gulf convened a meeting with municipal (Cities of Burlington and Hamilton, and Halton Region) and Conservation Halton, and Ministry of Transportation staff to advise that they would no longer advance a ROPA on the residents' behalf. The reasons cited include First Gulf's inability to obtain well records and site access for all properties, the removal of well pumping equipment at 768 Mountain Brow Road, and the history of well water complaints which predate their development. At the time of writing this report, staff understand that the residents have no interest in initiating a ROPA and LOPA given the cost and uncertainty.

Regional staff understand that the residents approached the MECP in March 2020 to inquire about a Notice of Director's Report, similar to the request in 2010. MECP staff are cognizant of the municipal effort to date, the history of servicing requests and agency responses, and have expressed reservations with circumventing due municipal processes.

Recommended Option

Given the passage of time, the residents' increasing anxiety and frustration about their water condition, the absence of a ROPA application, and the unviability of options 2 to 4, Regional staff are proffering an additional and recommended option which is the primary purpose of this staff report. Under its authority, Regional Council can amend the Region's Urban Services Guidelines to permit cross municipal service connections. Such an amendment would enable the three Mountain Brow Road West properties to obtain a cross municipal connection, while still maintaining integrity, purpose and intent of the ROP and Guidelines. The proposed amendments to Section 2.6.2 of the Urban Services Guidelines, as indicated in Attachment #6, would only permit cross municipal connections under the following conditions:

- where an existing or planned municipal water service is located along the frontage of the properties requiring only a service connection;
- where the municipal water connection is for an existing approved land use, and can be provided without financial impact to Halton Region;
- where the abutting municipality assumes the Halton residents receiving the water connection will become customers for the municipal water service of that municipality to the satisfaction of the Commissioner of Public Works; and,
- Where there is no plan to comprehensively service the area from the Halton system to the satisfaction of the Chief Planning Official.

The Regional Official Plan and Urban Services Guidelines provide clear direction and conditions in which urban services can be extended outside of the Urban Area. Section 89(1) states that it is the policy of the Region "to provide urban services only within the Urban Area, unless otherwise permitted by specific policies of this Plan". Section 89(21) recognizes a very limited set of exceptions, largely historical in nature, where urban services have been or may be extended outside of the Urban Area. The Mountain Brow Road West residents are not subject to these exceptions. Essentially, these properties which are outside the Urban Area are not permitted to connect to, or be serviced by, municipal water or wastewater services regardless of the availability of these services nearby.

The Region does not have any infrastructure in the area and has no plans for infrastructure to service this area given that these properties are well outside of Halton's Urban Area. Information to date indicates declining well water supplies to the Mountain Brow Road residents since the early 2000s, and there is neither information nor evidence to suggest that the water quantities will rebound particularly given the hydrogeology of the area, the hydraulic characteristics of the shale formation in the area, and impacts from developments on the north side of Mountain Brow Road.

As noted, staff identified a ROPA as a potential option for the residents to pursue in particular given the cooperation of the developer of lands to the north. The residents are concerned about the application fees and studies required in support of a ROPA and

LOPA, without the surety of a successful outcome. The only other alternative is for the residents to install and/ or use cisterns replenished by an on-going supply of trucked water. While cisterns are used in many rural areas across the Province, the residents are opposed to this option given the close proximity of a water service in the front of their properties. Also, the treatment and trucking-in of water would not be a sustainable solution as directed by the Regional Official Plan.

The recommendation to only amend the Urban Services Guidelines, as noted above, provides a tangible solution to assist the residents in obtaining a stable and predictable water supply and further provides clarity for implementation of the Guidelines. The recommendation does not conflict with the ROP, and instead maintains the integrity and intent of the Region's longstanding approach.

Section 89(17) of the ROP states that it is the policy of the Region to "consider and permit, based on individual merit and in accordance with goals and objectives of this Plan, new urban service system interconnections between the Region of Halton and abutting municipalities". Regional Council approval of cross border servicing is required. This section of the ROP and the proposed amendment to the Urban Services Guidelines provide Regional Council with an opportunity to consider the cross municipal connection for these three properties without an amendment to the ROP.

Also under its authority, Regional Council can amend the Drinking Water System By-Law No. 71-19 to remove the requirement for a ROPA where the specific provisions of the Urban Service Guidelines can be met. The Urban Services Guidelines is the primary implementation and guidance document for urban services policies of the Regional Official Plan. As a part of this report, staff are recommending that Section 6.2 of the Drinking Water System By-Law No. 71-19 be amended to ensure that water servicing connection requests to an adjacent municipality to comply with the Urban Services Guidelines. The proposed amendment to Regional By-Law No. 71-19, included as Attachment #7, is limited to Section 6.2 and is proposed to read as follows:

- *Where an Owner of any Property located within the Region requests to connect to an adjacent municipality's Watermain that exists in a highway or public utility corridor located outside of the Regional Urban Service Area, such connections are only permitted in accordance with the Urban Services Guideline. Where such a connection is permitted, the Region shall not be responsible for the cost of the infrastructure or connection to the water supply from an adjacent municipality. Further, the Owner shall be responsible for obtaining consent from the adjacent municipality.*

The recommendation to amend the Region's Urban Services Guidelines and amend the Drinking Water System By-Law No. 71-19, as described in this Report, are sufficiently restricted to situations where there will be little or no impacts from a financial or community planning perspective. For example, based on a review of candidate lands meeting the

provisions in the amended Guideline, there would be very few properties in Halton that could meet the proposed criteria. This eliminates any concerns about setting a precedent for several similar requests to extend urban services beyond the Urban Area as identified in the ROP. From a planning perspective, the intent of the urban services policies in the ROP remains intact and the policy permissions are not being amended prior to completion of the Municipal Comprehensive Review which is currently underway. Similarly, amendments to the Urban Services Guidelines do not change the Region's intent or policy direction, but, instead provides clarity for situations and circumstances not fully contemplated during the last update in 2014. The potential requests for servicing connections of other properties, under similar conditions, is very limited.

Initial Concerns identified by the City of Hamilton related to the Preferred Option

The City of Hamilton is the owner and operator of the municipal water system that is planned for and being constructed along this section of Mountain Brow Road. In this regard, and despite the approval of the recommendations of this report, the ultimate decision whether to permit the connection to the water system rests with the City of Hamilton. Regional staff have had several meetings with City of Hamilton staff related to this matter and understand that the City has concerns that have not been fully resolved that may require some further dialogue. These initial concerns are described below:

- Capital costs: The City does not support a water connection unless all capital costs can be accommodated by others. Similarly, as recommended in this report, a connection can only be supported by Halton Region if there is no financial impact to the Region. The residents have indicated a willingness to bear all costs to enable the connection. In this regard, this issue can likely be resolved.
- Halton Region as the City's Customer vs. a Direct Customer Relationship with the Landowners: The City has expressed its preference to provide water to a metered valve chamber to be owned and operated by Halton Region before being distributed to the houses on Mountain Brow. This arrangement could mean potential cost, maintenance and responsibility for the Region. This will need to be explored further with the City and landowners to ensure it can be provided without financial impact to Halton Region in accordance with the proposed amended Urban Services Guidelines. The Region's preference is for the City to enter into a direct relationship with these owners, where the Region would work with the City to satisfy the concerns identified.
- Complaints: The City has expressed some reservation with responding to complaints from customers outside of Hamilton directly. As a part of next steps it is recommended that Regional staff explore an arrangement related to complaints that the City can be comfortable with.
- Default on water bill payment: The City has expressed some concerns with the ability to collect from customers outside of its borders that are in default of a water bill payment. This is an issue that needs to be explored further and could possibly be satisfied through a letter of credit or other means.

- Future development (land severances) and additional connections: City staff have expressed some concern that, if these 3 lots are serviced by water, there could be applications for severances to create additional lots requiring additional connections. This concern is not valid as the severance policies of the Regional Official Plan prohibit lot creation for these lands. Further, under the regulations of the Planning Act, the City of Hamilton would be circulated on any proposal for severance or land use change. The City would have due process rights to comment and appeal a planning decision if necessary.
- Support from City Council: City of Hamilton staff have been very clear that the connections to Halton residents must satisfy some of the outstanding concerns and must be tabled with and approved by City Council. In this regard, the support of the recommendations of this report does not imply or guarantee that the connections will proceed.

In order to explore a remedy to all of the above concerns, it is proposed that staff from the Region, and the Cities of Hamilton and Burlington and the Ministry of the Environment, Conservation and Parks meet to discuss possible arrangements that satisfy the concerns while maintaining the purpose and intent of the recommendations outlined in this report.

Conclusion and Next Steps

The residents at 720, 768, and 780 Mountain Brow Road West in North Aldershot in the City of Burlington have long had concerns with the quality and quantity of their private well water supply. The residents have been seeking a suitable remedy to this issue for more than a decade. In response to the residents' concerns, this report recommends that Regional Council amend the Regional Urban Services Guidelines and amend the Drinking Water System By-Law No, 71-19 to support municipal water servicing connections that cross municipal boundaries, outside of Halton Region's Urban Areas, without the need for a Regional Official Plan Amendment (ROPA) provided that they meet specific conditions outlined in this report. It also recommends that connections to 720, 768, and 780 Mountain Brow Road West be approved so long as they are in keeping with the revised requirements of the Urban Services Guidelines as outlined in this report.

Upon Regional Council's approval of LPS94-20/PW-31-20, staff will continue discussions with the City of Hamilton to identify and secure the requisite permissions and agreements to connect municipal water services from the City of Hamilton to 720, 768, and 780 Mountain Brow Road West for Regional Council's approval. Regional staff will also meet with the residents to assist with satisfying requirements to proceed with the municipal water connection. Staff will provide updates to Council on the progress of these implementation activities through future reports to Council.

FINANCIAL/PROGRAM IMPLICATIONS

There are no financial implications at this time.

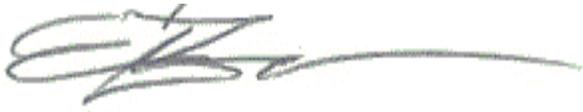
Respectfully submitted,



Curt Benson
Director, Planning Services and Chief
Planning Official



Bob Gray
Commissioner, Legislative and Planning
Services and Corporate Counsel



Eric Boere
Acting Director, Water and Wastewater
System Services



Kiyoshi Oka P. Eng.
Acting Commissioner, Public Works

Approved by



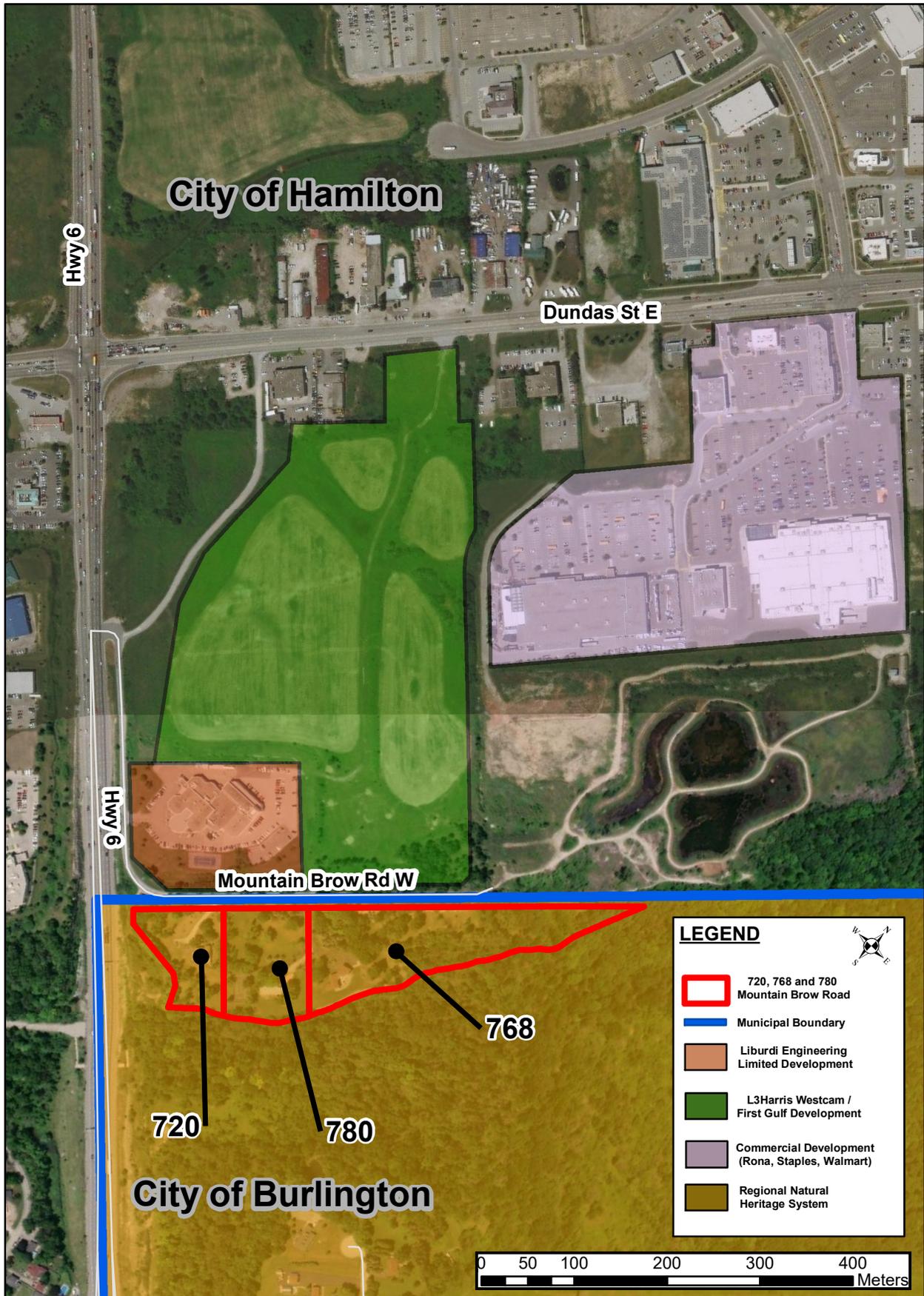
Jane MacCaskill
Chief Administrative Officer

If you have any questions on the content of this report,
please contact:

Curt Benson

Tel. #7181

- Attachments:
- Attachment #1 – Locational Map of Mountain Brow Road West Properties
 - Attachment #2 – Chronology of Residents' Concerns and Requests for a Municipal Water Connection and Agency Activities and Decisions (2004 to September 2020)
 - Attachment #3 – MOE's Hydrogeologist's Report (February. 25. 2008)
 - Attachment #4 – City of Hamilton's Objection Letter (October 1. 2010)
 - Attachment #5 – Options for Extension of Municipal Services to Mountain Brow Road West Properties
 - Attachment #6 – Proposed Amendments to the Urban Services Guidelines (November 2020)
 - Attachment #7 – Proposed Amendment to the Drinking Water System By-Law No, 71-19



Chronology of Residents' Concerns and Requests for a Municipal Water Connection & Agency Activities and Decisions: 720, 768, and 780 Mountain Brow Road West, Burlington (Highlights from 2004 to September 2020)

Date	Communications, Agency Activities, and Decisions
2004	Resident at 768 Mountain Brow Road West requested a connection to a City of Hamilton water main located across from said property on the north side of Mountain Brow Road that serviced an industrial use. City of Hamilton staff contacted Regional staff.
2005	Resident at 768 Mountain Brow Road West approached the NEC to extend water line to property. NEC staff discussed with Regional staff. Regional staff advised that a Regional Official Plan Amendment (ROPA) was required.
November 2005	During house construction, the owner of 720 Mountain Brow Road West was referred to Halton Region (Planning and Public Works Department) by the City of Hamilton inquiring about the possibility of hooking-up to the Hamilton water main
November 2005	Resident at 768 Mountain Brow Road West notified the City of Hamilton about the disruption of private water supply
November 2006	Well yield test conducted at 768 Mountain Brow Road West
January 2008	MOE's hydrogeology investigation commenced due to complaint from resident at 768 Mountain Brow Road West about water supply interference from drainage works associated with development and grading of lands immediately north of property.
February 2008	MOE's Hydrogeologist from the West Central Region provided assessment of water supply interference complaint to MOE's Senior Environmental Officer in the Hamilton District Office
March 2008	Martin Well Drilling provided a letter to resident at 768 Mountain Brow Road West indicating the well was only producing 3.3 gallons per hour, a change from the previous test which showed 3 gallons per minute in 2006.
September 2009	Resident at 768 Mountain Brow Road West approached Councillor Craven to extend water line to property.
July 2009	City of Hamilton advised resident at 768 Mountain Brow Road West about the servicing requirements to service that property.
	Regional staff advise the MOE that a ROPA is required, as well as proof of unrectifiable well failure.
August 2009	Internal Regional discussions (Planning, Public Works, and Public Health) on the request for a water service connection for 768 Mountain Brow Road West. Planning staff advised that a ROPA is required,
	Regional meeting with City of Hamilton and MOE regarding investigation of a water service for 768 Mountain Brow Road West
February 2010	Regional planning staff advised resident at 768 Mountain Brow Road West that a ROPA is needed, as well as a Niagara Escarpment Development Permit and a Niagara Escarpment Plan Amendment.
March 2010	Meeting held with Regional, City of Burlington, and MOE staff.

Date	Communications, Agency Activities, and Decisions
April 2010	Internal Regional discussions (Planning, Public Works, and Public Health) on the request for a water service connection for 768 Mountain Brow Road
	Letter to the NEC from the Region's Medical Officer of Health indicated results of the well yield test results for 768 Mountain Brow Road West and the inadequacy to meet domestic needs based on the Region's Guidelines and indicated that connection to the municipal water supply would be the safest and most secure option from a public health perspective.
	Meeting held with Regional, NEC, and MOE staff, and with City of Burlington Councillor to discuss well water concerns at 768 Mountain Brow Road West.
May 2010	Residents at 768 and 780 Mountain Brow Road West wrote letters to the City of Hamilton about their well water supply issues due to adjacent development in the City of Hamilton.
June 2010	Meeting with Engineering staff from the City of Hamilton and Halton Region
July 2010	The MOE issued a Notice of Director's Report under the Ontario Water Resources Act (OWRA). The Draft Director's Order under Section 62(1) of the OWRA was provided to direct the City of Hamilton and the Region of Halton to "jointly and severally establish a water works for" 768 Mountain Brow Road.
August 2010	The MOE posted a proposed instrument on the Environmental Bill of Rights (EBR) on the "Direction on a report respecting sewage works or water works for municipalities – OWRA s. 62(1)". The purpose of the Director Report was to require the City of Hamilton and the Regional Municipality of Halton to provide a sustainable drinking water supply to a private residence in the Regional Municipality of Halton whose well supply quantity had been impacted by Commercial Development in the City of Hamilton.
	Regional staff held an internal meeting to discuss the MOE's Director's Order
	Regional staff and City of Hamilton staff work cooperatively to find a solution to deliver a potable water source to 768 Mountain Brow Road West
	Resident at 768 Mountain Brow Road West applied for a NEC Development Permit to permit the extension of a 250 metre waterline to connect to the property from the City of Hamilton.
September 2010	Regional Planning staff assisted the resident at 768 Mountain Brow Road West in providing more detail (as per NEC requirements) on the NEC Development Permit Application to permit the extension of a 250 metre waterline to connect to the property from the City of Hamilton.
October 2010	Letter from MOE West Central Region indicating strong support for the NEC Development Permit for 768 Mountain Brow Road West
	City of Hamilton submitted a Letter of Objection to the MOE objecting to the Draft Director's Order

Date	Communications, Agency Activities, and Decisions
November 2010	Letter of thanks to the Region's Medical Officer of Health from resident at 768 Mountain Brow Road for supporting the NEC Development Permit application
	<p>NEC Development Permit application was taken to the Commission for 768 Mountain Brow Road West with a staff recommendation of refusal.</p> <p><i>This report was deferred to January 2011 Commission meeting to allow further municipal input respecting solutions to the water situation, discussion with the Hamilton Medical Officer of Health in order to determine if there are health concerns from Hamilton's perspective associated with the current well. Additionally, staff is to determine if there are any agreements respecting the developments to the north in the urban area of Hamilton which will provide compensation or restitution to adjacent landowners affected by such developments.</i></p> <p>The staff report noted NEC staff's mindfulness of the issues facing the residents and also the willingness of the Region and the MOE to assist in finding a permanent sustainable solution. NEC staff was also aware that the City of Hamilton had expressed a willingness to continue to voluntarily explore with the Region and the MOE ways in which to resolve the well quantity issue but made it clear that any servicing option involving the City of Hamilton must be approved by the City prior to the issuance of a Development Permit.</p>
December 2010	The Region's Chief Planning Official advised NEC that the Region does not object to the issuance of the Development Permit to extend servicing to 768 Mountain Brow Road West
January 2011	<p>NEC staff took an Addendum Report to the Commission. Similar to the November 2010 report, it also recommended refusal.</p> <p>Reasons cited included: "Continued deferral of the application would not directly assist the applicants, but, may allow opportunities for continued dialogue between the City of Hamilton and Halton Region to seek a solution if not an alternative solution that would benefit all. The MOE could issue the Order which may not be challenged by Halton Region, but, would be appealed by the City. The City continued to feel that a solution could be available through cross-municipal co-operation through voluntary discussions as opposed to the issuance of an Order".</p> <p>"Approval of the Development Permit would not solve the situation in the absence of other approvals and accomplishes little. It cannot compel the construction of the water line, resolve who pays for the line, change an official plan policy nor cause the MOE to issue the Order. It also does not address the technical issue of whether or not nearby development caused the problem nor does it deal with other remedies that may be more cost effective in addressing the situation for an individual property".</p>
July 2011	Halton Region drilled a new well at 768 Mountain Brow Road West.
January 2012	The MOE decided not to issue a Director's Report requiring the municipalities to provide sustainable drinking water supply to a private

Date	Communications, Agency Activities, and Decisions
	residence as a water supply solution was reached which did not involve a municipal supply.
January 2017	Through the Co-ordinated Provincial Plan Review, the resident at 768 applied for a site specific amendment (UA22) to permit a municipal water servicing connection to that lot outside the City of Burlington's Urban Area due to failure of the private well on-site. The NEC approved the amendment request.
May 2017	Provincial Cabinet approved the site-specific amendment (UA22).
	The Ministry of Natural Resources and Forestry (MNRF) advised the resident at 768 Mountain Brow Road West of the approval of their site-specific amendment to the Niagara Escarpment Plan.
April 2019	As per the City of Hamilton's development approval requirements, First Gulf submitted the <i>Well Review and Private Well Survey, Proposed Commercial Development Southeast Quadrant – Intersection of Highway 5 & Highway 6, Hamilton, Ontario</i> report by Terraprobe
May 2019	As per the City of Hamilton's development approval requirements, First Gulf submitted the <i>Hydrogeological Review, Proposed Commercial Development Southeast Quadrant – Intersection of Highway 5 & Highway 6, Hamilton, Ontario</i> report by Terraprobe
June 2019	Agency staff (Halton Region, NEC, City of Hamilton) met to discuss First Gulf's development to the north of their properties in the City of Hamilton and the well water concerns of residents at 720, 768, and 780 Mountain Brow Road West.
	Martin Well Drilling well yield test showed 9 gallons per hour.
July 2019	Residents at 720, 768, and 780 Mountain Brow Road met with agency (Halton Region, City of Hamilton, City of Burlington, and NEC) staff to explore opportunities to connect to a City of Hamilton water supply given concerns about permanent impacts to their well water from First Gulf's development to the north of their properties in the City of Hamilton.
July 2019	As per the City of Hamilton's development approval requirements, First Gulf submitted the <i>Results of Private Well Monitoring 780 Mountain Brow Road</i> report by Terraprobe
	City of Burlington (staff and Councillor) and Halton Region staff met to discuss the servicing concerns of the residents at 720, 768, and 780 Mountain Brow Road West
February 2020	The Region's Chief Planning Official met with the residents at 720, 768, and 780 Mountain Brow Road West, the NEC, and First Gulf to identify 4 potential pathways/options for municipal servicing to the properties
	First Gulf advised Regional staff that they would initiate a ROPA for 720, 768, and 780 Mountain Brow Road West
March 2020	Residents 720, 768, and 780 Mountain Brow Road West met with the MECP to inquire about a Notice of Director's Report similar to the one in 2010.
March 2020	A pre-consultation meeting was held with agency staff to identify the requirements for both the ROPA and the Local Official Plan Amendment (LOPA).
June 2020	First Gulf advised that they would no longer advance a ROPA application on the residents' behalf.

Date	Communications, Agency Activities, and Decisions
	Technical meeting with Regional and City of Hamilton staff held to discuss the feasibility of servicing options
July 2020	Regional, City of Hamilton, and MECP staff met to identify potential pathways for servicing the Mountain Brow Road West residents from a regulatory drinking water standpoint.
August 2020	Regional, City of Hamilton, and MECP staff continued servicing discussions.
September 2020	Regional and City of Hamilton staff discussed servicing matters on Mountain Brow Road West.

Ministry of Environment Ministère de l'Environnement



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12th Floor
Hamilton, Ontario L8P 4Y7
Tel: 905 521-7640
Fax: 905 521-7820

119 rue King ouest
12^e étage
Hamilton (Ontario) L8P 4Y7
Tél: 905 521-7640
Télééc: 905 521-7820

Memorandum

February 25, 2008

To: Dana Mohammed
Senior Environmental Officer
Hamilton District Office

From: Isabelle Drouin-Brisebois
Hydrogeologist
Technical Support, West Central Region

Re: Dr. Denis Callaghan Well Interference Complaint – 768 Mountain Brow Rd.

524 9779
office.

As requested, I have conducted an assessment of the well interference complaint from Dr. Denis Callaghan. In addition to information available to me in West Central Region files, incident reports (IDS Reference Numbers: 6366-78ZLNx and 5813-79LLLY), and emails provided to me by the Hamilton District Office, I conducted a site visit and obtained information from the complainant and the well technician who performed a casing extension on Dr. Callaghan's well. Information from Dr. Callaghan was obtained as follows:

- During telephone conversations on January 7/08 and January 31/08
- During a site visit conducted on January 9/08
- From a fax received on January 15/08

Background

The complainant's property is located at 768 Mountain Brow Road in Burlington. The property is just south of the Hamilton/Burlington town line. Dr. Callaghan's complaint contends that drainage works associated with the development and grading of lands immediately north of his property, and installed by the City of Hamilton, have interfered with his water supply.

The review of this complaint was done from the perspective of offering a technical opinion to the Hamilton District Office and the complainant.

Comments

Geology and hydrogeology of the area

The property is located on the brow of the Niagara Escarpment. According to a Quaternary geology map of the area, the overburden in the area consists of Halton Till, a clay silt till (OGS, 1986). The bedrock consists of Silurian-age dolostones (Amabel) underlain by the Upper Ordovician-age Queenston Formation consisting of red shale (mudstone). The dolostone formation is not present south of the escarpment toward Lake Ontario. (ODM, 1976; Karrow, P.F., 1987).

I performed a search of the Water Well Information System (WWIS) and the Geological Information System (GIS) shapes, for well records in the area of Mountain Brow Road. The well records found indicate:

- 1) Water wells obtain water from the Queenston shale formation in the vicinity of Dr. Callaghan's property.
- 2) Bedrock is very close to surface with depths of overburden ranging from 0.3 to 1.2 metres on the properties of Dr. Callaghan and, his neighbour, Mr. Garwood-Jones.
- 3) An attempt to increase water supply by deepening a well in the area met with little success.
- 4) Typically, the response during well yield tests is that water is drawn down to the bottom of the well within one hour or pumping at a rate of only 1 Imperial Gallon per minute (IGPM), or less, and that recovery occurs slowly.
- 5) The water in some wells is described as salty.
- 6) Multiple well records appear with the same owner names, on several properties in the area. This is an indication that previous wells did not produce an adequate supply.
- 7) Some wells were abandoned immediately upon construction due to the fact that they were dry holes.
- 8) Under the name of Dr. Little, who previously owned the Callaghan property, I found four well records, three of which were dry and abandoned immediately upon construction. The other well seemed to produce an adequate supply, but the water quality is described as slightly salty.
- 9) Under the name of Mr. Garwood-Jones, I found four well records, one of which was dry and abandoned immediately upon construction. The other three wells reportedly performed poorly upon yield testing, drawing down to the bottom of the well after one hour or less of pumping at a rate of only 1 (IGPM) or less. Two of these wells also displayed a slow recovery rate.

The Hydrogeology of Southern Ontario (Singer, et al., 2003) describes the Queenston Hydrogeologic Unit as compact and dense shales with relatively low effective porosity due to the limited potential for fractures, dissolution features and interconnections.

Dr. Callaghan has stated that his well had met his domestic water supply needs for 25 years. A cistern system was set up by the previous property owner and has been used on the property to provide water for garden and lawn irrigation.

Site visit and well assessment

I was not able to confirm if there is a well record for Dr. Callaghan's well. He has indicated that the well is in a location consistent with well record number 2805036. This owner of this well is listed as Mr. Garwood-Jones, the complainant's neighbour. Dr. Callaghan stated that his well is 84 feet deep quoting a letter written by Len Martin, the well technician who performed a casing extension on his well, and this would be inconsistent with the depth of 90 feet on the well record. The copy of this letter dated January 14, 2007 that I received in the faxed material from Dr. Callaghan has a hand-written number for the well depth measured which could be 84 or 89 feet.

Dr. Callaghan's well is located in a wet area where surface water ponds in the vicinity of the well. A new domestic well with surface water ponding in the vicinity of the well, would be in violation of section 12.3 of Regulation 903 (amended by 372/07). The well casing was covered with a vermin-proof well cap and extended above the top of a well pit. The well pit was covered with circular piece of plywood that was sealed with spray-foam insulation around the well casing. I asked Dr. Callaghan if he had ever noticed water in the well pit and he said that he had observed some wetness but had not seen ponding of water in the well pit. I did not remove the sealant at the top of the well pit, or ask Dr. Callaghan to do so, because I did not want to further compromise the well. Dr. Callaghan removed the well cap and I had intended to take a water level measurement but decided not to insert the equipment because I could see something that looked like a smaller diameter casing inside the well casing and I did not want to get the equipment caught in the well.

According to Dr. Callaghan, the well casing was extended after several adverse water quality results for bacteria in the summer of 2006. Test results showing significant total coliform and/or E. coli contamination in June, July and August of 2006 were provided in the Jan 15/08 fax from Dr. Callaghan. According to Dr. Callaghan, the contamination in his well started when excavated soil was mounded on the property to the north and, at that time, the water coming out of the taps in his home was murky. I asked him to describe the water that was ponding around the well when this occurred and he said that it looked dirty or muddy. This supports the existence of a direct connection between surface water and the Callaghan well.

Dr. Callaghan has described changes to the developed lands north of his property, in particular, the drainage/removal of a sizeable pond and the creation of a drainage system for which a large concrete culvert was installed underground during the summer of 2006, which Dr. Callaghan believes has cut off recharge to his well.

According to a January 14, 2007 letter, Len Martin, a licensed well technician, of Martin Well Drilling, licensed well contractor (MOE well contractor number: 7146), performed a casing extension and tested the yield of the well in November 2006. On February 6, 2008, I called Mr. Martin to obtain additional information about any observations that he may have made or notes that he may have taken while working on the well. Mr. Martin indicated that, from what he remembered, he had been hired after the pump had failed. He stated that he removed the pump and cleaned out the well to try to increase the well yield. He also installed a liner inside the well casing and extended the casing above the top of the well pit to prevent surface water from

entering the well. Mr. Martin tested the well yield and concluded that the well was a very low producer. This is consistent with well records for wells in the area.

I asked Dr. Callaghan when he started to experience repeated occurrences of his well being dry and he responded in January 2007. Dr. Callaghan has also stated that his neighbour's water supply has not been affected.

Conclusions

- 1) Given the location of the property at the brow of the Niagara Escarpment and the hydraulic characteristics of the shale formation, the potential to obtain an adequate and reliable well water supply in this environment appears to be low.
- 2) The information provided indicates that the Callaghan well is or was subjected to a direct connection with surface water.
- 3) The change in surficial drainage or any drilling or blasting that may have been required to install the drainage system could have had an effect on the quantity of water in the Callaghan well by reducing the amount of surface water entering the well or affecting the water bearing features in the shale formation.
- 4) Given that the water supply from the well used by Dr. Callaghan's neighbour has not been reduced, effects appear to have been localized. This would not support extensive impacts to the water bearing formation from the construction of the drainage works. It is noted that nothing is known about the Garwood-Jones well specifically, but all well records found for this well owner indicate that the wells constructed on his property terminated and obtained water from the shale formation.
- 5) Based on the available information and the timeline, the Callaghan well appears to have allowed the ingress of surface water, which could have been reduced by the construction work performed by Martin Well Drilling in November 2006.
- 6) There is no information to indicate that the construction of the drainage system either required a Permit to Take Water or has caused a flowing or leaking condition within the shale water bearing unit, and as such, the MOE will proceed no further with this complaint under section 34 of the *Ontario Water Resources Act, R.S.O. 1990, c. O.40*.

Recommendations

The following recommendations are provided should the water level in the Callaghan well not recover adequately in the future:

- 1) Dr. Callaghan could inquire about alternate water supply options, including municipal servicing, if available.

- 2) The installation of a new well or the deepening of the existing well are not necessarily recommended, given the hydrogeology and performance of wells constructed in the area.

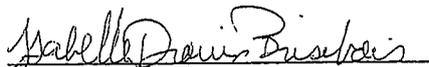
In addition, any well on the property, including the well in question, is required to be abandoned in accordance with *R.R.O 1990, Regulation 903* if it is not used, properly maintained for future use or useable as a well.

References

- Ontario Division of Mines, 1976, Paleozoic Geology (Hamilton) Southern Ontario, Map 2336, Scale 1:50,000.
Ontario Geological Survey, 1986, Quaternary Geology Hamilton Area, Southern Ontario, NTS Reference 30M15, Scale 1:50,000.
Karrow, P.F., 1987, Report 255 Quaternary Geology of the Hamilton-Cambridge Area, Southern Ontario, Ontario Geological Survey.
Singer, S.N., Cheng, C.K. and Scafe, M.G., 2003, The hydrogeology of Southern Ontario, Ontario Ministry of the Environment.

Limitations

The purpose of the preceding review is to provide advice to the Ministry of the Environment regarding subsurface conditions based on a review of the information provided in the above referenced sources. The conclusions, opinions and recommendations of the reviewer are based on information provided by others. The Ministry cannot guarantee that the information that has been provided by others is accurate or complete.


Isabelle Drouin-Brisebois, P. Geo.
Hydrogeologist



cc P. Odom, Water Resources Supervisor, WCR
J. Connelly, Senior Hydrogeologist, WCR

DR.D.J.CALLAGHAN
BACH SC., BACH ED. M.D. C.C.F.P.
ASSITANT CLINICAL PROFESSOR MCMASTER UNIVERSITY
700 MAIN STREET EAST
HAMILTON ON.
L8M1K7

Date: 20/03/08

TO: Ms. Isabelle Drouin-Brisbois P. Geo.
Hydrologist Ministry of the Environment
119 King St. West, 12 Floor
Hamilton On.
L8P4Y7

08
MAR 28
A 9:12

MINISTRY OF THE
ENVIRONMENT
HAMILTON

Re: Response to Assessment of Well Interference

Dear Isabelle:

Thank you for your letter dated February 28/08. Before replying to your conclusions I should up date you on new developments in terms of our well. On March 13/08 I had Martin Well Drilling come out to review our situation. They inspected the pump and found that this and the pressure system were in order. However they found that there was a faulty safety switch and this was the reason the pump was not working. They re measured the well and found it to be 94 ft deep with the pump at the 92-foot level. There was water up to the 54-foot level. This was pumped out and they then measured the recovery rate and found that to be 3.3 gallons per hour. This was drastically reduced from the test in Nov. /06 which showed a rate of 3 gallons per minute.

In terms of your conclusions I would like to review each separately. #1 I agree with you that it is difficult to obtain water in this environment. However we did have a fully functional well for 25 years. This ended in 2007 with the construction of a massive drainage system.

#2 having a functional well producing non-contaminated water for 25 years does not support a direct connection to surface water. In the summer of 2007 we did have contamination. The organisms involved suggested sewage contamination. The Ministry of Health came and did a

site inspection. Since our well cap was old and low to the ground I was told that this had to be corrected. There was and still is now no pooling of water at the well. Since this field has not had livestock on it for at least 25 years I was perplexed as to how we were getting sewage contamination. Now that I think back during this period of time we had multiple episodes where we ran out of water and had to switch our system over to the cistern side. This cistern captures its water from the roof. Since it is exposed to bird droppings I am sure this is where the coliform bacteria came from. We were in fact sampling the cistern water. This well was not contaminated by surface water. It has and is still producing non-contaminated drinking water albeit in a very reduced quantity.

#3 I agree fully that this extensive drainage system could have had an impact on the quantity of water in the well.

#4 Mr. Garwood Jones well is approximately 100 yards from my well. He has not to his knowledge lost water. However this has never been tested. He now lives by himself with the other 4 members of his family living elsewhere. As such he could have markedly reduced water and not know it as his demand has drastically decreased. Since this well is over 100 yds from my well I suspect that the aqueduct feeding his well is probably different than ours. Comparison is most likely futile.

#5 Martin well Drilling extended our well because the Ministry of Health recommended this. This well is 94 feet deep drilled through bedrock. It has and still is producing clean drinkable water albeit it at a drastically reduced quantity. There is no way we could have surface water contamination. The proof being that the contamination was with sewage organisms and the only source is the cistern. Also if there is a problem with surface water entering the well why then with this Hugh meltdown of snow is our well water presently non-contaminated.

#6 when I reviewed this document I find it quite confusing however it is my understanding that no one has the right to take someone's water. Also why was SoilMat Engineers hired to review all the wells in this area if they felt that there was no way this Hugh drainage system could effect the surrounding wells. The Ministry of the Environment in my understanding mandate is to protect the environment and help maintain the safety of those that function within it. I request that this situation be re-evaluated in light of the new information we have.

In terms of your recommendations I fully agree that we need to inquire about obtaining Municipal water. In terms of our present well we are able to function now that the switch has been fixed.

In conclusion I believe that our water supply has been drastically limited by this very extensive drainage system. My ignorance and poor sampling created the contamination issue. There is no surface water contamination now or in the past. Thus the construction has impacted on the shale water-bearing unit diverting water from my well. In light of this new information I am requesting a further review of the data by Mr.J Connelly Senior Hydrologist of the Ministry of the Environment.

Sincerely

A handwritten signature in black ink, appearing to be the name 'Dun', written in a cursive style.

Print

Close

RE: H2O

From: Morgante, John (John.Morgante@hamilton.ca)
Sent: May 22, 2009 3:38:17 PM
To: Denis Callaghan (callaghandoc@hotmail.com)

Good Morning Dr. Callaghan,

The agreement which both Charlie Unelli and Mark Robinson refer to is a standard "Special Service Agreement". Staff has authority to enter into such agreement but the purpose of the agreement is only to provide a service to a homeowner where the watermain is near but not fronting the property and there are no plans to extend the watermain. The owner basically agrees to install a private service at his own cost, he agrees not to object when the watermain is petitioned for, and he agrees to disconnect his private service, connect to the new main when it is available and pay his share for the cost of the new watermain.

This agreement resolves the problem that your property does not front an existing watermain. Unfortunately your property is located outside of the City of Hamilton and the City has by-law R84-026. Section 2 of the by-law says the following which to us it prohibits this type of extension taking place unless the City of Hamilton agrees in writing which points to getting Committee and Council approval:

APPLICATION OF BY-LAW

2. The provisions of the By-law do not authorize the introduction of any watermain or service connection into any lands or premises outside the limits of the City of Hamilton (**Substituted: 02-377**), and no watermain or service connection is to be introduced into any lands or premises outside the City of Hamilton (**Substituted: 02-377**), except by written agreement with the City of Hamilton (**Substituted: 02-377**).

I also spoke with Ms. Shane Bonsteel who confirmed that her Municipality does not require an agreement. I also asked her how the Region of Halton deals with this sort of situation and she confirmed that they have several similar instances on boundary roads with other municipalities. They simply treat these homeowners as any other customer and they do not require anything special. In their case, however they do not have the same by-law restricting servicing as that of Hamilton by-law R84-026.

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

From: Denis Callaghan [mailto:callaghandoc@hotmail.com]
Sent: Thursday, May 21, 2009 10:37 AM
To: Morgante, John
Subject: RE: H2O

Good morning John : Thanks for the update and sorry to here you are ill . Hopefully It is nothing serious.Mr. Carl Slater from the Ministry of Natural Resources had reviewed our situation with Mr. Charlie Unelli and Mr. Mark Robinson from the city. Mr Unelli stated the current administration fee was \$2410.00 per agreement required per property . He also stated that they have the signing authority so this does not have to go to Council . This was also reviewed byMs. Jane Bonsteel Acting Manager , Regulatory Compliance with

Enviromental Services ,Halton Region and she has stated that this does not require an agreement between municipalities. I have these E mails and can fax them to you if this helps . Again John our situation is desperate and potentially unhealthy Dr C

Subject: Re: H2O
Date: Fri, 15 May 2009 09:08:50 -0400
From: John.Morgante@hamilton.ca
To: callaghandoc@hotmail.com

Good Morning Dr. Callaghan,

I believe I owe you an update. I am going by memory as I am home sick. This is what I am up against: Your property is outside of the urban boundary, in a different municipality and the watermain is not fronting your property.

Our standard special service agreement covers a temporary private service since the main is nearby however the City of Hamilton has a by-law which prevents servicing outside of the city without approval by Council.

I asked the Region of Halton how they handle this situation as they have similar cases. They simply treat it like all others but they do not have the same by-law.

It appears we will need a report to council and then an agreement.

I would like to meet again and I would like bring in a planner.

Unfortunately I am in court next week. It will have to be the following week.

Sent from my Wireless Handheld Device

From: Denis Callaghan <callaghandoc@hotmail.com>
To: Morgante, John
Sent: Fri May 15 07:55:48 2009
Subject: H2O

Good morning John: are you getting my E mails DrC

Help keep personal info safe. [Get Internet Explorer 8 today!](#)

Windows Live helps you keep up with all your friends, [in one place.](#)

all Francis Slater, a Commissioner, etc.,
City of Hamilton, for the Government of Ontario
Ministry of the Environment, for the Government of Ontario
Expires June 6, 2011.

all Francis Slater, a Commissioner, etc.,
City of Hamilton, for the Government of Ontario
Ministry of the Environment, for the Government of Ontario
Expires June 9, 2011.



Hamilton

55 John St. N., 6th Floor
Hamilton, ON Canada L8R 3M8
www.hamilton.ca

Attachment #4 to LPS94-20/PW-31-20

Public Works Department
Environment & Sustainable Infrastructure Division
905-546-2424 ext. 2499(Telephone) ~ 905-546-4435(Facsimile)

1 October, 2010

Director, OWRA s.62
Ministry of the Environment
119 King Street West, 12th floor
Hamilton, Ontario.
L8P 4Y7,

HAND DELIVERED

ATTENTION: Carl Slater

**RE: Notice of Proposed Report dated July 30, 2010 (“Notice of Proposed Report”)
Subsection 62(1) of the *Ontario Water Resources Act*
SITE LOCATION: 768 Mountain Brow Road, PT LT 12, CON 2, PT LT 25, RCP PF1333, PT 1, 20R6939; Burlington, Ontario (“Property”)**

Thank you for your letter dated August 19, 2010 in which you agreed to allow the City of Hamilton until October 1, 2010 to provide written submissions with respect to the Notice of Proposed Report and the Draft Director’s Order attached to that Notice.

The City of Hamilton submits that the Draft Director’s Report attached to the Notice of Proposed Report should not be finalized and issued for the reasons set out in this letter.

1. Jurisdiction of the Director

The City of Hamilton submits that the Director does not have the jurisdiction to issue an order under subsection 62(1) of the *Ontario Water Resources Act* (“OWRA”) which requires a municipality to take an action within and for the benefit of a property located outside the geographical limits of the municipality. In this case, in paragraph 8 of your Draft Director’s Report, you are proposing to order the City of Hamilton to provide a municipal water supply from the City of Hamilton to a property located in the City of Burlington and The Regional Municipality of Halton. As you may be aware, Mountain Brow Road is a boundary road and the Property abuts the portion of the road that is owned by the City of Burlington, which municipality is not named in the Draft Director’s Report. The City of Hamilton does not have any legal jurisdiction within the City of Burlington, over the supply of water in The Regional Municipality of Halton, nor over the Property in question.



Hamilton

55 John St. N., 6th Floor
Hamilton, ON Canada L8R 3M8
www.hamilton.ca

Public Works Department
Environment & Sustainable Infrastructure Division
905-546-2424 ext. 2499(Telephone) ~ 905-546-4435(Facsimile)

2. Not Necessary in the Public Interest

The City of Hamilton submits that it is not necessary in the public interest for the Director to compel the City to construct water works to the Property pursuant to subsection 62(1) of the OWRA. In particular:

- (a) The subject of the Draft Director's Report is related to water servicing for only one individual home located outside the jurisdiction of the City of Hamilton. Therefore this is a private interest matter and not one of the broader public interest.

A review of the cases decided by the Environmental Review Tribunal ("ERT") regarding reports under section 62 suggests that the Director ordinarily invokes the section to remedy safety or supply issues only in cases where more than one residence is affected. Private communal wells are typically at issue. The City is not aware of any ruling by the ERT or any instrument listed in the Environmental Registry in which a section 62 report was issued to compel a municipality to construct services to a single residence.

"Private interests" in water are explicitly referred to in other provisions of the OWRA, but they are conspicuously absent in section 62. In our view, the legislature considered a truly public interest to be a precondition to the exercise of a mandatory order to a municipality, and it deliberately omitted private interests from the purview of section 62.

- (b) Any water supply problems being experienced at the Property were not caused by the City of Hamilton. This is significant as the Draft Director's Report appears to be based on the opinion that the development that has been allowed to take place in Hamilton to the north of the Property has led to the water supply problems.

City of Hamilton staff has undertaken a thorough review of available documents and data relating to the alleged water supply problems at the Property. The conclusion reached in that review was that the development, and any activities related to that development, allowed to take place in Hamilton are in no scientific way related to the diminishing water supply to the residence located on the Property. In support of this conclusion, we offer the following technical analysis.

The first sentence of paragraph 5 of the Draft Director's Report states as follows: "A well was installed on the site in 1968 that provided a reported yield of 6 gallons per minute."



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The Water Well Record received from Mr Carl Slater on August 30th, 2010 and presumably representing the well referred to in the Draft Director's Report (MOE WR # 6806967) was tested at 6 GPM but recommended for only 5 GPM upon completion of a 2hr pump test. The static level of this well was 35', the casing was 4' long, rock was encountered at 1' below ground, water was found at 88' below ground in a "blue shale" unit.

- Ms Isabelle Drouin-Brisebois, Hydrogeologist for the West Central of the Ontario Ministry of the Environment ("MOE") prepared a February 25, 2008 memorandum in response to a well interference complaint received from the owner of the Property. That memorandum will be referred to as an "Inspection Report" in this letter. The Inspection Report states that the resident's supply well was completed in a well pit. Though a pit may have been dug into the shale rock surrounding the well head, there is no indication that a well pit was established at the time of drilling. Given the investigation did not include photographs or details of the well pit, the correlation between the Water Well Record received from Mr. Slater and the "Callaghan well" is in doubt.
- The Water Well Record indicates that the well is 0.4 miles (643m) from Highway 6, while the home located on the Property is roughly 230 m from Highway 6. This also raises casts doubt on the supposition that the above noted Water Well Record pertains to the "Callaghan well".
- The well referred to in the Water Well Record was drilled in 1968. Three additional wells (MOE WR#2804033, #2804034, and #2804035) were drilled for a previous owner, Dr Little, on the same property, in June/July 1972, suggesting that the earlier drilled well was not adequate for a domestic water supply.
- The water quality was reported by the driller as "slightly salty". There is no mention of brackish waters included in the documentation to date, however the water quality is consistent with waters residing in Shale formations.

Therefore City of Hamilton staff are concerned about whether the first sentence of paragraph 5 of the Draft Director's Report is accurate and whether the Water Well Record provided to City of Hamilton staff is, in fact, the actual well record for the Callaghan well.

The second sentence of paragraph 5 of the Draft Director's Report states as follows: "This well has served the residents of the property for their domestic supply until a diminishing yield in 2006."

According to the Inspection Report, the "Callaghan well" was likely receiving surface water contributions until the casing was extended. Furthermore, the discussion in the Inspection Report regarding the site visit indicates that the well appeared to have a smaller diameter casing inside the 6" casing, such that Ms Drouin-Brisebois opted not to insert a water level tape for fear it may get stuck in the well.



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- The Inspection Report indicated that the well construction and location support the existence of a direct interaction between surface water and the Callaghan well.
- The Water Well Record provided by Mr. Slater supports the circumstance described by Ms. Drouin-Brisebois pertaining to surface water entering the well directly as it identifies only 4 feet of casing installed, and there was no mention of grouting which would have prevented the interaction. Indeed, grouting was not a requirement until regulated in the early 1990's.
- The extension of the well would have left one six-inch casing exposed above grade. The existence of a second smaller diameter casing usually indicates the well has been lined. Lining generally involves the use of a rubber seal (K-Packer) and riser pipe that enables one to essentially extend the casing below the bottom of the original casing, and effectively shut off suspect waters entering the well around and below the casing.
- This well upgrade work was reportedly done in November 2006, and involved a "flow test" indicating that the flow was decreased, as would be expected should any waters entering through the well bore annulus be effectively shut-off. There was no mention of a liner in the letter from Martin Well Drilling that was provided to City staff by the MOE.
- There is no indication of a well yield or pump test being completed on the well prior to the upgrade, casing extension or possible well liner being installed, other than the drillers log from 1968, which has no information about the pumping process (air development / pumping, etc). As such, the ability to quantify flows in as accurate a manner as the standard processes used by drillers and well technicians today was not available. .
- There is some question as to whether the Water Well Record #6806967 is in fact the record for the "Callaghan well". Further there is question as to the anomalous yield determination of 5 GPM given that all other wells in the area, completed in the shale bedrock were reported at 1 or less GPM, and a shale aquitard is generally uniform in hydraulic characteristics.
- The response to the Inspection Report from the current owner of the Property, Dr Callaghan, indicates that in 2006 prior to sampling for bacterial analysis that they had experienced several episodes of a dry well. This was prior to the development and impervious surfaces being laid north east of the Property but rather around the time of the drainage trench being installed. However as noted below, the construction of the drainage trench could have only enhanced, and not decreased, flow to the deeper shale units if it had any impact at all.

The third sentence of paragraph 5 of the Draft Director's Report states as follows: " In the fall of 2007, through contact with the City of Hamilton and Halton Region the ministry became aware of the quantity interference complaint."

In 2007, from the first of May to the end of August the recorded rainfall at the Royal Botanical Gardens, the most proximal climate station to the Mountain Brow



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residence, received a total of 141mm of rainfall, compared to 371 mm in 2004, 276mm in 2005, 318 mm in 2006, 428mm in 2008, and 500 mm in 2009. 2007 was a dry year.

- The City of Hamilton received several dry well complaints in 2007, particularly in the fall.
- Dr Callaghan, in response to Ms Drouin-Brisebois's investigation, indicated his system had to be "switched over to the Cistern", a process that would likely supply adequate water quantity under average climate conditions. The fact that the cistern existed prior to purchasing the home suggests that the cistern has always been used to supplement flows where needed. In 2007, the lack of rainfall would have limited the effectiveness of the cistern to supplement well supply.

The fifth sentence of paragraph 5 of the Draft Director's Report states as follows: "One of the conclusions was that the change in surficial drainage as a result of a commercial development to the North of the site or any drilling or blasting that may have been required to install the drainage system for the commercial development to the North of the site could have had an effect on the quantity of water in the residential well by reducing surface water recharge or affecting the aquifer characteristics."

The Inspection Report states in conclusion 3, that; "The change in surficial drainage or any drilling or blasting that may have been required to install the drainage system could have had an effect on the quantity of water in the Callaghan well by reducing the amount of surface water entering the well or affecting the water bearing features in the shale formation." The significance of the difference between the Draft Director's Report and the actual Inspection Report findings is twofold. Firstly, the Draft Director's Report suggests that the works have reduced surface water recharge while the Inspection Report refers to surface water entering the Callaghan well directly, and secondly the Draft Director's Report simplifies the conclusion of affecting aquifer properties as opposed to the Inspection Report which discusses possible affects to the water bearing features in the shale formation.

- The surface water drainage to the north immediately adjacent to the Property has remained unchanged. There remains a drainage course that flows to the northeast corner of the Liburdi Engineering property where it ponds and flows southerly to the southeast corner of the Liburdi Engineering property and from there flows generally southwest towards a culvert at Highway 6 and under high flows southeast towards Mountain Brow Road. This drainage course has remained unchanged since at least 2002 (earliest available digital aerial photography) and is at most 100 m from the home located on the Property.
- The drainage course to the northeast of the Property, and roughly 375 m from the home located on the Property, was not altered in the upstream portion of the stream closest to the Property. Rather, a historic tributary to this stream from the existing RONA / Walmart properties was converted to impervious



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surfaces and piped to the old Sheppard's Quarry. The drainage has remained from this area to the old quarry, where prior to development it flowed overland or through shallow groundwater flow, ultimately discharging to the old quarry. The predevelopment surface water flows in the upper northeast historic tributary would not have provided recharge to the well since the quarry was established and if altered would not have an impact on the well at issue.

- The "Hydrogeological Investigation, Flamborough Business Park, Flamborough, ON" prepared by Golder and Associates Ltd. in September 1993 indicates groundwater flow (Figure 8) inferred from shallow groundwater elevations that flow towards the Property are from the undisturbed area immediately northwest of the Property. This would be expected given that the old Sheppard's Quarry (which was maintained dry due to gravity draining from the southwest portion of the quarry) would create a cone of depression around the quarry intercepting any flows originating from the areas now developed. The Golder report also indicated that maintaining higher water levels, and longer retention time in the Quarry storm water management ponds would in fact increase infiltration to deeper rock units, namely the Irondequout / Rockway / Fossil Hill formations which lie above the Cabot Head Shales. The Golder Hydrogeological Investigation will be forwarded by email (note that although it is marked draft, the document is the final version).
- The shale aquifer as discussed in the 2008 Inspection Report, is more likely that of the Cabot Head Shales of the lower Silurian rather than the Queenston Shales of the Upper Ordovician. The Cabot Head Shales are considered the regional aquitard (Brunton, F.R, 2009, Update of Revisions to the Early Silurian Stratigraphy of the Niagara Escarpment: Integration of Sequence Stratigraphy, Sedimentology and Hydrogeology to Delineate Hydrogeological Units) that "hold" water in the Goat Island / Gasport Formation above, creating the major aquifer system historically referred to as the Amabel Production Zone. The drillers' logs refer to shale rock above red shale above blue shale to roughly 30m depth, and as such would align more with Cabot Head Shales than Queenston Shales.
- Of all the four well records received from the MOE referring to Dr Little (one in 1968, and the remaining three in 1972) by two separate drill contractors (2933 and 1620) all of the geological descriptions refer to encountering shale rock at the bedrock surface within 0.3 to 1.2 m below the ground surface.
- None of the records indicate a limestone / dolostone rock, nor do any of the records indicate water found in anything less than 65' deep (in the "blue shale"). This is consistent with observations from the quarry, and the Highway 6 road cut, where upper formations that generally produce good water are eroded away close to the escarpment.
- The trench dug between the developed properties and the quarry are situated in the upper Gasport / Goat Island Formation, and was constructed parallel to shallow flow. The trench originates in the Ancaster Chert beds of the Goat Island Formation and descends down to the mid-Gasport Formation about 3m above the old Sheppard's Quarry floor. These rock units are thin and well drained if not gone as you approach the Mountain Brow Road, particularly close to the Property as the escarpment is closer to the Mountain Brow Road at its east end. These rock units, being close to surface and proximal to the



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quarry would have been significantly de-watered in this area due to their proximity to the quarry face (0 to 120m away). Likewise these units would discharge to surface as they subcrop between Highway 5 and the Escarpment, providing baseflow to the many watercourse that drain the escarpment as opposed to recharging deeper shale aquitard units.

- If blasting and trenching impacted the shale aquifers below, which are in fact regional aquitards enabling the upper dolostone aquifers, it would enhance flow towards the deeper shale as the static level of waters encountered in the shale are all reported below the top of the shale units, indicating any waters available in the upper units, if they exist, would possess a downwards gradient. As such any blasting could only compromise the confining affect of the shale aquitard and the vertical downward gradient would actually influence flow into the shale aquitard.
- Notwithstanding the comment above, City of Hamilton Development Engineering staff confirmed the drainage system was not blasted, but rather excavated using a significantly less disruptive hydraulic impact hammer (hoe ram).

City staff are therefore of the opinion, as is Ms Drouin-Brisebois in her final conclusion from the Inspection Report, that there is no information to indicate that the construction of the drainage system has caused a flowing or leaking condition within the shale water bearing unit. As such, it is submitted that contrary to the statement made in paragraph 6 of the Draft Director's Report, there is no reason to believe that it is in the public interest to require the City of Hamilton to provide a municipal water supply to the Property.

- (c) Even if the water supply problems were caused by the City of Hamilton, which the City of Hamilton denies is the case, it is submitted that it is not necessary in the public interest for the Ontario Ministry of the Environment to address the matter through a Director's Report under subsection 62(1) of the OWRA but rather it is a private matter for the individual property owner to address as the problem is with a private water supply.
- (d) A municipal water supply is not necessary in the public interest as it is not the only alternative water supply option for a single residential property. Further, the capital and operating costs of doing so are significantly higher than other safe and sustainable alternatives.

One of the recommendations from the Inspection Report was that the Property owner could inquire about an alternate water supply, including a municipal supply, if available.

The Draft Director's Report does not reference other water supply options are available when dealing with only one residential property. There are several water delivery companies operating throughout the City of Hamilton that fill private *Ontario Building Code* approved holding tanks.



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These drinking water providers are regulated and monitored by Public Health officials and as such provide a safe and sustainable domestic supply alternative to groundwater.

A new residence was recently built on Mountain Brow Road. It appears that a new well was drilled or an old well fitted with a new vermin proof cap located roughly 8m south of Mountain Brow Road. A broader investigation of water supplies among the neighbours could also be undertaken, with an option of sharing a supply, should any of the properties, particularly those with a greater setback from the escarpment which may encounter a grainstone water bearing unit, be able to provide domestic water to the neighbouring residents.

In the available documentation reviewed to date, City of Hamilton staff have not seen any evidence that a comprehensive hydrogeological and mechanical assessment of the Callaghan well has been conducted. Until this is done, it cannot be known if the drilling of another well(s) on the Property might be another water supply option.

A municipal supply could be made available through cross-municipal cooperation, as opposed to being required by a Director's Report issued under subsection 62(1) of the OWRA. However, preliminary estimated costs for such an extension for a single property are \$130,000. Therefore it is submitted that a cost comparison or feasibility study with economic, social and environmental considerations should be undertaken by the well owner or The Regional Municipality of Halton to evaluate other options of safe and sustainable drinking water provisions.

CONCLUSION

The City of Hamilton requests that the Draft Director's Report not be finalized and issued based on the aforementioned reasons.

Please note that at its meeting of September 29, 2010, the Council of the City of Hamilton passed the following resolutions:

- (a) That the City Solicitor and General Manager of Public Works be authorized if and when they deem appropriate to enter into discussions with the Ministry of the Environment and The Regional Municipality of Halton to attempt to resolve the issues related to the proposed Director's Report and any issued Director's Report, including the issues under appeal, respecting the private water supply at 768 Mountain Brow Road, Burlington, and to inform City Council on the outcome of any such resolution.



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- (b) That the City Solicitor be authorized and directed to take all necessary actions to appeal any Director's Report issued pursuant to section 62(1) of the *Ontario Water Resources Act* respecting the private water supply at 768 Mountain Brow Road, Burlington, including but not limited to the application for a stay of the terms/conditions of said Director's Report, all as described in Report LS10014/PW10090, if such an appeal is deemed to be appropriate by the City Solicitor and the General Manager of Public Works.
- (c) That Report LS10014/PW10090 respecting the proposed Director's Report under section 62(1) of the *Ontario Water Resources Act* – 768 Mountain Brow Road, Burlington, Ontario not be released as a public document as the information relates to potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

As such, even in the absence of a finalized Director's report, City of Hamilton staff are willing to continue its discussions with officials from The Regional Municipality of Halton and with the MOE, on a voluntary basis, to attempt to resolve the issues related to the private water supply problems at the Property.

If, despite the foregoing, the Director decides to finalize and issue the Director's Report, the City of Hamilton respectfully requests that the dates set out in Part 3 of the Report allow sufficient time for the actions to be taken. In particular, given that the proposed water works are unscheduled and not budgeted, it is submitted that at least a full year would be necessary to allow for budgetary approvals, design, construction and commissioning.

We look forward to your response to these submissions.

Sincerely,

for Gerry Davis,
General Manager, Public Works Department, City Of Hamilton

cc:

Tim McCabe, General Manager, Planning and Economic Development
Department, City of Hamilton

Geoff Rae, Senior Director, Environment and Sustainable Infrastructure Division,
Hamilton

Kiyoshi Oka, Director, Regional Municipality of Halton (by fax only)

Options for Extension of Municipal Services to Mountain Brow Road West Properties

Options to Extend/Connect Water Services to 720, 768, & 780 Mountain Brow Road West, Burlington	Rationale	Comment
Option 1 – A proponent-led Regional Official Plan Amendment (ROPA)	<p>An amendment is required to recognize the extension of urban services for lands beyond the settlement area boundary. The Region’s Urban Services Guidelines (https://www.halton.ca/Repository/Urban-Services-Guidelines) explain the circumstances connections can be considered.</p> <p>Section 2.6.2 of the Urban Services Guidelines are relevant in this circumstance and state: “Where an abutting municipality (e.g. Region of Peel or City of Hamilton) constructs a water or wastewater main on a boundary road for the purposes of servicing lands within that municipality, the Region will not permit connections to those mains by properties outside the Urban Area.</p> <p>A property owner is entitled to make an application requesting permission for connection. The process is as follows:</p> <ol style="list-style-type: none"> i. The Region must receive confirmation, in writing, from the abutting municipality that they are willing and able to provide service to properties located within the Region of Halton; ii. The property owner must formally submit an application to amend the Regional Official Plan to permit the connection of the property to the abutting municipality’s system; iii. Halton Regional Council must approve the amendment to the Regional Official Plan to extend service outside of the urban boundary; iv. The Council of the abutting municipality must approve the connection of the owner’s property to their system; and, v. An agreement must be executed between the Region of Halton, the abutting municipality and the property owner. This agreement will be registered on title to the owner’s lands. 	This is a viable option for the residents to consider.

Options to Extend/Connect Water Services to 720, 768, & 780 Mountain Brow Road West, Burlington	Rationale	Comment
	<p>Connections will only be supported if the owner can demonstrate that the private services are inadequate and that the deficiency cannot be addressed by other means. The owner must demonstrate that all possible alternative water or wastewater systems are incapable of providing effective treatment to a level which mitigates risk to human health and the environment.”</p> <p>Option 1 can be advanced as a single amendment application for all 3 properties. ROPAs could take 4-8 months, once a complete application is received.</p>	
Option 2 - Determination of Large Scale Failure of Private Water Systems	<p>Section 2.6.1.1 of the Urban Services Guidelines indicates that a connection may be permitted “where there has been a large scale failure of private water or wastewater systems that pose a significant risk to human health or the natural environment, the extension of municipal services may be permitted without a Regional Official Plan Amendment. Large scale failures are defined as:</p> <ul style="list-style-type: none"> - Situations that result in an Order from the Ministry of the Environment; - Failures that affect fifty percent (50%) or more of the units in a community; or - Failures that affect less than fifty percent (50%) of the units in a community but that have a significant environmental impact as determined by the Region.” <p>Reports to Regional and Hamilton City Council would be needed, seeking authorization to execute an agreement which profiles the nature of the servicing arrangement between the Region and the City, if the water connection were to advance.</p>	Sufficient technical evidence that the failure can be considered “large scale” or that there is a “significant risk to human health or the natural environment” is required.
Option 3 - Issuance of a Ministry of the Environment,	Related to Option 2, this Provincial order requires evidence of large scale failure.	Discussions with the MECP need to occur.

Options to Extend/Connect Water Services to 720, 768, & 780 Mountain Brow Road West, Burlington	Rationale	Comment
Conservation and Parks (MECP) Order to the City of Hamilton to provide servicing	Based on the 2010 MOE Notice of Director's Report and the 2012 decision of refusal, it would be preferable for all public agencies to be supportive of an order to connect to the City of Hamilton water line.	
Option 4 - Potential Annexation by the City of Hamilton	This option would require approval from the Province, likely with full support from the Cities of Hamilton and Burlington.	This is not a practical or reasonable option to pursue.

Urban Services Guidelines

Regional Official Plan Guidelines



Halton Region Official Plan Guidelines

The **Regional Official Plan (ROP)** is Halton's guiding document for land use planning. It contains policies that guide decisions related to, among other things, managing growth and its effects on Halton's social, economic and natural environment.

The **ROP Guidelines** are a set of documents that clarify, inform, and aid in the implementation of the Plan's policies.

The Guidelines have been prepared in accordance with Section 192 of the ROP. They provide direction and outline approaches that can be used to satisfy the relevant policies of the Plan. They do not introduce additional policy requirements, and, in the event of a conflict between the Guidelines and the Regional Official Plan, the Plan shall prevail.

The Guidelines may be updated from time to time as required through a report to Regional Council.

For more information, visit halton.ca/ROP or halton.ca/ROPguidelines or call 311.

"This Plan calls for the preparation of certain guidelines or protocols to provide more detailed directions in the implementation of its policies."

Halton Region Official Plan – Section 192
as adopted by Regional Council, December 16, 2009

Urban Services Guidelines

The **Urban Services Guidelines** is intended to provide guidance regarding the Region's policies on the provision of municipal water and wastewater services.

Purpose	<p>The purpose of the Urban Services Guidelines is to:</p> <ul style="list-style-type: none">• provide specific direction on implementing Regional Official Plan policies concerning water supply and sewage disposal for proposed development;• outline the conditions, circumstances and authority under which Halton Region can grant various servicing approvals regarding the supply of water and the disposal of sewage for proposed development within Halton; and• explain the processes to be undertaken by all proponents before the Region can consider the granting of any necessary approvals.
Application & Use	<p>Sections 87, 88, and 89 of the Regional Official Plan outline the Region's policies with respect to the provision of urban services – water supply and wastewater treatment. The Urban Services Guidelines are provided to assist in the implementation of these policies and should be used for this purpose by a variety of users, including:</p> <ul style="list-style-type: none">• Regional, local and external agency staff: as a reference to guide the process to approve servicing requests to new development within the Halton Urban Area;• the development industry: for clarity on the development process and requests for the provision of water supply and sewage disposal services in Halton; and• the public: to understand the process and the criteria involved before servicing is provided.
Supporting Documents	<p>In addition to the policy direction provided by the Regional Official Plan, the following documents should be considered alongside this Guideline, as appropriate:</p> <ul style="list-style-type: none">• Applicable Provincial Legislation• Provincial Policy Statement, 2014/2020• Applicable Halton Region By-laws• Applicable Halton Region Manuals & Documents• Local Official Plan & Zoning By-law
Version	<p>Version 1.1 This Version 1.0 of the Urban Services Guidelines was brought before the Inter-Municipal Liaison Committee on June, 18 2014 through Report No. IMLCo1-14. This version 1.1 is an amendment to version 1.0 was approved by Regional Council on November 25, 2020 through Report No. LPS94-20 and contains selected criteria for permitting municipal water connections that cross municipal boundaries. It replaces all previous guidelines pertaining to water and wastewater services in Halton's Urban Area.</p>

| This version of the Guidelines is consistent with the Provincial Policy Statement, 2005. A review and update, if necessary, to ensure consistency the Provincial Policy Statement, ~~2014~~ [2020](#) is forthcoming.

Table of Contents

1.0	Introduction.....	1
1.1	Purpose.....	1
1.2	Legislative & Policy Context.....	1
1.3	Application and Use	1
2.0	Urban Services.....	3
2.1	General Servicing Guidelines	3
2.2	Services on Municipal Roads.....	3
2.3	Municipal Services on Private Lands	5
2.4	Services on Private Property	5
2.5	Municipal Service Extensions within Urban Areas	5
2.6	Municipal Service Extensions Outside Urban Areas	6
2.7	Financial Requirements.....	8
2.8	Well Survey and Monitoring.....	9
3.0	Private Services	10
3.1	Private Services within the Urban Area	10
3.2	Water Storage and Sewage Holding Tanks	12
	Appendix A – Well Survey and Monitoring Program.....	13

1.0 Introduction

1.1 Purpose

The purpose of the Urban Services Guidelines is to:

1. provide specific and detailed direction on the implementation of Regional Official Plan policies concerning water supply and sewage disposal for new development within the Urban Area;
2. outline the conditions, circumstances and authority under which Halton Region can grant servicing approvals regarding the supply of water and the disposal of sewage for proposed development within Halton; and
3. explain the processes to be undertaken by all developers before the Region will consider granting any necessary approvals.

1.2 Legislative & Policy Context

The Regional Municipality of Halton (the "Region") is responsible for the administration and provision of a wide range of government approvals and services within Halton Region. These approvals and services are often prescribed by specific Provincial Statutes and/or Requirements, and in some cases, the Province has delegated its authority to the Region. These Guidelines have been prepared in accordance with the Regional Official Plan, Provincial Requirements and the authority vested or delegated to Regional Council and/or staff under:

1. The Municipal Act, 2001;
2. The Planning Act, R.S.O. 1990;
3. The Environmental Protection Act, R.S.O. 1990;
4. The Environmental Assessment Act, R.S.O. 1990;
5. The Ontario Water Resources Act, R.S.O. 1990;
6. The Clean Water Act, 2006;
7. Safe Drinking Water Act, 2002;
8. The Greenbelt Act, 2005; and
9. The Development Charges Act, 1997;
10. Health Protection and Promotion Act, R.S.O. 1990;
11. Ontario Building Code Act, 1992;

Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. These Guidelines are consistent with the Provincial Policy Statement, 2005.

The above noted Provincial legislation and their implementing Regulations, Policies and Guidelines, establish a Provincial standard to which the Region is directed to adhere. The Urban Services Guidelines incorporate the Provincial standards and in some instances outline additional requirements.

1.3 Application and Use

This Guideline primarily details the Region's servicing criteria relating to the provision of full municipal water and wastewater services for development approvals within the Urban Area. In addition, the Guideline provides direction for servicing by way of partial or private servicing where this type of servicing is permitted by policies within the Regional Official Plan.

Detailed technical and/or procedural criteria are outlined in various Halton Region Department Policies and Procedures Manuals and various Provincial Documents. These Manuals and Documents cover certain servicing matters not specifically identified in the Regional Official Plan and are intended to help the general public and the development industry to better understand additional Halton and/or Provincial requirements.

Where new development is serviced using private water supply and/or private sewage disposal systems, the *Guidelines for Hydrogeological Studies and Best Management Practices for Groundwater Protection* should be used.

2.0 Urban Services

2.1 General Servicing Guidelines

Under the Municipal Act, 2001 (section 11(11)), the Region has been assigned exclusive jurisdiction for the provision of water and wastewater servicing within Halton Region. This applies to both treatment and distribution/collection. Further provisions of the Act authorize the Region to pass by-laws respecting the provision of water and wastewater servicing and the collection of fees.

It is the policy of the Region, through the Regional Official Plan, to provide *urban services* only within the Urban Area (s. 89(1)), and, to require that approvals for all new *development* within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems (s. 89(3)). The Regional Official Plan provides some exceptions to these requirements within certain geographic areas and under specific conditions. The exceptions are detailed under Part 3.0 of these Guidelines.

2.1.1 Planning Approvals

That it may be possible to service a particular property does not guarantee approval of the proposed use. It is strongly recommended that the proponent first consult both the Regional Official Plan and the local municipality's Official Plan and Zoning By-law to confirm the permitted uses and any servicing policies that may be applicable. Where the subject lands are located within either the Niagara Escarpment Plan Area or Parkway Belt West Plan Area, the proponent should also consult the appropriate Provincial approval authority.

2.1.2 Servicing Allocation

In Halton Region, planning approvals are only granted where sufficient water and wastewater capacity exists to accommodate the development or where there is a reasonable expectation that the capacity can be obtained within the time of conditional approval. Certain planning applications may be approved prior to the availability of servicing capacity at the discretion of the Region and the Chief Planning Official for Halton Region.

Where Allocation Programs have been approved by Regional Council, the owner is required to enter into an Allocation Agreement(s) and provide all monies, as determined by the specific Allocation Program, prior to the granting of draft approval. Draft Approvals cannot be granted for any units that have not received servicing allocation.

Allocation may be transferred between owners provided that all requirements of the Region and the applicable local municipality are met.

2.2 Services on Municipal Roads

2.2.1 Manuals and Documents

The technical design of municipal services is governed by standards and criteria adopted by Regional and Local Councils and through the guidelines issued by the Ministry of the Environment (MOE) including:

1. Halton Region Design Criteria, Contract Specifications and Standard Drawings
2. Halton Region Development Engineering Review Manual
3. Halton Region ~~Water Works By-law No. 131-10~~ [Drinking Water System By-law No. 79-19, as amended](#)
4. Halton Region Wastewater System By-law No. 184-95
5. Halton Region Sewer Discharge By-law No. 2-03
6. ~~Halton Region Cross Connection Control By-law No. 61-11~~

Commented [BC1]: By-Law No. 79-19 replaces Water Works By-Law No. 131-10

Commented [BC2]: By-Law No. 79-19 replaces Cross Connection Control By-Law No. 61-11

- ~~7-6.~~ Local Municipal Standards and Criteria
- ~~8-7.~~ MOE Design Guidelines for Sewage Works, 2008
- ~~9-8.~~ MOE Design Guidelines for Drinking Water Systems, 2008
- ~~10-9.~~ MOE Stormwater Management Planning and Design Manual, 2003
- ~~11-10.~~ Ontario Provincial Standard Drawings and Specifications
- ~~12-11.~~ Ontario Building Code
- ~~13-12.~~ Fire Underwriters Survey – Water Supply For Public Fire Protection

2.2.2 Design Guidelines

Prior to receiving an approval for connection to municipal water and wastewater services, an owner wishing to develop land in Halton must satisfy all the Region’s requirements, financial or otherwise.

Construction of municipal watermains or wastewater mains cannot commence until the appropriate engineering approvals have been received, agreements/permits have been entered into, and all securities and fees have been posted.

Engineering requirements will be specific to the lands being developed. However, in general, the Region will review the following:

1. Implementation of the recommendations of an approved Master Plan prepared in support of a Regional Official Plan Amendment, Secondary Plan or Development Charges By-law;
2. The design and construction of the wastewater mains to take into account drainage from upstream developments. The cost of oversizing the mains is at the expense of the owner unless the services meet the criteria approved in the Development Charges By-law. Regional staff will determine if the wastewater mains are designed at a sufficient depth to accommodate drainage from the upstream development;
3. Design and construction of the water system to provide sufficient looping for security and adequate fire flows to accommodate the development. The costs of any oversizing is at the expense of the owner, unless the services meet the criteria approved in the Development Charges By-law;
4. The extension of municipal watermains and wastewater mains to the limits of the subject property to facilitate the extension of services to future development lands; and,
5. For developments adjacent to a Regional Road, the design of storm sewer systems and storm water management ponds to accommodate storm flows from the Regional Road at no cost to the Region. At no time shall the Region contribute to the cost of land required to construct a storm water management pond or the oversizing of the storm sewer service to accommodate regional or municipal flows.

2.2.3 Multiple Unit Servicing Guidelines

The purpose of the Multiple Unit Servicing Guidelines is to ensure that all multiple unit horizontal buildings and/or complexes are provided with individual water services, water meters and shut off valves in order to permit the repair of an individual property owner’s service while minimizing disruption to other owners. The Multiple Unit Servicing Guidelines apply to all proposed new multiple unit residential, commercial, industrial or institutional horizontal buildings and/or complexes; rental, freehold or condominium.

The following servicing requirements will be reviewed for compliance before approvals and permits are granted by the Region:

1. The servicing requirements consist of individual water meters and individual water shut off valves for each unit with individual water laterals for each unit going directly to the unit from the watermain without passing in front of, behind or through any other units unless the piping is located in a tunnel pipe, corridor, common basement or parking garage;
2. The mains and shut off valves are to be located external to the units in common areas such as roads, driveways, front yards or parking lots, but must not be located in back yards, patio areas, service roads or entrances behind the building; and,
3. In stacked multiple residential buildings and/or complexes all water meters must be located in a common area of the basement or on the ground floor levels.

2.2.4 Cross Connection Control and Backflow Prevention

Regional Council approved the Cross Connection Control By-law 61-11 in order to safeguard the municipal water distribution system. Approvals for connection to the Region's municipal water system will not be granted unless the property owner has complied with the requirements as set out in By-law 61-11.

2.3 Municipal Services on Private Lands

All municipal services shall be located on municipal rights-of-way. Proposals to locate municipal services on private lands will not be approved unless it can be demonstrated that there is no alternative, that it is in the public interest (e.g. required for watermain looping) and that the proposal has received the approval of the Commissioner of Legislative and Planning Services.

Municipal services on private lands must be located on an easement in favour of the Region. The size of the easement will be determined based on the specifics of the service being constructed but in no case shall be less than 8.0 m as set out in the Halton Region Water and Wastewater Linear Design Manual.

2.4 Services on Private Property

Water and wastewater services that are located on private property and are intended to connect a building to the Region's municipal services are the responsibility of the private property owner. The design and construction inspection of such private services must conform to the requirements of the Ontario Building Code and are the responsibility of the local municipality in which the property is located. The local municipality must certify to the Region that the installation and inspection of private services are satisfactory before connection to Halton's municipal system will be permitted.

Under no circumstances may a private water or wastewater connection be used to service more than one lot unless that lot is a Parcel of Tied Land affiliated with a Common Element Condominium or a Vacant Land Condominium under the Condominium Act, 1998.

2.5 Municipal Service Extensions within Urban Areas

Where properties located within the Urban Area are not serviced by municipal watermains, wastewater mains, or both, service may be extended by the following processes:

1. The owner of the property may arrange for a contractor to construct the service entirely at their own expense. The owner will retain a Professional Engineer to prepare drawings in accordance with sections 2.2.1 and 2.2.2 of these Guidelines and enter into an agreement with the Region prior to constructing the service;
2. Should there be a number of properties that would benefit from the extension of a service, the owners of the properties may enter into a private cost sharing arrangement to finance the cost of the design and construction. The owner(s) would retain a Professional Engineer to prepare drawings in accordance with sections 2.2.1 and 2.2.2 of these Guidelines and enter into an agreement with the Region prior to constructing the service; and,
3. The owners could petition the Region to construct the service under the Service Extension Policy (Report No. CS-62-06). Should there be sufficient interest from the benefitting owners, the Region would consider the request and, following approval, include the project in a future Capital Budget. The cost to construct the service would be allocated to all benefitting owners.

2.6 Municipal Service Extensions Outside Urban Areas

The Regional Official Plan generally prohibits the establishment of urban services outside of the Urban Areas. There are a number of exceptions to this general prohibition set out in section 89(21) of the Regional Official Plan that include:

1. The provision of water infrastructure may be permitted from remote water supply sources such as wells or reservoirs and, where in accordance with other policies of the Regional Official Plan, from municipalities adjacent to Halton Region;
2. The Hamlets of Norval and Glen Williams when the Region, in consultation with the Town of Halton Hills, considers it prudent and feasible to provide such services;
3. Existing connections to the watermain on Jessie Avenue and Glenda Jane Drive in the Hamlet of Campbellville;
4. Designated locations within the North Aldershot Policy Area as shown on Map 1 and in accordance with s. 139(3);
5. The Beaufort Heights Subdivision in the City of Burlington;
6. Servicing for Public uses that are located outside of Urban areas as approved by Regional Official Plan Amendment (ROPA) No. 40:
 - a) The Halton Waste Management Site, municipally known as 5400 Regional Road 25 in the Town of Milton;
 - b) The Biosolids Management Centre, municipally known as 4449 Regional Road 25 in the Town of Oakville;
 - c) The Milton Works Yard, municipally known as 5600 Regional Road 25 in the Town of Milton; and
 - d) The Robert C. Austin Operations Centre, municipally known as 11618 Trafalgar Road and including the Trafalgar Sports Park, municipally known as 11494 Trafalgar Road in the Town of Halton Hills; and,
7. Connections existing and approved by Council on the day of adoption of the Regional Official Plan.

2.6.1 Requests for Connection or Extension of Municipal Services

From time to time the Region is requested to permit either the connection to or extension of municipal water and/or wastewater mains outside the Region's Urban Areas and/or across the Region's borders. Such requests are usually made by residents who own property located on or close to a municipal system and who are experiencing problems with their private services.

For the purposes of these Guidelines, a "connection request" means a request to connect a property which is located on (fronts on) an existing municipal system. An "extension request" means a request for the extension of a municipal service main to service one or more properties not presently located on (fronting on) the municipal system.

All connection and extension requests must comply with the applicable Regional Official Plan policies and Provincial policies and legislation, including the Health Protection and Promotion Act and The Environmental Protection Act.

Requests for connection or extension of municipal services will be evaluated based on three principles as approved by Regional Council through Report No. LPS27-10/PW-18-10.

1. Large Scale Failure of Private Water or Wastewater Systems

Where there has been a large scale failure of private water or wastewater systems that pose a significant risk to human health or the natural environment, the extension of municipal services may be permitted without a Regional Official Plan Amendment. Large scale failures are defined as:

- Situations that result in an Order from the Ministry of the Environment;
- Failures that affect fifty percent (50%) or more of the units in a community; or
- Failures that affect less than fifty percent (50%) of the units in a community but that have a significant environmental impact as determined by the Region.

2. Public Uses Fronting on Existing Municipal Services

For public uses that are not appropriate in an Urban Area and that front on existing municipal services, the use may connect to the existing municipal services as outlined in Regional Official Plan Amendment No. 40. Approval of a site specific Regional Official Plan Amendment is required.

3. Public Uses Not Abutting Municipal Services

For public uses that are not appropriate in an Urban Area and that do not front on existing municipal services, the use may connect to municipal services upon approval of a site specific Regional Official Plan Amendment.

2.6.2 Connection to Other Municipalities' Systems

Section 89(17) of the Regional Official Plan permits urban service system interconnections between Halton and its abutting municipalities. The Commissioner will authorize cross border service connections on behalf of Regional Council where a cross border servicing agreement has been entered into between Halton and the appropriate abutting municipality.

Under agreement with the Region, the City of Hamilton has agreed to supply water to the following areas in the City of Burlington:

1. The Bridgeview Community;
2. Waterdown Road, Old Waterdown Road, Horning Road, Rennick Road, Ireson Road in the North Aldershot Policy Area; and
3. Snake Road from the Hamilton-Halton boundary to approximately 450m southerly.

Where an abutting municipality (e.g. Region of Peel or City of Hamilton) constructs a water or wastewater main on a boundary road for the purposes of servicing lands within that municipality, the Region will not permit connections to those mains by properties outside the Urban Area. [The Region may permit a connection to a water main within a boundary road without a Regional Official Plan Amendment only in the following circumstances:](#)

- a. [Where an existing or planned municipal water service is located along the frontage of the properties requiring only a service connection;](#)
- b. [Where the municipal water connection is for an existing approved land use, and can be provided without financial impact to Halton Region;](#)
- c. [Where the abutting municipality assumes the Halton residents receiving the water connection will become customers for the municipal water service of that municipality to the satisfaction of the Commissioner of Public Works; and,](#)
- d. [Where there is no plan to comprehensively service the area from the Halton system to the satisfaction of the Chief Planning Official.](#)

A property owner is entitled to make an application requesting permission for connection. [For those connection requests that do not satisfy the tests above,](#) the process is as follows:

- i. The Region must receive confirmation, in writing, from the abutting municipality that they are willing and able to provide service to properties located within the Region of Halton;
- ii. The property owner must formally submit an application to amend the Regional Official Plan to permit the connection of the property to the abutting municipality's system;
- iii. Halton Regional Council must approve the amendment to the Regional Official Plan to extend service outside of the urban boundary;
- iv. The Council of the abutting municipality must approve the connection of the owner's property to their system; and,
- v. An agreement must be executed between the Region of Halton, the abutting municipality and the property owner. This agreement will be registered on title to the owner's lands.

Connections will only be supported if the owner can demonstrate that the private services are inadequate and that the deficiency cannot be addressed by other means. The owner must demonstrate that all possible alternative water or wastewater systems are incapable of providing effective treatment to a level which mitigates risk to human health and the environment.

2.7 Financial Requirements

The Region has a variety of financial charges concerning its municipal services, most of which are based on a user pay philosophy. These financial charges for the Region's municipal service are prescribed by Regional Council By-laws and are updated on an annual basis.

In addition, the Region has specific processing fees for consideration of various approvals. These fees include, but are not limited to:

1. Planning Application fees – specific to the application submitted;
2. Engineering and Inspection fee – based on the cost of works being constructed;
3. Legal Service fees – specific to the type of agreement;
4. General Administration fee – per unit fee;
5. Development Charges – as per the current Development Charges By-law;
6. Water meter fee;
7. Connection charges;
8. Service Permit fees; and,
9. Backflow prevention survey, infrastructure and annual testing costs.

A complete listing of all municipal services financial charges, including development charges can be obtained from the Region's Corporate Service Department.

Applicants are advised to consult those Regional departments involved in the processing of the application in question i.e. Corporate Services, Legislative and Planning Services, Public Works, and where appropriate, the Health Department.

2.8 Well Survey and Monitoring

Where a development is proposed in close proximity to properties serviced by private wells, the developer must ensure that their construction activities do not adversely impact the neighbours' water supply.

Halton Region staff will ensure the following is complete by the owner as a condition of approval:

- Prior to construction, a survey of all wells within 500m of the site or within the area of influence as determined by a hydrogeologist
- Monitoring of the wells during construction and for a minimum of one year after all construction ceases

An outline of a typical Well Survey and Monitoring Program is provided under Appendix A to these Guidelines.

Should there be any complaints of interruption to the neighbouring well supply, the developer must immediately supply the complainant with an alternate supply of water which must continue until the matter is resolved. The developer's hydrogeologist must investigate the complaint and provide the Region with a report indicating whether, in their professional opinion, the complaint is valid.

If it is determined that the complaint is valid the developer must either construct a new private well or, if permitted under the Regional Official Plan, provide a connection to the municipal water system.

3.0 Private Services

3.1 Private Services within the Urban Area

All new development within the Urban Area designation is to proceed on the basis of connection to full municipal services. Exceptions to the policy may be permitted in order to allow development on private or partial servicing under circumstances as outlined in section 3.1.1 and 3.1.2, provided that the development is in conformity with both the Regional Official Plan and Local Official Plan.

The Region's Legislative and Planning Services Department is responsible for authorizing, in principal, such permission after consultation with the Region's Health Department. Such permission will only be granted where it is in the public interest that the development should proceed without delay. The formal approval and permit process for private sewage disposal system installations is the responsibility of the Region's Health Department and the Building Department of the local municipality. Permits may only be issued where previously authorized in principle as per the above process.

With some minor exceptions, all private servicing in the Urban Area are subject to a condition of approval that requires the applicant to enter into a standard agreement with the Region to the effect that when municipal services become available, connections will be made and the appropriate charges and fees paid. This standard agreement is to be registered on title to the property and specify that the required municipal service connections must be made within two years from the date when the services become available. The Legislative and Planning Services Department will monitor and enforce all such agreements.

Exceptions where an agreement may not be required can include private services for: municipal uses, temporary uses or structures, and non-domestic uses of water such as irrigation. The use of private services for cooling may be permitted provided that the requirements of the Region's Health Department and Legislative and Planning Services Department are satisfied.

Hydrogeological studies, in accordance with the Region's *Guidelines for Hydrogeological Studies and Best Management Practices for Groundwater Protection*, are required as part of the information necessary to consider the merits of the application of private services and to determine if any adverse impact on water quantity or quality in the surrounding area may occur.

3.1.1 Wells and Private Sewage Disposal Systems

Pursuant to the requirements of the Environmental Protection Act and subject to any terms and conditions outlined in 3.1 above, private wells and private sewage disposal systems may be permitted in the Urban Area where the Region determines that such development complies with at least one of the following provisions:

1. For minor residential development which is permitted under existing Zoning or Parkway Belt Regulations and where the respective municipal services are determined by the Region to be unavailable or available but at extreme expense as determined by the Chief Planning Official.
2. For a proposed development which is considered by both the local municipality and the Region to be temporary.
3. For an open space use, such as a golf course or a campground, where the Region determines that the municipal services are unavailable or is available but at extreme expense. Such uses will be considered on a case by case basis and only permitted where the physical servicing capability of the site is not exceeded.

4. For individual non-residential uses where the municipal services will be available within five years and where all terms and conditions of the Region be met, including the submission of hydrogeological studies. The Region's Health Department requirements may limit water volumes extracted from wells or set out conditions or restrictions regarding changes in uses on the site and will stipulate that only domestic sewage and absolutely no industrial processing effluent may enter the private sewage disposal systems.
5. For farm dwellings as defined in the Regional Official Plan, where the Region determines that respective municipal service is unavailable or is available but at extreme expense, or is for water supplies for other non-domestic farm uses.
6. For minor commercial or minor institutional uses such as a church or a convenience store where the Region determines the respective municipal service is unavailable or is available but at extreme expense and where the use will be primarily serving local residents.
7. For the repair or replacement of an existing private service where, in the opinion of the Region the respective municipal service is unavailable or is available but at extreme expense.
8. Private wells or water storage tanks are permitted to augment water supplies for existing development or for new non-residential development where domestic supply requirements will be met by a municipal supply and the private water supply is for primarily non-domestic uses such as irrigation, heating/cooling, provided that the proposal is supported by a hydrogeological report that confirms that the ground and surface water system will not be adversely affected.
9. For the interim servicing of municipal uses where the respective municipal service is not available or is available only at extreme expense, provided that service connections are made within two years of the respective municipal service becoming available.
10. For those properties already subject to an agreement with the Region or the Ministry of the Environment outlining the conditions under which private servicing is to be permitted.

The availability of services is determined by their inclusion within either the Region's Current Budget or the 9 year Capital Forecast. Approval will also be on the condition that the owner enters into an agreement with the Region specifying that:

- i. connection be made within two years of the municipal services becoming available,
- ii. the appropriate charges and fees be paid, and,
- iii. the requirements and criteria of the Region's Health Department regarding the activities or operations associated with the proposed use are set out and met.

For the purposes of these Guidelines, "extreme expense" shall be determined to be a construction cost that is greater than or equal to twenty five percent (25%) of the assessed value of the fully developed property.

3.1.2 Partial Servicing

Where both water and wastewater services are available, partial servicing will not be permitted. In accordance with the Provincial Policy Statement, 2005, partial services, being the provision of municipal water or wastewater but not both, shall only be permitted in the following circumstances:

- a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
- b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Where municipal wastewater service is not available and an owner is permitted to connect to a municipal watermain, an assessment of the existing private sewage disposal system must be undertaken to ensure its adequacy.

3.2 Water Storage and Sewage Holding Tanks

Water storage tanks, intended to be used for holding water which is trucked in for domestic uses, and/or sewage holding tanks, are not permitted by the Region to service new development.

Under the following circumstances, and subject to such terms and conditions as the Region may require, the use of water storage tanks and/or sewage holding tanks may be permitted for existing uses:

1. Where a well or septic system has failed and repair is not feasible in the opinion of the Medical Officer of Health and where no other acceptable well can be developed or septic tile field system can be installed, a water storage or sewage holding tank may be permitted. Such permission can be given by the Medical Officer of Health only as a last resort and where it is the only reasonable means of solving the problem.
2. For seasonal uses for periods of time not exceeding three months during any twelve month period where the Region's Health Department is satisfied that the use of water storage and/or sewage holding tank is in the public interest. Regional approvals will be given for a maximum of two years as enforced through agreement with the Region or through Conditions of Approval. Extensions to such approvals will only be considered if past performance has been satisfactory as determined by the Region's Health Department. The property owner may be required to guarantee the future maintenance of the system (including pump out of sewage holding tanks) to the satisfaction of the local municipality.

Sections 3.2(1) and 3.2(2) also apply in the rural areas of the Region.

Where the property is located within the Urban Area and where municipal servicing is permitted under policies of the Regional Official Plan, the property owner must enter into an agreement with the Region to require the property to connect to municipal services within two years of the service becoming available.

Appendix A – Well Survey and Monitoring Program

1. Identify study area

All properties within the greater of 500m of development area or within the expected zone of influence as determined by the hydrogeologist.

2. Preconstruction Survey

- a. Obtain all MOE well records
- b. Prepare a complete well inventory of all wells in study area
- c. Conduct door-to-door surveys
- d. Leave questionnaires with homeowners
- e. Sample all accessible wells for water quality and monitor static water level
- f. Prepare inventory to include the following information:
 - Address
 - Owner / tenant
 - Location of well
 - Whether well is in use, abandoned, or decommissioned
 - Type of well – drilled or bored
 - Size
 - Depth of well
 - Depth of pump
 - Static water level
 - Water quality (Ontario Drinking Water Quality Standards)
 - Pump capacity
 - Assess susceptibility to contamination
 - Record of complaints – quality or quantity
- g. Identify wells to be decommissioned (O.Reg. 903, as amended)

3. Well Monitoring During and Post Construction

A number of wells in study area are to be identified for monitoring of static water levels monthly for a minimum of one year. Wells must be:

- Must be accessible and have owner's permission to monitor
- Preferably not in use
- Wells to be monitored to include at least one well completed in each aquifer represented.

4. Reporting

The hydrogeologist must submit a report prior to the start of construction and again at the end of the monitoring period. The report shall include:

- a. Table of well inventory;
- b. Copies of all surveys;
- c. Map showing location of wells identified;
- d. Potentiometric Map of appropriate scale, showing water level contours in the study area;and,
- e. Assessment of impact of development on well.



THE REGIONAL MUNICIPALITY OF HALTON

BY-LAW NO. XX-20

A BY-LAW TO AMEND BY-LAW NO. 71-19, BEING A BY-LAW TO REPEAL AND REPLACE BY-LAW NO. 131-10, AS AMENDED, BEING A BY-LAW RESPECTING THE SUPPLY OF WATER, THE ESTABLISHMENT, CONSTRUCTION, MAINTENANCE, OPERATION, IMPROVEMENT AND EXTENSION OF DRINKING WATER SYSTEMS FOR THE REGIONAL MUNICIPALITY OF HALTON AND THE ESTABLISHMENT OF WATER RATES AND CHARGES AND, BY-LAW NO. 61-11 BEING A BY-LAW RESPECTING THE PREVENTION OF BACKFLOW INTO THE WATER SYSTEM OF THE REGIONAL MUNICIPALITY OF HALTON.

WHEREAS Section 11 of the *Municipal Act, 2001*, provides that The Regional Municipality of Halton has the exclusive responsibility for public utilities, including water distribution, production, treatment and storage within the Regional boundaries and all the provisions of any general act relating to such collection, production and treatment of such water and the financing thereof by a municipal corporation apply, with the necessary changes being made;

AND WHEREAS Section 80 of the *Municipal Act, 2001* provides that a municipality may at reasonable times enter on land to which it supplies a public utility: to inspect, repair, alter or disconnect the service pipe, wire, machinery, equipment and other works; to inspect, install, repair, replace or alter a public utility meter; to shut off or reduce the supply of the public utility to the land; and, if a customer discontinues the use of a public utility on land or the municipality lawfully decides to cease supplying the public utility to land, to shut off the supply of the public utility; to remove any property of the municipality; or to determine whether the public utility has been or is being unlawfully used;

AND WHEREAS Section 23.1 of the *Municipal Act, 2001* provides that a municipality may delegate its powers and duties under the *Municipal Act, 2001* or any other act to a person or body subject to legislated restrictions;

AND WHEREAS Section 20(1) of the *Safe Drinking Water Act, 2002* provides that it is an offence to cause or permit anything to enter a drinking water system if it could result in, a drinking-water health hazard, a contravention of a prescribed standard or the interference with the normal operation of the system;

AND WHEREAS Sections 78, 79 and 80 of the *Municipal Act, 2001* provide rights of entry for the municipality onto Property in relation to the supply of a public utility and water supply is a public utility;

AND WHEREAS Part XIV of the *Municipal Act, 2001* provides for the enforcement of municipal by-laws;

AND WHEREAS Regional Council passed Drinking Water System By-law No. 71-19 on July 10, 2019.

AND WHEREAS pursuant to Report LPS94-20/PW-31-20 and the recommendations thereof, it has been determined that it is desirable to amend By-law No. 71-19 to remove the requirement for a Regional Official Plan Amendment in circumstances where an owner of a property located within the Region requests a water connection to an adjacent municipality's watermain, and replace it with the requirement that such connections only be permitted in accordance with the Region's Urban Services Guidelines.

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HALTON HEREBY ENACTS AS FOLLOWS:

1. THAT Subsection 6.2 of By-law No. 71-19 in Section 6 – Application for Connection to the Drinking Water System be deleted and replaced with the following Subsection:
 - 6.2** Where an Owner of any Property located within the Region requests to connect to an adjacent municipality's Watermain that exists in a highway or public utility corridor located outside of the Regional Urban Service Area, such connections are only permitted in accordance with the Region's Urban Services Guidelines. Where such a connection is permitted, the Region shall not be responsible for the cost of the infrastructure or connection to the water supply from an adjacent municipality. Further, the Owner shall be responsible for obtaining consent from the adjacent municipality.
3. THAT all other provisions of By-law No. 71-19 remain in force and effect.
4. THAT this By-law comes into force on the day it is passed.

READ and PASSED this 25th day of November, 2020.

REGIONAL CHAIR

REGIONAL CLERK

Report No. LPS94-20/PW-31-20

DRAFT



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519-621-2761 Toll free: 1-866-900-4722 Fax: 519-621-4844 www.grandriver.ca

November 24, 2020

BY EMAIL

To: Grand River Watershed Member Municipalities

Re: Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures)

I am writing on behalf of the Grand River Conservation Authority (GRCA) to provide you with an update on our concerns regarding the Province's proposed changes to the Conservation Authorities Act and the Planning Act under Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures).

On Monday, November 23, 2020, the GRCA General Membership held a special board meeting to review and discuss the Province's proposed changes to the Conservation Authorities Act and the Planning Act through Schedule 6 in Bill 229.

While the GRCA board expressed support for the Province's stated objectives to modernize the Conservation Authorities Act, and enhance transparency and accountability, the board also voiced deep concern that some of the proposed changes may have a considerable impact on conservation authorities, their watershed management responsibilities, and consequently, on the health and wellness of the Grand River watershed and its residents.

At the meeting, board members passed a motion requesting staff to send *GRCA Report GM-11-20-85 Proposed Amendments to the Conservation Authorities Act through Bill 229* to the Premier of Ontario, the Ministers of Environment, Conservation and Parks, Natural Resources and Forestry, Municipal Affairs and Housing, and Finance, as well as all watershed MPPs, watershed municipalities, the Association of Municipalities of Ontario and the Rural Ontario Municipal Association. The report outlines the proposed changes in five key areas of concern for the GRCA: Objects, Powers and Duties; Regulatory; Enforcement; Governance and Other.

Please find attached the GRCA board report, as well as a letter that has been sent to the Province detailing our concerns. The GRCA is requesting that:

- the clause in S.21.1.2 of Bill 229 be edited to remove the ability for the Minister to prescribe standards and requirements for non-mandatory, municipal and local programs and services;
- the amendment to the Planning Act be removed from Schedule 6 of Bill 229;
- Bill 229 Schedule 6 clauses in S.28 be amended by removing references to the Local Planning Appeal Tribunal and replacing it with the Mining and Lands Tribunal;
- the existing un-proclaimed clauses in the Conservation Authorities Act 2019 related to Powers of entry (30.2) and Stop Order (30.4) remain in the Conservation Authorities Act and proposed amendments related to these clauses be removed from Bill 229 Schedule 6;

- the wording for fiduciary responsibilities in the CA Act be amended back to: “Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority”; and that
- a future regulation regarding the transition plan have an implementation date that is 18-24 months after the regulation is approved.

We would encourage our watershed municipalities to contact their local MPPs and ask that the Province of Ontario work with conservation authorities to address these concerns, before the changes are enacted.

We look forward to continuing our productive partnership with our watershed municipalities, as we work together to address local issues and opportunities that benefit the entire watershed.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Helen Jowett', with a stylized, flowing script.

Helen Jowett, Chair
Grand River Conservation Authority

cc Association of Municipalities of Ontario, Rural Ontario Municipalities Association



November 24, 2020

BY EMAIL

The Honourable Doug Ford, Premier of Ontario
Office of the Premier
Legislative Building, Queens Park
Toronto, ON M7A 1A1

Dear Premier Ford,

Re: Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures)

I am writing on behalf of the Grand River Conservation Authority (GRCA) to express our concerns regarding the Province's proposed changes to the Conservation Authorities Act and the Planning Act under Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures).

The GRCA is governed through a partnership of 38 watershed municipalities, which work together to address local issues and opportunities that benefit the entire watershed. Elected or appointed representatives from these municipalities form the membership of the GRCA board, making us directly accountable to our member municipalities and the people that live in the watershed. We work closely with our municipal partners to deliver programs and services that mitigate flood damage, provide access to outdoor spaces, share information about the natural environment and make the watershed more resilient to climate change.

For example, through the Rural Water Quality Program, the GRCA has built strong relationships with the farming community. The GRCA delivers this voluntary program on behalf of 6 Upper Tier municipalities in the watershed to help farmers implement best practices to improve and protect surface and groundwater quality. Since 1998, more than \$56 million has been invested by municipalities and landowners – an investment that supports the rural economy and source water protection, builds green infrastructure and climate change resiliency on the landscape, and helps to improve the quality of the Grand River.

While we support the Province's stated objectives to modernize the Conservation Authorities Act, and enhance transparency and accountability, we are also concerned that some of the proposed changes will have a considerable impact on conservation authorities, their watershed management responsibilities, and consequently, on the health and wellness of the Grand River watershed and its residents.

The GRCA is requesting that:

- the clause in S.21.1.2 of Bill 229 be edited to remove the ability for the Minister to prescribe standards and requirements for non-mandatory, municipal and local programs and services;
- the amendment to the Planning Act be removed from Schedule 6 of Bill 229;
- Bill 229 Schedule 6 clauses in S.28 be amended by removing references to the Local Planning Appeal Tribunal and replacing it with the Mining and Lands Tribunal;

- the existing un-proclaimed clauses in the Conservation Authorities Act 2019 related to Powers of entry (30.2) and Stop Order (30.4) remain in the Conservation Authorities Act and proposed amendments related to these clauses be removed from Bill 229 Schedule 6;
- the wording for fiduciary responsibilities in the CA Act be amended back to: “Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority”; and that
- a future regulation regarding the transition plan have an implementation date that is 18-24 months after the regulation is approved.

Please find attached *GRCA Report GM-11-20-85 Proposed Amendments to the Conservation Authorities Act through Bill 229*, which outlines our key areas of concern. We are asking that the Province work with conservation authorities to address these concerns before Bill 229 is passed. We would also like to offer our assistance and technical expertise to the Ministry of the Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry on any working groups or technical committees established to review future changes to the regulations, policies or provincial standards related to the implementation of the Conservation Authorities Act.

We look forward to continuing our productive relationship with the Province, and supporting your government’s effort to improve the governance and accountability of conservation authorities.

Yours sincerely,



Helen Jowett, Chair
Grand River Conservation Authority

- c. Hon. Jeff Yurek, Minister of Environment, Conservation and Parks; Hon. John Yakabuski, Minister of Natural Resources and Forestry; Hon. Steve Clark, Minister of Municipal Housing and Affairs, Hon. Rod Phillips, Minister of Finance; Grand River watershed Members of Provincial Parliament

Grand River Conservation Authority

Report number: GM-11-20-85

Date: November 23, 2020

To: Members of the Grand River Conservation Authority

Subject: Proposed Amendments to the Conservation Authorities Act through Bill 229

Recommendation:

THAT Report Number GM-11-20-85 – Proposed Amendments to the Conservation Authorities Act through Bill 229 be approved as amended;

AND THAT Grand River Conservation Authority Report GM-11-20-85 be submitted to the Premier, Ministers of Environment, Conservation and Parks, Natural Resources, Municipal Housing and Affairs and Finance, watershed MPPs, Association of Municipalities of Ontario, Rural Ontario Municipalities Association, and circulated to watershed municipalities;

AND THAT staff be directed to draft a cover letter which highlights the GRCA's key concerns with the proposed changes to the Conservation Authorities Act which will accompany the report to be distributed.

Summary:

On November 5, 2020, through Bill 229 Protect, Support and Recover from COVID-19 Act (Budget Measures), the province introduced amendments to the *Conservation Authorities Act* (Schedule 6) and the *Planning Act*. If enacted, some changes will significantly impact the role of a conservation authority board to establish programs and services. As well, the proposed amendments will enable Regulations that will either limit or completely change the role of conservation authorities to protect Ontario's environment and ensure people and property are safe from natural hazards.

Report:

Background:

A provincial review of the *Conservation Authorities Act* has been ongoing since 2015. Amendments were approved in 2017, a minor change in 2018 and these were followed by further amendments in 2019. In 2019, the province indicated the proposed amendments were to help conservation authorities focus and deliver on the core mandate and to improve governance. The Grand River Conservation Authority (GRCA) provided comments on the Environmental Registry Posting through GM-04-19-41- Environmental Registry Posting 013-5018- Modernizing Conservation Authority Operations. The amendments were later passed through Bill 108, More Homes, More Choice Act. At that time, the scope of the changes to conservation authority board

governance and composition; mandatory, municipal and other programs and services; natural hazard permits and other areas were to come out through various regulations.

In the fall of 2019, the Minister of Environment, Conservation and Parks (MECP) hosted meetings with each individual conservation authority (CA) to gain a better understanding of the programs and services provided by each Authority. In the early winter of 2020, the MECP also hosted stakeholder consultation sessions across the province to gain feedback from the various groups, agencies and organizations who deal with, or work with CAs. The Vice-Chair and senior staff attended the South-western session and submitted formal written comments in response to questions posed by the MECP. MECP has confirmed that they received over 2,500 submissions in response to these consultation sessions; however, the results of these sessions have not been publicly shared.

Bill 229

On November 5, 2020, the province introduced Bill 229 Protect, Support and Recover from COVID-19 Act which includes amendments to the *Conservation Authorities Act* (Schedule 6). The province identified these changes as necessary to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight and streamline conservation authority roles in permitting and land use planning.

While previously proposed changes to the Act have been posted to the Environmental Registry of Ontario (ERO) for a period of public comment; these new changes are posted on the ERO for information only. Under Section 33 of the Environmental Bill of Rights (1993), public consultation is not required if the proposal forms part of or gives effect to a budget or economic statement that is presented to the Legislative Assembly. It is anticipated that Bill 229 will be passed in the next few weeks as the legislature is due to rise on December 10th.

On November 9, 2020, MECP hosted an information session with all 36 Conservation Authority General Managers to provide additional information on the proposed amendments and timelines. MECP has indicated that regulations to implement the Act will be released for public comment in the coming weeks and a second set of regulations will be released for public comment in early 2021.

Proposed Amendments:

Attached as appendix 1 is a summary chart of the proposed amendments to the *Conservation Authorities Act* and comments on the effects of those changes. This document was prepared by Conservation Ontario and circulated to the Board on November 13, 2020.

The changes to *Conservation Authorities Act* can be categorized into 5 sections:

- 1. Objects, Powers and Duties**
- 2. Regulatory**
- 3. Enforcement**
- 4. Governance**
- 5. Other**

Key changes to the Act under each of these categories are discussed below:

1. **Objects, Powers and Duties**

- Narrows the objects of a conservation authority from providing “programs and services designated to further conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals” (*Conservation Authorities Act*, s20(1)) to: (i) mandatory programs and services, (ii) municipal programs and services, and (iii) other program and services.
- A number of proposed clauses that would enable the Minister to make regulations that would prescribe standards and requirements for Municipal Programs and Services (i.e. Service agreements between municipalities and CAs) and Other Programs and Services (i.e. as determined by the Board and if municipal levy is used would require municipal agreements)
- Proposed amendment of the *Planning Act* to include conservation authorities to subsection 1(2) which would remove CAs as a public body and name CAs under the one window approach of MMAH for the purposes of appeals only. This may remove conservation authorities, who are private landowners, from the right of appeal.
- Removal of power for CAs to expropriate lands for existing and future projects

GRCA Comments:

The purpose of the *Conservation Authorities Act* remains the same. “The purpose of the Act is to provide for the organisation and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watershed in Ontario.” 2017, c.23. Sched. 4, s.1. The objects within the *Conservation Authorities Act* have been amended to reflect the mandatory program and services that will be prescribed by regulations. At this time, it is anticipated that the changes to the objects would not impact the way in which the organization operates. In the next few weeks, the province has indicated that it will be releasing regulations that will further define the mandatory programs and services which could potentially have an impact on the scope and scale of current programs.

Although clauses related to non-mandatory programs already exist in the previously amended Act through Bill 108, the province has proposed additional wording that allows the Minister to dictate the standards and requirements for municipal or other programs and services agreed upon through service level agreements (non-mandatory programs). Historically, GRCA has negotiated directly with municipalities to tailor agreements to the need of the service for that specific municipality. Local autonomy in these program and services could be compromised with prescribed provincial standards and requirements. The non-mandatory, municipal and other local programs, do not receive funding from the province and through agreement, may be funded by municipal levy or other sources.

The proposed consequential changes to the *Planning Act* are still being clarified with the Ministry, however it is anticipated that it would remove conservation authorities ability to appeal a municipal planning decision to the Local Planning Appeal Tribunal (LPAT), unless it is through the Minister of Municipal Affairs and Housing. It is unclear if a conservation authority can participate in an appeal to support a municipality upon request or when this is included in an agreement between the conservation authority and municipality.

The ability to appeal is a tool that is a necessary but seldom used tool in our toolbox. The Ministry staff stated that this change only affects the role of the conservation authority in an appeal process and that participation in reviewing land use planning applications would still be occurring. Conservation Authorities participation in land use

planning and the ability to appeal a decision ensures that key issues are identified and addressed early in the approval process so the landowner may proceed with other approvals such as the conservation authority permit in an efficient manner. It also ensures that the watershed lens is being applied to planning and land use decisions and that people and their property in or near new development or redevelopment are protected from natural hazards such as flooding.

When necessary GRCA attends LPAT hearings to support the municipality and to ensure that policies and development conditions are imposed to reduce flood risks and to ensure mitigation and setbacks are in place to address other natural hazards such as erosion hazards or along the Lake Erie shoreline. Extreme weather events and changing climate increase the importance of our role in the planning process.

The 2019 Provincial Flood Advisor's report notes the important role that conservation authorities play in the land use planning process. The main legislative tools used to manage flood risk, the report states, include the *Planning Act* together with the Provincial Policy Statement (PPS) and the *Conservation Authorities Act*. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the province, planning authorities, and conservation authorities to work together. Similarly, the Made-in-Ontario Environment Plan asserts that within the context of environmental planning, conservation authorities' core mandate is protection from natural hazards and conserving natural resources.

Another significant concern is that this change may also remove our right to appeal planning decisions as a landowner. This is of significant concern as GRCA owns and manages over 48,000 acres of property throughout the watershed to support flood hazard management, to maintain a reliable water supply, to protect natural areas and biodiversity, to provide community recreation/education and to manage other environmentally sensitive natural lands. Conservation authorities are considered private landowners (not public lands) and the potential removal of the right to appeal a land use planning decision is a significant concern.

The amendments to the Act also removes the ability to utilize the *Expropriation Act* for existing and future projects. MECP has recommended that should this be required for a CA project that the municipality or the province could expropriate the lands necessary.

2. Regulatory

- Allow an applicant, within 120 days of a conservation authority receiving a permit application, to appeal to the LPAT if no decisions by the conservation authority has been made.
- Authorize the Minister of Natural Resources and Forestry to issue an order to take over and decide an application for a permit under section 28 of the Conservation Authorities Act in place of the conservation authority (i.e. before the conservation authority has made a decision on the application).
- Allows an applicant, within 30 days of a conservation authority issuing a permit, with or without conditions, or denying a permit, to request the minister to review the conservation authority's decision.
- Where the minister has taken over a permit application or is reviewing a permit decision by a conservation authority, allow an applicant to appeal

directly to LPAT where the minister fails to make a decision within 90 days.

- In addition to the provision to seek a minister's review, provide the applicant with the ability to appeal a permit decision to LPAT within 90 days after the conservation authority has made a decision.

GRCA Comments:

The proposed 120 day timeline for a CA to make a decision on permit applications may be problematic since there is no indication from the province when the 120 day timeline is triggered (submission of application) or if there will be a requirement for complete applications. There is a broad spectrum and complexity of applications that CAs deal with and the majority of permits that are submitted with satisfactory construction or development plans and technical reports can be reviewed in a timely manner. For complex files, there may be additional time required for the applicant and/or their consultants to address GRCA technical comments on the proposal e.g. floodplain mapping analysis. The proposed timeline of 120 days for a decision oversimplifies the permitting process.

Over the past several years, and again in 2019 Conservation Ontario and CAs have worked with the province, AMO, landowners groups and the building industry to develop the recently CA wide adopted 'Client Service Standards for Conservation Authority Plan and Permit Review'. This document sets forth industry standards and procedures to ensure CA plan and permit review process are transparent, predictable and fair. GRCA permit application decisions are consistently made within the current client service standards. The current standards exclude the time period the applicant or their consultants are preparing responses to GRCA technical or policy comments which can take several weeks or in limited cases a few months.

The current appeal process for permits has been administered through the Mining and Lands Tribunal. With these proposed amendments, all permit appeals will be processed through LPAT. There is concern regarding the change in tribunals; the Mining and Lands Tribunal has the history and natural hazard technical experience in adjudicating *Conservation Authorities Act* cases for decades. Due to the volume of appeals at LPAT, it is anticipated that there could be lengthy delays for hearings and inconsistent decisions across the province. This also has the potential to redirect staffs' time to focus more on managing the appeal process for permit applications than what was previously required.

Under these proposed amendments, the Minister will be able to step in and take over the issuance or denial of a permit under Section 28 without consultation with the CA. A significant concern with this is a decision is made without watershed specific technical information required to make the decisions and the precedent that could be set for future application similar in nature.

Many of the amendments to this section of the legislation provide the Minister with significant additional powers to intervene in the permit process.

3. Enforcement

- Eliminated the (not yet proclaimed) powers for officers appointed by conservation authorities to issue stop orders (*Conservation Authorities Act* provision 30.4)

- Clarified conditions for officers appointed by conservation authorities to enter lands without a warrant for the purposes of:
 - determining whether to issue a permit (amendment to unproclaimed *Conservation Authorities Act* provision 30.2(1))
 - ensuring compliance with the prohibitions, regulations, or permit conditions, only when the officer has “reasonable grounds to believe that a contravention of a provision of the Act or a regulation...is causing or likely to have significant effects...” (*Conservation Authorities Act* provision 30.2(1.1))

GRCA Comments:

In previous updates to the Act, the province recognized that many compliance tools were outdated. The legislation prior to 2017 was not a deterrent for illegal activities and rapid response tools were not available to stop ongoing illegal activities. Although the fines have been substantially increased in 2017 (not yet enacted), the current proposal would remove a much needed compliance tool – the Stop (work) Order. The Made-In-Ontario Plan also recognized the role of conservation authorities in enforcement and it includes the provincial action “Work with municipalities, conservation authorities, other law enforcement agencies and stakeholders to increase enforcement on illegal dumping of excess soil.” Although not yet enacted, the Stop Order provision would have provided another tool to use when managing enforcement challenges and could have helped to avoid a time consuming and costly injunction process.

Obtaining injunctions takes further staff time and conservation authorities will incur significant costs for legal and court fees. Given the lack of provincial funding this cost will continue to be borne by municipalities and ultimately the taxpayers. The time needed to obtain such an order can be lengthy resulting in unnecessary and significant damage to the environment, impacts to natural hazard areas such as development in a floodplain which then puts people and property at risk.

Removing an officer’s ability to enter lands (s. 30.2) within the authority’s jurisdiction is inconsistent with similar municipal and provincial legislation. Coupled with the removal of a Stop Order provision (s. 30.4), these amendments do not afford officers an ability to “prevent or reduce the effects or risks” associated with illegal and egregious activities. Examples of other provincial legislation with Stop Orders include *Building Code Act* S.14, *Environmental Protection Act* S.8, *Planning Act* S. 49.

4. Governance

- Removing the power to define in regulation the composition, appointment or minimum qualifications for a Board member (S.40 (1)(a) and replaced it with:
 - Mandate that the municipal councillors appointed by a particular municipalities as members of a conservation authority be selected from that municipality’s own councillors only S.14 (1.1)
 - Enabling the Minister to appoint an additional member to the Board to represent the agricultural sector (new *Conservation Authorities Act* provision 14(4)).
- Limit the term of the Chair and Vice-Chair to one year and to no more than two consecutive terms (new *Conservation Authorities Act* provision 17 (1.1))

- Amending the duties of members to act on behalf of their respective municipalities rather than the Conservation Authority

GRCA Comments:

As previously mentioned in formal comments provided to the province in April 2019 and comments provided to the province during stakeholder consultation in 2020, the GRCA is supportive of changes that increase transparency and accountability of conservation authorities. GRCA is also supportive of the province's intent to clearly define mandatory programs and services provided by the conservation authorities and we look forward to the opportunity to provide input on the regulations that will be posted for public input.

There are a number of proposed amendments that require the posting of documents, board agendas and minutes, financial audits and standard accounting practices that are already undertaken by the GRCA.

Municipalities will no longer be able to appoint a member of the public to the Board. Over the years, the GRCA has benefited from having citizen appointments to the Board. This has helped to incorporate a diverse perspectives for watershed decision making. In order to ensure that a municipal Mayor may participate on a conservation authority board it is recommended that the specification of 'municipal councillor' in the proposed amendments be changed to "municipally elected official".

In the event that the Minister appoints a member to represent the agricultural sector, the appointment process has not been specified, and it is assumed that these appointments would have the same voting privileges as all members and would be entitled to receive per diems and to be appointed as the chair or vice-chair. It is unclear how the change to fiduciary duty would affect this member.

The current legislation deferred board composition to a future Regulation. The proposed amendment removed this clause and replaced it with clauses that specify who can be a members of the board so there will be no opportunity for further input on determining who is eligible to be a member of the Board.

The proposed amendments have set a limit to the Chair and Vice-chair to hold office for one year term and no more than two consecutive terms. Under GRCA By-law 3-2020, the by-law states, "The individuals elected shall hold office until their successors are elected and will be eligible for re-election to the same office for up to a maximum of five one-year terms."

Conservation Authorities are corporate entities. Good governance dictates that the Board acts on behalf of the organization and in the public interest. By changing the duty of members to act on behalf of their respective municipalities, it contradicts the concept of fiduciary duty of a Board Member to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the broader watershed interests further to the purpose of the Act. The standards of care for directors are set out under the *Business Corporations Act*.

'Every director and officer of a corporation in exercising his or her powers and discharging his or her duties to the corporation shall, (a) act honestly and in good faith with a view to the best interests of the corporation...; and (b) exercise the care, diligence and skill that a responsible prudent person would exercise in comparable circumstances'

Additionally, the Auditor General of Ontario recommended in their report on the Niagara Peninsula Conservation Authority that, "to ensure effective oversight of conservation authorities' activities through boards of directors, we recommend that the Ministry of the Environment, Conservation and Parks clarify board members' accountability to the conservation authority" to which the ministry response was in agreement.

5. Other

The amendments to the Act also include the requirement for a transition plan to be developed and implemented to ensure compliance with the regulations for mandatory programs and services and agreements or MOUs with municipal partners. Through discussions with MECP staff, it has been stated that the transition plan should be completed and implemented in time to support the 2022 budget process.

It has been GRCA's experience that it can take one to two years to negotiating and finalizing a municipal agreement or MOU given the complexity of the agreement and the number of stakeholders involved (municipal and CAs).

The development and implementation of the transition plan will require a change to GRCA's budget model, an assessment of all programs and services to ensure compliance with the regulations and development and negotiation with municipalities for MOU for non-mandatory programs and services (up to 26).

It is unknown when regulations will be posted for public input and approved.

Summary of GRCA's Response to Proposed Amendments to the Conservation Authorities Act:

- GRCA requests that the clause be edited to remove the ability for the Minister to prescribe standards and requirements for non-mandatory, municipal and local programs and services.
- GRCA requests that the amendment to the *Planning Act* be removed from Schedule 6 of Bill 229.
- GRCA requests that Bill 229 Schedule 6 clauses in S.28 be amended by removing references to LPAT and replacing it with the Mining and Lands Tribunal.
- GRCA requests that the existing unproclaimed clauses in the *Conservation Authorities Act* 2019 related to Powers of Entry (30.2) and Stop Order (30.4) remain in the *Conservation Authorities Act* and proposed amendments related to these clauses be removed from Bill 229 Schedule 6.
- GRCA requests that the wording for fiduciary responsibilities in the *Conservation Authorities Act* be amended back to: "Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority."
- GRCA requests that a future regulation regarding the transition plan have an implementation date that is 18-24 months after the regulation is approved.

Most of the amendments proposed would be implemented through new or amended legal instruments or policies. The GRCA will contact MECP and MNRF to offer assistance and technical expertise on any working groups/technical committees

established to review future changes to the regulations, policy and/or provincial standards related to the implementation of the *Conservation Authorities Act*.

Financial implications:

Without the details of the proposed regulations, it is difficult to determine the financial implications for the amendments to the *Conservation Authorities Act*. Additional reports will come to the Board regarding updates to the program and services of the GRCA as they are posted to the Environmental Bill of Rights.

Other department considerations:

Operations, Administration, Resource Management and Engineering Divisions were consulted on the preparation of this report.

Prepared by:

Samantha Lawson
Chief Administrative Officer

Pilon, Janet

Subject: GRCA response re: Bill 229 - Additional Information

From: Eowyn Spencer <espencer@grandriver.ca>

Sent: December 4, 2020 3:19 PM

To: Eowyn Spencer <espencer@grandriver.ca>

Cc: Board Members <boardmembers@grandriver.ca>; Samantha Lawson <slawson@grandriver.ca>

Subject: RE: GRCA response re: Bill 229 - Additional Information

Good afternoon,

Further to discussion at the General Membership meeting of the Grand River Conservation Authority on November 27, 2020 staff were directed to send an email to the Premier, Ministers of Environment, Conservation and Parks, Natural Resources and Forestry, Municipal Affairs and Housing and Finance, Watershed MPPs, Watershed municipalities, AMO and ROMA; to reiterate the importance citizen appointees on the GRCA Board and that watershed municipalities should be given the option to appoint citizens to the Board should they see fit.

Sent on behalf of
Samantha Lawson, CAO
Grand River Conservation Authority

Eowyn Spencer
Executive Assistant | Grand River Conservation Authority

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November 16, 2020

Mayor Eisenberger and Council
2nd Floor – 71 Main Street, West
Hamilton, ON
L8P 4Y5

Dear Mayor Eisenberger and Council,

RE: Changes to Conservation Authorities Act and Conservation Authorities' Role in Land Use Planning

The Niagara Peninsula Conservation Authority (NPCA) has been keeping the environment, people and property of our watershed safe from natural hazards for the past 61 years with a mandate to further the conservation, restoration, development and management of natural resources across Niagara, Hamilton and Haldimand watersheds. Collaboration with NPCA's municipal partners has been a critical factor in our collective success on the ground.

Schedule 6 of Bill 229, proposes amendments which we believe have the potential to add significant delays in the planning and permitting process, add costs and have the potential for significant impacts on our collective ability to provide flooding and natural hazards management/protection and drinking water protection to our communities. The proposed changes also appear contrary to the Special Advisor's Report on Flooding and Ontario's Flooding Strategy, as well the 2018 Special Audit of NPCA by the Office of the Auditor General of Ontario (OAGO).

During the Pandemic, NPCA experienced an increase in illegal activities on our lands and regulated areas. In regards to our enforcement functions, conservation authorities must rely on their municipal partners to assist with stop orders under municipal by-laws or the Building Code, when appropriate. This puts undue stress on municipalities to provide services to the conservation authorities (CA's). Major offences result in unnecessary costs to conservation authority and municipal budgets, as well as to the taxpayers/property owners for damages.

Under the proposed changes, if applicants are not satisfied with decisions made by the Hearing Boards (CA Board of Directors or Executive), then applicants can now appeal directly to the Minister or to the Local Planning Appeal Tribunal (LPAT). These changes could add significant delays and more costs for developers, municipalities, conservation authorities and the Province to manage the excessive appeal system.

Over the past few years, we have invested heavily in implementing measures for the highest standards of customer service for our residents. We have also invested significantly on improved governance based on the Auditor General's recommendations. We believe that Board appointments remain the decision of the municipality in consultation with conservation authorities. We have made great strides and seek your support to ensure that we will be able to continue to build on our successes.

We are writing to seek the endorsement from our municipal partners through adoption of appropriate resolution. (A sample resolution is attached for your consideration.) We request your support in encouraging the Province of Ontario to work with conservation authorities to address

their concerns and to repeal or amend changes to the *Conservation Authorities Act* and the *Planning Act*.

For any questions, or clarity on these matters kindly contact CAO, Chandra Sharma at csharma@npca.ca or 905-788-3135.

Respectfully,



Brenda Johnson
Chair, NPCA



Bruce MacKenzie
Vice Chair, NPCA

Proposed Resolution for Municipalities

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, and engaging in review and appeal of municipal planning applications:

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the *Planning Act*;

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;

WHEREAS municipalities require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected;

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed;

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative;

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process;

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

THEREFORE, BE IT RESOLVED:

1. **THAT** the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the *Conservation Authorities Act* and the *Planning Act*.
2. **THAT** the Province of Ontario delay enactment of clauses affecting municipal concerns.
3. **THAT** the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes.
4. **THAT** the Province respect the current conservation authority/municipal relationships.
5. **AND THAT** the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

Report To: Board of Directors

Subject: Bill 229 Proposed Amendments to the Conservation Authorities Act

Report No: FA-63-20

Date: November 19, 2020

Recommendation:

WHEREAS Bill 229, Protect, Support and Recover from COVID 19 Act -Schedule 6 – Conservation Authorities Act introduces changes and new sections that could significantly impact conservation authorities' mandate of watershed-based natural resource management; alter good governance standards recommend by Ontario's Auditor General; and weaken NPCA's ability to serve its municipal partners and communities in the protection from natural hazards and conserving natural resources through its planning, permitting and enforcement activities;

WHEREAS the proposed amendments have the potential to add significant delays in the planning and permitting process, add costs for all parties involved, and ultimately have the potential for significant impacts on Province's ability to provide flooding and natural hazards management contrary to the Special Advisor's Report on Flooding and Ontario's Flooding Strategy;

WHEREAS NPCA has already made significant investments to establish a very high standard of governance, transparency, accountability and progressive enforcement based on the Ontario Auditor General's recommendations and streamlining our permitting and land use planning reviews through Conservation Ontario's Client Service and Streamlining Initiative;

WHEREAS NPCA and other Conservation Authorities take pride in being a science-based community-focused delivery partner to the Province and municipalities for over seven decades in supporting sustainable growth and green economy for the future of Ontario's taxpayers;

THEREFORE, BE IT RESOLVED:

1. **THAT** the NPCA Board of Directors **REQUESTS** the Government of Ontario to remove the proposed Schedule 6 from Bill 229 and continue to work with conservation authorities on regulations proposed under previous Bill 108 to achieve desired improvements in the planning process.
2. **AND FURTHER THAT** the attached draft letter **BE FINALIZED** for signature by the Chair and Vice Chair and **BE SENT** to the Premier, Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, the Auditor General; partner municipalities, and Conservation Ontario.

Purpose:

The purpose of this report is to update the Board on proposed changes to the Conservation Authorities Act. These changes form Schedule 6 of Bill 229, which is the Protect, Support and Recover from COVID-19 Act (Budget Measures).

Background:

Bill 229 was introduced on November 5, 2020 as part of the Ontario Budget and proposes changes to a number of different pieces of legislation. Among those is the Conservation Authorities Act (CAA). As the changes to the CAA are part of the proposed Budget, there is no consultation period.

The proposed changes are significant and cover multiple sections of the CAA, including areas that are unproclaimed. Details of proposed changes were provided by Conservation Ontario and are attached as Appendix 1. A brief overview of the key changes proposed is as follows:

- Require Conservation Authority (CA) Boards be comprised of members from municipal councils;
- Remove an unproclaimed section that would have allowed the Province to prescribe Board member skills and qualifications;
- New requirement for Board members to act honestly and in good faith and, in the case of the members appointed by participating municipalities, shall generally act on behalf of their respective municipalities;
- Require that the Chair/Vice-Chair positions are one year in duration and that no member may sit in those positions for more than two consecutive terms;
- Allowing for the Minister (unclear if Minister of Natural Resources and Forestry or Environment, Conservation and Parks) to appoint a member of the CA Board from the Agricultural sector;
- Remove reference to “further the conservation, restoration, development and management of natural resources” from the Objects of a CA;
- Remove the ability of CAs to expropriate land;
- Revising the unproclaimed Sections of the CAA that pertain to the programs and services provided by a CA to require some programs and services to be prescribed through Regulation;
- Add the ability for a Permit applicant to appeal the Permit fees;
- Add (to an unproclaimed Section) the ability for the Minister to appoint an Administrator of the CA following an investigation to the CA’s operations;
- Ability of a Permit applicant to appeal a CA’s lack of decision after 120 days to the Local Planning Appeal Tribunal (LPAT);
- Ability to request the Minister review a CA’s decision on a Permit application;
- Ability to appeal a CA’s decision on a Permit application to the LPAT;
- Gives the Minister the ability to issue Permits (Minister’s Order);
- Modification to the Planning Act that will remove a CA’s ability to appeal an approval authority’s decision to the LPAT;
- Modification to the requirements for entry onto property for compliance/enforcement purposes; and
- Removal of the unproclaimed section that would have allowed CAs the ability to issue stop-work orders.

A webinar was held by the Ministry of Environment, Conservation and Parks (MECP) on November 9, 2020 with staff from Conservation Ontario and Ontario's 36 Conservation Authorities. This was an opportunity to ask questions of MECP staff about the proposed changes. There was little new information provided but MECP staff confirmed that there will be a draft Regulation on CA programs and services circulated for review later this Fall. Ministry staff advised that details about transition for the new changes will follow in the future and, in some cases, be detailed through future Regulations.

As of November 16, 2020, Bill 229 was to be considered for Second Reading by the Ontario Legislature. The posting for the proposed changes to the CAA can be found at: <https://ero.ontario.ca/notice/019-2646>.

Discussion:

The changes contemplated under Bill 229 are significant to not only the NPCA but to all CAs. NPCA staff have been working to understand the full implications of the proposed changes, however, much remains unknown until further Regulations are developed or more details provided by the Province.

NPCA supports the changes made to enhance the transparency and accountability of conservation authorities. Changes proposed have already been implemented to provide highest level of customer service standards and transparency to our communities. However, several amendments are contrary to the recommendations in the 2018 Auditor General's (AG) Report on the NPCA Audit.

Governance

The proposed governance model seems to be unprecedented (against standards of good governance) and potentially unworkable in practice.

The standards of care for directors are set out under the Business Corporations Act: *"Every director and officer of a corporation in exercising his or her powers and discharging his or her duties to the corporation shall, (a) act honestly and in good faith with a view to the best interests of the corporation....; and (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances"*.

The proposed changes are contrary to the fiduciary responsibilities of a public body and challenges the purpose of CAs to address watershed issues that transcend municipal boundaries. The Auditor General in her Audit recommended that the Ministry of the Environment, Conservation and Parks clarify board members' accountability to the CA, to which the ministry response was in agreement.

Additionally, NPCA's community appointed members bring a diverse range of expertise and skill set to the current Board. The proposed amendments are of concern to both NPCA and our partner municipalities as municipalities will no longer be able to appoint a member of the public to the Board and the specification of 'municipal councilor' rather than "municipally elected official" may exclude Mayors.

Over the past two years, NPCA has invested significant time and resources to successfully deliver on the Auditor General's recommendations specifically related to strengthening the NPCA's Governance as well as Planning and Enforcement functions. Staff are concerned that the proposed changes would be a step back for CAs and undo this work. At the time of drafting this report staff were in the process reaching out to the AG's office for direction.

Mandate of CA (Objects Powers and Duties Section 20 and 21 of CAA)

The proposed changes to a CA's mandate are problematic. CAs are resource management agencies and have a long history of studying and understanding our watersheds. This has significantly assisted our municipal partners in their work, particularly around Land Use Planning, in understanding priority areas for protection and restoration. We also provide residents of our watershed with important programs for restoration that is not provided by any other level of government. Removal of the Natural Resource Mandate of CAs as stated in Section 20 opens the door for the Province to scale back the important work of CAs such as watershed-scale monitoring, data collection management and modelling; watershed-scale studies, plans, assessments and strategies; and watershed-wide actions including stewardship, communication, outreach and education activities that protect our environment on a watershed basis. CAs will now have to rely on the Province to include these functions specifically in a Regulation.

Planning and Permitting (Section 28 CAA)

CA's have a critical role in protecting lives and property from natural hazards and we achieve that through our permit process and our involvement in municipal Land Use Planning. The proposed amendments will limit a CA's ability to undertake non-partisan, transparent, and technically sound decision making and will allow individuals to circumvent the technical CA permitting process.

The MECP has indicated that the proposed changes around appeals being heard by the LPAT is intended to make the Permit process more efficient. NPCA staff are concerned that given the appeal periods specified in the proposed changes combined with the amount of time it takes to go through an appeal at the LPAT, this will have the opposite effect on Permit timelines. In addition, where the Minister issues an order to make a decision on a Permit application, it is not clear how decisions would be made and if watershed context, or CA Board of Directors' approved regulatory policies will be regarded. CA staff provide evidence-based expertise on a diverse range of technical issues including, water resources engineering, environmental planning and ecology, necessary for sound decision making. It is not clear who will provide this advice to the Minister in making these decisions. This process may be perceived as lacking transparency.

For the reasons stated above, the proposed changes will result in increased legal costs to CA's municipalities, and/or all Permit applicants. Staff will end up spending a significant amount of time preparing for and attending unnecessary LPAT hearings and will lead to a more burdensome, litigious and adversarial process. This will set back the Client Service improvements undertaken by CA's in the past few years.

The Mining and Lands Tribunal has the case law history and experience in adjudicating CAA cases. It is not clear what support will be available to LPAT members to be able to provide timely, consistent and sound decisions.

Finally, the proposed changes would see the removal of the unproclaimed Section that would have enabled a Stop-Work Order for enforcement purposes. This tool was recently added to the legislation (2019), after years of debate, to enable CAs to immediately stop activities which could cause high risk to life and property and environmental damage and allow time for a negotiated resolution of the matter. This is a major setback as CA's would continue to lack the legal authority to require a person committing a violation to cease. The violation could continue while the CA is investigating, leaving the only recourse for the CA to be to seek a court injunction.

Land Use Planning

The loss of the right of appeal for a CA on Land Use Planning decisions is concerning. This creates the potential for decisions contrary to CA Regulations or hazard mandate being left unchallenged. It would also mean that a CA could be in a position where a Permit cannot be issued for a project authorized by a municipality. This would add considerable delays for developers and runs contrary to streamlining CA roles in Permitting and Land Use Planning.

This change is also of significant concern for NPCA as a Landowner as it takes away NPCA's right to appeal planning decisions as a landowner when infrastructure or other activities may be proposed on CA lands.

The 2019 Provincial Flood Advisor's report noted the important role that CAs play in the Land Use Planning process. The main legislative tools used to manage flood risk, the report states, include the Planning Act together with the Provincial Policy Statement (PPS) and the CAA. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the province, planning authorities, and conservation authorities to work together. This change may also limit future ability of CA's to address extreme weather and climate change issues.

Transition Provisions

NPCA staff have learned that the expected transition period for the implementation of municipal MOUs would be one year, such that the changes would take effect January 2022 budget year.

This timeline is seriously problematic as Regulations may only be finalized in mid-year 2021 leaving inappropriate amount of time to finalize MOUs and address program changes in 2022 budgets. NPCA's partners municipalities may also not be able to meet this timeframe.

NPCA Advocacy and Communication Activities

- Letter to the Premier, Ministers of Municipal Affairs and Housing, Natural Resources and Forestry, and Environment, Conservation and Parks, as well as the Auditor General (Appendix 2)
- A media statement and subsequent media release issued
- Letters have been sent to all to NPCA partnering municipalities to ask for their endorsement (Appendix 3)
- Chair, Vice Chair and CAO met both MPP Skelly and Oosterhoff to discuss our concerns and next steps.
- Letters have been sent to all area MPPs (Appendix 4)
- CAO, Chair and Vice Chair are also entertaining Media inquiries.
- Key messages are being distributed through various media platforms.

NPCA's Public Advisory Committee is being updated on a regular basis and NPCA is working closely with Conservation Ontario and neighboring conservation authorities.

Financial Implications:

The proposed changes to the CAA, specifically to a CA's mandate, will have significant future budget implications and increased financial costs resulting from delays and legal actions. The full financial

implications of these changes will not be known until we see the proposed Regulation for CA programs and services, which is supposed to be available for comment this Fall.

Related Reports and Appendices:

- Appendix 1 – Summary of Proposed Amendments to the Conservation Authorities Act & Planning Act through Bill 229 and Implications
- Appendix 2 – Draft Letter to the Premier, Ministers and Auditor General
- Appendix 3 – Example of Municipal Letter
- Appendix 4 – Example of MPP letter

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**Summary of Proposed Amendments to the *Conservation Authorities Act*
& *Planning Act* through Bill 229 and Implications**

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Existing aboriginal or treaty rights</p> <p>Section 1 is amended to include a non-abrogation clause with respect to aboriginal and treaty rights.</p>	<p>No concern.</p>
<p>Members of authority</p> <p>Section 14 is amended to ensure that the members of a conservation authority that are appointed by participating municipalities are municipal councillors. The Minister is given the authority to appoint an additional member to a conservation authority to represent the agricultural sector. The powers to define in regulation the composition, appointment or minimum qualifications for a member of the Board have been repealed. The duties of a member are amended, every member is to act honestly and in good faith and shall generally act on behalf of their respective municipalities.</p>	<p>There may be a municipal concern. Municipalities will no longer be able to appoint a member of the public to the Board and the specification of ‘municipal councillor’ rather than “municipally elected official” may exclude Mayors.</p> <p>There may be a municipal concern. Should the Minister choose to appoint a member to represent the agricultural sector it is assumed that candidates would apply through the Public Appointments Secretariat. It is also assumed that these appointments would have the same voting privileges as all members and would be entitled to receive per diems and to be appointed as the chair or vice-chair.</p> <p>There may be a municipal concern. There is no opportunity to manage these legislative amendments through the regulations process as Bill 229 has removed the ability to prescribe by regulation, the composition, appointment, or qualifications of members of CAs.</p> <p>Significant concern. The amendment that would require members to act on behalf of their respective municipalities contradicts the fiduciary duty of a Board Member to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the broader watershed interests further to the purpose of the Act.</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Meetings of authorities</p> <p>Section 15 is amended to require that meeting agendas be available to the public before a meeting takes place and that minutes of meetings be available to the public within 30 days after a meeting. They are to be made available to the public online.</p>	<p>No concern. CA Administrative By-Laws were completed by the December 2018 legislated deadline and, as a best practice, should already address making key documents publicly available; including meeting agendas and meeting minutes.</p>
<p>Chair/vice-chair</p> <p>Section 17 is amended to clarify that the term of appointment for a chair or vice-chair is one year and they cannot serve for more than two consecutive terms.</p>	<p>There may be a municipal concern. Municipal Councillor interest and availability regarding this requirement is to be determined.</p>
<p>Objects</p> <p>Section 20 objects of a conservation authority are to provide the mandatory, municipal or other programs and services required or permitted under the Act and regulations.</p>	<p>No concern. Previously the objects of an authority were to undertake programs and services designed to further the conservation, restoration, development and management of natural resources. This is still reflected in the Purpose of the Act. The objects now reference the mandatory and non-mandatory programs and services to be delivered. The “other programs and services” clause indicates that “an authority may provide within its area of jurisdiction such other programs and services as the authority determines are advisable to further the purposes of this Act”.</p>
<p>Powers of authorities</p> <p>Section 21 amendments to the powers of an Authority including altering the power to enter onto land without the permission of the owner and removing the power to expropriate land.</p>	<p>No concern</p>
<p>Programs and Services</p> <p>Section 21.1 requires an authority to provide mandatory programs and services that are prescribed by regulation and meet the requirements set out in that section. Section 21.1.1 allows authorities to enter into agreements with participating municipalities to provide programs and services on behalf of the municipalities, subject to the regulations.</p>	<p>Significant concern. The basic framework of mandatory, municipal and other program and services has not changed from the previously adopted but not yet proclaimed amendments to the legislation. What has now changed is that municipal programs and services and other programs and services are subject to such standards and requirements as may be prescribed by regulation. Potentially the regulations could</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Section 21.1.2 would allow authorities to provide such other programs and services as it determines are advisable to further the purposes of the Act, subject to the regulations.</p>	<p>restrict what the Authority is able to do for its member municipalities or to further the purpose of the Act.</p>
<p>Agreements for ‘other programs and services’</p> <p>An authority is required to enter into agreements with the participating municipalities in its jurisdiction if any municipal funding is needed to recover costs for the programs or services provided under section 21.1.2 (i.e. other program and services). A transition plan shall be developed by an authority to prepare for entering into agreements relating to the recovery of costs. <i>*All programs and services must be provided in accordance with any prescribed standards and requirements.* NOTE- this new addition is addressed as a significant concern under Programs and Services above.</i></p>	<p>Potential concern. This appears to be a continuation of an amendment previously adopted but not yet proclaimed. MECP staff indicate that the current expectation is that the plan in the roll-out of consultations on regulations is that the Mandatory programs and services regulation is to be posted in the next few weeks. It is noted that this will set the framework for what is then non-mandatory and requiring agreements and transition periods. MECP staff further indicated “changes would be implemented in the CA 2022 budgets” which is interpreted to mean that the Transition period is proposed to end December 2021. Subject to the availability of the prescribed regulations this date is anticipated to be challenging for coordination with CA and municipal budget processes.</p>
<p>Fees for programs and services</p> <p>Section 21.2 of the Act allows a person who is charged a fee for a program or service provided by an authority to apply to the authority to reconsider the fee. Section 21.2 is amended to require the authority to make a decision upon reconsideration of a fee within 30 days. Further, the amendments allow a person to appeal the decision to the Local Planning Appeal Tribunal or to bring the matter directly to the Tribunal if the authority fails to render a decision within 30 days.</p>	<p>Some concern. Multiple appeals of fees have the potential to undermine CA Board direction with regard to cost recovery and to divert both financial and staff resources away from the primary work of the conservation authority.</p>
<p>Provincial oversight</p> <p>New sections 23.2 and 23.3 of the Act would allow the Minister to take certain actions after reviewing a report on an investigation into an authority’s operations. The Minister may order the authority to do anything to prevent or remedy non-compliance with the Act. The Minister may also recommend that the Lieutenant Governor in Council</p>	<p>No concern. This appears to be an expansion of powers previously provided to the Minister.</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>appoint an administrator to take over the control and operations of the authority.</p>	
<p>Ministerial Review of Permit Decisions</p> <p>Subsection 28.1 (8) of the Act currently allows a person who applied to a conservation authority for a permit under subsection 28.1 (1) to appeal that decision to the Minister if the authority has refused the permit or issued it subject to conditions. Subsection 28.1 (8) is repealed and replaced with provisions that allow the applicant to choose to seek a review of the authority’s decision by the Minister or, if the Minister does not conduct such a review, to appeal the decision to the Local Planning Appeal Tribunal within 90 days after the decision is made. Furthermore, if the authority fails to make a decision with respect to an application within 120 days after the application is submitted, the applicant may appeal the application directly to the Tribunal.</p>	<p>Significant concern. These amendments provide two pathways for an applicant to appeal a decision of an Authority to deny a permit or the conditions on a permit. One is to ask the Minister to review the decision; the other is to appeal directly to the Local Planning Appeal Tribunal. Appeals brought through these processes will create additional workload for the Authority and increase the amount of time that a permit appeal process takes.</p> <p>New guidelines will need to be created to support the Minister and the LPAT in their decision-making processes. There is no reference to a complete application being submitted prior to the 120 day “clock” being started.</p>
<p>Minister’s Order Re. S. 28 Permit</p> <p>New section 28.1.1 of the Act allows the Minister to order a conservation authority not to issue a permit to engage in an activity that, without the permit, would be prohibited under section 28 of the Act. After making such an order the Minister may issue the permit instead of the conservation authority.</p>	<p>Significant concern. These powers appear to be similar to a Minister Zoning Order provided for under the <i>Planning Act</i>. Should the Minister decide to use these powers it is appears that the CA may be required to ensure compliance with the Minister’s permit.</p>
<p>Cancellation of Permits</p> <p>Section 28.3 of the Act is amended to allow a decision of a conservation authority to cancel a permit or to make another decision under subsection 28.3 (5) to be appealed by the permit holder to the Local Planning Appeal Tribunal.</p>	<p>Some concern. Some conservation authorities use the cancellation of a permit as part of their compliance approach; the ability to appeal to the LPAT will add 90 days to the process prior to a LPAT hearing taking place. Renders the tool ineffective if the permit holder decides to appeal.</p>
<p>Entry Without Warrant, Permit Application</p>	<p>Some concern. The changes are to amendments previously adopted but not proclaimed. For considering a permit application, the officer is now required to give reasonable notice to the owner and to the</p>

Description of Proposed Amendments	Implications to Conservation Authorities
Subsection 30.2 (permit application) of the Act sets out circumstances in which an officer may enter land within the area of jurisdictions of an authority. Those circumstances are revised.	occupier of the property, which may result in increased administrative burden for the CA. It also appears to remove the ability to bring experts onto the site.
<p>Entry Without Warrant, Compliance</p> <p>Subsection 30.2 (compliance) of the Act sets out circumstances in which an officer may enter land within the area of jurisdictions of an authority. Those circumstances are revised.</p>	<p>Significant/Some concern. The revisions essentially undo any enhanced powers of entry found within the yet to be proclaimed enforcement and offences section of the Act. The result is that CAs essentially maintain their existing powers of entry, which are quite limited. Conservation authorities will likely have to rely on search warrants to gain entry to a property where compliance is a concern. Reasonable grounds for obtaining a search warrant cannot be obtained where the activity cannot be viewed without entry onto the property (i.e. from the road).</p>
<p>Stop (work) Order</p> <p>Section 30.4 of the Act is repealed. That section, which has not yet been proclaimed and which would have given officers the power to issue stop orders to persons carrying on activities that could contravene or are contravening the Act, is repealed.</p>	<p>Significant concern. This is an important enforcement tool that conservation authorities have been requesting for years. Without this tool, conservation authorities must obtain an injunction to stop unauthorized activities which represents a significant cost to the taxpayers.</p>
<p>Regulations Made By Minister and LGIC</p> <p>The regulation making authority in section 40 is re-enacted to reflect amendments in the Schedule.</p>	<p>No concern.</p>
<p>Throughout the legislation all references to the Mining and Lands Commissioner has been replaced with the Local Planning Appeal Tribunal</p>	<p>Some concern. The LPAT lacks the specialized knowledge that the MLT has with regard to S. 28 applications. There is also a significant backlog of cases at the LPAT.</p>
<p>Planning Act – Exclusion of CAs as Public Body</p> <p>Subsection 1(2) of the <i>Planning Act</i> is amended to remove Conservation Authorities as a public body under the legislation. Conservation</p>	<p>Significant concern. There is lack of clarity on the implications of this amendment.</p> <p>The intent of the amendment is to remove from conservation authorities the ability to appeal to LPAT any <i>Planning Act</i> decisions as a public body or to become a party to an appeal. Conservation</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>authorities will not be able to independently appeal or become a party to an appeal as a public body at the LPAT.</p>	<p>authorities will instead be required to operate through the provincial one window approach, with comments and appeals coordinated through MMAH. Note that the one window planning system is typically enacted for the review of Official Plans and Official Plan Amendments. It is expected that conservation authorities will retain the ability to appeal a decision that adversely affects land that it owns however that has not been confirmed.</p>

November 19, 2020

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

Dear Premier Ford,

RE: Bill 229 Schedule 6 - Changes to Conservation Authorities Act

The Niagara Peninsula Conservation Authority (NPCA) has been committed to keeping the environment, people and property of our watershed safe from natural hazards for the past 61 years with a mandate to further the conservation, restoration, development and management of natural resources in our watershed.

We are writing to express our extreme concern with regards to Schedule 6 of Bill 229. The proposed changes have a direct negative impact on decades of on-the-ground watershed planning, monitoring, and ecosystem management measures put in place to keep our residents safe from natural hazards and protect Ontario's precious natural resources for future generations. The need for investment in green space for the health and well being of our communities has been clearly exposed during the COVID Pandemic. Local CA's were challenged to deploy resources on the frontlines for the mental and physical well being of our communities.

NPCA appreciates the need for transparency and accountability. Over the past few years, we have invested heavily in implementing measures for the highest standards of customer service for our residents. For the NPCA, this work was initiated as the result of the 2018 Special Audit of NPCA by the Office of the Auditor General of Ontario (OAGO) and has been fully implemented. For most CA's, Administrative By-Laws are completed and already address these concerns including making key documents publicly available including; meeting agendas, meeting minutes, and annual audits.

We would like to stress that a majority of proposed amendments contained within Schedule 6 of Bill 229 are contrary to the spirit of Auditor Generals recommendations, against the basic standards of good governance, and disrespect watershed science and evidence-based planning decisions.

The proposed changes are contrary to the fiduciary responsibilities of a public body and challenges the purpose of CAs to address watershed issues that transcend municipal boundaries. The Auditor General, in her Audit, recommended that the Ministry of the Environment, Conservation and Parks clarify board members' accountability to the CA, to which the ministry responded in agreement.

Additionally, NPCA's community appointed members (as with all CA's community appointed members) bring a diverse range of expertise and skill set to the current Board. The proposed amendments are of concern to both NPCA and our partner municipalities as municipalities will no longer be able to appoint a member of the public to the Board. Also, the specification of 'municipal councillor' rather than "municipally elected official" may exclude Mayors.

The proposed changes to a CA's mandate are problematic. CAs are resource management agencies and have a long history of studying and understanding our watersheds. This has significantly assisted our municipal partners in their work, particularly around Land Use Planning, in understanding priority areas for protection and restoration. We also provide residents of our watershed with important programs for restoration that is not provided by any other level of government. Removal of the Natural Resource Mandate of CAs as stated in Section 20 opens the door for the Province to scale back the important work of CAs such as watershed-scale monitoring, data collection management and modelling; watershed-scale studies, plans, assessments and strategies; and watershed-wide actions including stewardship, communication, outreach and education activities that protect our environment on a watershed basis. CAs will now have to rely on the Province to include these functions specifically in a Regulation.

As you are also aware, CA's have a critical role in protecting lives and property from natural hazards and we achieve that through our Permit process and our involvement in municipal Land Use Planning. The proposed amendments will limit a CA's ability to undertake non-partisan, transparent, and technically sound decision making and will allow individuals to circumvent the technical CA permitting process.

The MECP has indicated that the proposed changes around appeals being heard by the LPAT is intended to make the Permit process more efficient. We are concerned that given the appeal periods specified in the proposed changes combined with the amount of time it takes to go through an appeal at the LPAT, this will have the opposite effect on Permit timelines. In addition, where the Minister issues an order to make a decision on a Permit application, it is not clear how decisions would be made and if watershed context, or CA Board of Directors' approved regulatory policies will be regarded. CA staff provide evidence-based expertise on a diverse range of technical issues including, water resources engineering, environmental planning and ecology, necessary for sound decision making. This newly proposed process may be perceived as lacking transparency.

For the reasons stated above, the proposed changes will result in increased legal costs to CA's municipalities, and/or all Permit applicants. Staff will end up spending significant amount of time preparing for and attending unnecessary LPAT hearings and will lead to a more burdensome, litigious and adversarial process. This will significantly set back the Client Service improvements undertaken by CA's in the past few years.

The Mining and Lands Tribunal has the case law history and experience in adjudicating Conservation Authorities Act cases. It is not clear what support will be available to LPAT members to be able to provide timely, consistent and sound decisions.

As presented, the proposed changes would see the removal of the unproclaimed Sections that would have enabled a Stop-Work Order for enforcement purposes. This tool was recently added to the legislation (2019), after years of debate, to enable CAs to immediately stop activities which could cause high risk to life and property and environmental damage and allow time for a negotiated resolution of the matter. This is a major setback as CA's would continue to lack the legal authority to require a person committing a violation to cease. The violation could continue while the CA is investigating leaving the only recourse for the CA to seek a court injunction thus further burdening an already overwhelmed legal system.

In the protection of life and property from natural hazards, the guidance Conservation Authorities generally follow is provided directly from the Province, if there is an issue with the way permitting decisions are being made by the CA's, then addressing the outdated guidance from the Province

would be somewhere to start. The current direction that has been taken by-passes the necessary work the Province needs to do to update the process and instead chooses to undermine the organization that is tasked with completing this work. This is extremely short-sighted, and it does not solve the underlying issues. The Province needs to make a commitment to begin to uphold their responsibility to provide adequate, clear, up-to-date and fair guidance to ensure that any decisions being made with respect to natural hazards, are done in the best interest of the Province of Ontario and ALL of the people that live here, political-interests and self-interests aside.

The loss of the right of appeal for a CA on Land Use Planning decisions is concerning. This creates the potential for decisions contrary to CA Regulations or hazard mandate being left unchallenged. It would also mean that a CA could be in a position where a Permit cannot be issued for a project authorized by a municipality. This would add considerable delays for developers and runs contrary to streamlining CA roles in Permitting and Land Use Planning.

This change is also of significant concern for NPCA as a Landowner as it takes away NPCA's right to appeal planning decisions as a landowner when infrastructure or other activities may be proposed on CA lands.

The 2019 Provincial Flood Advisor's report noted the important role that CAs play in the Land Use Planning process. This report states the main legislative tools used to manage flood risk include the Planning Act together with the Provincial Policy Statement (PPS) and the Conservation Authorities Act. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the province, planning authorities, and conservation authorities to work together. This change may also limit future ability of CA's to address extreme weather and climate change issues.

As such, the NPCA Board of Directors respectfully requests that the Government of Ontario remove the proposed Schedule 6 from Bill 229 and continue to work with Conservation Ontario and the 36 Conservation Authorities on regulations proposed under the previous Bill 108 to achieve the desired improvements within the Conservation Authorities Act.

Thank you for your kind consideration and understanding the urgency of this matter. For any questions, or clarity on these matters kindly contact CAO, Chandra Sharma at csharma@npca.ca or 905-788-3135.

Respectfully,

Brenda Johnson
Chair, NPCA

Bruce MacKenzie
Vice Chair, NPCA

Cc Bonnie Lysyk - Auditor General of Ontario
Honourable Steve Clark - Minister of Municipal Affairs and Housing
Honourable John Yakabuski – Minister of Natural Resources and Forestry
Honourable Jeff Yurek - Minister of the Environment, Conservation and Parks
Honourable Rod Phillips – Minister of Finance



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November 16, 2020

Mayor Hewitt and Council
 P.O. Box 400
 Cayuga, ON
 L8P 4Y5

Dear Mayor Hewitt and Council,

RE: Changes to Conservation Authorities Act and Conservation Authorities' Role in Land Use Planning

The Niagara Peninsula Conservation Authority (NPCA) has been keeping the environment, people and property of our watershed safe from natural hazards for the past 61 years with a mandate to further the conservation, restoration, development and management of natural resources across Niagara, Hamilton and Haldimand watersheds. Collaboration with NPCA's municipal partners has been a critical factor in our collective success on the ground.

Schedule 6 of Bill 229, proposes amendments which we believe have the potential to add significant delays in the planning and permitting process, add costs and have the potential for significant impacts on our collective ability to provide flooding and natural hazards management/protection and drinking water protection to our communities. The proposed changes also appear contrary to the Special Advisor's Report on Flooding and Ontario's Flooding Strategy, as well the 2018 Special Audit of NPCA by the Office of the Auditor General of Ontario (OAGO).

During the Pandemic, NPCA experienced an increase in illegal activities on our lands and regulated areas. In regards to our enforcement functions, conservation authorities must rely on their municipal partners to assist with stop orders under municipal by-laws or the Building Code, when appropriate. This puts undue stress on municipalities to provide services to the conservation authorities (CA's). Major offences result in unnecessary costs to conservation authority and municipal budgets, as well as to the taxpayers/property owners for damages.

Under the proposed changes, if applicants are not satisfied with decisions made by the Hearing Boards (CA Board of Directors or Executive), then applicants can now appeal directly to the Minister or to the Local Planning Appeal Tribunal (LPAT). These changes could add significant delays and more costs for developers, municipalities, conservation authorities and the Province to manage the excessive appeal system.

Over the past few years, we have invested heavily in implementing measures for the highest standards of customer service for our residents. We have also invested significantly on improved governance based on the Auditor General's recommendations. We believe that Board appointments remain the decision of the municipality in consultation with conservation authorities. We have made great strides and seek your support to ensure that we will be able to continue to build on our successes.

We are writing to seek the endorsement from our municipal partners through adoption of appropriate resolution. (A sample resolution is attached for your consideration.) We request your support in encouraging the Province of Ontario to work with conservation authorities to address

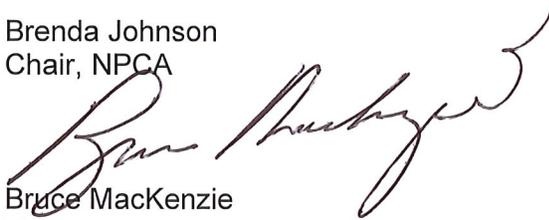
their concerns and to repeal or amend changes to the *Conservation Authorities Act* and the *Planning Act*.

For any questions, or clarity on these matters kindly contact CAO, Chandra Sharma at csharma@npca.ca or 905-788-3135.

Respectfully,



Brenda Johnson
Chair, NPCA



Bruce MacKenzie
Vice Chair, NPCA

Proposed Resolution for Municipalities

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, and engaging in review and appeal of municipal planning applications:

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the *Planning Act*;

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;

WHEREAS municipalities require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected;

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed;

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative;

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process;

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

THEREFORE, BE IT RESOLVED:

1. **THAT** the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the *Conservation Authorities Act* and the *Planning Act*.
2. **THAT** the Province of Ontario delay enactment of clauses affecting municipal concerns.
3. **THAT** the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes.
4. **THAT** the Province respect the current conservation authority/municipal relationships.
5. **AND THAT** the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
 Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

November 16, 2020

Wayne Gates
 MPP, Niagara Falls
 Constituency Office
 Unit 1
 6746 Morrison St.
 Niagara Falls, ON
 L2E 6Z8

Dear Mr. Gates,

RE: Changes to Conservation Authorities Act and Conservation Authorities' Role in Land Use Planning

The Niagara Peninsula Conservation Authority (NPCA) has been keeping the environment, people and property of our watershed safe from natural hazards for the past 61 years with a mandate to further the conservation, restoration, development and management of natural resources in our watershed.

We are writing to express our extreme concern about Bill 229. The proposed changes have a direct negative impact on decades of on-the-ground watershed planning, monitoring, and ecosystem management measures put in place to keep our residents safe from natural hazards and protect Ontario's precious natural resources for future generations. The need for investment in green space for the health and well being of our communities was clearly exposed during the COVID Pandemic. Local CA's were challenged to deploy resources on the frontlines for the well being of our communities.

NPCA appreciates the need for transparency and accountability. Over the past few years, we have invested heavily in implementing measures for the highest standards of customer service for our residents. For NPCA, this work was initiated as the result of 2018 Special Audit of NPCA by the Office of the Auditor General of Ontario (OAGO) and has been fully implemented. For most CA's, Administrative By-Laws are completed and already address these concerns including making key documents publicly available; including meeting agendas, meeting minutes, and annual audits.

We note that a majority of proposed amendments are contrary to the spirit of Auditor Generals recommendations, against the basic standards of good governance, and disrespect watershed science and evidence-based planning decisions. We respectfully state that:

1. Proposed changes to both the *Conservation Authorities Act* and the *Planning Act* risk watering down or losing the conservation authorities' science-based watershed approach which currently protects Ontario's environment.
2. Proposed changes will actually create more costs, delays and red tape around permit and planning applications and appeals.
3. Limiting Conservation Authorities ability to independently appeal decisions made around permits and municipal planning applications will put more people and infrastructure at risk of flooding and other natural hazards and add additional stressors to Ontario's biodiversity.

OUR ASKS

NPCA respectfully asks you to consider the impacts these proposed changes will have on the safety of your local environment, your constituents and their safety and we request:

1. That Province take a step back and rethink the provisions of Schedule 6. That the proposed Schedule 6 not be enacted in its present form. Ministry officials continue to work with CA's in good faith on regulations as proposed under previous Bill 108.
2. **Section 20 Mandate:** That the "Natural Resource Mandate" of CA's as stated in Section 20 be respected to allow for important work on watershed-scale monitoring, data collection management and modelling; watershed-scale studies, plans, assessments and strategies; and watershed-wide actions including stewardship, communication, outreach and education activities that protect our environment on a watershed basis.
3. **Planning Act Amendment:** That an amendment be made to limit appeals as a public body to conformity with section 3.1 (natural hazards) of the Provincial Policy Statement. Retain the ability of CAs as landowners to participate in appeals affecting their land.
4. **Section 28:** The proposed amendments to the Section 28 regulation will **negatively impact a CA's ability to protect life and property**, through limiting a CA's ability to independently apply their watershed science, allowing individuals to circumvent the CA permitting process and by tying up CA staff in unnecessary appeal processes. This proposal does not improve transparency, consistency in decision-making and nor does it streamline the process. In fact, this proposal will result in a significantly longer approval process which might jeopardize the health or safety of persons or result in the damage or destruction of property.
5. Amend or Specify in the legislation that the appeal for a non-decision after 120 days can only be made when the conservation authority has deemed the application to be complete.
6. Amend or Enact one of the three possible alternatives in its place: a) Develop provincial guidance that defines how to establish fees in consultation with municipal partners and other stakeholders. If the CA is not in compliance with the guidance, the Minister could make an order under S. 23 to amend the CA fees policy. B) Enable the fee policy to go through public consultation via the ERO or C) require the approval of the Minister of the CA fee policy to avoid multiple appeals regarding the same fee schedule. Remove the right of appeal to the LPAT.
7. Repeal. Conservation authorities' inability to stop work has a significant negative impact on public health and safety. Laying charges and obtaining court injunctions is unnecessarily costly for the taxpayers and the accused.
8. **Regulation making powers for prescribing standards and requirements for Non-Mandatory (i.e. Local) programs and services:** Repeal All clauses and amendments relating to the ability to prescribe standards and requirements (including repeal of Section 21.1.1(5), Section 21.1.2 Prescribed Standards, Section 21.1.2 (3) b) Terms and Conditions, and Section 21.1.2(4) Conflict; and Including amendment of i.e. deletion of references to regulations in Section 21.1.1(1), and, 21.1.2 (1).

9. **Governance 4a – Duty of Members:** Repeal the change to the ‘Duty of Members’ from furthering the objects of the authority to representing the interest of their municipality. It contradicts the fiduciary duty of a Board Member to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the broader watershed interests further to the purpose of the Act. It basically undermines the ability of the CA Board to address the broader environmental/resource management issues facing our watersheds today. Discourse on these issues and consideration of programs and services that address watershed-wide issues that span municipal boundaries is paramount in a time of increasing climate change, etc.
10. **Member Appointments:** A number of amendments have been made regarding CA Board appointments. Of concern are new clauses that require municipalities to only appoint municipal councillors and that the Chair/Vice Chair rotate every two years between different municipalities.

There is no opportunity to manage these legislative amendments through the regulations process as Bill 229 has removed the ability to prescribe by regulation, the composition, appointment, or qualifications of members of CAs. Given the already identified regulatory consultations planned and the pressures from COVID exacerbating municipal councillors’ time, respectfully request that proclamation of these governance changes be delayed for at least a few years. This would allow time for CA’s to collaboratively work on the necessary policies to support effective Board governance.

We recommend that Board appointments should remain the decision of the municipality but there will be practical limitations for these new requirements to be met (e.g. some CAs have only one or a few municipalities in their jurisdiction; some have more than 50% citizen appointees).

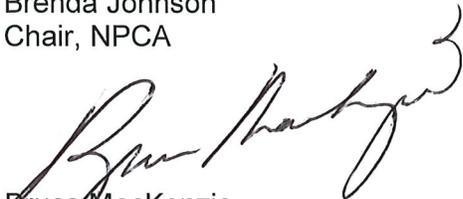
We request delay in proclamation until after regulations consultations are completed over the next number of years with appropriate parties.

Thank you for your kind consideration and understanding the urgency of this matter. For any questions, or clarity on these matters kindly contact CAO, Chandra Sharma at csharma@npca.ca or 905-788-3135.

Respectfully,



Brenda Johnson
Chair, NPCA



Bruce MacKenzie
Vice Chair, NPCA

Pilon, Janet

Subject: In-School Speech Therapy Service CONCERN - MEDIA

Importance: High

From: Szczotka Malwina

Sent: Wednesday, November 25, 2020 9:01 AM

Subject: In-School Speech Therapy Service CONCERN - MEDIA

Importance: High

Good morning,

I hope this e mail finds you all well. I am e mailing you all in follow up to the e mail sent last Wednesday, November 19, 2020, to which I have yet to receive a reply from the majority of those it was sent to. As a tax paying citizen and a mother concerned for her son, I must say that it is shocking and concerning that those in a position of power and with the ability to offer help, such as yourselves, are choosing to ignore the pleas of a mother who is advocating for in-school speech therapy for her son. It is appalling actually and borders on negligence.

It does no harm to you to help us, but it does in fact harm the development of my child. If a child required medical assistance would that be withheld? If a child required hands-on assistance with ADLs would that be withheld? I think not. Then why is it, that speech services are being withheld from my son? The evidence is clear that children, such as Theodore, with a neurological motor disorder (Apraxia) REQUIRE intensive speech therapy and you, those in positions of power and in positions to offer help, are choosing to look the other way and ignore it.

This system is lacking and needs improvement. I pay taxes, quite a lot actually, and I chose the Hamilton-Wentworth Catholic District School Board for my son because I was under the impression that it would provide him with the in-class speech services he needs. If the Niagara Catholic Districts School Board can manage in-school speech services for children with Apraxia then I cannot comprehend why the HWCDSB cannot follow suit.

I will not sit idly by and I will continue to e mail, to advocate, and to pursue ALL avenues until this service is offered for my son. The Glanbrook Gazette has made this concern front page (please see attached) and I can promise you I will not stop with there.

I am begging you to please reply and to take action and help Theodore. He does need it, despite what the school SLPs assessment was. Which in my opinion is grossly false, given that she stated in her report that he was 100% intelligible to her. That simply is false because he is NOT 100% intelligible to his parents who know him best. So how, I ask you, can he be that intelligible to her?

The hardest part of living with Apraxia is unpredictable speech errors. One moment you may be able to articulate a word "correctly," then the next moment unable to say that same word. It's a game of uncertainty and a battle just in everyday conversation. Many people don't have to think twice before they speak. So, if my e mail teaches you anything, it's to be aware of how Apraxia can indeed affect someone. It's so much more than a few speech errors now and then. This is why Theodore, and those like him, NEED speech therapy. Please know I am not the only parent struggling and advocating. I have well over 200 parents and supporters who stand by Theodore and my advocating for him.

Please find it in yourself to stop ignoring my pleas because I will not stop until you do just that.

With thanks,

Malwina Stemmler RN, BScN, BSc, RPN

GLANBROOK Gazette.

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MOM FRUSTRATED WITH SCHOOL'S ASSESSMENT PROCESS

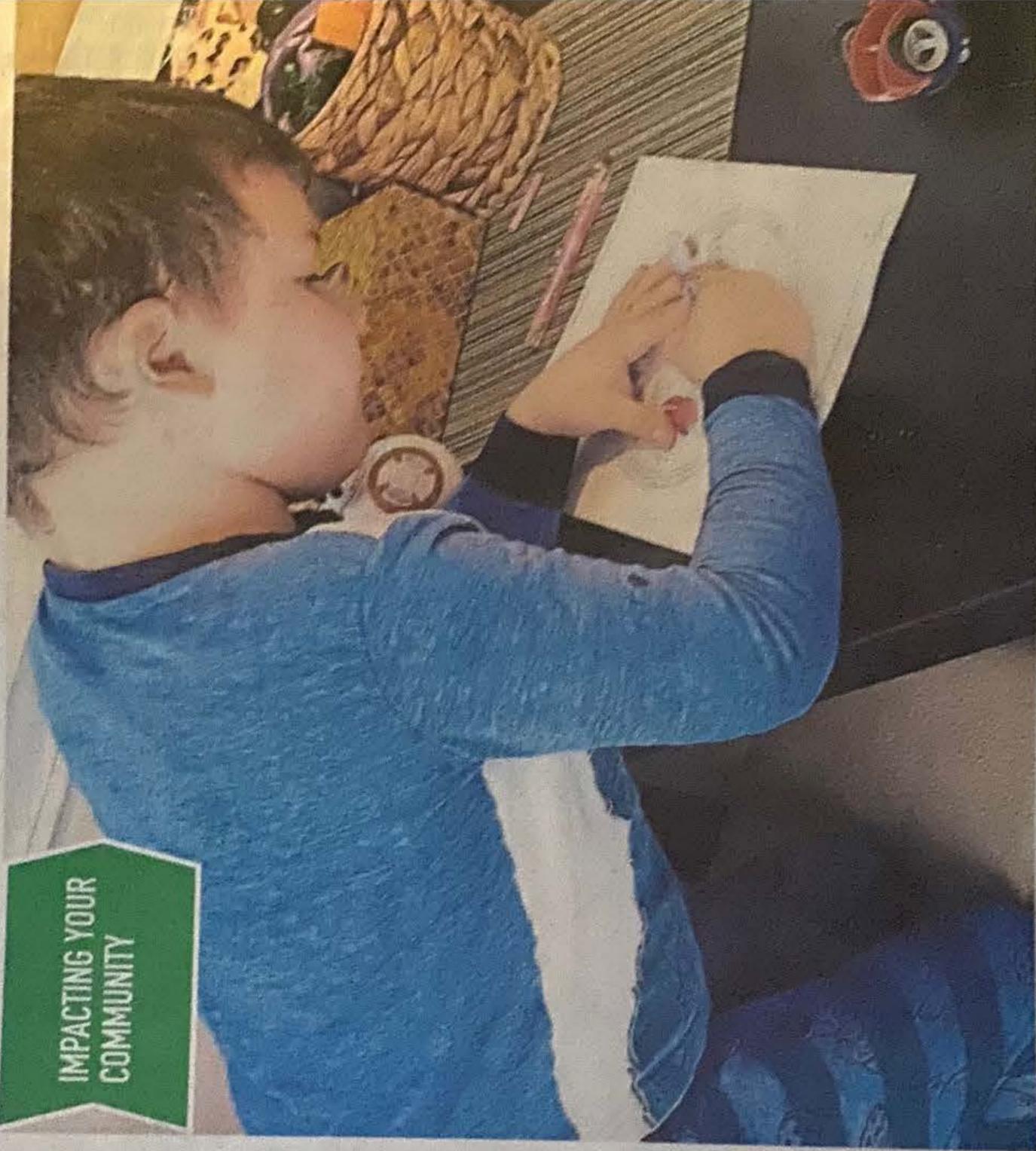
TARA LINDEMANN
tlindemann@sachem.ca

Malwina Stemmler is frustrated with the bureaucratic process she's had to navigate with the Hamilton Wentworth Catholic District School Board to get speech therapy for her five-year-old son Theo.

"It's been definitely a roller-coaster ride," she said.

When Theo was 18 months, it became apparent to Stemmler that he was different, as he didn't have the vocabulary or make the sounds that their oldest child had done at the same age.

"We were turned away initially from a pediatrician who called the 'second child syndrome,' essentially meaning that he was la-



Five-year-old Theo Szczoika has been diagnosed with apraxia, a neurological disorder that affects brain pathway. Theo requires speech therapy.

Malwina Szczoika

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FAMILY WAITED OVER A YEAR FOR ASSESSMENT

Continued from front

zy and that his speech would come around," said Stemmler. "But then by age two, he'd actually lost words."

After seeing multiple pediatricians and a neurologist, Theo was diagnosed with apraxia, a neurological disorder characterized by the loss of ability to execute skilled movements — despite having the desire and the physical ability to do so.

In Theo's case, apraxia meant he has difficulty planning and producing the specific series of movements that are necessary for speech.

Stemmler paid for private speech therapy. Theo also received help from Early Words, a publicly funded speech and language program. This meant he was receiving four half-hour sessions a week, with excellent results.

"His growth in speech just blossomed," said Stemmler. "He flourished."

She said when he reached the stage of making developmentally appropriate errors, he was discharged from Early Words.

He entered junior kindergarten last year with the Hamilton Wentworth Catholic School Board, and that's when the hiccup really began, Stemmler said.

The process for assessment in that board is similar to those of other school boards: a parent initiates contact with the school to request speech-language pathologist services.

With informed parental consent, the school board's speech-language pathologist reviews assessment reports and results, as well as any treatment plan, recommending strategies to the classroom educator team — the teacher and designated early childhood educator.

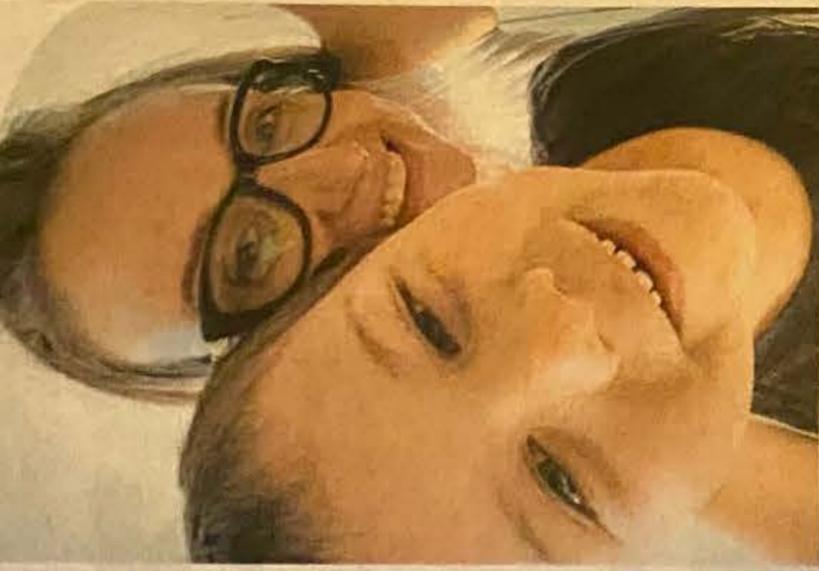
"Each student is unique," stated board spokesperson Marnie Jadon. "Depending on the request, (the speech-language pathologist) will assess (the) student using formal and/or informal measures."

"In addition, (the speech-language pathologist) may observe (the) student interacting with peers in the school environment, as well as interview the teacher."

From there, a classroom plan may or may not be developed.

Stemmler said she was initially thrilled when Theo started school in 2019.

"I was very optimistic because we received a letter from the school speech language pathologist that he qualified for services," she said. "I didn't even know he was being assessed, so I was ecstatic."



Malwina Szczotka's five-year-old son, Theo Szczotka, has been diagnosed with apraxia, a neurological disorder that affects brain pathways. He requires speech therapy.

But the very next day, she received another letter saying that Theo hadn't qualified for services.

"The therapist even said that she felt that maybe he had been misdiagnosed and that it's not apraxia or that he's outgrowing it," said Stemmler. "You can't outgrow it's a lifelong condition."

Stemmler was furious. Then the coronavirus hit and suddenly it was a left school year.

Stemmler said she contacted the speech therapist and her manager multiple times and was told Theo's speech errors weren't atypical of the age and they could reassess when he was six.

Theo is five-and-a-half.

"So why not be proactive and see him now?" asked Stemmler.

She said she continued to push, and now they have agreed to another assessment.

"So, it's actually sitting with him and going through an assessment that's designed for children with speech disorders to see where you fall," she said.

Hamilton Wentworth Catholic District School Board did not respond to the Clarbrook Gazette's questions about potential gaps in its speech and language therapy assessment process.

Stemmler, a nurse, said she learned along the way how to be a strong advocate for her son.

"I worry for the children left behind because their families don't know any better," she said. "I didn't know any better, either."

STORY BEHIND THE STORY: Since

coronavirus pandemic hit, we've been wanting to know how families are obtaining supports for children with special needs in the school system.

I PICKED A MIGRANT EVERYTHING

J.P. ANTONACCI,
LOCAL JOURNALISM
INITIATIVE REPORTER

The message came I was driving through early-morning darkness

"Rain delay," the Simcoe farmer

Schuyler. "Probably noon by the looks of it

My mission was spend the day picking apples with a crew of migrant farm workers. That n

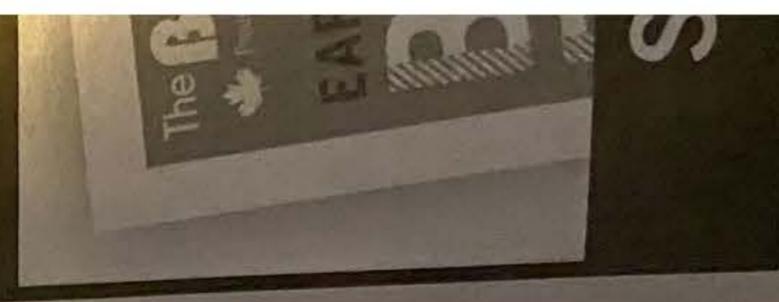
getting to Schuyler Farm by 6:30 a.m., being in the chard by 7, and putting down my bucket at 5 p

Mother Nature, was actually in charge of farm scheduling, had ideas.

In past years, Schuyler might have tried sending crews out. At harvest every minute counts, since the snuffles can prompt a COVID test not worth risking a worker catching a cold and taking a whole bunkhouse of commission.

Picking apples rocket science, but the skill to it.

ON



4.7 (a)

To: All Members of City Council
Re: Sidewalk Snow Removal and Report PW19022(b)

Please accept this letter as correspondence for City Council's December 18, 2020 meeting. The LGBTQ Advisory Committee, at its November 17, 2020 meeting, carried a motion (8.4) to send correspondence to City Council based on the discussion it had at its meeting. The aim of this letter is to share the LGBTAQ's concerns and express support for sidewalk snow removal in the City of Hamilton.

The LGBTQAC had intended to send a letter to the General Issues Committee for its November 18, 2020 meeting or to the November 25, 2020 meeting of City Council but it was not able to meet those deadlines so asks that you receive it for the official record at this time.

Concerns

Committee members shared a number of concerns about snow on the City's sidewalks. Those concerns are as follows.

- Not clearing snow from the City's sidewalks is an issue of accessibility and disability justice. These issues adversely impact Two Spirit and LGBTQIA+ Hamiltonians. The *Mapping the Void* needs assessment that was published by the School of Labour Studies at McMaster University revealed that a disproportionate number of 2SLGBTQIA+ Hamiltonians identify themselves as having a disability (39.3% of the 872 respondents). You can read *Mapping the Void* at <https://labourstudies.mcmaster.ca/documents/mappingthevoid.pdf> (the information referenced here is in section 3.6 on page 21).
- This issue affects every Hamiltonian. While there is a disproportionate impact on Hamiltonians with disabilities, as members of the Advisory Committee for Persons with Disabilities has been saying for many years, those using strollers, carrying or walking children to school or daycare, or those walking pets are also placed in a precarious situation when using many of Hamilton's sidewalks.
- Everyone impacted by this safety issue takes their lives into their hands when they are forced to leave the sidewalk to use the roadway to get around. This risk is often compounded by trying to get over unplowed or unshovelled curb cuts and large mounds of piled up snow and ice that have been improperly stored.

- This issue also disproportionately impacts women (i.e. Personal Support Workers who are predominantly women of colour who are often walking to and from their clients' homes). We heard about injuries last year from women who fell pushing strollers or from people who, forced to wear heels to work, fell and hurt themselves because of poor sidewalk conditions. It is irresponsible of the City to subject its citizens and residents to the impacts of these injuries during a pandemic and flu season.

Support

The LGBTQAC supports sidewalk snow removal in the City of Hamilton and believes it's a matter not only of ensuring the health and safety of all Hamiltonians but an issue of disability justice.

Equity-seeking groups are not siloed from issues of disability justice. We encourage City Council to move forward quickly. Reporting indicates that sidewalk snow removal has been investigated 18 times by the City of Hamilton since 2003. As of the most recent survey, 2/3 of the 1,987 respondents directly indicated that they support a minimal tax increase to clear snow from sidewalks across the city.

We stand with organizations like the Disability Justice Network of Ontario, the Hamilton Centre for Civic Inclusion, and ACORN Hamilton who have been advocating for sidewalk snow removal for years.

This is more important than ever as members of our community continue to be isolated by the COVID-19 pandemic. Physical activity is harder to come by this year and many people have taken up walking outdoors not only as a means of exercise but also to relieve stress and anxiety.

Feelings of security and safety using the City's sidewalks will contribute to the mental health and wellness of those who have been isolated by this issue in the past.

We urge you to make this a priority and to remove snow from the city's sidewalks this winter so that every pedestrian in Hamilton can get around safely.

Sincerely,

Cameron Kroetsch, Chair
on behalf of the LGBTQ Advisory Committee

Pilon, Janet

Subject: Letter to council regarding snow clearing

From: Joshua Weresch
Sent: November 28, 2020 12:30 PM
To: clerk@hamilton.ca
Subject: Letter to council regarding snow clearing

To the ward councillors of Hamilton's city council:

Good afternoon. I hope this finds you well. I write as a life-long resident of Hamilton living in Ward 8, located on Anishinaabeg land, regarding snow clearing.

Kevin Werner in the Mountain News reported, on 26 November 2020, on the continuing debate on clearing snow from side-walks throughout the city. Because the mayor's concerns that a city-led survey on residents' wishes, which were overwhelmingly in favour of snow cleared from all sidewalks across the city, was not an accurate measure, I am writing this letter to be entered into the public record in favour of clearing all snow from all sidewalks across the city, regardless of the cost to municipal taxes.

Please do the right thing as a council and honour residents' wishes by clearing snow from all side-walks so that all can walk and travel without being hampered. Freedom of mobility for all people is absolutely essential for the flourishing of freedoms, generally.

Thank you for your time and attention in these regards.

Kindly,

Joshua Weresch



44816 Harriston Road, RR 1, Gorrie On N0G 1X0
Tel: 519-335-3208 ext 2 Fax: 519-335-6208
www.howick.ca

December 3, 2020

The Honourable Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs

By email only minister.omafra@ontario.ca

Dear Mr. Hardeman:

Please be advised that the following resolution was passed at the December 1, 2020 Howick Council meeting:

Moved by Councillor Hargrave; Seconded by Councillor Illman:

Be it resolved that Council request the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations under the Act that would require tile drainage contractors file farm tile drainage installation plans with the local municipality; and further, this resolution be forwarded to Minister of Agriculture, Food and Rural Affairs, Huron-Bruce MPP Lisa Thompson, Perth-Wellington MPP Randy Pettapiece, Rural Ontario Municipal Association, Ontario Federation of Agriculture, Christian Farmers Federation Of Ontario, Land Improvement Contractors of Ontario, Drainage Superintendents of Ontario and all Ontario municipalities. Carried. Resolution No. 288/20

If you require any further information, please contact this office, thank you.

Yours truly,

Carol Watson

Carol Watson, Clerk
Township of Howick



**Background Information to the Township of Howick
Resolution No. 288-20 Requesting Amendments to the
Agricultural Tile Drainage Installation Act**

Rational for Proposed Amendments

Over the years, Howick Township staff have received many requests for tile drainage information on farmland. Usually these requests come after a change in ownership of the farm. Some of these drainage systems were installed recently but many are 30 to 40 or more years old. Many were installed by contractors who are no longer in business or who have sold the business and records are not available.

Information is generally available if the tile was installed under the Tile Drain Loan Program because a drainage plan is required to be filed with the municipality. If the tile system was installed on a farm without using the Tile Drain Loan Program, there likely are no records on file at the municipal office.

The other benefits to filing tile drainage plans with the municipality are identified in Section 65 of the Drainage Act.

- 65(1) – Subsequent subdivision of land (severance or subdivision)
- 65(3) – Drainage connection into a drain from lands not assessed to the drain
- 65(4) – Drainage disconnection of assessed lands from a drain
- 65(5) – Connecting to a municipal drain without approval from council

Section 14 of the Act states:

(1) “The Lieutenant Governor in Council may make regulations,

(a) providing for the manner of issuing licences and prescribing their duration, the fees payable therefor and the terms and conditions on which they are issued;

(a.1) exempting classes of persons from the requirement under section 2 to hold a licence, in such circumstances as may be prescribed and subject to such restrictions as may be prescribed;

(b) Repealed: 1994, c. 27, s. 8 (5).

(c) establishing classes of machine operators and prescribing the qualifications for each class and the duties that may be performed by each class;



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- (d) providing for courses of instruction and examinations and requiring licence holders or applicants for a licence under this Act to attend such courses and pass such examinations;
- (e) prescribing the facilities and equipment to be provided by persons engaged in the business of installing drainage works;
- (f) prescribing standards and procedures for the installation of drainage works;
- (g) prescribing performance standards for machines used in installing drainage works;
- (h) prescribing forms and providing for their use;
- (i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. A.14, s. 14; 1994, c. 27, s. 8 (4, 5).”

I believe it would be beneficial if a regulation required the installer, of agricultural drainage, to file a plan of the drainage system with the municipality following completion of the work.

While most of Section 14 deals with contractor, machine and installer licences, I think that Section 14(f) or 14(i) may allow a regulation change. This would be a better solution than an amendment to the Act.

Recommendations:

- Request by municipal resolution that the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations, under the Act, that would require tile drainage contractors file all farm tile drainage installation plans in the Municipality where the installation took place
- Send the municipal resolution to:
 - Minister of Agriculture, Food and Rural Affairs
 - Lisa Thompson, MPP Huron Bruce
 - Randy Pettapiece, MPP Perth Wellington
 - Rural Ontario Municipal Association roma@roma.on.ca
 - [OFA](#)
 - [CFFO](#)
 - All Ontario municipalities
 - the Land Improvement Contractors of Ontario (LICO), and
 - the Drainage Superintendents Association of Ontario (DSAO)

Wray Wilson, Drainage Superintendent
Township of Howick
drainage@howick.ca



Wednesday November 25, 2020

Dear Mayor Fred Eisenberger and City Councillors,

The province of Ontario is making extraordinary decisions in its attempt to stop the spread of COVID-19. There is no question that politicians and medical professionals alike have wrestled with how to contain the virus, and public settings are the first to get the chop to limit the spread. As small business owners, we have invested in PPE, educated our staff in proper protocols, and restricted the number of shoppers within our stores. As we see pandemic cases rise throughout the GTHA, it is rare to find cases or outbreaks on the streets of a local BIA. Yet in the government's lockdown model, it's the small businesses that are required to shutter while big box stores continue to operate. The rationale that these stores can sell non-essentials because they are mixed in with groceries or hardware is nonsensical. Big box stores will survive as Hamilton born businesses falter.

As business owners we are struggling under the restrictions of a red zone - lockdown would be something that many of us could not bear. While the Province sets the rules here, we have seen municipalities step forward to plead their case with positive results. In late October, Halton regional politicians argued against going back into a modified stage 2 of COVID restrictions and the province reconsidered. Much more prominent was York region successfully arguing against going into lockdown by enforcing stricter rules, while recognizing the importance of protecting businesses.

Small businesses enliven neighbourhoods and breed familiarity. We support local initiatives - everything from school fundraisers to social causes. We pay property taxes and business fees. It is imperative to our survival that the mayor and councillors of Hamilton have our backs. As small businesses, we have yours.

It's true the province has the final say, but your support goes a long way. Please take this into consideration and keep us in your thoughts.

Tara Crugnale
Chair, Downtown Dundas Business Improvement Area



4.9 (b)



[Waterdown BIA, 5 Mill St. S. Box 954, Waterdown, ON L0R 2H0](#) [\(289\) 260-1261](#) info@waterdownbia.ca

November 26, 2020

Mayor Fred Eisenberger
Hamilton City Hall
2nd Floor – 71 Main Street West
Hamilton, ON
L8P 4Y5

Dear Mayor Eisenberger,

These are increasingly difficult times for everyone. We empathize that the pandemic has presented you and your government with unprecedented challenges and we thank you for the steps you have taken to ensure public safety and the integrity of our health care system.

As we collectively continue to do what's prudent to fight this virus, we want to remind you that our small, independent businesses – the backbone of our economies – are struggling to survive.

On behalf of the 250+ local businesses that comprise the Waterdown Business Improvement Area (BIA) membership, we ask that you continue to advocate on their behalf when working with your provincial and public health counterparts in implementing the COVID-19 Response Framework. We urge you to consider their fate and ask that you demand a fair and level playing field for all businesses so that our Main Street entrepreneurs have the same opportunity to make it through the pandemic... bruised and scathed but still viable.

Our business operators have followed the guidelines, enforced the rules and invested hundreds to thousands of dollars to protect the safety of their employees and clients and to help reduce the spread of COVID-19. They have willingly done so while suffering significant revenue losses due to capacity restrictions and a rapidly evolving economic environment.

They have lost sleep worrying about the livelihood and well-being of their staff members. They have pivoted again and again as the situation continues to unfold. Some have been eligible for emergency relief packages, many have not. Businesses that were the last to re-open in the initial Provincial Framework were unfortunately the first to be closed and/or severely impacted again under the Control stage of the new COVID-19 Response Framework. Our new businesses are particularly at risk.

We lost a handful of businesses at the start of the pandemic. Many others barely made it through the first round of restrictions, struggling just to cover their operating costs. Yet they remained optimistic that the measures they put in place would help them regain some ground with peak holiday sales just around the corner – sales they count on to get them through the slower winter months. Now that Hamilton has moved into the Control phase, any optimism they had is fading fast. Three Waterdown BIA businesses announced their closures this week and we have heard of several more at risk of shutting permanently.

These are businesses that did the right things – that followed protocols, went above and beyond to install shields, enforce distancing, outfit employees with all required PPE and limit capacity in their locations. These are businesses that are ideally set-up to avoid crowds and long line-ups – that cater to more personalized, one-on-one service and are, therefore, well-equipped for contact tracing. These are businesses that know their customers, often by name, and are committed to operating in a way that puts their safety first. Which begs the question – why are these the businesses first and most impacted in the Framework while other, larger businesses with conditions far less ideal for curtailing the spread of COVID-19 are able to operate with far fewer restrictions?

The scales seem unfairly tipped to benefit the large and already thriving corporations while penalizing the independents who contribute and define the very character of our communities. Our fear is that our Main Streets will be unrecognizable on the other side of this pandemic if our BIA businesses are unable to fairly and safely compete; and if they do not have champions, such as yourself, fighting for their survival.

Let us be clear – our businesses are committed to following guidelines and doing their part to stop the spread. They are, however, looking for fair and equitable treatment.

We know tough decisions lay ahead. We urge you to keep the health of our local businesses and economies in the forefront just as they continue to always keep the health and safety of their patrons as top priority.

Sincerely,
Waterdown BIA Directors, on behalf of the Waterdown BIA membership

cc Councillor Judi Partridge, Ward 15

Whereas the County 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 County; and,

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

Therefore Be It Resolved That the Corporation of the County of Frontenac request that the Province of Ontario extend the compliance deadline stated in Section 14(4) of Ontario Regulation 191/11 to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022;

And Further That the Corporation of the County of Frontenac requests that the Province of Ontario consider providing funding support and training resources to municipalities to meet these compliance standards;

And Further That a copy of this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, Ian Arthur, M.P.P. Kingston and the Islands, M.P.P. Randy Hillier Lanark—Frontenac—Kingston, the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerk's and Treasurers of Ontario (AMCTO) and all Ontario municipalities.

Carried

I trust you will find this in order; however should you have any questions or concerns, please do not hesitate to contact me at 613-548-9400, ext. 302 or via email at jamini@frontenacounty.ca.

Yours Truly,



Jannette Amini, Dipl.M.M., M.A. CMO
Manager of Legislative Services/Clerk

cc. All Ontario Municipalities

Copy: File

2069 Battersea Road, Glenburnie, ON K0H 1S0

T: 613.548.9400 | F: 613.548.8460 | frontenacounty.ca





Office of the Regional Chair | Jim Bradley

1815 Sir Isaac Brock Way, PO Box 1042 Thorold, ON L2V 4T7
 Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-685-6243
 Email: jim.bradley@niagararegion.ca
www.niagararegion.ca

November 24, 2020

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

Sent by e-mail

Dear Premier,

**RE: BILL 229 SCHEDULE 6 – CHANGES TO THE CONSERVATION
 AUTHORITIES ACT**

At its meeting of November 19, 2020, Regional Council passed the following motion:

1. That the Region of Niagara **SUPPORT** the motion from the Niagara Peninsula Conservation Authority (NPCA) Board of Directors and the request to the Government of Ontario to remove the proposed Schedule 6 from Bill 229 and continue to work with conservation authorities on regulations proposed under previous Bill 108 to achieve desired improvements in the planning process; and
2. That the Regional Chair **BE DIRECTED** to send a letter to the Premier, Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, the Auditor General; partner municipalities; Conservation Ontario, local area MPPs and AMO, voicing the Region of Niagara's position.

The Niagara Peninsula Conservation Authority has been committed to keeping the environment, people and property of our watershed safe from natural hazards for the past six decades with a mandate to further the conservation, restoration, development and management of natural resources in our watershed.

The proposed amendments to the Conservation Authorities Act as outlined in Bill 229 Schedule 6 introduce changes and new sections that could significantly impact conservation authorities' mandate of watershed-based natural resource management; alter good governance standards recommend by Ontario's Auditor General; and, in the case of the Region of Niagara, weaken NPCA's ability to serve its municipal partners and communities in the protection from natural hazards and conserving natural resources through its planning, permitting and enforcement activities.

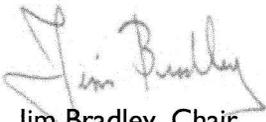
Changes to the Conservation Authorities Act

In addition, the proposed amendments have the potential to add significant delays in the planning and permitting process, add costs for all parties involved, and ultimately have the potential for significant impacts on Province's ability to provide flooding and natural hazards management contrary to the Special Advisor's Report on Flooding and Ontario's Flooding Strategy.

Over the past few years, the NPCA has invested significantly in establishing very high standards of governance, transparency, accountability and progressive enforcement based on the Ontario Auditor General's recommendations.

On behalf of Niagara Regional Council, I appreciate your kind consideration of this matter.

Sincerely,



Jim Bradley, Chair
Niagara Region

cc: Hon. Jeff Yurek, Minister of Environment, Conservation and Parks
Hon. John Yakabuski, Minister of Natural Resources and Forestry
Hon. Steve Clark, Minister Municipal Affairs and Housing
Hon. Rod Phillips, Minister of Finance
Bonnie Lysyk, Auditor General for Ontario
Sam Oosterhoff, MPP, Niagara West
Jeff Burch, MPP, Niagara Centre
Jennifer (Jennie) Stevens, MPP, St. Catharines
Wayne Gates, MPP, Niagara Falls
Jamie McGarvey, President, Association of Municipalities of Ontario
Wayne Emmerson, Chair, Conservation Ontario
Kim Gavin, General Manager, Conservation Ontario
City of Hamilton, Clerks Office
Haldimand County, Clerks Office

JB:bn

November 27 2020



Dear Mayor Eisenberger and Council,

We are writing to you with regards to the status of transit in the City of Hamilton and potential concerns we have with how the provincial government has chosen to proceed with providing municipalities like Hamilton with essential funding as a result of the pandemic. As you know, members of the Hamilton Transit Alliance have advocated to both the federal and provincial governments to provide emergency funding to municipalities for public transit, and we have been pleased to see our higher levels of government responded with funding announced through the 'Safe Restart Agreement'. However, we are concerned that what the HSR truly needs - sustained funding from the province - will not be delivered in a manner that will benefit transit riders and the city-at-large.

The letter received from Minister of Transportation Caroline Mulroney laid out requirements that the City of Hamilton must fulfil to receive Phase 2 of the Safe Restart Agreement funding. Some of these requirements have raised alarm not just for us, but for transit advocates and professionals across the province. In particular we would like to flag the following requirements:

- "review the lowest performing bus routes and consider whether they may be better serviced by microtransit"
- "work with the Province and Metrolinx where appropriate to determine the feasibility of implementing microtransit options on viable routes"
- "participate in discussions with the Province on advancing fare and service integration"
- "participate in discussions with the Province to optimize transit through new possible governance structures"

These above requirements are vague as they are currently worded and, if followed through on by the City of Hamilton, have the potential to negatively impact public transit service, remove the ability of Hamiltonians to have input on their local service, and raise fares. The cancellation of Hamilton's LRT and subsequent uncertainty surrounding the province and the possibility of an LRT in our city contributes to our concerns around these conditions.

We are asking you to direct staff to consult with you and the public about what the province proposes to the City of Hamilton to be eligible for the second phase of funding from the Safe Restart Agreement. Moving forward, the City should clearly communicate to the public what conditions are attached to the funding and how that will affect transit in Hamilton. While the pandemic certainly has complicated matters, we are confident that the HSR team has the interest and capacity to adequately consult and inform the public and key stakeholders regarding conditions the province is proposing to place on this pot of federal and provincial tax dollars.

Thank you,

Submitted by Ian Borsuk of Environment Hamilton on behalf of the HTA - iborsuk@environmenthamilton.org

The Hamilton Transit Alliance (HTA) is a coalition of local organisations within the City of Hamilton who all agree on the importance of reliable and accessible public transit, and push for improvements and expansion of public transit within the city to achieve the social, economic and environmental benefits it brings to Hamilton.

The Hamilton Transit Alliance's full membership includes: ATU 107, Hamilton ACORN, Hamilton Centre for Civic Inclusion, Hamilton Chamber of Commerce, Hamilton District Labour Council, Disability Justice Network of Ontario, Environment Hamilton, YWCA Hamilton, McMaster Student Union, Immigrants Working Centre, Neighbour 2 Neighbour, and Hamilton Transit Riders Union.

Pilon, Janet

Subject: Reminder: Help Stop Proposed Changes to the Conservation Authorities Act that Threaten Environmental Protections.

From: Waterfront Regeneration Trust <mk@wrtrust.com>

Sent: November 30, 2020 3:03 PM

To: clerk@hamilton.ca

Subject: Reminder: Help Stop Proposed Changes to the Conservation Authorities Act that Threaten Environmental Protections.

November 2020



Great Lakes Waterfront Trail

An initiative of the Waterfront Regeneration Trust, a registered charity, working in partnership with communities, First Nations, and conservation authorities to **protect, connect, celebrate** Canada's Great Lakes and the St. Lawrence River.

Proposed legislation will severely limit the ability of the Conservation Authorities to carry out their historic roles and undermines decades of environmental stewardship in Ontario....we should be protecting and expanding the great value of the CAs and not undermining their effectiveness.

Hon. David Crombie, Chair Greenbelt Council

Immediate action is needed by you.

The Government has tabled *Bill 229 to Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 and it is expected to pass quickly.

Schedule 6 of Bill 229 contains changes to the Conservation Authorities Act, which will cripple Conservation Authorities, destroy watershed planning and politicize the planning process.

Twenty-eight years ago the Federal and Provincially mandated Royal Commission on the Future of the Toronto Waterfront, chaired by the Hon. David Crombie, released his final report, ***Regeneration: Toronto's Waterfront and the Sustainable City.***

Thousands of Ontarians participated at the Commission's public hearings. ***Regeneration*** expresses their **united vision for and commitment to the ecosystem approach to watershed management.** In simple terms, everything is connected to everything else.

The Waterfront Regeneration Trust is the steward of this legacy, and has spent almost three decades with its many partners including Conservation Authorities realizing the vision and its goals.

Schedule 6 of Bill 229 would undo this legacy.

Conservation Authorities are the leaders in applying the ecosystem science on a watershed basis. Over the past 75 years, they have served as impartial and independent ecological stewards, placing watershed science first to protect our drinking water, water supply, natural spaces and property.

The Waterfront Regeneration Trust is deeply concerned about the proposed changes and how they will negatively impact the effectiveness of our Conservation Authorities with regards to their impartiality, their application of watershed science, and the tools to enforce the protection and sustained health of the environment.

Many of you know us best for our work on the Great Lakes Waterfront Trail, which connects 83 Conservation Areas and many parts of the waterfront managed or owned by the Conservation Authorities.

You would recognize these areas as some of your favourite places, so we hope that you will make the time to consider this matter and take the **immediate step of calling and emailing your local MPP to express your concerns, and ask that Schedule 6 of Bill 229 be removed.**

Please read the letters below from David Crombie, Chair of the Greenbelt Council, and Chris Darling, the CAO of Central Lake Ontario Conservation Authority describing specific concerns and the severity of the threat to our valuable watersheds and Conservation Authorities.

It is urgent to act now to prevent this damage to our natural heritage and environment. **Please use the button below to contact your MPP and have your voice heard.**

Sincerely,



Keith Laushway, Chair of the Board of The Waterfront Regeneration Trust
David Crombie, Founder and Director
Pauline Browes, Director
Ann Mulvale, Director
Marlaine Koehler, Executive Director

[Click here to support Conservation Authorities](#)

Greenbelt Council

777 Bay Street, 13th Floor
Toronto ON M7A 2J3
Tel.: 416-585-6014

Conseil de la ceinture de verdure

777, rue Bay, 13^e étage
Toronto ON M7A 2J3
Tél. : 416-585-6014



November 19, 2020

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Re: Removal of Schedule 6 from Ontario Bill 229

Dear Minister Clark,

I am writing today to advise you of the Greenbelt Council's considerable concern over two recent government actions that serve to undermine watershed planning and put at risk key natural heritage and hydrologic features in this province--proposed changes to the *Conservation Authorities Act* contained in Schedule 6 of Bill 229 and the increasingly extensive use of the Ministerial Zoning Orders (MZOs).

Fundamental to both the *Growth Plan for the Greater Golden Horseshoe* and the *Greenbelt Plan*, watershed planning is vital to the Conservation Authorities' (CAs) core mandate.

The Future of Conservation Authorities

As you are aware, Council has been tracking the government's reconsideration of the role and functioning of CAs for some time and has offered its views in previous discussions. However, recent public statements and proposed legislation, in particular Schedule 6 of Bill 229, have caused Council and its stakeholders considerable concern and alarm.

Any reasonable reading of the proposed legislation would see it as severely limiting the ability of CAs to carry out their historic roles and undermining decades of environmental stewardship in Ontario. It is their job to protect Ontario from floods, and prevent wetland destruction and loss of forests and other natural heritage features. CAs play a major role in protecting water quality and quantity, facilitating access to nature and supporting agricultural productivity, while also addressing climate change and enhancing human health and prosperity. Integrated Watershed Management is an essential tool used by CAs to achieve these outcomes.

Council believes we should be protecting and expanding the great value of the CAs and not undermining their effectiveness. The proposed changes in Schedule 6 are unlikely to be good for public safety, the environment or speedier approvals.

Reducing red tape is a commendable objective but not at the expense of the very values Ontarians hold dear: ensuring our communities are safe and green. Conservation Authorities were established in response to the unhealthy state of land and water due to poor planning practices. Today, they bring a watershed perspective to planning and development decisions to ensure communities are built safely and meet current environmental protection standards.

We recommend that Schedule 6 of Bill 229 be removed entirely.

Ministerial Zoning Orders

In our July 31, 2020 letter #12 to you, Council highlighted its concern with the extraordinary increase in the use of MZOs.

MZOs have been used in the past to suspend other-wise required consultation and appeal processes where matters of significant provincial interest exist relating to proposed development that may be compromised through delay. They were never intended to become simply tools of convenience for moving developments through the planning process. They should be used sparingly and only in exceptional circumstances.

Excessive use of MZOs implies that the current provincial planning policy framework is not adequate to address the planning issues of the day. If that is the case, then it is government's responsibility to address and refine the framework. In fact, over the last two years, substantial changes have been made to the Planning Act, Provincial Policy Statement, and provincial plans, yet MZOs continue to be used.

Council has recommended that MZOs need to be accompanied by a public process that is fair and transparent. Detailed information relating to the development and a clear rationale as to why the MZO is

being used should be publicly available. These measures are especially important when combined with the current intent to hobble the regulatory role of CAs.

Together these two government actions are contributing to a growing public concern that the end result will be a widening of the path of political influence on behalf of special interests.

We recommend that the government pause in the use of MZO's and engage in a public discussion on the principles, policies and procedures that would protect the public interest.

Expanding the Greenbelt

Watershed planning underpins the Greenbelt and thus is a core building block for expanding the Greenbelt.

Council of course supports the government's stated interest in expanding the Greenbelt and would look forward to participating in a public discussion on the policies, proceedings and practices that would animate any expansion.

Sincerely,



David Crombie
Chair, Greenbelt Council

Copies to:

The Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks
The Honourable John Yakabuski,, Minister of Natural Resources and Forestry
The Honourable Rod Phillips, Minister of Finance
Kate Manson-Smith, Deputy Minister
Greenbelt Council members
Ed McDonnell, CEO, Greenbelt Foundation
Greater Golden Horseshoe stakeholders



Dear friends,

I hope you and your family are staying safe. This year has been challenging for us all. The pandemic has strained nearly every aspect of our lives, from health, to family, to finances and more. At Central Lake Ontario Conservation Authority (CLOCA), it brought into focus just how important our protected natural spaces are for keeping everyone healthy, happy and safe.

As CLOCA's Chief Administrative Officer, I'm reaching out to ask for your help. On November 5, 2020, the provincial government tabled Bill 229 Protect, Support, and Recover from COVID-19 Act (Budget Measures), 2020. This bill is more than its name suggests. **The Bill includes Schedule 6 which proposes changes to the Conservation Authorities Act and Planning Act that will reduce our ability to protect sensitive natural areas, and keep people and property safe from natural hazards.**

Schedule 6 needs to be removed before Bill 229 is passed in the coming weeks, and voices like yours can make all the difference. We need our friends, allies and supporters to act today by emailing your MPP via this [easy-to-use form](#).

What are the major concerns with the Legislation?

1. Changes to the Conservation Authorities Act will allow the Minister of Natural Resources and Forestry to take over and decide a development permit application in place of a conservation authority, even before the conservation authority renders a decision. Conservation authorities are science-based, non-partisan agencies. Granting permitting authority to the Minister will take science out of the equation, effectively politicizing the permitting process and allowing for development that may be considered unsafe or damaging to the natural environment.

2. Proposed changes will stop conservation authorities from independently appealing land use planning decisions affecting hazards. This can put more people and infrastructure at risk.

3. The proposed legislation opens two new avenues of appeal to permit applications and sets out legislated timelines which will result in a more complicated, lengthy and costly process.

4. The proposed changes directs our board members to act only on behalf of the municipality they represent rather than acting on behalf of the watershed and its residents. This contradicts recent recommendations by Ontario's Auditor General. Members need to think beyond municipal boundaries to collectively manage and protect watershed resources. "

5. The proposed changes weaken our enforcement powers by removing our ability to effectively stop unsanctioned activities such as destruction of wetlands and illegal large fill sites.

What can you do?

It's time, now more than ever, to stand up for your local Conservation Authority. Click the button below to email your MPP and ask that they remove Schedule 6 from Bill 229 and instead hold meaningful public consultation on these significant changes. Alternatively, written submissions can also be made to the Committee Clerk until 7 p.m. on Wednesday, December 2, 2020:

Committee Clerk
Julia Douglas
comm-financeaffairs@ola.org
99 Wellesley Street West
Room 1405, Whitney Block
Queen's Park
Toronto, ON. M7A 1A2
Tel.: 416-325-3515
Fax: 416-325-3505

Thank you for your on-going support.
With warmest regards,

Chris Darling
Chief Administrative Officer,
Central Lake Ontario Conservation Authority

[Click here to support Conservation Authorities.](#)

The Waterfront Regeneration Trust is a registered charity.

Help us protect, connect and celebrate the Great Lakes Waterfront Trail. Your donation funds regeneration work to make waterfront improvements, close trail gaps, expand and move the Trail closer to the water's edge as well as maintaining excellent trail user resources. Make a secure donation through Canada Helps by clicking the button below.

Click to Donate

Visit our Website

Waterfront Regeneration Trust
Charitable Registration Number: 86767 9821 RR0001
| 416-943-8080 | www.waterfronttrail.org

STAY CONNECTED



Waterfront Regeneration Trust | 4195 Dundas Street West, Suite 227, Toronto, Ontario M8X 1Y4
Canada

[Unsubscribe clerk@hamilton.ca](mailto:clerk@hamilton.ca)

[Update Profile](#) | [About our service provider](#)

Sent by mk@wrtrust.com

Pilon, Janet

Subject: Stop MZOs and stop new sprawl proposals on farmland and natural areas outside of the urban boundary.

From: Kelly Ross

Sent: November 29, 2020 10:01 AM

To: clerk@hamilton.ca

Subject: Fwd: Stop MZOs and stop new sprawl proposals on farmland and natural areas outside of the urban boundary.

Dear Mayor and Councillors,

I hope you and your loved ones are well. Thank you for all your efforts over the past months to help get us through this terrible COVID-19 crisis.

I'm writing to you today with two specific requests:

- Please stop using MZOs and tell the Province you oppose the proposed changes to the Conservation Authorities Act because both fast-track sprawl-style development, sidestep public consultation and override policies intended to protect Ontario's natural areas, water sources and farmland.
- Please stop any new sprawl proposals on farmland and natural areas outside of the urban boundary.

There has never been a greater need for bringing more farmland and natural areas under government protection in protected areas like the Greenbelt.

The COVID-19 pandemic has shown us how important these spaces are to our well-being. We rely on natural areas for our mental and physical health, and farmland for the local food that keeps us healthy and our farmers employed. These lands are also critical to conserving biodiversity and enhancing community resilience to the impacts of climate change.

Some local governments in the GTA have ignored this reality and have tried to get permission to have protected Greenbelt land used for sprawl-style development. As well, an increasing number are relying on emergency-only Ministerial Zoning Orders to bypass important environmental protections and local planning rules. And just recently, the Province has proposed changes to the Conservation Authorities Act to remove powers to stop bad sprawl-style development. The backlash from the voting public to these changes has been fast and furious.

As a resident of this municipality, I am calling on Council to commit to stopping the misuse of MZOs, opposing changes to the Conservation Authorities Act, stopping sprawl and growing the Greenbelt as part of a Green and Just Recovery.

Yours sincerely,
Kelly Ross

Pilon, Janet

Subject: MZOs

From: n hurst

Sent: November 25, 2020 7:16 PM

To: clerk@hamilton.ca

Subject: MZOs

Hello,

I hope you and your loved ones are well. Thank you for all your efforts over the past months to get us through this terrible COVID-19 crisis.

I'm writing to you today with three specific requests:

- 1) Resist the use of Minister's Zoning Orders, which bypass environmental protections, silence community input and pave the way for sprawl development.
- 2) Oppose proposed changes to the Conservation Authorities Act, which would undermine efforts to conserve biodiversity and build resilience to climate change impacts.
- 3) Support proposals to grow the Greenbelt and protect more farmland, natural areas and freshwater sources.

There has never been a greater need for bringing more farmland and natural areas under the protective umbrella of the Greenbelt.

The COVID-19 pandemic has underlined the importance of natural areas and farmland to our physical and mental well-being. These places are also critical to conserving biodiversity and enhancing community resilience to the impacts of climate change. We need to ensure they are protected, especially from the greed of influential developers who are doing their utmost to fast-track irresponsible projects while riding roughshod over environmental protections and public consultation.

As a resident of this municipality, I am calling on you to resist and speak out against the use of MZOs as well as proposed changes to the Conservation Authorities Act. I ask that you embrace opportunities to grow the Greenbelt as part of a green and just recovery.

Yours sincerely,

Nancy Hurst

Pilon, Janet

Subject: Stop MZOs and stop new sprawl proposals on farmland and natural areas outside of the urban boundary.

From: Leanna Nigro

Sent: November 23, 2020 4:53 PM

To: clerk@hamilton.ca

Subject: Stop MZOs and stop new sprawl proposals on farmland and natural areas outside of the urban boundary.

Dear Mayor and Members of Council,

I hope you and your loved ones are well. Thank you for all your efforts over the past months to help get us through this terrible COVID-19 crisis.

I'm writing to you today with two specific requests:

- Please stop using MZOs and tell the Province you oppose the proposed changes to the Conservation Authorities Act because both fast-track sprawl-style development, sidestep public consultation and override policies intended to protect Ontario's natural areas, water sources and farmland.

- Please stop any new sprawl proposals on farmland and natural areas outside of the urban boundary.

There has never been a greater need for bringing more farmland and natural areas under government protection in protected areas like the Greenbelt.

The COVID-19 pandemic has shown us how important these spaces are to our well-being. We rely on natural areas for our mental and physical health, and farmland for the local food that keeps us healthy and our farmers employed. These lands are also critical to conserving biodiversity and enhancing community resilience to the impacts of climate change.

Some local governments in the GTA have ignored this reality and have tried to get permission to have protected Greenbelt land used for sprawl-style development. As well, an increasing number are relying on emergency-only Ministerial Zoning Orders to bypass important environmental protections and local planning rules. And just recently, the Province has proposed changes to the Conservation Authorities Act to remove powers to stop bad sprawl-style development. The backlash from the voting public to these changes has been fast and furious.

As a resident of this municipality, I am calling on Council to commit to stopping the misuse of MZOs, opposing changes to the Conservation Authorities Act, stopping sprawl and growing the Greenbelt as part of a Green and Just Recovery.

Yours sincerely,
Leanna Nigro

December 9, 2020

Honourable Christine Elliott
Minister of Health
5th Floor - 777 Bay St.
Toronto, ON M7A 2J3

Sent via email: christine.elliott@pc.ola.org

**Re: Hospice Workers
Our File 10.57.99**

Honourable Minister,

At its meeting held on November 30, 2020, St. Catharines City Council approved the following motion:

“WHEREAS Hospice Niagara, and hospices across this province, provide a number of critical services needed by Ontario and Niagara residents including: end of life Hospice Residence care; in-Home Palliative Care; Day Hospice; Bereavement Support; and Education and Consultation; and

WHEREAS these services provide a central role in decreasing hospital emergency department volume, incidents of hallway medicine and costly hospital admissions for palliative and end-of-life care; and

WHEREAS Hospice care is the only health service whose health care workers are not fully funded by the Province and hospices and provincial organizations have requested that this funding be provided as delegations before the Standing Committee regarding Bill 3, the Compassionate Care Act;

THEREFORE BE IT RESOLVED that the City of St. Catharines recommends that Ontario's Health Ministry accept Hospice Niagara's request and start fully funding all hospice health care workers fully, and right away; and

BE IT FURTHER RESOLVED that this motion be forwarded directly to the Minister of Health Christine Elliot, all Niagara MPPs, the Region of Niagara and all Niagara municipalities.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em



Cc Chris Bittle, MP - St. Catharines, Chris.Bittle@parl.gc.ca
Vance Badawey, MP - Niagara Centre, Vance.Badawev@parl.gc.ca
Dean Allison, MP - Niagara West, dean.allison@parl.gc.ca
Tony Baldinelli, MP - Niagara Falls, Tony.Baldinelli@parl.gc.ca
Niagara Region
Niagara Area Municipalities



Municipality of Southwest Middlesex

December 7, 2020

Please be advised that the Council of Southwest Middlesex passed the following resolution at its November 25, 2020 Council meeting:

Drainage Matters: CN Rail

Moved by Councillor McGill

Seconded by Councillor Vink

“WHEREAS municipalities are facilitators of the provincial process under the *Drainage Act* providing land owners to enter into agreements to construct or improve drains, and for the democratic procedure for the construction, improvement and maintenance of drainage works; and

WHEREAS municipal drain infrastructure and railway track infrastructure intersect in many areas in Ontario; and

WHEREAS coordination with national railways is required for the construction or improvement of drains that benefit or intersect with national railways; and

WHEREAS the national railways have historically participated in the process for construction, improvement and maintenance of drainage works; and

WHEREAS currently municipalities are experiencing a lack of coordination with national railways on drainage projects; and

WHEREAS the lack of coordination is resulting in projects being significantly delayed or cancelled within a year; and

WHEREAS municipal drains remove excess water to support public and private infrastructure and agricultural operations;

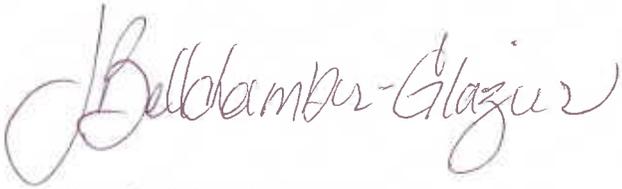
THEREFORE be it resolved that the Province of Ontario work with the Federal Minister of Transportation to address concerns regarding municipal drainage matters and need for coordination with the national railways; and

THAT Council circulate the resolution to the Provincial Ministers of Agriculture, Food, and Rural Affairs, and Municipal Affairs and Housing, and the Federal Minister of Transportation, the local MP and MPP, the Association of Municipalities of Ontario, and all municipalities.”

Municipality of Southwest Middlesex Resolution #2020-274

Carried

Sincerely,

A handwritten signature in cursive script, reading "Jillene Bellchamber-Glazier". The signature is written in dark ink and is positioned above the printed name and title.

Jillene Bellchamber-Glazier
CAO-Clerk

Cc: The Honorable Marc Gardeau, Minister of Transport
The Honorable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
Monte McNaughton, MPP Lambton-Middlesex-London
Lianne Rood, MP Lambton-Kent-Middlesex
The Association of Municipalities of Ontario
All Ontario Municipalities

Pilon, Janet

Subject: Homelessness : PLEASE LISTEN!!

From: Roger Stermann

Sent: December 5, 2020 9:49 AM

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

Cc: Carmen Stermann; Alexander Borghesan; Andy R; Doreen Stermann

Subject: Re: Homelessness : PLEASE LISTEN!!

Dear Mayor and Council,

I also don't agree with the city's decision not to release the financial penalty that the Century Group paid us for the J.L. Grighmire Arena construction contract problems. Would someone please indicate what is the problem in doing that so that it makes sense to the public? It's in our best interests to know. I do know that simple transparency would stop any wondering about whether the Century Group got off easy or not. In my opinion, if this information is not available to the very citizens who pay the bills then we are not being represented properly and again, trust in our city govt is eroded. More of the same nonsense.

Roger Stermann

Pilon, Janet

Subject: Homelessness : PLEASE LISTEN!!

From: Carmen Stermann

Sent: December 5, 2020 3:29 PM

To: Roger Stermann

Cc: Eisenberger, Fred <Fred.Eisenberger@hamilton.ca>; Wilson, Maureen <Maureen.Wilson@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; Danko, John-Paul <John-Paul.Danko@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; clerk@hamilton.ca; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Alexander Borghesan Andy R Doreen Stermann

Subject: Re: Homelessness : PLEASE LISTEN!!

I too wonder sometimes what penalties, if ever, companies pay for late or faulty work. For instance....the work done at Gage Park over the years has been shoddy. The concrete benches around the fountain started cracking and chipping in the first year. The concrete corner entrance had to be completely redone as huge pools of water were collecting....hardly a welcome entrance. I had to mention possible lawsuits in winter times before anyone at the city even cared that it was bad. The incised name at the entrance corner was done by an amateur and also had to be redone as it was totally illegible. Was any of the rework paid for? Why are the cracked benches not being repaired.

As for late charges...how long was it supposed to take to build the new greenhouses? Lovely as they are...its a very very basic building and should not have taken two years to build. The Empire State Building was built in just under a year! Seems like all our tax dollars are for make work programmes...we could save a lot if the city's aim wasn't to keep the most people employed as possible...nice idea but not city halls responsibility.

Carmen Stermann

Pilon, Janet

Subject: Homelessness : PLEASE LISTEN!!

From: Alexander Borghesan

Sent: December 7, 2020 10:18 AM

To: Roger Stermann

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

Subject: Re: Homelessness : PLEASE LISTEN!!

Great points Carm,

I would like to add that there should be more transparency on the bidding process and bidding cost between all parties that submitted a bid.

I wonder if it might be time to consider going with a higher cost contractor that will spend more money on better materials that will not crack or heave as quickly.

I do understand that the city suffers from massive weather swings throughout the year, that can damage infrastructure.

We should be prepared and use the winter tires and not the regular tires or so to say.

The Honourable David Lametti
Minister of Justice and Attorney General of Canada
david.lametti@parl.gc.ca

December 4, 2020

Nando Iannicca
Regional Chair & CEO

10 Peel Centre Dr.
Suite A, 5th Floor
Brampton, ON L6T 4B9
905-791-7800 ext. 4310

Dear Minister Lametti,

The COVID-19 pandemic has shone a spotlight on the vital importance of our frontline heroes in safeguarding public health and safety, including paramedics. However, I am writing to bring to your attention longstanding incidence of violence against paramedics perpetrated by patients and bystanders. Abuses include verbal abuse, harassment, threats, intimidation and physical assaults on a regular basis.

As with all Canadian workers, paramedics have the right to carry out their work duties free of harassment and violence.

To this end, Region of Peel Council passed the attached resolution, and accompanying report on November 12, 2020, entitled “Eliminating Violence Against Paramedics – A Call to Action”, calling for amendments to the Criminal Code that provide protections for paramedics. Such amendments would ensure that acts and threats of violence against on-duty paramedics are treated as an indictable criminal offence, consistent with sentencing for acts of violence against peace officers.

The consequences of chronic exposure to workplace violence are significant, including long-term physical, psychological and emotional harm. Because the problem is so pervasive and is often perpetrated by people for whom criminal prosecution is unlikely, there is a perception of tacit institutional acceptance of violence as a normal, unpreventable part of paramedic work.

Operating one of the largest paramedic services in Ontario, the Region of Peel has taken a proactive approach in advancing prevention of paramedic violence. Regional Council is supportive of the following additional local measures:

- Collaboration between Human Resources and Paramedic Services to address the organizational culture that normalizes external workplace violence
- Improvements to the method of reporting all incidents of threats and intimidation, assault, sexual harassment experienced by Peel Paramedics

- Ongoing progress implementing the Canadian Standards Association Group's Psychological Health and Safety Standard
- Working with Peel Regional Police and the Mississauga Central Ambulance Communication Centre to support a structured, collaborative approach to problem-solving operational issues and ongoing assessment of the status of violence prevention efforts
- A zero-tolerance public awareness campaign to address external violence against paramedics

Our vision for Peel is a *Community for Life* and paramedics, and the vital service they provide, play an important role in the realization of this plan. Efforts to support them are making a difference, but there is more work to do. Amendments to the Federal Criminal Code will help to protect our paramedics and will also convey the value that Canadians place on paramedics' health and safety.

We look forward to ongoing collaboration between our respective levels of government to ensure the continuation of this positive momentum to eliminate external violence against paramedics. I would welcome an opportunity to discuss with you and your office on how we can work together to implement the necessary changes to address this very important issue.

Kindest personal regards,



Nando Iannicca
Regional Chair & Chief Executive Officer
Region of Peel

CC: Hon. Doug Ford, Premier of Ontario
Hon. Sylvia Jones, Solicitor General
Hon. Christine Elliott, Minister of Health
Peel MPs and MPPs
Single and upper-tier municipalities responsible for land ambulance

Attached: Resolution 2020-919
Eliminating Violence Against Paramedics – A Call to Action,
November 12, 2020

**APPROVED AT REGIONAL COUNCIL
November 12, 2020**

19. ITEMS RELATED TO HEALTH

19.1 Eliminating Violence Against Paramedics – A Call to Action

Resolution Number 2020-919

Moved by Councillor Thompson

Seconded by Councillor Dasko

That the Region of Peel advocate to the federal and provincial governments to implement the necessary legislative and policy changes to eliminate external violence against paramedics;

And further, that the Regional Chair write a letter to the federal Minister of Justice, on behalf of Regional Council, to request amendments to the Criminal Code that provide protections for paramedics;

And further, that a copy of the report from the Commissioner of Health Services, titled “Eliminating Violence Against Paramedics – A Call to Action”, be forwarded to the Premier of Ontario, Solicitor General, Minister of Health, Peel-area MPs and MPPs, as well as Ontario’s single and upper-tier municipalities responsible for land ambulance, for endorsement and advocacy support.

Carried

REPORT TITLE: Eliminating Violence Against Paramedics – A Call to Action

FROM: Nancy Polsinelli, Commissioner of Health Services

RECOMMENDATION

That the Region of Peel advocate to the federal and provincial governments to implement the necessary legislative and policy changes to eliminate external violence against paramedics;

And further, that the Regional Chair write a letter to the federal Minister of Justice, on behalf of Regional Council, to request amendments to the Criminal Code that provide protections for paramedics;

And further, that a copy of the report from the Commissioner of Health, titled “Eliminating Violence Against Paramedics – A Call to Action”, be forwarded to the Premier of Ontario, Solicitor General, Minister of Health, Peel-area MPs and MPPs, as well as Ontario’s single and upper-tier municipalities responsible for land ambulance, for endorsement and advocacy support.

REPORT HIGHLIGHTS

- Paramedic Services is advancing a multi-pronged approach to create awareness and support system-level changes that can reduce external violence against paramedics.
- This approach includes collaborating with local partners, improving incidence reporting, addressing an organizational culture that normalizes violence as “part of the job” and a public awareness campaign.
- With Council support, Paramedic Services is advocating for legislative and policy changes to reduce external violence against paramedics. The primary focus for this advocacy will be amendments to the Criminal Code that would strengthen protections for paramedics who are subject to external violence.

DISCUSSION

1. Background

The report titled “Violence Prevention in Paramedic Services”, presented at the November 14, 2019 Regional Council meeting reported on Paramedic Services progress in implementing the Canadian Standards Association (CSA) Group’s Psychological Health and Safety Standard (Standard). This national Standard addresses workplace risk factors that impact mental health including critical incident response management, suicide awareness and prevention, providing mental health and wellness resources and prevention of violence

Eliminating Violence Against Paramedics – A Call to Action

in the workplace. The report to Council specifically discussed work being done to address external violence against paramedics.

At that meeting, Council endorsed staff's recommendation for a public awareness campaign to advance efforts to address the organizational culture that normalizes external workplace violence. In addition, staff were directed to improve the method for reporting incidents of threats, intimidation, sexual harassment and physical and sexual assaults experienced by paramedics, and report on results of the staff collaboration and impact of the Psychological Health and Safety Program. As a final measure, Council also directed staff to pursue advocacy for legislative and policy changes addressing external violence against paramedics. (Council Resolution 2019-1043)

The COVID-19 pandemic and added pressures on individuals and communities has increased the potential for violence directed at paramedics in their interactions with the public. In response to the COVID-19 pandemic additional measures have been implemented to support Paramedic Services' staff during these extraordinary times. Examples of measures to date include peer support teams, the Quarantine Support Unit, and regular webinars for paramedics to engage directly with leadership. Paramedic Services is also developing a COVID-19 mental health strategy.

2. Progress on Public Awareness and Prevention Strategy

Paramedics Services has worked internally and at the local level to implement practical measures to reduce violence against paramedics and plans to support these actions through raising public awareness to this violence. Paramedic Services is leveraging all available internal and Regional supports to advance a multi-pronged approach to create awareness on the issue of external violence against paramedics and to support system level changes.

a) Addressing a Culture that Normalizes External Workplace Violence

Staff have developed a Violence Position Statement and External Workplace Violence policy to inform paramedics and the public that the service is taking a zero-tolerance approach towards violence against staff. Appendix I provides a copy of the Violence Position Statement. Appendix II provides a copy of the External Violence Policy.

The policy helps manage the risk of physical and psychological harm that may occur when paramedics are subjected to violence from the public. The policy will be rolled-out across Paramedic Services in a way that allows employees to ask questions and to engage in discussion.

b) Local Collaboration

Paramedic Services is working with Peel Regional Police and the Ministry of Health operated Mississauga Central Ambulance Communication Centre (CACC) to support a structured, collaborative approach to problem-solving operational issues and ongoing assessment of the status of violence prevention efforts.

Priorities for this collaboration include action plans to raise awareness of operational issues that impact paramedic safety, training for paramedics in situational awareness and de-escalation, improving emergent response communications between police and

Eliminating Violence Against Paramedics – A Call to Action

paramedics, and an improved system for flagging those addresses identified for heightened risk.

c) Public Awareness Campaign

The public awareness campaign will aim to change the public perception that violence is a normal part of a paramedic's job and will underscore that violence against paramedics is unacceptable. The communication strategy will include the use of social media, digital advertising, as well as posters, and signage in ambulances (already in place), Region of Peel mobile signs, outreach to community groups. In addition, registered letters from Paramedic Services may be sent to individuals who have harassed paramedics while on the job. Appendix III provides a copy of signage in Peel Paramedics' ambulances.

d) Incident Reporting

Paramedic Services and Human Resources staff continue to improve the process for paramedics to report violent incidents. A staff assessment of the process to report workplace incidents of violence and harassment has been completed and has identified several opportunities for improvement. Almost complete, Peel's new reporting processes will be among the first in Canada and will leverage existing reporting tools that enable paramedics to easily report incidents of violence, allowing for ongoing monitoring and tracking, and possible mitigation of violence in the future.

Over the past months the COVID-19 pandemic has imposed new service and community pressures on paramedics, underscoring the urgency for Paramedic Services to move ahead with all of the above measures.

3. Advocacy for Legislative and Policy Changes

Further to direction from the November 14, 2019 meeting of Regional Council (Resolution 2019-1043), Paramedic Services sees opportunities for the Region to advocate federally and provincially for legislative and policy changes that can reduce external violence against paramedics. Regional advocacy will focus on the following two areas.

a) Criminal Code Amendments

While advocacy is in early stages, Regional staff will focus on enforcement measures through amendments to the Criminal Code so that violence against on-duty paramedics is treated as an indictable criminal offence, consistent with sentencing for acts of violence against peace officers. This approach has been supported by national paramedic leadership and in a recent bill.

Staff has already reached out to a member of Parliament regarding Bill C-211 that proposes such amendments to the Criminal Code. The Bill underscores the physical and psychological impact of these assaults, and that health professionals including paramedics "deserve to feel protected and valued by the justice system". With Council support Regional staff will continue to identify opportunities to leverage existing advocacy and to engage sector partners and both the federal and provincial governments on the importance of amendments to the Criminal Code.

Eliminating Violence Against Paramedics – A Call to Action

b) Sector-Wide Reporting and Training

An assessment of current local, provincial and federal policy raises additional opportunities to engage the provincial government and paramedic services provincially to advance the following:

1. Standardize sector-wide organizational practices and processes for reporting violence, and share these practices with other paramedic services in order to increase consistency and compliance with reporting of violence against paramedics; and,
2. Ensure paramedics are provided with supportive tools and training that may mitigate external violence, so that paramedics have stronger means to prevent violence in their work environment (e.g. standardized and consistent curriculum and on-the-job violence prevention training to ensure supports for paramedics across the workforce).

These advocacy opportunities will all leverage partnerships with Members of Parliament, municipal and paramedic services leadership at the federal and provincial levels (e.g. Federation of Canadian Municipalities, Association of Municipalities Ontario, Ontario Association of Paramedic Chiefs) and paramedic organizations.

With the support of Regional Council and the Government Relations Committee, Paramedic Services will continue with internal and external approaches to improve working conditions for paramedics.

APPENDICES

- Appendix I - Eliminating Violence Against Paramedics – Violence Position Statement
 - Appendix II - Eliminating Violence Against Paramedics - External Violence Policy
 - Appendix III - Peel Paramedics Ambulance Signage
-

For further information regarding this report, please contact Peter Dundas, Director and Chief, Ext. 3921, peter.dundas@peelregion.ca.

Authored By: Faith Bisram, Manager Culture and Engagement and Cullen Perry, Analyst Research and Policy.

Reviewed and/or approved in workflow by:

Department Commissioner and Division Director.

Final approval is by the Chief Administrative Officer.



J. Baker, Chief Administrative Officer



Zero Tolerance for Violence from the Public

Paramedics should not tolerate violence while at work. Peel Regional Paramedic Services has zero tolerance for our paramedics being subjected to violence from the public, and any incident of violence happening to one of our employees is unacceptable.

If you are a victim of violence:

- Contact police and exit the scene if you can
- Report the incident to your supervisor as soon as possible and let them know if you need them to attend the scene
- Ensure the incident is documented. Your supervisor will support you with this
- Document the address to be flagged if appropriate. This is crucial to keep you and your colleagues safer in the future
- Ask for support if you need it, even after the fact. Being subjected to violence can be emotionally impactful and the effects can be cumulative. You deserve care

What you can expect of your supervisor:

- When alerted of a violent incident and that their presence is required, supervisors will attend the scene, stand up for paramedics and set boundaries with perpetrators of violence
- If not already done so, supervisors will contact police and advocate for their timely arrival. If appropriate, they will also advocate for charges to be laid
- They will ensure that you receive emotional support and medical care if required
- They will support you in completing necessary documentation

As an employer we are committed to providing paramedics with a workplace that is safe, to preventing violence and to supporting paramedics following all violent incidents. **No one should ever be subjected to violence while at work.**

PEEL REGIONAL PARAMEDIC SERVICES STANDARD OPERATING PROCEDURES

Section:	HEALTH & SAFETY	SOP No:	HS – 19
		Total pages:	3
Subject:	ZERO TOLERANCE FOR VIOLENCE FROM THE PUBLIC	Authority:	Chief, Paramedic Services
Date Revised:		Date Issued:	JANUARY 2020

A. POLICY STATEMENT

- Peel Regional Paramedic Services has zero tolerance for our paramedics being subjected to violence from the public. This supports the Value Statement from the Region of Peel: “We care and support everyone’s well being and success.”

B. RISK STATEMENT

- This policy manages the risk of physical and psychological harm that may occur when paramedics are subjected to violence from the public while at work.

C. RESPONSIBILITIES

Paramedics must:

- Be aware of the factors that may contribute to a paramedic being put at risk of violence from a member of the public. These include, but are not limited to:
 - The member of the public has a previous history of violence
 - The member of the public is exhibiting behaviours that could lead to violence, i.e. confusion, agitation, paranoia, intoxication, disruptive behaviour
 - The member of the public is being verbally assaultive and engaging in intimidating behaviour as these behaviours can very quickly escalate to physical assault.
- Remove themselves from the scene and retreat to a safe area if it is safe to do so. See: [HS-14: Scene Safety \(includes staging\)](#).
- Notify police
- Ask for support if needed, even after the fact.
- Report the incident to their supervisor as soon as possible.
- Ensure the incident is documented.

PEEL REGIONAL PARAMEDIC SERVICES STANDARD OPERATING PROCEDURES

Section:	HEALTH & SAFETY	SOP No:	HS – 19
		Total pages:	3
Subject:	ZERO TOLERANCE FOR VIOLENCE FROM THE PUBLIC	Authority:	Chief, Paramedic Services
Date Revised:		Date Issued:	JANUARY 2020

- Document the address to be flagged if appropriate to ensure that themselves and other paramedics are kept safer in the future.

Superintendents must:

- When alerted that a paramedic has suffered a violent incident from the public, meet with paramedic if requested to do so.
- Set boundaries with perpetrators of violence.
- Contact police and advocate for their timely arrival if paramedic has not already done so.
- Ensure that paramedics receive emotional support and if required, medical aid.
- Support paramedics to complete necessary documentation.

D. SOURCE DOCUMENTS

- [Homewood Health and EFAP resources](#)
 - 1-800-663-1142 (toll-free)
 - homeweb.ca

Related Policies:

- This policy should be interpreted as consistent with PRPS policies including but not limited to the following:
 - [HS-14: Scene Safety \(includes staging\)](#)
 - [HS-15: Critical Incident Stress](#)
 - [HS-16: Flagging of Addresses](#)
 - [OPS-06: Emotionally Disturbed and Aggressive Patients](#)
- **Relevant Regional Policies:**
 - [Respectful Workplace policy](#)

PEEL REGIONAL PARAMEDIC SERVICES STANDARD OPERATING PROCEDURES

Section:	HEALTH & SAFETY	SOP No:	HS – 19
		Total pages:	3
Subject:	ZERO TOLERANCE FOR VIOLENCE FROM THE PUBLIC	Authority:	Chief, Paramedic Services
Date Revised:		Date Issued:	JANUARY 2020

- [Violence in the Workplace policy](#)
- [Employee Reporting Program policy](#)
- [Whistleblower Protection policy](#)

- **Relevant Legislation:**

- [The Criminal Code of Canada, section 264.1 \(1\). Assaults](#)
- [The Criminal Code of Canada, section 34.1. Self Defence](#)
- [BLS Standards, 2016. Pg. 48](#)
- [Occupational Health and Safety Act](#)

E. DEFINITIONS

Peel Regional Paramedic Services describes violence using the following definitions:

- a. Verbal Assault – Abusive or hateful language, yelling, screaming with intent of offending or frightening paramedic
- b. Intimidation- Purposely threatening, following, using gestures to purposely offend or frighten paramedic
- c. Physical Assault- Physical attack, attempt to attack; punching, kicking, using a weapon with intent of causing bodily harm
- d. Sexual Harassment- Sexual propositioning or unwelcome sexual attention from a perpetrator. Humiliation or offensive jokes and remarks with sexual overtones, suggestive looks or physical gestures
- e. Sexual Assault- Indecent assault. Brushing, touching, or grabbing of genitals or breast area

PUBLIC AWARENESS CAMPAIGN – POSTING IN AMBULANCES



VERBAL yelling
swearing **ASSAULT**
name-calling threatening
criticizing performance
PHYSICAL hitting
spitting **ASSAULT**
GRABBING kicking
SEXUAL grabbing
HARASSMENT brushing
sexual comments
Intimidating **RACISM**

ZERO

tolerance for **violence**

Violators will be reported
to the **police**



#ProtectParamedics

December 9, 2020

The Honourable Doug Ford, M.P.P.
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

**Re: Ontario Gas Fired Power Plants
Our File 35.31.99**

Dear Premier Ford:

At its meeting held on November 30, 2020, St. Catharines City Council approved the following motion:

“WHEREAS the City of St. Catharines strategic plan focuses on livability and increased environmentally friendly initiatives; and

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 pollution by more than 300% by 2025 and by more than 400% by 2040; and

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); and

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); and

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); and

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; and

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; and

WHEREAS, other municipalities such as Hamilton, Kitchener, and Halton Hills have called on the Province of Ontario to phase out gas fired power plants by 2030 for cleaner, renewable energy; and

THEREFORE BE IT RESOLVED that the City of St. Catharines requests the Government of Ontario to place an interim cap of 2.5 mega tonnes per year on our gas plants' 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

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, to the local MPPs, the Association of Municipalities of Ontario (AMO), the Niagara Region, local area municipalities and the municipalities of Hamilton, Halton Hills and Kitchener.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em

Cc Jennifer Stevens, MPP - St. Catharines, JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre, JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls, wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Association of Municipalities of Ontario, amo@amo.on.ca
Niagara Region
Niagara Area Municipalities
City of Hamilton
City of Halton Hills
City of Kitchener

Principles
Integrity

City of Hamilton
Report of the Integrity Commissioner regarding
Code of Conduct Complaint Against Councillor Merulla
December 11, 2020

Introductory Comments

- [1] Principles *Integrity* was appointed the Integrity Commissioner for the City of Hamilton in July 2018. We are also privileged to serve as Integrity Commissioner for a number of Ontario municipalities. The operating philosophy which guides us in our work with all of our client municipalities is this:

The perception that a community's elected representatives are operating with integrity is the glue which sustains local democracy. We live in a time when citizens are skeptical of their elected representatives at all levels. The overarching objective in appointing an integrity commissioner is to ensure the existence of robust and effective policies, procedures, and mechanisms that enhance the citizen's perception that their Council and local boards meet established ethical standards and where they do not, there exists a review mechanism that serves the public interest.

- [2] The City of Hamilton has as part of its ethical framework a Code of Conduct which is the policy touchstone underlying the assessments conducted in this report. It represents the standard of conduct against which members of Council are to be measured when there is an allegation of breach of the ethical responsibilities established under the Code of Conduct. The review mechanism contemplated by the Code, one which is required in all Ontario municipalities, is an inquiry/complaints process administered by an integrity commissioner.
- [3] Integrity commissioners carry out a range of functions for municipalities. They assist in the development of the ethical framework, for example by suggesting content or commentary for codes of conduct. They conduct education and training for members of council and of local boards and can provide educational information to the public. One of the most important functions is the provision of advice and guidance to members of councils and local boards, to help sort out ethical grey areas or to confirm activities that support compliance. And finally, but not principally, they investigate allegations that a member has fallen short of compliance with the municipality's ethical framework and where appropriate they submit public reports on their findings, and make recommendations, including recommending sanctions, that council for the municipality may consider imposing in giving consideration to that report. In the City of Hamilton, Council has delegated

Principles *Integrity*

the authority to the integrity commissioner to impose sanctions on members of council where warranted, following investigation.

- [4] It is important that this broad range of functions be mentioned at the outset of this investigation report. Our goal, as stated in our operating philosophy, is to help members of the City of Hamilton community, indeed the broader municipal sector and the public, to appreciate that elected and appointed representatives generally carry out their functions with integrity. In cases where they do not, there is a proper process in place to fairly assess the facts and, if necessary, recommend appropriate sanctions. In every case, including this one, the highest objective is to make recommendations that serve the public interest, if there are recommendations to be made.
- [5] Our role differs from other 'adjudicators' whose responsibilities generally focus, to state it colloquially, on making findings of fact and fault. While that is a necessary component when allegations are made, it is not the only component.
- [6] Our operating philosophy dictates the format of this report. The tenets of procedural fairness require us to provide reasons for our conclusions and recommendations, and we have done that. Procedural fairness also requires us to conduct a process where parties can participate in the review. Where possible and appropriate, informal resolution of a complaint may occur.
- [7] In this regard, we have assessed the information fairly, in an independent and neutral manner, and have provided an opportunity to the respondent named in this Report to respond to the allegations, and where findings were made, to review and provide comment on the draft findings

The Complaint

- [8] On September 3, 2020 we were contacted by telephone by the complainant who wished to file a complaint against Councillor Sam Merulla with respect to his alleged use of foul language, swearing at her, and using his title as Hamilton City Councillor to threaten her.
- [9] We explained to the complainant that the City of Hamilton requires complainants to pay a \$100 fee before a complaint may be filed via the City Clerk's Office, and referred the complainant to the City Clerk.
- [10] On September 4, 2020 we received the Complaint Form from the City of Hamilton wherein it was alleged that Councillor Merulla used inappropriate and offensive language with the complainant, identifying himself as a member of Hamilton Council. It is alleged that these comments and conduct breach the standards expected under the Code of Conduct.

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Process Followed for this Investigation

- [11] In conducting this investigation, Principles *Integrity* applied the principles of procedural fairness and was guided by the complaint process set out under the Code of Conduct.
- [12] This fair and balanced process includes the following elements:
- Reviewing the complaint to determine whether it is within scope and jurisdiction and in the public interest to pursue, including giving consideration to whether the complaint should be restated or narrowed, where this better reflects the public interest
 - Notifying the Respondent, and providing him with an opportunity to respond in full to the allegations
 - Reviewing the Code of Conduct and other documentation including emails and internet postings
 - Conducting interviews of persons with information relevant to the complaints
 - Providing the Respondent with the opportunity to review and provide comments to the Integrity Commissioner's Preliminary Findings Report, which we forwarded on November 8, 2020.
 - On November 23, 2020 we received the Respondent's lawyer's response and have taken the comments into consideration in finalizing our Report.

Background and Context:

- [13] Great Lakes Gyrta is a company which distributes weight training equipment. Customers can go on-line and place orders for equipment. The company sells equipment manufactured in China.
- [14] On their website, there is an option to obtain a 20% discount by Pre-ordering. There is also a page explaining in detail that a pre-order may take months for delivery, and is non-refundable:

SAVE 20% WHEN YOU PREORDER

Dynamic preorder timeline = Orders will be shipped out as soon as we can fulfill them! We have put large purchase orders in and have products arriving almost weekly. Timelines for orders can range anywhere from 1 to 5 months. We have stopped putting expected timelines on the preorder info page as they were not being met (due to fluctuating timelines given to us

Principles *Integrity*

from our suppliers and COVID -19 complications) so it wasn't working out very well. But rest assured, you WILL get your order.

We have put very large purchase orders in and are waiting for them to arrive. Upon arrival our priority is to send out your order as quickly as possible. This may mean partial fulfillment until the next shipment arrives.

If you can work with us on this flexible basis you can preorder your high quality products and save.

Great Lakes Girya as a company strives to sell top quality items at a fair price. When you add in a preorder sale of 20% that equates to unique situation where you can save lots of money while not compromising quality.

Win Win! You get high quality gear (at a wicked price) in exchange for your preorder.

If you want a custom preorder please email info@greatlakesgirya.com or call: 1 833 GO GIRYA

The margins on these products are very thin. We have marked them down to help people get quality gear at a very fair price. In exchange we ask you to understand the following:

A preorder is an order placed that secures the product in advance to ensure you get it. It also is discounted 20% in exchange for the uncertainty of the delivery date.

This ISN'T a regular order. It's a PREORDER that is non refundable.

We truly appreciate your business, your understanding and your cooperation.

Sincerely

The Great Lakes Girya Team

- [15] There is no 'bricks-and-mortar' retail location; rather, there is a warehouse in Kitchener, Ontario where equipment arrives from China, and is then shipped to individual customers.
- [16] On August 22, 2020 the Respondent placed a preorder of \$397 for dumbbells with the company.

Principles Integrity

Events of September 2, 2020

- [17] On September 2, 2020 the Respondent left a voicemail message with the company, to inquire about the status of his order.
- [18] The complainant, who was employed at the company's warehouse in Kitchener, returned the Respondent's call. She pulled up the order and noted that it was a preorder. She asked if he had read the preorder information on the company's website.
- [19] He responded, 'obviously not if I'm calling you'.
- [20] The complainant proceeded to explain that delivery for preordered items may take several months, given the COVID-19 situation. She explained that this is set out in detail on the webpage, and that is the reason for the 20% discount.
- [21] When the Respondent claimed this was fraud, she suggested he should have read the website information more diligently.
- [22] The Complainant advised that he became upset and stated "*Listen here, you F***ing little punk*". The complainant advised that she cut him off, saying he could not talk to her that way, he responded: "*I am a F***ing Hamilton City Councillor and I can talk to you however the F*** I want*".
- [23] He then told her he knows the address where she works and would be "paying her a visit".
- [24] When she told him not to threaten her, he repeated that he would be visiting her at her workplace, and that she and her boss would be going to jail.
- [25] She advised that she then hung up on the Respondent and called her boss, the owner of the company.
- [26] The owner advised that he immediately called the Respondent back, and that the Respondent berated the owner in the same manner he had spoken to the complainant, calling him a F***ing punk, and identifying himself again as a Hamilton City Councillor.
- [27] The owner advised us that, following the Respondent's "rant", he waived policy and refunded the Respondent his money, advising the Respondent that they did not want him as a customer.
- [28] Documentation discloses that a refund was processed at 3:06 pm.
- [29] At 3:11 pm the owner emailed the Respondent as follows:

Principles *Integrity*

Dear Sammy,

You are no longer a customer of Great Lakes Giryra. We do not wish to do business with you ever again. The way you treated my staff and myself is inexcusable, totally unprofessional and we have reported you to the Police. You have been refunded for your PREORDER.

If we hear from you privately or publicly you will hear from our lawyers.

[30] At 3:16 pm the Respondent replied, using his City Councillor email, as follows:

Your business practices are dubious and your lack of transparency should be investigated by police.

Your reviews speak for themselves and you should indeed retain a lawyer because you need one.

God bless
Thank you
Sam,

[31] Meanwhile, the complainant, upset about the incident and concerned that the Respondent might follow through on the threat to show up at her place of work, contacted the Hamilton Mayor's Office to complain, in her words, about the irate, abusive customer who claimed to be a City Councillor.

[32] The Mayor's Office, contacted on September 2, referred the complainant to the Clerk's Office to file a complaint with the Integrity Commissioner.

[33] Later that afternoon, the complainant contacted the Hamilton Police who referred her to the Waterloo Regional Police, given that her workplace is in Kitchener. She feared that the Councillor might show up at her place of work as threatened.

[34] At 5:26 pm on September 2 her call was logged by Waterloo Regional Police who initiated an Occurrence.

Events of September 3, 2020

[35] On September 3, 2020 at 8:55 a.m. Police attended at the business address of the Complainant, to follow up on the complaint of intimidation.

[36] The Occurrence report discloses that Police spoke with the Complainant and her boss, and then spoke on the phone with the Respondent.

[37] Information noted in the Occurrence report confirms that the complainant and her boss both advised the Police that the Respondent used vulgar language in his verbal exchanges with them, called her a name, identified himself as a Hamilton

Principles *Integrity*

City Councillor, and told her that he would be ‘paying a visit’ to her at her place of work.

- [38] The Respondent told the Police that he did advise the Complainant he was a City Councillor, but that his reference to “*paying a visit*” was not meant to be threatening but only intended to mean “*through legal services*”.
- [39] Police cautioned the Respondent not to attend the business place, and not to have further contact through phone calls.

The Applicable Code of Conduct Provisions, and their Interpretation:

- [40] The City of Hamilton Council Code of Conduct provides an ethical guide and framework for Members of Council for conduct and behavior which promotes confidence in the office which they hold as elected officials of municipal government.

- [41] That Code of Conduct sets out as the Purpose:

A legislated Code of Conduct helps to ensure that the Members of Council share a common basis for acceptable conduct. The Code of Conduct is not intended to replace personal ethics. The Code of Conduct:

serves to ensure public confidence that the City’s elected representatives operate from a base of integrity, transparency, justice and courtesy.

- [42] Key Statements of General Principles Underlying the Code provides:

s.3(3) every Member shall perform his or her duties in office and arrange his or her private affairs in a manner that promotes public confidence and will bear close public scrutiny;

- [43] The provisions which are most relevant to our findings and analysis in this investigation are:

10.(2)(a) ...use of status as a Member of Council to influence, or try to influence, improperly, any action or decision of another person or entity to the private advantage of the Member.

11.(1)(4)(c)(i)...every Member shall treat...members of the public, appropriately and without bullying, abuse, intimidation or violence;

Principles Integrity

Analysis and Findings:

- [44] In making findings of fact, Integrity Commissioners in Ontario adhere to the standard of proof for fact-finders in civil cases known as the ‘Balance of Probabilities’.
- [45] That standard is clearly explained in *F.H. v. McDougall*, [2008 SCC 53 \(CanLII\)](#), [2008] 3 SCR 41, 61; 2008 SCC 53 (SCC):
- In civil cases in which there is conflicting testimony, the judge must decide whether a fact occurred on a balance of probabilities, and provided the judge has not ignored evidence, finding the evidence of one party credible may well be conclusive of the result on an important issue because that evidence is inconsistent with that of the other party. In such cases, believing one party will mean explicitly or implicitly that the other party was not believed on an important issue. That may be especially true where a plaintiff makes allegations that are altogether denied by the defendant...
- [46] This means it is more likely true than not that the alleged conduct occurred. This is a lower threshold than the criminal standard of proof “beyond a reasonable doubt”.
- [47] We are satisfied, on a balance of probabilities, that the alleged events occurred as reported by the complainant.
- [48] We are aware that the complainant shared the substance of her complaint with media in the City of Hamilton on the date she filed it with us. In our view, while it is neither desirable nor in the public interest to ‘try a matter in the media’, neither is it a barrier to our conducting a fair and independent investigation of the complaint.
- [49] We are also aware that the Respondent advised the media that the complaint fell outside the jurisdiction of the integrity commissioner as it was not captured by the Code of Conduct. Again, while not in our view a desirable position to be taking during the course of an investigation, neither has it been a barrier to our conducting a fair and independent investigation of the complaint.
- [50] In the course of our investigation, we carefully reviewed the timelines of the events, including times indicated on email exchanges, and probed the evidence of those interviewed.
- [51] The Respondent claims that he was calling out fraudulent sales activity – a ‘bait and switch’ technique – which lures unsuspecting purchasers.

Principles

Integrity

- [52] We are not persuaded by that assertion. Rather, the terms and conditions for preorders on the company's website, in large font, provides clear explanation for would-be purchasers to inform themselves prior to placing a preorder.
- [53] The Respondent denies that he used inappropriate language, that he called the complainant a "F***ing punk", identified himself as a Hamilton City Councillor, or threatened to come over to her place of work to 'pay her a visit'.
- [54] We find that the Respondent did utter the phrases and statements alleged in the complaint, including using the expletive in calling the complainant (and later, her boss) a "F***ing punk".
- [55] The Respondent's response is that the company is misleading and possibly dishonest in its practices, that our investigation failed to properly investigate the business practices of that company, and that they were rude to him first, so he responded in kind.
- [56] The Respondent's view is that, if a member has a "true belief", he has "an inherent right to react strongly", as he did in this case.
- [57] We find that the language used by the Respondent was inappropriate, discourteous and vulgar, and does not meet the expected standard which may 'bear close public scrutiny'.
- [58] We find that the Respondent's use of this pejorative name-calling incorporating an offensive expletive ("F***ing punk") constitutes a breach of s.3(3) of the Code of Conduct.
- [59] We find that the Respondent did identify himself as a member of Hamilton City Council in the course of his telephone call with the complainant, and then subsequently, on the telephone with her boss, the company owner.
- [60] It is reasonable to believe that he did so to intimidate the complainant in order to obtain a refund where clearly there is a no-refund policy.
- [61] We find that this use of his title and position as an elected official constitutes an improper attempt to use his status as a member of Council to try to influence the company to his private advantage, that of obtaining a refund where a no-refund policy is clearly in effect.
- [62] This constitutes a breach of section 10.(2)(a) of the Code of Conduct.
- [63] The Respondent's view is that the entire incident was a personal and private matter – "nothing to do with politics" - and therefore constitutes conduct which falls outside the Code of Conduct.

Principles *Integrity*

- [64] This is not our view of the proper application of the Code of Conduct. It must be recognized that Codes of Conduct apply not only to conduct and behaviour inside City Hall, but also to the conduct and behaviour of members outside of City Hall.
- [65] There may be some circumstances where the conduct of a person who is recognized as a member of council would not be held to the standard in the Code, but most elected officials recognize that the office they hold is a 24/7 role – in other words, members do not get to ‘take off the council hat’ at the end of the day when they leave City Hall.
- [66] Under the circumstances, where the Respondent himself, by his own statement, invoked his status, there can be no question that his conduct falls within the scope of the Code of Conduct.
- [67] Elected officials are held to a high standard - some would say a *higher* standard – than the general public. The public expects this of their elected leaders.
- [68] At the very least, the public is entitled to expect civility from their elected officials.
- [69] There is no explicit provision in the Hamilton Code of Conduct which articulates an expectation that members of Council will treat the public with decorum and respect, a standard which is commonly found in other municipal codes of conduct.
- [70] Nevertheless, s.11(1)(4)(c)(i) requires members to ‘treat ...members of the public, appropriately, and without bullying, abuse, intimidation or violence’.
- [71] We find as a fact that the Respondent did not treat the complainant appropriately. His treatment of her was, in fact, abusive and intimidating.
- [72] We find that this constitutes a breach of s.11(1)(4)(c)(i) of the Code of Conduct.
- [73] The use of expletive name-calling, threatening, and use of his position to get some special treatment, in this case a refund not normally available to others, has the effect of undermining public confidence in elected office and, by extension, brings disrepute upon Hamilton City Council.
- [74] We find that the conduct of Councillor Merulla has violated the Code of Conduct in regard to conduct and behaviour that meets the standard expected of members of Council. In summary, we find that Councillor Merulla’s behaviour in this matter results in breaches of:
- s.3(3) which requires that members arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny;

Principles *Integrity*

- s.10.(2)(a) which prohibits members from improperly attempting to use their influence, to the private advantage of the Member;
- s.11.(1)(4)(c)(i) which requires members to treat members of the public appropriately and without bullying, abuse or intimidation.

Concluding Remarks:

[75] An Integrity Commissioner's investigation report is not simply the conclusion of a technical exercise to determine whether there has been a breach of codified standards of behaviour. Our role is more than simply the task of bringing adjudication to grievances between individuals. As noted at the outset, we see as our highest objective in concluding an investigation to be the making of recommendations that serve the public interest.

[76] One of the most important functions of an integrity commissioner is providing training, advice and guidance to members to help sort out ethical grey areas or to confirm activities that support compliance. The integrity commissioner's role is as much about education as it is about investigation, so that municipal government can function better, and that members of the public are able to confidently conclude that members of their municipal council are acting with integrity.

[77] Sometimes we are able to resolve complaints on the basis of course correction by the member. Where the member acknowledges inappropriate conduct and commits to meaningful change, a public report may not be necessary. In such cases, only the complainant and respondent are made aware of the disposition of the matter.

[78] However, where the Respondent flatly denies the misconduct alleged, a resolution is virtually impossible.

[79] As detailed above, we are of the view that the Respondent's behaviour falls below the standard expected of the City's elected representatives.

[80] As noted, sometimes it is appropriate to allow the member an opportunity to correct his behaviour. In the appropriate circumstances, it is fair to give the member the benefit of the doubt. This is particularly true where the member acknowledges the transgression and commits to course correction in the future.

[81] That said, where there is no acknowledgement, or where there is a repeated pattern of behaviour, informal resolution is no longer in the public interest. A reasonable person who observes patterns of behaviour which is contrary to the code would

Principles

Integrity

conclude that such conduct is not to be tolerated and that there should be consequences.

- [82] This is not the first complaint involving the Respondent which we have seen during our term as integrity commissioner for the City. An earlier complaint was resolved with the cooperation of the Respondent and the complaining party, which included an acknowledgement from the Respondent that he had learned from the experience and would reign in his temper.
- [83] In the circumstances of the present matter, it is our view that a sanction is warranted.
- [84] The sanctions that may be imposed following a finding of contravention by an integrity commissioner are a reprimand, or a suspension of remuneration for up to 90 days.
- [85] The purpose of a sanction is to reinforce Council's ethical framework when education, or acknowledgement, is insufficient. In other words, the Code of Conduct must ultimately have 'teeth'.
- [86] A monetary penalty, although not remedial, can have a salutary effect and serve as a deterrent. In this regard, we would admonish the Councillor to be more mindful of his interactions with members of the public and avoid making inappropriate and threatening statements.
- [87] The conduct of the Respondent has had a significant impact on the complainant, upsetting her and making her feel fearful of her safety, so much so that she felt she needed to engage law enforcement to feel secure at her place of work. The impact this behaviour has on a complainant is a significant factor in assessing the quantum of sanction to be imposed.
- [88] We have considered the complainant's action going to the media, against our advice, as a mitigating factor in reducing the sanction. Complainants who can avail themselves of an independent integrity commissioner to handle their complaints should not seek to have the matter 'tried' in the media.
- [89] Recognizing the principles of progressive discipline which are applied when employees are disciplined for violating policies in the course of their employment, and in assessing the relevant factors, we feel it appropriate that on this occasion, there should be more than a reprimand for this violation.

Penalty:

Principles *Integrity*

- [90] Recognizing that this is not the first time that we have interacted with the Respondent regarding his strong reactions in the heat of the moment, but taking a remedial approach, we would assess a 5-day suspension of pay.
- [91] The Hamilton Council Code of Conduct provides as follows:
- s.14 If the Integrity Commissioner concludes that, in his or her opinion, a Member has contravened the Code of Conduct, he or she may:
- (1) Impose the penalty of a reprimand upon the Member; or
 - (2) Impose the penalty of suspension of the remuneration paid to the Member in respect of his or her services as a Member of Council, for a period of up to 90 days.
- [92] Having found that Councillor Merulla, the Respondent, contravened the Code of Conduct, we impose a penalty of suspension of his remuneration for a period of 5-days, to be implemented by administrative staff.
- [93] We wish to conclude by publicly thanking the parties and administrative staff, and all those who participated in our investigation. We express genuine appreciation for the sharing of time, knowledge and perspective by everyone concerned.
- [94] We will be available to introduce this report and respond to questions during the Council meeting at which this report is considered.

HWDSB

Dawn Danko
 Chair of the Board
 Hamilton-Wentworth District School Board
 20 Education Court, P.O. Box 2558
 Hamilton, ON L8N 3L1

December 11, 2020

Hon. Stephen Lecce
 Minister of Education
 315 Front Street, 14th Floor Toronto, ON M7A 0B8

Delivered via electronic mail

Dear Minister Lecce:

On behalf of our Board of Trustees, I need to share our concerns regarding student transportation during our 2020-21 school reopening. This letter emerges from the numerous updates our Board of Trustees has received from our staff since September 2020.

As you may know, transportation services are provided to approximately 14,500 students at HWDSB.

Driver Shortage

This year's driver shortage is unprecedented. The recurring, annual problem is compounded by the pandemic. HWDSB is not alone in this, as we hear from colleagues across Ontario. For us, this has meant that, on any given day, we might be short dozens of drivers for the morning and afternoon runs.

Despite considerable additional funds provided by our Board and the Provincial Government, as well as a complete re-routing of our transportation system (routes), we face a driver shortage. We have implemented many measures to address this, including the ongoing driver incentive programs and unprecedented recruitment, but we do not see this matter improving in the near future.

We see this as a structural problem that the province must address. The current funding model sets boards up to fail. We are the ones who have to deliver an underfunded service, share the bad news with students and families when routes are cancelled, and apologize for problems that are systemic.

Bus Cancellations

Due to the driver shortage, we are in the unfortunately position of needing to cancel routes. Rotating cancellations began September 28, with a schedule outlined by Hamilton-Wentworth Student Transportation Services (HWSTS). We explained to our community that the cancellations were a direct result of the critical school bus driver shortage.

This is our regrettable reality this year, and we have been apologizing to all of our impacted families. Sadly, the problem was far from a surprise. We foresaw a situation like this happening, and even with our increased funding to transportation, we need the support of the provincial government. We have been raising this issue with the Ministry of Education since July.

Impact on Students

Our cancellations will have a real impact on students and their families. In total, 42 routes are involved in the rotation schedule – with nearly 900 HWDSB students impacted. We are making hard choices about which routes to cancel, so that students can be on time for their limited face-to-face learning.

This is causing considerable inconvenience and disruption to families at different points in the route rotations. We are hearing from upset families daily.

Request for an Effective Transportation Funding Model

Our consortium, Hamilton-Wentworth Student Transportation Services (HWSTS), continues to investigate other options to address the ongoing bus driver shortage, including driver incentives and driver recruitment programs. However, these efforts will not be able to fix the bigger problem.

This is why we implore the government to take action. Our Board is advising the Ontario government to review the transportation challenges across the Province, review the expectations for new contracts and associated increased costs, and develop a transportation funding model that better supports the needs of students, families and board in a sustainable manner.

We offer these recommendations with respect, but we ask that they be considered and implemented as soon as possible. As you know, many school boards are faced with having to establish new contracts this year – and the clear evidence shows that transportation costs are increasing.

We would be open to discuss this further at any time.

Sincerely,



Dawn Danko, Chair
Hamilton-Wentworth District School Board

cc: Ontario Public School Boards' Association Chairs of all Ontario School Boards
All Hamilton City Councillors
All Hamilton Members of Parliament
All Hamilton Members of Provincial Parliament

December 9, 2020

To the Mayor's Economic Recovery Task for and Members of the General Issues Committee:

Re: Mayor's Task Force on Economic Recovery Report 2020

We thank the members of Mayor's Task Force on Economic Recovery for their commitment to our city and congratulate them on the release of their Report. The Task Force's recommendations highlight key steps to realize a brighter future post-pandemic.

In addition to our support for and endorsement of the Task Force recommendations, we offer feedback from our perspectives as fellow city builders. We collaborate with a network of planners, architects, builders, designers, housing providers, social workers, small business owners, food industry leaders, academics, and more. We are personally and professionally committed to building a great city. In June we released "[COVID-Responsive Planning and Design in Hamilton: A Collaborative Idea Paper](#)," which outlined four key areas of response: Open Space, Mobility, Local Business, Housing, and Density.

From this foundational work, we offer the Task Force our thoughts on three priority areas we believe should receive greater focus.

A Safe, Accessible, Connected and Sustainable Transportation System

We support the Task Force recommendation on LRT investment. However, we also believe that a holistic approach to our existing and future transportation system is essential for Hamiltonians to participate in and benefit from the city's economic recovery.

To ensure people can access places of employment, commerce, and services, Task Force strategies should include more detailed calls for efficient, affordable, accessible, and safe transit options for workers and all Hamiltonians. For example, workers need reliable transit services throughout the day and night, and every day of the week to match the wide range of workers' schedules.

Transit strategies should also address the specific needs of users to ensure that they have equitable access to work opportunities. Women in particular may require transit services with stops located close to active uses and options to be dropped near their destinations at night. Workers in the city's industrial and commercial employment land areas require efficient transit services and safe, accessible transit stops close to their destinations even in areas where there is low ridership density. The same is true for workers residing in low-ridership neighbourhoods.

The task Force recommendations should also more explicitly include investment in safe, connected, and efficient active transportation to make it easier to walk and bike. Currently, a lack of safe and interconnected active transportation routes keep many people from accessing jobs, services, and commerce in an affordable and sustainable manner. This costs individuals, businesses, and the City.

Investment in active transportation connectivity can also support other objectives in the Report. For instance, the Task Force's goods movement strategies highlight the need to enhance last-mile connections and reduce congestion. Reducing travel by automobile aligns with those goals.

Investments in active transportation connectivity could also support growth in tourism and local spending. Hamilton has greater open space and trail assets than most cities in the region, but connections between them are incomplete. Creating a more unified network of high-quality open spaces and trails that connect to Hamilton's commercial areas and key destinations will support local economic development and sustainable tourism.

Streets and Open Spaces that Support People and Business

We strongly support the Task Force's recommendation for creative approaches and investments in the public realm. There is great potential to leverage the public realm to simultaneously deliver benefits to businesses and to residents more generally.

Recent experiments in outdoor dining and repurposing driving and parking space for people should continue and be expanded to more areas of the city. These approaches should be part of a comprehensive re-think of our main streets. Going forward, street designs should enhance accessibility while providing increased space for non-auto circulation and local business activity. At the same time, new design approaches should include parking strategies that reflect (and appropriately manage) the acceleration of food and product delivery. Additionally, local approaches to delivery by both automobile and bicycle may improve fairness for businesses and delivery workers, and enhance sustainability.

Streetscape and public realm strategies must also intentionally address accessibility, equity, and dignity. Along our streets and in our public spaces, investments in dignified public washrooms, hand washing stations, accessible design, and freedom from discrimination will ensure that all residents can participate in economic recovery and public life.

Supporting the People who Uphold our Food Systems

The Task Force report includes important recommendations for preserving and investing in agricultural land and potentially investing in food infrastructure to support industry and jobs. We strongly support these strategies. However, we believe it is critical for the report to also specifically recognize the role of food and agricultural workers in upholding our food security and our food systems.

Agricultural workers and workers in the food processing, service, and retailing sectors have faced considerable stresses and risks while keeping us fed. Migrant agricultural workers and workers in food processing plants have been disproportionately affected by COVID-19 outbreaks. The Task Force strategies should include consideration of design and operational measures to improve the safety and wellbeing of food workers.

We are committed to working with the City and the Task Force to elaborate on the commentary in this letter and the broader issues of city building and economic recovery.

Sincerely,

Josh Neubauer, MCIP, RPP
Planner
jneubauer@urbanstrategies.com

Mary Lou Tanner, FCIP, RPP
Planner
mtanner@niagaraplanninggroup.ca

Kate Whalen, PhD
whalenk@mcmaster.ca

Pilon, Janet

Subject: Homelessness

From: Suzanne Kelly

Sent: December 4, 2020 10:37 AM

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

Subject: Homelessness

I am so disappointed in you Fred, I am beyond words. With all the resources at your disposal, how can you possibly not know that people have died while homeless in Hamilton, and often died because they are homeless? Watch this video, and educate yourself out of your deplorable and unforgivable ignorance. Let me introduce you to the Hamilton where my friends, my loved ones, and my neighbours are dying [homeless](#).

I am ashamed to say I trusted you, believed in you and voted for you. I am ashamed of you as a Mayor, and as a human being.



Hamilton

**MAYOR'S TASK FORCE ON ECONOMIC RECOVERY
REPORT 20-006**

Thursday, November 26, 2020

8:30 a.m.

**Council Chamber
Hamilton City Hall
71 Main Street West**

Present: Councillors J. P. Danko and N. Nann
 R. McKerlie, President of Mohawk College (Chair)
 R. Brown, Manager, Westfield Heritage Village
 K. Duffin, President and CEO, Amity Goodwill
 P. Hall, Executive Director, Stoney Creek Chamber of Commerce
 K. Jarvi, Executive Director, Downtown Hamilton BIA
 T. Johns, Board Member, West End Home Builders' Association (Vice-Chair)
 L. La Rocca, Director of Operations, Sonic Unyon Records
 K. Loomis, President & CEO, Hamilton Chamber of Commerce
 B. Lubbers, General Manager, Courtyard by Marriott
 A. Marco, President, Hamilton & District Labour Council
 R. McCann, Founder, Clearcable Networks
 B. Munroe, Blacktop Recess
 M. Patricelli, Executive Director, Flamborough Chamber of Commerce
 C. Puckering, President and CEO, Hamilton International Airport
 D. Spoelstra, Chair of Agriculture & Rural Affairs Committee
 J. Travis, Executive Director Workforce Planning Hamilton
 H. Wegiel, Director of Government and Trade Relations ArcelorMittal Dofasco
 G. Yuyitung, Executive Director of the McMaster Industry Liaison Office

Absent with

Regrets: Mayor F. Eisenberger – City Business
 Councillor T. Whitehead – Personal
 M. Afinec, President & COO of Business Operations, Hamilton Tiger-Cats & Forge FC
 F. Bernstein, Executive Director, Workers Art & Heritage Centre
 E. Dunham, Owner, The Other Bird
 M. Ellerker, Business Manager, Hamilton-Brantford Building & Construction Trades Council (Building/Skilled Trades Sector)
 T. Shattuck, Chair, Synapse Life Science Consortium, McMaster Innovation Park

THE MAYOR'S TASK FORCE ON ECONOMIC RECOVERY PRESENTS REPORT 20-006 FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the November 26, 2020 meeting of the Mayor's Task Force on Economic Recovery, was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) September 25, 2020 (Item 3.1)

The Minutes of the September 25, 2020 meeting of the Mayor's Task Force on Economic Recovery, were approved, as presented.

(d) DISCUSSION ITEM (Item 7)

(i) Final Draft Report of the Mayor's Task Force on Economic Recovery (Item 7.1)

The Final Draft Report of the Mayor's Task Force on Economic Recovery was amended by adding the following:

- (a) Establishment of a Small Business Tax Class Status as permitted by the Province of Ontario that will target support for small businesses in the City of Hamilton,
- (b) Addition of Rural Boundary Protection and Environmental Support within Climate Action Priority Areas of Action; and
- (c) Revise the information regarding affordable housing units to reflect current Council approval.

The Final Draft Report of the Mayor's Task Force on Economic Recovery was approved as amended and referred to the December 9, 2020 General Issues Committee meeting for consideration.

R. McCann requested to be marked as OPPOSED to the approval of the report.

(e) **ADJOURNMENT (Item 11)**

There being no further business, the Mayor's Task Force on Economic Recovery adjourned at 10:09 a.m.

Respectfully submitted,

Ron McKerlie, Chair
Mayor's Task Force on Economic
Recovery

Loren Kolar
Legislative Coordinator
Office of the City Clerk



SPECIAL GENERAL ISSUES COMMITTEE REPORT 20-022

9:30 a.m.

Monday, November 30, 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, C. Collins, T. Jackson,
E. Pauls, J.P. Danko, B. Clark, M. Pearson, B. Johnson, L. Ferguson,
J. Partridge

Absent: Councillors T. Whitehead, S. Merulla – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-022 FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

The agenda for the November 30, 2020 Special General Issues Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

(c) PRIVATE & CONFIDENTIAL (Item 3)

Committee moved into Closed Session respecting Item 3.1, pursuant to Section 8.3, Sub-sections (a) and (b) of the City's Procedural By-law 18-270, as amended, and Section 239(3.1) of the *Ontario Municipal Act*, as amended, as a meeting of Council or a Committee may be closed to the public if it is held for the purposes of educating or training members; and, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council or the Committee.

Committee recessed for one half hour until 12:40 p.m.

Committee moved back into Closed Session respecting Item 3.1, pursuant to Section 8.3, Sub-sections (a) and (b) of the City's Procedural By-law 18-270, as amended, and Section 239(3.1) of the *Ontario Municipal Act*, as amended, as a meeting of Council or a Committee may be closed to the public if it is held for the purposes of educating or training members; and, at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of Council or the Committee.

(i) Legislative Training (Item 3.1)

There was nothing to report in Open Session respecting this matter.

(d) ADJOURNMENT (Item 10)

There being no further business, the special General Issues Committee adjourned at 2:52 p.m.

Respectfully submitted,

Deputy Mayor Arlene VanderBeek
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



BOARD OF HEALTH REPORT 20-008

9:30 a.m.

Monday, December 7, 2020

**Council Chambers
Hamilton City Hall**

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

**Absent with
Regrets:** Councillors S. Merulla – Personal

THE BOARD OF HEALTH PRESENTS REPORT 20-008 AND RESPECTFULLY RECOMMENDS:

1. Clean Air Hamilton 2019 Annual Report (BOH20023) (City Wide) (Item 9.1)

That Report BOH20023 respecting the Clean Air Hamilton 2019 Annual Report, be received.

2. Food Advisory Committee 2021 Budget Request (BOH20024) (Item 10.1)

- (a) That the Food Advisory Committee 2021 Budget Submission attached as Appendix "A" to Report BOH20024, in the amount of \$1,500, be approved and referred to the 2021 budget process for consideration; and,
- (b) That the unspent 2020 approved funding for education, training and events, in the amount of \$1,000, be transferred to the Food Advisory Committee's 2021 reserve.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

The Committee Clerk advised the Board of the following changes:

8. VIRTUAL DELEGATIONS (Item 8)

- (i) Anja Dragicevic, respecting Mandatory Masks During Physical Activity (Item 8.1)

The delegation was withdrawn.

The agenda for the December 7, 2020 Board of Health was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) November 16, 2020 (Item 4.1)

The Minutes of the November 16, 2020 meeting of the Board of Health were approved, as presented.

(e) STAFF PRESENTATIONS (Item 9)

(i) Clean Air Hamilton 2019 Annual Report (BOH20023) (City Wide) (Item 9.1)

Matt Lawson, Program Manager, Healthy and Safe Communities and Dr. Bruce Newbold, addressed the Board with an overview of the Clean Air Hamilton 2019 Annual Report (BOH20023), with the aid of a PowerPoint presentation.

The Presentation respecting Clean Air Hamilton 2019 Annual Report (BOH20023), was received.

For further disposition of this matter, refer to Item 2.

(ii) Overview of COVID-19 Activity in the City of Hamilton 11 Mar to Present (Item 9.2)

Dr. Elizabeth Richardson, Medical Officer of Health and Stephanie Hughes, Epidemiologist, Healthy and Safe Communities, addressed the Board with an Overview of COVID-19 Activity in the City of Hamilton 11 Mar to present, with the aid of a PowerPoint presentation.

The Presentation respecting an Overview of COVID-19 Activity in the City of Hamilton 11 Mar to present, was received.

(g) ADJOURNMENT (Item 15)

There being no further business, the Board of Health was adjourned at 11:45 a.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



PUBLIC WORKS COMMITTEE REPORT 20-012

1:30 p.m.
Monday, December 7, 2020
Council Chambers
Hamilton City Hall
71 Main Street West

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

Absent with Regrets: Councillor S. Merulla (Vice-Chair) – Personal

Also Present: Councillor M. Wilson

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 20-012 AND RESPECTFULLY RECOMMENDS:

1. **Appointment of Committee Chair and Vice-Chair for 2021 (Item 1)**
 - (a) That Councillor VanderBeek be appointed as Chair of the Public Works Committee for 2021; and,
 - (b) That Councillor Nann be appointed as Vice-Chair of the Public Works Committee for 2021.

2. **Intersection Control List (PW20001(c)) (Wards 9 and 11) (Item 7.1)**

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section "D" Glanbrook						

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(a)	Pinnacle Court	Rosebury Way	NC	WB	A	Plan of new subdivision	11
(b)	Rosebury Way	Provident Way	NC	NB	A	Plan of new subdivision	11
(c)	Fairey Crescent	Provident Way	NC	WB	A	Plan of new subdivision	11
(d)	Freedom Crescent	Provident Way	NC	EB	A	Plan of new subdivision	11
Section "F" Stoney Creek							
(e)	Soho Street	Upper Red Hill Parkway	NC	WB	B	Housekeeping – missing stop control	9

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

3. Accessible Transportation Services (ATS) Eligibility Audit (AUD20009) (City Wide) (Item 9.1)

- (a) That Appendices "A", "B", and "C" attached to Public Works Committee Report 20-012, respecting the Accessible Transportation Service (ATS) Eligibility Audit Report, be received;
- (b) That the Management Responses as detailed in Appendix "D" to Public Works Committee Report 20-012 be approved; and,
- (c) That the General Manager of Public Works be directed to instruct the appropriate staff to have the Management Responses (attached as Appendix "D" to Public Works Committee Report 20-012) implemented.

4. Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Item 9.2)

- (a) That the amending By-law to City of Hamilton By-law 01-215, being a by-law to Regulate Traffic ("City of Hamilton Traffic By-law"), to add the definition and regulations for the operation and use of electric kick-scooters ("E-Scooters"), attached to Report PED20134/PW20050 as Appendix "A", and which has been prepared in a form satisfactory to the City Solicitor be enacted and effective immediately;

- (b) That a temporary prohibition on commercial E-Scooter operations be put in place until an operating framework and related regulations for commercial E-Scooters has been established;
- (c) That the By-law to Regulate Commercial E-Scooters, attached as Appendix "B" to Report PED20134/PW20050, and which has been prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately;
- (d) That the set fines for regulations pertaining to E-Scooters and updated fines for the Traffic By-law, attached as Appendix "E" to Public Works Committee Report 20-012, and which has been prepared in a form satisfactory to the City Solicitor, be submitted to the Ministry of the Attorney General for approval;
- (e) That the draft amending By-law to Manage and Regulate Municipal Parks and to amend By-law 17-225, being a By-law to Establish a System of Administrative Penalties, attached as Appendix "D" to Report PED20134/PW20050, and which has been prepared in a form satisfactory to the City Solicitor, be enacted and effective immediately;
- (f) That the City of Hamilton User Fees and Charges By-law 20-168 be amended to reflect an administrative and enforcement cost of \$246.01 and a storage charge of \$62.83 per commercial E-Scooter per day; and,
- (g) That staff be directed to report back to the Public Works Committee with a strategy for regulating commercial operations of E-Scooters and their integration with the bike-share system.

5. Chedoke Watershed Improvement Evaluation (PW20083) (City Wide) (Item 9.3)

That Report PW20083, respecting the Chedoke Watershed Improvement Evaluation, be received.

6. Hamilton Cycling Committee Budget 2021 (PED20212) (City Wide) (Item 10.1)

- (a) That the Hamilton Cycling Committee 2021 base budget submission, in the amount of \$10,000, as described in Appendix "F" attached to Public Works Committee Report 20-012, be approved and referred to the 2021 budget process for consideration; and,
- (b) That, in addition to the base funding, a one-time budget allocation for 2021 of \$4,000, will be used to initiate a community grant program to support community events and initiatives that meet the mandate of the Committee,

to be funded by the Hamilton Cycling Committee reserve, be approved and referred to the 2021 budget process for consideration.

7. Wastewater Quality Management System (WWQMS) Operational Plan Summary Report (PW20076) (City Wide) (Item 10.2)

- (a) That the Wastewater Quality Management System (WWQMS) Operational Plan Summary Report, attached as Appendix “G” to Public Works Committee Report 20-012, be approved; and,
- (b) That the Mayor, City Clerk, General Manager of Public Works and Director of Hamilton Water, be authorized and directed to execute the Wastewater Quality Management System Operational Plan Summary Report by signing the Commitment and Endorsement page within the Summary Report, attached as Appendix “G” to Public Works Committee Report 20-012.

8. Red Light Camera Program (PW20077) (City Wide) (Item 10.3)

- (a) Pursuant to Procurement Policy By-law 20-205, Policy #11 Non-Competitive Procurements, that the General Manager of Public Works be authorized to negotiate, enter into and execute an amendment to the existing agreement and any ancillary documents for the provision of maintenance, operation and data transfer services of the existing 33 red light cameras with Traffipax LLC, to include:
 - (i) an extension of the agreement until December 31, 2026; and,
 - (ii) the conversion of the existing 33 red light camera locations to the new RLC technology in accordance with the principles contained in this Report PW20077, all in a form satisfactory to the City Solicitor;
- (b) That the costs for the equipment rental and servicing under the existing agreement be charged to the Red Light Camera Reserve, account 55916-461010;
- (c) Pursuant to Procurement Policy By-law 20-205, Policy #12 – Cooperative Procurements, that the General Manager of Public Works be authorized to negotiate, enter into and execute an agreement and any ancillary documents for the provision of new radar-equipped red light cameras, associated equipment, maintenance and data transfer services for the period of 2021-2027 with Traffipax LLC, in accordance with the terms and conditions of the Request for Approvals executed by the City of Toronto on behalf of the Red Light Camera consortium, all in a form satisfactory to the City Solicitor; and,

- (d) That the costs for the new equipment rental and servicing to be charged to the Red Light Camera Reserve, account 55916-461010.

9. Community Safety Zones (PW20045(a)) (City Wide) (Item 10.4)

- (a) That the amendment to the Automated Speed Enforcement pilot project deployment plan and schedule October 2020-September 2021, attached to Public Works Committee Report 20-012 as Appendix "H" be approved; and,
- (b) That the additional designated Community Safety Zones which supports the amendment to the Automated Speed Enforcement pilot project, attached to Public Works Committee Report 20-012 as Appendix "I" and directs staff to amend By-law 01-215, Schedule 34, for implementation in 2021 be approved.

10. Hamilton General Hospital Safety Zone (PW20079) (Ward 3) (Item 10.5)

- (a) That \$5,000 in funding from each of the Ward 2 and Ward 3 Area Rating Funds (\$10,000 total) be approved to implement an alleyway bike path with direct access to Hamilton General Hospital;
- (b) That the operational improvements consisting of enhanced signage, pavement markings and traffic calming measures as outlined in Report PW20079 in the area of the Hamilton General Hospital be implemented; and,
- (c) That the amendment to Schedule 34 (Designated Community Safety Zones) of City of Hamilton By-law 01-215, attached to Report PW20079 as Appendix "A", be approved.

11. Park Improvements (Ward 3) (Item 11.1)

WHEREAS, Parks in Ward 3 benefit the residents health and well-being by providing community space and recreational amenities, which is especially important during the COVID-19 pandemic, and;

WHEREAS, Dofasco Park, Hayward Park, Lucy Day Park, Keith Park, Lifesavers Park and Pinky Lewis Parkette have been identified for key capital park amenity improvements;

THEREFORE, BE IT RESOLVED:

- (a) That the following projects be approved, and the Capital work be funded from Ward 3 Capital Infrastructure Reserve #108053:

- (i) That Dofasco Park, located on 274B Beach Road, Hamilton, be improved with a play structure at a replacement cost of \$25,000 and the installation of a new drinking water fountain at a cost of \$45,000, with \$2,500 in annual operating costs to be added to the 2021 base budget;
 - (ii) That Haywood Park, located at 13 Dalkeith Avenue, Hamilton, be improved with a play structure at a replacement cost of \$35,000, a drinking water fountain replacement at a cost of \$15,000, and asphalt pathway replacement at a cost of \$15,000;
 - (iii) That three (3) new floral planters be installed in Haywood Park, located at 13 Dalkeith Avenue, Hamilton, and that a portion of the grassed area be converted to a pollinator garden, at a combined cost of \$3,030, with \$2,400 in annual operating costs added to the 2021 base budget;
 - (iv) That Lucy Day Park, located at 33 Clinton Street, Hamilton, be improved with new security fencing along the rear portion of the park, at a cost of \$40,000, and that decorative fencing be added to the front portion of the park, at cost of \$20,000;
 - (v) That Keith Park, located at 90 Burton Street, Hamilton, be improved with a play structure at a replacement cost of \$50,000, and the installation of a new drinking water fountain at a cost of \$45,000, with \$2,500 in annual operating costs to be added to the 2021 base budget;
 - (vi) That eight (8) new floral planters be installed in Pinky Lewis Parkette, located at 169 Sanford Avenue North, Hamilton, and that a portion of the grassed area be converted to a pollinator garden, at a combined cost of \$5,700, with \$3,900 in annual operating costs and 0.16 FTE added to the 2021 base budget; and,
 - (vii) That Lifesavers Park, located at 100 Cumberland Avenue, Hamilton, be improved with pedestrian lighting at a cost of \$35,000, with \$500 in annual operating costs to be added to the 2021 base budget;
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

12. Eastwood Park Improvements, 111 Burlington Street East, Hamilton (Ward 2) (Added Item 11.2)

WHEREAS, the play structure and rubber safety surfacing located within Eastwood Park at 111 Burlington Street East, Hamilton has reached end of life; and,

WHEREAS, this community amenity is a valuable recreation opportunity for children, youth and families within the North End neighbourhoods, especially during the Covid-19 pandemic;

THEREFORE, BE IT RESOLVED:

- (a) That the removal of the existing play structure, rubber safety surfacing, and the design and installation of a new play structure and rubber safety surfacing at 111 Burlington Street East (Eastwood Park), Hamilton, at an approximate cost of \$70,000 be funded from the Ward 2 - Capital Infrastructure Reserve #108052, be approved; and,
- (b) That the General Manager of Public Works, or their delegate, be authorized and directed to approve and execute any and all required agreements and ancillary documents, in a form satisfactory to the City Solicitor.

13. Roadway Safety Audit of Upper Gage Avenue, between Stone Church Road East and Rymal Road East, Hamilton (Ward 6) (Added Item 11.3)

That Transportation Operations & Maintenance staff undertake a roadway safety audit, based on Vision Zero principles, of Upper Gage Avenue, between Stone Church Road East and Rymal Road East, to assess potential safety enhancements such as a reduced speed limit, school zone flashing lights, physical changes to the lane configuration, and the feasibility as a future location for an automated speed enforcement camera or red light camera.

14. Service Provider Update (CONFIDENTIAL PW20057(a)/LS20024(a)) (City Wide) (Item 14.1)

- (a) That Report PW20057(a)/LS20024(a), respecting a Service Provider Update, be received; and,
- (b) That Report PW20057(a)/LS20024(a), respecting a Service Provider Update, remain confidential.

15. **An Ontario Human Rights Tribunal Matter Involving Transportation (CONFIDENTIAL LS20033/PW20078) (City Wide) (Item 14.2)**
- (a) That the direction provided to staff in Closed Session, respecting An Ontario Human Rights Tribunal Matter Involving Transportation, be approved; and,
 - (b) That Report LS20033/PW20078 and its recommendations, respecting An Ontario Human Rights Tribunal Matter Involving Transportation, remain confidential and not be released as a public document.
16. **Stelco Inc. Severances - 386 Wilcox Street, Hamilton (CONFIDENTIAL PED20220/PW20067/LS20037) (Ward 3) (Added Item 14.3)**
- (a) That the direction provided to staff in Closed Session, respecting Stelco Inc. Severances - 386 Wilcox Street, Hamilton, be approved;
 - (b) That Report PED20220/PW20067/LS20037, including the Recommendations therein, respecting Stelco Inc. Severances - 386 Wilcox Street, Hamilton, be released to the public following Council approval, except for Appendix "B" attached to Report PED20220/PW20067/LS20037, which shall remain confidential; and,
 - (c) That the presentation, respecting Report PED20220/PW20067/LS20037, Stelco Inc. Severances - 386 Wilcox Street, Hamilton, be received and remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS (Item 5)

- 5.2 Correspondence from John McGreal respecting Item 10.4 - Community Safety Zones (PW20045(a)) (City Wide)

Recommendation: Be received and referred to the consideration of Item 10.4 - Community Safety Zones (PW20045(a)) (City Wide).

6. DELEGATION REQUESTS (Item 6)

- 6.1 Chris Schafer, Bird Canada, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (for today's meeting)

- 6.2 Moaz Ahmad, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (for today's meeting)
- 6.3 Shoaib Ahmed, SCOOTY, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (for today's meeting)
- 6.4 Jessica Merolli, Hamilton Cycling Committee, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (for today's meeting)

9. STAFF PRESENTATIONS

- 9.1 Accessible Transportation Services (ATS) Eligibility Audit (AUD20009) (City Wide) (Outstanding Business List Item)

Appendix "B" was revised to correct the Management response to Recommendation 11.

12. NOTICES OF MOTION

- 12.1 Eastwood Park Improvements, 111 Burlington Street East, Hamilton (Ward 2)
- 12.2 Construction of a Cul-de-sac on Anchor Road, Hamilton (Ward 6)

14. PRIVATE AND CONFIDENTIAL (Item 14)

- 14.3 Stelco Inc. Severances - 386 Wilcox Street, Hamilton (PED20220/PW20067/LS20037) (Ward 3)

The agenda for the December 7, 2020 Public Works Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) November 16, 2020 (Item 4.1)

The Minutes of the November 16, 2020 meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

Communication Items 5.1 and 5.2 were received, as presented, as follows:

- (i) Correspondence from Peter Hurrell respecting Opposition to the Addition of a Traffic Light at Old Guelph Road and York Road, Hamilton (Ward 13) (Item 5.1)

Recommendation: Be received.

- (ii) Correspondence from John McGreal respecting Item 10.4 - Community Safety Zones (PW20045(a)) (City Wide) (Added Item 5.2)

Recommendation: Be received and referred to the consideration of Item 10.4 - Community Safety Zones (PW20045(a)) (City Wide).

(e) DELEGATION REQUESTS (Item 6)

- (a) The following delegation requests were approved for today's meeting:

- (i) **Chris Schafer, Bird Canada, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 6.1)**
- (ii) **Moaz Ahmad, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 6.2)**
- (iii) **Shoaib Ahmed, SCOOTY, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 6.3)**
- (iv) **Jessica Merolli, Hamilton Cycling Committee, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 6.4)**

For further disposition of this matter, refer to Items (g)(i) – (g)(iv).

(f) CONSENT ITEMS (Item 7)

- (a) Consent Items 7.2 to 7.5 were received, as presented:

- (i) **Keep Hamilton Clean and Green Committee Meeting Minutes - January 28, 2020 (Item 7.2)**
- (ii) **Keep Hamilton Clean and Green Committee Meeting Notes - February 25, 2020 (Item 7.3)**
- (iii) **Keep Hamilton Clean and Green Committee Meeting Notes - September 15, 2020 (Item 7.4)**

(iv) **Keep Hamilton Clean and Green Committee Meeting Minutes - October 20, 2020 (Item 7.5)**

(g) **PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 8)**

(i) **Chris Schafer, Bird Canada, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 8.1)**

Chris Schafer, Bird Canada, addressed the Committee respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide), with the aid of a presentation.

The delegation from Chris Schafer, Bird Canada, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide), was received.

(ii) **Moaz Ahmad, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 8.2)**

Moaz Ahmad, addressed the Committee respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide), with the aid of a presentation.

The delegation from Moaz Ahmad, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide), was received.

(iii) **Shoaib Ahmed, SCOOTY, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 8.3)**

Shoaib Ahmed, SCOOTY, addressed the Committee respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide), with the aid of a presentation.

The delegation from Shoaib Ahmed, SCOOTY, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide), was received.

(iv) **Jessica Merolli, Hamilton Cycling Committee, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Added Item 8.4)**

Jessica Merolli, Hamilton Cycling Committee, addressed the Committee respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide).

The delegation from Jessica Merolli, Hamilton Cycling Committee, respecting Item 9.2 - Regulation of E-Scooters (PED20134/PW20050) (City Wide), was received.

(h) STAFF PRESENTATIONS (Item 9)

(i) Accessible Transportation Services (ATS) Eligibility Audit (AUD20009) (City Wide) (Item 9.1)

Charles Brown, City Auditor, addressed Committee respecting Report AUD20009, Accessible Transportation Services (ATS) Eligibility Audit, with the aid of a presentation.

The presentation, respecting Report AUD20009, Accessible Transportation Services (ATS) Eligibility Audit, was received.

For further disposition of this matter, refer to Item 3.

(ii) Regulation of E-Scooters (PED20134/PW20050) (City Wide) (Item 9.2)

Peter Topalovic, Project Manager - Sustainable Mobility, addressed Committee respecting Report PED20134/PW20050, Regulation of E-Scooters, with the aid of a presentation.

The presentation, respecting Report PED20134/PW20050, Regulation of E-Scooters, was received.

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

(iii) Chedoke Watershed Improvement Evaluation (PW20083) (City Wide) (Item 9.3)

Mark Bainbridge, Director, Water and Wastewater Planning and Capital, addressed Committee respecting Report PW20083, Chedoke Watershed Improvement Evaluation, with the aid of a presentation.

The presentation, respecting Report PW20083, Chedoke Watershed Improvement Evaluation, was received.

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

The Public Works Committee recessed at 5:44 p.m.

The Public Works Committee reconvened at 6:01 p.m.

(i) NOTICES OF MOTION (Item 12)

(i) Eastwood Park Improvements, 111 Burlington Street East, Hamilton (Ward 2) (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a Motion respecting Eastwood Park Improvements, 111 Burlington Street East, Hamilton (Ward 2).

For further disposition of this matter, refer to Item 12.

Councillor Jackson introduced the following Notice of Motion:

(ii) Construction of a Cul-de-sac on Anchor Road, Hamilton (Ward 6) (Added Item 12.2)

WHEREAS, the North Hannon Neighbourhood Plan was amended in 2017 with the approval of Report PED17205;

WHEREAS, as the approved changes resulted in the elimination of any future extension of Anchor Road to the south;

WHEREAS, Pritchard Road abuts the south east limit of Anchor Road and development applications are proceeding;

WHEREAS, the future scope of any development will require the works within the existing Anchor Road Right of Way;

WHEREAS, the existing Anchor Road was constructed in the 1980's without a cul-de-sac,

WHEREAS, there will be operational benefits to have a proper cul-de-sac in place; and,

WHEREAS, there will be opportunities to enhance any natural trails in the vicinity with this project;

THEREFORE, BE IT RESOLVED:

- (a) That a proper cul-de-sac be constructed on Anchor Road, Hamilton, to be funded from the Ward 6 Special Capital Re-Investment Reserve Account (108056), to an upset limit of \$230,000; and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with

such terms and conditions in a form satisfactory to the City Solicitor.

(iii) **Roadway Safety Audit of Upper Gage Avenue, between Stone Church Road East and Rymal Road East, Hamilton (Ward 6) (Added Item 12.3)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Roadway Safety Audit of Upper Gage Avenue, between Stone Church Road East and Rymal Road East, Hamilton (Ward 6).

For further disposition of this matter, refer to Item 13.

Councillor Danko relinquished the Chair to Councillor VanderBeek at 6:14 p.m.

Councillor Danko assumed the Chair at 6:20 p.m.

(j) **GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

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

The following amendments to the Public Works Committee's Outstanding Business List, were approved:

(a) Items Requiring a New Due Date:

- (i) Minimum Maintenance Standards Changes
Item on OBL: AC
Current Due Date: Q2 2021
Proposed New Due Date: January 11, 2021
- (ii) Operations and Maintenance of the Central Composting Facility
Item on OBL: AV
Current Due Date: February 1, 2021
Proposed New Due Date: March 22, 2021
- (iii) Roadway Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road
Item on OBL: AZ
Current Due Date: 2021
Proposed New Due Date: May 3, 2021
- (iv) City of Hamilton's Cemeteries Business Plan
Item on OBL: AAO
Current Due Date: Q1 2021
Proposed New Due Date: February 19, 2021

- (v) Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir
Item on OBL: AAP
Current Due Date: December 7, 2020
Proposed New Due Date: Q1 2021
- (vi) Automated Speed Enforcement
Item on OBL: AAT
Current Due Date: Q1 2021
Proposed New Due Date: Q1 2022
- (vii) Feasibility of Implementation of a Digital Automated Information System on the Lincoln Alexander Parkway and Red Hill Valley Parkway
Item on OBL: AAU
Current Due Date: January 11, 2021
Proposed New Due Date: June 14, 2021
- (viii) Management of the Aviary at 85 Oak Knoll Drive
Item on OBL: AAY
Current Due Date: Q2 2021
Proposed New Due Date: June 14, 2021
- (ix) Enhanced Inspections and Monitoring – Hamilton Water and Wastewater
Item on OBL: ABB
Current Due Date: December 7, 2020
Proposed New Due Date: Q2 2021
- (x) COVID-19 Recovery Phase Mobility Plan
Item on OBL: ABE
Current Due Date: December 7, 2020
Proposed New Due Date: March 22, 2021
- (b) Items Considered Complete and Needing to be Removed:
 - (i) Eligibility Audit of Clients Registered for DARTS
Addressed as Items (h)(i) and 3 on today's agenda - Report AUD20009
Item on OBL: AAQ
 - (ii) Auxiliary List of Potential Automated Speed Enforcement Locations
Addressed as Item 9 on today's agenda - Report PW20045(a)
Item on OBL: ABE

- (iii) To Create a Hamilton General Hospital Safety Zone
Addressed as Item 10 on today's agenda - Report PW20079
Item on OBL: U

(k) PRIVATE AND CONFIDENTIAL (Item 14)

Committee moved into Closed Session respecting Items 14.1, 14.2 and 14.3, pursuant to Section 8.1, Sub-sections (e), (f), (g) and (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Subsections (e), (f), (g) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a matter in respect of which Council or a Committee may hold a closed meeting under an Act other than the *Municipal Act, 2001*; 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.

- (i) **Service Provider Update (PW20057(a)/LS20024(a)) (City Wide) (Item 14.1)**

For disposition of this matter, refer to Item 14.

- (ii) **An Ontario Human Rights Tribunal Matter Involving Transportation (LS20033/PW20078) (City Wide) (Item 14.2)**

For disposition of this matter, refer to Item 15.

- (iii) **Stelco Inc. Severances - 386 Wilcox Street, Hamilton (PED20220/PW20067/LS20037) (Ward 3) (Added Item 14.3)**

For disposition of this matter, refer to Item 16.

(l) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee was adjourned at 8:39 p.m.

Respectfully submitted,

Councillor J.P. Danko
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



Hamilton

Office of the City Auditor

Accessible Transportation Services (ATS) Eligibility Audit



December 7, 2020

Contents

Executive Summary	3
Introduction and Background	3
Overview of ATS in 2019	6
Key Terms	7
Audit Objective	8
Audit Scope	9
Findings	
Eligibility Outcomes Drive Service Level and Costs	10
Variation Exists in Eligibility Decisions	12
Variation Exists in Safety Considerations	13
Opportunities Exist to Improve the Application Form	15
Opportunities Exist to Improve Processes	17
Opportunities Exist to Improve Staff Training and Oversight	19
Eligibility Reassessments are Recommended	21
Different Service Options Should Be Explored	22
Opportunities Exist to Improve Data Management	25
Waste Identified with the Travel Training Program	26
Control Weakness Identified with Functional Assessment Payments	26
Inadequate Performance Measures	26
Other Administrative Items	27
Recommendations	29
Conclusion	29

Executive Summary

In November 2019, the Public Works Committee requested the City Auditor to complete an accessible transportation services eligibility audit. The City Auditor completed this audit as fulfillment of its planned DARTS-related audit already included on the 2019-2022 Office of the City Auditor Workplan.

As a result, the Office of the City Auditor conducted the audit during which independent third-party expertise was obtained, benchmarking with other municipalities conducted and data analyses performed to assess the accuracy of current eligibility decisions and identify opportunities for process improvement and cost containment. The City Auditor has brought forward 14 recommendations to strengthen controls, increase process efficiencies and explore cost saving opportunities. Management in Accessible Transit Services agreed with all 14 recommendations. Action plan completion dates range from Q4 2020 to Q2 2022.

Introduction and Background

Municipal governments are responsible for providing local public transportation services. The *Ontario Human Rights Code* mandates that every person has a right to equal treatment with respect to services provided by municipal governments, including public transit, without discrimination because of disability. In addition, the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) provides municipalities with specific accessibility standards that must be adopted in the provision of transportation services.

The City of Hamilton provides both conventional and specialized public transportation services. The City’s conventional bus service is operated by the Hamilton Street Railway (HSR), the Transit Division within the Public Works department. HSR buses are compliant with AODA standards. There are customers who are unable to use HSR service due to functional limitations stemming from their disabilities. In response, the City provides specialized paratransit service for persons with disabilities.

The City’s specialized paratransit service is overseen by Accessible Transportation Services (ATS), a group within the Customer Experience & Innovation section within the Transit Division. ATS is responsible for assessing eligibility for paratransit services and managing providers contracted to perform specific services.

Introduction and Background

ATS provides the following services:

DARTS

The Disabled and Aged Regional Transportation System (DARTS), a nonprofit charitable organization, is contracted by the City to provide assisted accessible door-to-door shared-ride transportation. DARTS fares are the same as those for HSR, which is required by the AODA standards.

Taxi Scrip

The Taxi Scrip Program is available to City residents who are eligible for DARTS service. This program provides subsidized taxi fares allowing passengers to receive a 40% discount when travelling with two local taxi companies. Passengers buy a Taxi Scrip booklet for \$24 which contains \$40 worth of coupons used to pay their taxi fares. Up to three Taxi Scrip coupon booklets may be purchased each month.

Travel Training

The City has provided permanent funding to an outside agency for a Travel Training Program. This program teaches those with cognitive disabilities who are using developmental services in Hamilton to ride the HSR independently. The program consists of both classroom instruction and one-on-one on-bus training to teach skills required to plan a route and use HSR safely. The agency reaches out to student and community partners to recruit candidates for this program.

Eligibility for paratransit services is considered on a case-by-case basis and depends on an applicant’s functional ability to use HSR rather than the person’s disability, medical diagnosis or income level. The eligibility categories outlined in the AODA (which had to be implemented by January 1, 2017) include:

Eligibility	Description
Unconditional	An applicant is unable to use HSR; eligible for all trips on DARTS.
Conditional	An applicant is able to use HSR under certain conditions; eligible for some trips on DARTS as follows: <ul style="list-style-type: none"> • Seasonal – Travel during winter only (November 1 to April 30). • Trip by Trip – Travel to approved locations only.
Temporary	An applicant is unable to use HSR due to a temporary condition; eligible for all trips on DARTS for a specific time period.
Not Eligible	An applicant is able to use HSR; not eligible for any trips with DARTS.

Introduction and Background

These eligibility categories were adopted early by the City of Hamilton on November 1, 2012. Prior to this date, applicants who used a mobility device, received dialysis treatment or were diagnosed with Alzheimer's disease were provided unlimited use of DARTS. The City grandfathered all existing DARTS clients as of November 1, 2012, meaning these clients were automatically given unconditional eligibility without being reassessed under the new eligibility criteria.

An application form must be completed by an applicant and their health care provider to be considered for specialized transit. Applicants may be required to attend a third-party functional assessment in order to determine eligibility. Applicants who are unsatisfied with their eligibility decision may submit an appeal form to ATS. An appeal panel provides a final decision regarding the applicant's paratransit eligibility.

On November 18, 2019, as a result of rising trip counts and costs, the Public Works Committee requested the City Auditor to complete an eligibility audit. This report contains the results of this work.

The City of Hamilton, in accordance with its obligation to ensure that it is providing efficient and fair delivery of City services, has appointed an Auditor General, known as the City Auditor, who is the leader of the Office of the City Auditor (OCA). The City Auditor receives direction from Committee and Council from time to time to perform audits of specific processes. Council requested the City Auditor in 2017 to conduct an annual audit of DARTS, with no specified topic, which was included in the 2019-2022 Office of the City Auditor Workplan. This eligibility audit was carried out to fulfil that request and is intended to provide Council with the OCA's findings and conclusions regarding potential weaknesses in City processes and opportunities for improvement.

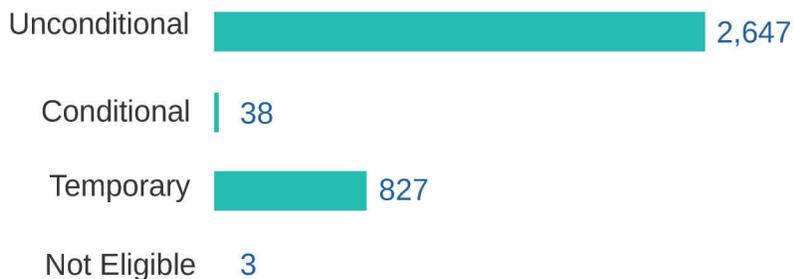
Overview of ATS in 2019

\$22.5M

2019 ATS Actual Net Operating Cost

This includes DARTS, Taxi Scrips, and Travel Training

Result of Applications Received and Assessed by ATS



17,000 Registered Clients
~9,000 active clients who take one or more trips per year



844,007 Passenger Trips Completed by DARTS
City cost \$26.71/trip



26,314 Taxi Scrip Booklets Sold
City cost \$16/booklet



47 Travel Training Recruits
City cost \$175 K

34

Third party functional assessments performed
City cost \$125/assessment

1

Eligibility decision appeal received

\$38 and \$144

Cost to assess an application in-house plus additional cost if applicant undergoes a functional assessment

3,515

Applications received and assessed by ATS

94

Average number of trips taken by active clients

Key Terms

Accessible Transportation Services (ATS): Group within the Transit Division responsible for assessing eligibility for paratransit services and managing providers contracted to perform specific services. Three service options offered by ATS include DARTS, Taxi Scrip and Travel Training.

Accessibility for Ontarians with Disabilities Act, 2005 (AODA): Provincial law that requires municipalities to adopt specific accessibility standards, including those related to public transportation services.

Conditional Eligibility: An applicant can use HSR under certain conditions and is therefore eligible for some trips on DARTS. Seasonal eligibility allows travel during winter only (November 1 to April 30). Trip by trip eligibility allows travel to approved locations only.

Conventional Transportation Service: Scheduled transit service performed by HSR where buses serve identified transit stops at established times along established routes.

Developmental Services: Services provided by agencies which are funded by the Ministry of Children, Community and Social Services. Services include supports to help people take part in their community, person-directed planning, housing supports, respite for caregivers, etc.

Disability: An impairment that makes it more difficult for an individual to do certain activities. This may include either short-term or long-term visual, sensory, cognitive, mental health and physical conditions.

Disabled and Aged Regional Transportation System (DARTS): Nonprofit charitable organization contracted by the City to provide assisted accessible door-to-door shared-ride transportation.

Functional Ability: Individuals need a minimum level of physical, cognitive and social skills to safely access public transportation. Functional ability measures an individual's capacity to apply these skills to perform certain tasks. Some tasks associated with public transit include being able to get to the stop, boarding and exiting the bus, paying fare, navigating through various environmental conditions, handling unexpected situations, and traveling safely in the community.

Key Terms

Grandfathered Clients: Pre-existing DARTS clients who were automatically provided unconditional eligibility on November 1, 2012 when the City implemented the new AODA eligibility categories.

Specialized Transportation Service or Paratransit: Transit service performed by DARTS where vehicles provide individualized rides without fixed routes or timetables.

Taxi Scrip: Subsidized program where passengers receive a 40% discount when travelling by taxi. Passengers buy a Taxi Scrip booklet for \$24 which contains \$40 worth of coupons to pay their fares.

Temporary Eligibility: An applicant is unable to use HSR due to a temporary condition and is therefore eligible for all trips on DARTS for a specific time period.

Trapeze: System used by ATS to record applicant information and the outcome of eligibility assessments.

Travel Training: Program that teaches those with cognitive disabilities who are using developmental services in Hamilton to ride the HSR independently.

Unconditional Eligibility: An applicant is unable to use HSR and is therefore eligible for all trips on DARTS.

Audit Objective

The overall objective of this audit was to assess current accessible transit eligibility processes and services with an aim to identify opportunities for efficiency, effectiveness and cost containment.

Audit Scope

The scope of work included processes related to the evaluation of accessible transit application forms received from January 1, 2019 to December 31, 2019. As required, more current or historical information was used to carry out specific audit procedures.

What We Did

1. Gained an appreciation of the challenges and needs of persons with disabilities.
2. Gained an understanding of the operational processes, assessment methods, and judgement involved with assessing accessible transit application forms.
3. Assessed the accuracy of current eligibility determinations.
4. Compared ATS' application form, assessment methods and specialized transit service options to those in other Ontario municipalities.
5. Calculated the cost and amount of time taken to evaluate application forms.
6. Determined how eligibility was assessed before AODA's eligibility categories existed and the impact of pre-existing clients on current service demands.
7. Gained an understanding of how improvements to the accessibility of conventional transit and changes in clients' functional abilities impact current service demands.
8. Obtained insights from the Canadian Urban Transit Association (CUTA) 2013 research study *Canadian Code of Practice for Determining Eligibility for Specialized Transit*, and the Nelson Nygaard Consulting Associates 2009 report *Implementation of New Eligibility Policy at Accessible Transportation Services*.

Audit Scope

How We Did It

- Reviewed applicable legislation, reports, agreements and research papers.
- Attended internal training sessions.
- Interviewed various personnel and other City employees.
- Documented pertinent processes in a narrative.
- Examined electronic and paper documents, reports and transactions.
- Performed data analyses.
- Compared operations with other Ontario municipalities.
- Hired an independent third-party expert to re-assess a sample of applications.

Findings

Eligibility Outcomes Drive Service Level and Costs

ATS' eligibility decision is a critical driver of specialized transportation service levels and costs. Since ATS does not reassess existing clients, those with unconditional or conditional eligibility may remain as such forever (unless a client voluntarily submits another application and triggers a new assessment). If ATS makes a mistake or is too lenient in their assessment, there is a risk that an applicant is provided more eligibility than what is required, creating inequity within the paratransit system and placing a larger burden on the City's financial resources. From 2017 to 2019, we found there were only seven applications denied out of 8,598 applications received and assessed.

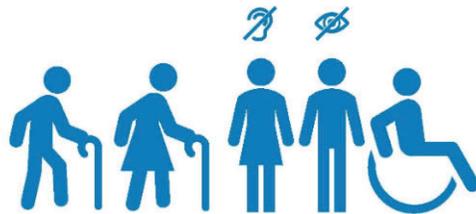
A small number of applicants given eligibility in error has a significant impact. In 2019, DARTS provided about 844,000 trips to 9,000 active clients at a cost of \$26.71 per trip. If only 1% of active clients were incorrectly assessed as eligible for DARTS, this could potentially translate to approximately \$225,000 in average savings each year. We caution that this is a simplified version of a complex calculation to illustrate the extent to which eligibility outcomes drive cost and does not represent guaranteed savings. ATS must carry out more analysis to determine the true financial impact of clients whose service eligibility may be different now as compared to the original assessment.

Findings

Eligibility Outcomes Drive Service Level and Costs

To gain confidence over how well ATS evaluates applications and makes eligibility decisions, the OCA hired Lifemark, an independent third-party with technical expertise and experience evaluating accessible transit applications, to re-evaluate 150 applications assessed by ATS from January 1, 2019 to February 29, 2020.

Lifemark is the rehabilitation division of Lifemark Health Group with over 300 locations across Canada. Lifemark offers a wide range of services including physiotherapy, massage therapy, occupational therapy, kinesiology, chiropractic treatments, acupuncture and sport therapy. The City of Ottawa contracts their determination of accessible transit eligibility to Lifemark. ATS' applications were re-evaluated by qualified healthcare professionals that possess an understanding of the different types of disabilities and the expertise to review and assess applications to determine an applicant's functional ability to use conventional transit. The OCA ensured all personal identifying information about the applicant, as well as ATS' eligibility decision, was redacted from documentation sent to Lifemark to minimize bias and maximize the validity of the results. In addition, Lifemark carried out an internal quality control review to ensure decisions were balanced, consistent, objective and fair before results were provided to the OCA.



150

ATS Applications Assessed
January 1, 2019 to February 29, 2020

Findings

Variation Exists in Eligibility Decisions

A significant difference exists between how ATS and Lifemark evaluated applications. The following chart compares the eligibility decisions of Lifemark to ATS:

Comparison of ATS and Lifemark Eligibility Decisions

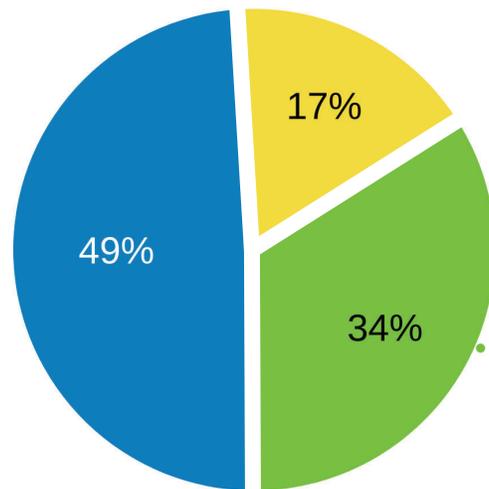
ATS

Lifemark



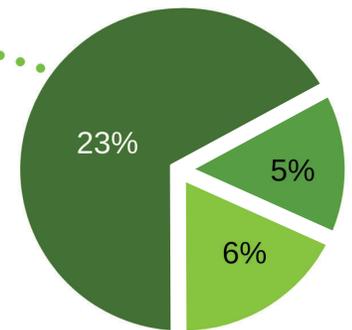
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ATS Applications Assessed
January 1, 2019 to February 29, 2020



- Same Result 49%
- More Information Needed 17%
- Different Result 34%

Different Result Breakdown



- Access to Less Service 23%
- Access to More Service 5%
- Not Eligible 6%

Lifemark reached the same eligibility decision for only 49% of the applications. This included applications assessed directly by ATS and those sent to third-party for functional assessment.

Lifemark indicated that they needed more information to assess 17% of the applications. Lifemark wanted more details about the applicant's functional abilities, diagnosis and/or behaviours on public transit. Questions within the application form were answered vaguely or there were inconsistencies between the applicant's responses and those from their health care provider.

Findings

Variation Exists in Eligibility Decisions

Lifemark reached a different eligibility decision for the remaining 34% of the applications. The majority of Lifemark's eligibility decisions would have resulted in the applicant receiving access to less paratransit service (e.g. ATS provided unconditional eligibility whereas Lifemark assessed as conditional or temporary eligibility). Smaller percentages of Lifemark's decisions resulted in the applicant receiving more service (e.g. Lifemark decided unconditional eligibility while ATS provided temporary eligibility) or no service at all. As calculated previously, if 1% of active clients use an average of \$225,000 worth of DARTS trips per year, the 6% of applicants Lifemark found to be ineligible may translate to approximately \$1.35 million in average annual savings. We caution that this is an estimate and does not represent guaranteed savings. ATS must carry out more analysis, including reevaluation, to determine the true financial impact of clients whose service eligibility may be different now as compared to the original assessment.

Due to time constraints, the OCA was unable to take a deeper dive into the applications to understand exactly why differences existed between ATS and Lifemark. Instead, the OCA used Lifemark's comments and knowledge of ATS to identify opportunities related to the application form, processes and people. These are the three main inputs into the assessment and eligibility outcome.

Findings

Variation Exists in Safety Considerations

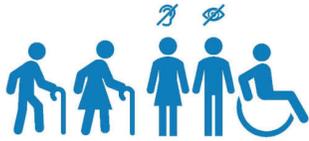
In addition to the eligibility outcome, the OCA asked Lifemark to provide their opinion on whether an applicant should have a personal care attendant or be classified as "do not leave unattended" at their location. A personal care attendant (PCA) accompanies a passenger who would otherwise be unable to travel on a vehicle by themselves. A PCA provides the passenger with care and assistance beyond what the vehicle operator is required to provide. The requirement "do not leave unattended" (DNLU) describes someone who cannot be left alone safely at their destination. In these cases, the vehicle operator hands off the passenger to another person at their destination.

Some differences exist between how ATS and Lifemark evaluated the need for a PCA and the DNLU requirement.

The following charts compare the outcomes reached by Lifemark as compared to ATS:

Comparison of ATS and Lifemark Personal Care Attendant Decisions

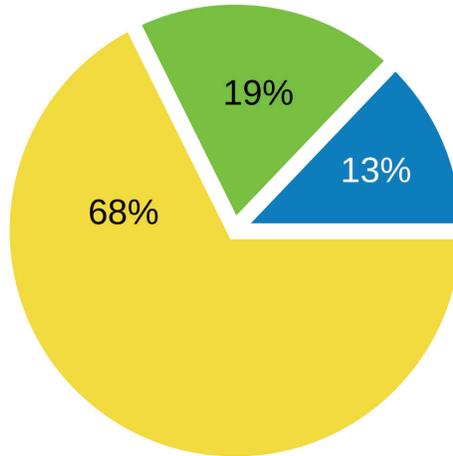
ATS



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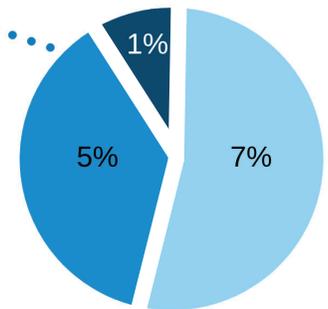
ATS Applications Assessed
 January 1, 2019 to February 29, 2020

Lifemark



- Same Result 68%
- More Information Needed 19%
- Different Result 13%

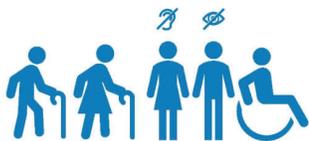
Different Result Breakdown



- Result in Less PCA Care 1%
- Result in More PCA Care 5%
- No PCA Care Required 7%

Comparison of ATS and Lifemark Do Not Leave Unattended Decisions

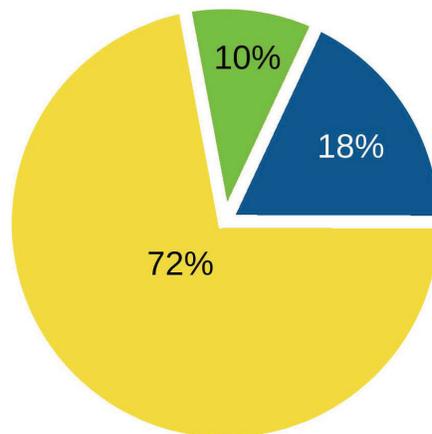
ATS



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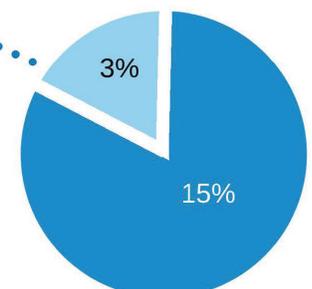
ATS Applications Assessed
 January 1, 2019 to February 29, 2020

Lifemark



- Same Result 72%
- More Information Needed 10%
- Different Result 18%

Different Result Breakdown



- Result in More DNLU Care 15%
- No DNLU Care Required 3%

Findings

Lifemark reached a different decision for 32% of PCA related and 28% of DNLU related applications with a higher level of care being required for 5% of the PCA decisions and 15% of the DNLU decisions. The OCA is concerned about the potential impact to these clients' safety.

Variation Exists in Safety Considerations

Lifemark also indicated that 7% of the applications currently with a PCA do not require a PCA. This has a financial impact because the City pays for the PCA's trip on accessible transit while accompanying the passenger.

Due to time constraints, the OCA was unable to take a deeper dive into the applications to understand exactly why differences existed between ATS and Lifemark. Such factors may include not having clear definitions and guidelines outlining the functional limitations where a PCA or DNLU would be recommended.

Findings

Opportunities Exist to Improve the Application Form

The application form is the primary tool used by ATS in the evaluation process. Information collected from the applicant and their health care provider must be appropriate and sufficient to make a well-informed decision. Please refer to Appendix "C" to Report AUD20009 for a copy of the current application form.

The OCA compared ATS' application form to those used by other municipalities and identified the following opportunities for improvement:

Guiding Principles

Several municipalities have published guiding principles that outline what will not be considered when deciding an applicant's eligibility for specialized transit. Examples include:

- Eligibility is not based on your age, income level, disability, use of an assistive device or the inability to drive.
- Eligibility is not based on how familiar you are with conventional transit or the availability or convenience of conventional transit where you live.
- Not for those who are reluctant or unwilling to use conventional transit.

This is a proactive measure to ensure applicants, and their health care providers, understand and are applying for specialized transit for the right reasons.

Findings

Opportunities Exist to Improve the Application Form

Functional Ability

Several municipalities require the applicant and/or their health care provider to describe the disabilities generated by their condition or diagnosis and how it affects their functional ability to use conventional transit. This is more detailed as compared to ATS' application. Obtaining more information from either the applicant or their health care provider about functional abilities will help in making more informed eligibility decisions.

Conventional Transit Accessibility Features

Several municipalities describe the accessibility features of their regular buses and bus stops and highlight how these features make traveling easier for those with disabilities. If an applicant or their health care provider is unfamiliar with conventional transit and its accessibility features, they may not realize when the applicant may be capable of using regular transit.

Test Results

Some municipalities ask if the applicant underwent a functional assessment, test or other evaluation related to their disability in the last 24 months that measured their ability to travel independently. Where an evaluation was performed, the application asks for the test date, name, purpose, result and impact. Obtaining previous evaluations provides valuable insight without the added expense for ATS to conduct their own third-party functional assessment.

Travel Distance

ATS asks both the applicant and their health care provider the furthest distance the applicant can travel on the sidewalk in good weather. Other municipalities combine their distance question with reference to the applicant's assistive device (where applicable), which provides a clearer picture of the distance they can travel.

Personal Care Attendant

ATS asks the health care provider whether the applicant requires a PCA. However, unlike other municipalities, ATS does not define the role of a PCA or describe the functional limitations where a PCA would be recommended. Providing guidelines would help ensure all applicants are held to the same standard, resulting in more consistent and informed responses.

Findings

Opportunities Exist to Improve the Application Form

Health Care Provider's Eligibility Opinion

ATS asks the health care provider to indicate if the applicant's medical diagnosis or condition requires permanent, temporary or seasonal transportation. CUTA warns that health care providers should not be asked whether the applicant is eligible for specialized transit, as this can create problems if ATS has a different opinion. Rather, information requested from the health care provider should focus on the diagnosis and onset of disability, and how this affects the applicant's ability to ride regular transit.

Health Care Provider's Review of the Applicant's Responses

Some municipalities require the health care provider to read the applicant's responses and indicate whether they agree with the information provided by the applicant. The health care provider is asked to explain why they do not agree. This may provide ATS with some perspective when differences or inconsistencies exist between the two sets of responses.

Findings

Opportunities Exist to Improve Processes

There is a fair amount of judgement involved in assessing ATS applications. It is not as simple as seeing which box is checked off and matching it to an eligibility category. It is very easy for personal biases to creep into the decision making. Processes and controls should be in place to ensure staff remain objective and exercise reasonable judgment to arrive at balanced, consistent, fair and objective eligibility decisions.

The OCA identified the following process control improvements:

Guidelines

There are no policies, procedures, instructions or decision trees for staff to reference during the evaluation process, which increases the risk for inconsistent decision making.

Quality Control

There are no peer review or management review processes in place to ensure all factors are considered and that the decision outcome is balanced and objective.

Findings

Opportunities Exist to Improve Processes

Strategies

ATS has developed some strategies, or consistent practices, as to the type of eligibility assigned to applicants with certain medical conditions. For example, applicants unable to mobilize as a result of a knee replacement surgery are given temporary eligibility because their condition is expected to improve within a few months.

However, ATS must take care these practices do not violate AODA requirements, especially those where decisions may not be assessed on a case-by-case basis. For example, staff told the OCA that all dialysis patients are automatically given unconditional eligibility. The OCA validated that 96% of applications received and assessed in 2019 involving dialysis patients received unconditional eligibility. Based on research, it is the OCA's understanding that not all dialysis patients are similar. There are variations in the lengths of time between treatments and how long it takes a patient to recover and start feeling better after their treatments. As a result, some patients may only need specialized transit on a trip-by-trip basis, after their dialysis treatment.

There are other cases where an evaluation strategy would be helpful. For example, applicants with autism spectrum disorder exhibit a wide variety of skills and abilities. Unless enough information is provided in the application form, ATS should be sending applicants with autism for a functional assessment to gain a better understanding of their functional ability to take conventional transit.

In-Person Contact

Research performed by the OCA suggests that in-person contact, either through an interview, telephone conversation or functional assessment, results in more accurate eligibility outcomes than reviewing a paper application alone. CUTA found that paper applications can provide useful baseline information; however, they are very limited in their ability to make accurate eligibility decisions. Although in-person contact with applicants occurs during functional assessments and when staff call applicants about their application form, the OCA estimates that this is a small proportion of the applicant group. This increases the risk of inaccurate eligibility decisions and higher long-term costs.

Findings

Opportunities Exist to Improve Staff Training and Oversight

ATS applications are evaluated either by staff or an outside party who performs functional assessments. ATS relied on its staff to make eligibility decisions for 99% of applications received in 2019. Therefore, it is important to make sure that staff have the right skills, experience, knowledge and time to make these decisions.

Lifemark always used qualified healthcare professionals (e.g. Occupational Therapists) to both re-evaluate application forms for the OCA and make eligibility determinations for the City of Ottawa. ATS has a mix of short- and long-term staff with various backgrounds whose qualifications matched those for the position when hired, either through a competitive process or successful work accommodation placement.

It is **not** a requirement for ATS staff to have a medical or healthcare qualification to carry out this work. The OCA verified from the job description that staff are responsible for making service eligibility decisions. The two qualifications that related most to this job duty were:

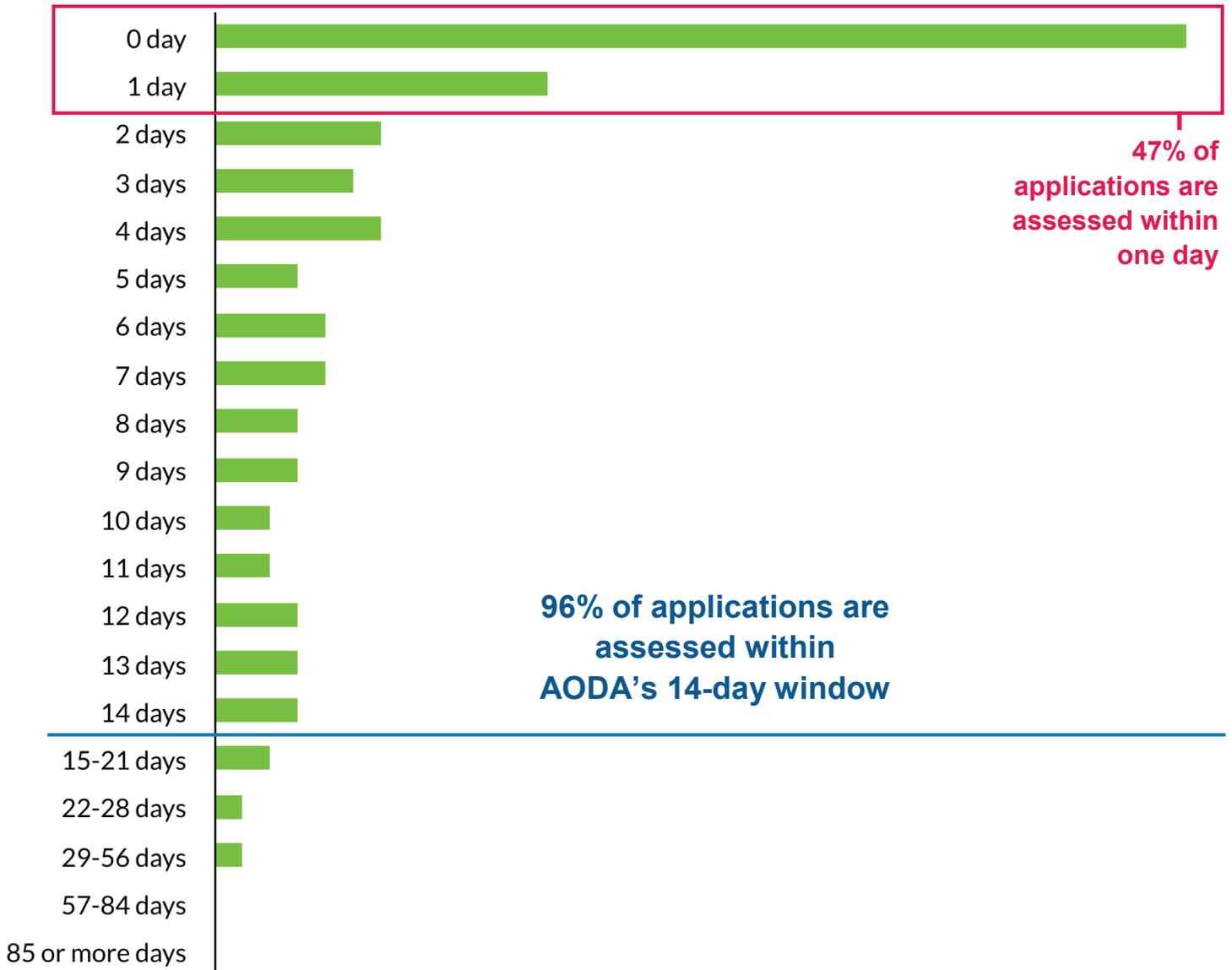
- Experience in and/or knowledge of accessibility and transit is an asset; and
- Strong empathy for, and understanding of the needs of, persons with disabilities and older adults.

It is the OCA's opinion that these two qualifications do not encompass the technical or medical/healthcare expertise that one would expect for medical-related eligibility determinations. A lack of technical knowledge is normally compensated for by a formal training program and quality review process to build skills over time and provide feedback to staff. Apart from staff supporting each other, and a few short technical presentations during monthly staff meetings in early 2020, little training or direct oversight is provided.

From a timing perspective, staff assess applications and come to eligibility conclusions quickly. The AODA outlines that the City has 14 calendar days to make an eligibility decision once they have received a completed application. If more time is needed, the applicant is provided temporary eligibility until a decision is made. As seen in the following chart, ATS evaluates 47% of applications within one day.

Findings

Time to Assess ATS Applications and Reach an Eligibility Determination 2019



Due to time constraints, the OCA was unable to take a deeper dive into these timelines to determine the extent to which applications arrive at ATS with missing information, or if other factors may have pressured staff to process applications quickly. Such factors may include the volume of applications received and those awaiting assessment, the number of available staff and the demand on staff for other non-assessment duties.

Findings

Eligibility Reassessments are Recommended

Opportunities exist to improve the accessible transit application form, processes and staff training and oversight, which all contribute to making the eligibility decision more balanced, consistent, objective and equitable. Over time, changes to the conventional transit system and/or a client's functional abilities may necessitate a review or reassessment of the client's eligibility status.

Significant changes have occurred, and continue to occur, with the conventional transit fleet and related infrastructure that makes HSR more accessible to everyone. The HSR fleet became 100% accessible in June 2009. Some accessibility features include a ramp, ability to kneel (lower) the bus, priority seating, dedicated spaces for passengers with assistive devices and voice and visual announcements for all stops. Approximately 64% of HSR bus stops are accessible (e.g. shelter, benches and larger platform areas and entrance openings) and plans are in place to achieve 100% AODA compliance by 2025.

ATS has approximately 3,800 grandfathered clients who used DARTS and/or Taxi Scrip last year who accounted for approximately 25% of DARTS trips and Taxi Scrip booklets sold. All of these clients were provided unconditional eligibility in November 2012, without considering that the HSR fleet became fully accessible in June 2009.

In addition to changes in the conventional transit system, there is a possibility that existing clients' functional abilities may improve over time with changes in the built environment, new assistive technologies and medical advancements.

Therefore, it is possible that some clients who currently use accessible transit services (both grandfathered clients and those who applied under the current eligibility criteria), may be functionally able to take conventional transit.

The AODA requires that clients with temporary eligibility be reassessed at regular intervals. Clients with temporary eligibility resubmit another application form at the end of their eligibility period if they feel they continue to need specialized transit. The AODA neither requires nor prohibits municipalities from reassessing their entire client population at a reasonable interval.

Findings

Eligibility Reassessments are Recommended

Other municipalities have implemented eligibility renewal or reassessment processes in order to ensure that the people using paratransit services are the ones who need it. In the municipalities we benchmarked, a client's eligibility is reviewed on a periodic basis in order to capture changes in a timely manner and control administrative costs. This continues to foster equity within the paratransit system and frees up financial resources to provide service to those who are eligible or to continue enhancing the accessibility of the conventional transit system. The cost of reassessment can be significant, so some municipalities have opted to review a certain portion of their client population every year.

Findings

Different Service Options Should be Explored

Services offered by ATS include DARTS, Taxi Scrip and Travel Training. The OCA compared ATS' services to those provided in other municipalities to identify different service options that may make ATS more financially sustainable. The merits of the following options should be explored further:

Expanded Taxi Scrip Program (for clients who choose to use this service)

Of those who used ATS services last year, 70% of clients used DARTS only. The remaining 30% of clients used Taxi Scrip either alone or in combination with DARTS. The OCA estimates that, on average, it costs the City about 82% less per trip when clients use Taxi Scrip as compared to DARTS in large part due to the cost-sharing nature of the Taxi Scrip Program. ATS may want to explore more ways to expand the Taxi Scrip Program to take advantage of the lower cost Taxi Scrip option for clients who choose to use it. Expansion options may include increasing the number of booklets clients may purchase each month, increasing the portion subsidized by the City, or increasing awareness and promotional activities.

Findings

Different Service Options Should be Explored

Integrated Service Model

The AODA outlines that the City must provide origin to destination services to eligible people with disabilities. Origin to destination refers to a package of transportation services, which may include a combination of specialized and conventional transit, where the specialized service acts as a "feeder" into the accessible conventional system. This recognizes that some people with disabilities can use HSR but may require DARTS for portions of their trip.

Durham, York and Toronto have adopted this integrated service model or family of services approach. In these municipalities, door-to-door service is not necessarily a direct ride. Trips are delivered using more than one accessible vehicle. A portion of the client's trip may be taken using conventional transit, with specialized service normally at the beginning or end of the trip (as required).

Recognizing that not all clients or trips would benefit from a family of services approach, conditions are factored into the eligibility assessment and trip booking process to help guide when these trips would be appropriate. For example, integrated trips may be scheduled when:

- The destination is more than three kilometres from the trip origin;
- The number of vehicle transfers is within the client's abilities; and
- Accessible transfer locations are available to provide shelter, seating and/or adequate concrete pad.

ATS may want to explore whether an integrated service model may reduce costs. The more people streamed to conventional public transit, even for part of their trip, reduces the overall cost of transit for the City. This model may work well in areas without HSR service, or within the HSR service area where a client's most limiting factor is the distance they must travel to the nearest bus stop.

Findings

Different Service Options Should be Explored

Expanded Travel Training

The City's Travel Training Program teaches those with cognitive disabilities who are using developmental services in Hamilton to ride the HSR independently. There may be an opportunity to provide a different level of training to others within the community who may be unfamiliar with the conventional transit system.

Several municipalities have more inclusive travel training programs for a variety of transit users. Grand River Transit (whose service area includes Kitchener, Waterloo and Cambridge) offers training to people with disabilities (not only cognitive disabilities), older adults and local people new to transit services on how to travel confidently and safely. People can learn how to plan a trip, read and understand route maps and schedules, how to board a bus, how to purchase and pay fare, etc. Different training methods and content are used depending on the needs of the trainee. These activities are meant to support customers, improve travel skills, increase confidence and reduce anxiety or fear of the unknown. A more inclusive training program may be beneficial if ATS implements an eligibility renewal program or adopts an integrated service model.

Shuttles

London has implemented a shuttle service which provides dedicated trips for passengers that require a higher level of service. A vehicle picks up clients from a location, such as a dialysis clinic, drops them off at their destinations, and then returns to the dialysis clinic to pick up more passengers. ATS may explore whether dedicated vehicle use at key locations would provide another service option for clients at a lower cost for the City.

Community Buses

London, Toronto and Ottawa have accessible fixed route community buses that connect clients to various popular destinations along a unique neighborhood route. The bus stops at the front door of various buildings and landmarks (e.g. senior's homes, community centres, medical centres, shopping malls) according to a schedule. Community buses bring more personalized assistance and the routes minimize walking distance rather than fast, direct travel which is attractive to clients with limited mobility.

Findings

Opportunities Exist to Improve Data Management

In order to further explore different service options, or why Lifemark's eligibility decisions differ, ATS will need to improve client documentation and data entry into Trapeze to run reports and carry out various analyses. The OCA identified the following data management challenges throughout the audit which provide improvement opportunities:

Electronic Client Files

ATS began saving client documents electronically last year. Staff are supposed to scan and save documents to the client's electronic folder on ATS' local drive when their application is closed. The OCA was unable to find documents in the electronic client files. Although paper documents are retained and staff double check to make sure they are scanned electronically before destroying the paper, this happens months afterward. This process is inefficient and increases the risk of maintaining incomplete client records.

Inconsistent Data Input

Application data is not entered into Trapeze consistently by all staff, especially when there is a history of applications and eligibility updates for a client. Without knowing what information must be captured in Trapeze and setting a standard as to how this information is entered, data analysis becomes difficult, time consuming and inaccurate.

Limiting Factor

ATS currently records an applicant's medical diagnoses or conditions in Trapeze. An applicant's medical diagnosis does not always reflect the disability or functional ability that limits the applicant from taking conventional transit. By not capturing the applicant's most limiting factor, which contributed most to their eligibility status, it makes it difficult to identify clients who may benefit from different service options or improvements to conventional transit accessibility that are being considered.

Reports

The Trapeze report wizard contains hundreds, if not thousands, of reports organized in various folders. Commonly used reports are not identified and segregated into a separate folder for use by all staff. This increases the risk that incorrect data will be generated and used for analyses and reporting.

Findings

Waste Identified with the Travel Training Program

The City provides \$175,000 each year to an outside agency to train 100 people with cognitive disabilities how to ride HSR independently. For a four-year period from 2016 to 2019, ATS confirmed that the City paid \$700,000 to this agency to train 400 people. Although the agency only recruited 233 people to the Training Program, they received the full \$700,000. Therefore, ATS effectively overpaid the agency \$292,250 for services not provided.

Control Weaknesses Identified with Functional Assessment Payments

Applicants may be required to attend a third-party functional assessment in order to determine their eligibility. ATS contracted an outside agency to perform these functional assessments. ATS does not track which applicants are sent for functional assessments. When ATS receives an invoice, staff uses the spreadsheet prepared by the vendor to validate that the functional assessment was performed. No steps are taken to verify with staff that the functional assessment was completed or that a report was received before payment occurs. This creates a risk of the agency invoicing ATS for functional assessments that were not performed. The OCA discovered a few discrepancies in the agencies' spreadsheet as well as the invoicing which should be further investigated by ATS and resolved with the agency (this agency is no longer performing functional assessments for ATS).

Inadequate Performance Measures

ATS tracks one performance measure – the percentage of applications assessed with AODA's 14-day window. This is measured each month and included in the Public Works quality assurance dashboard. Although this is an important item to track for AODA compliance purposes, ATS does not have performance measures to track how well their processes are operating or how well their services are impacting the community.

Findings

Other Administrative Items

During the audit, the OCA identified the following administrative issues:

Discrepancy in Eligibility Decision

From the sample of applications sent for third-party re-evaluation, the OCA discovered three clients where the eligibility determination reached by the third-party functional assessment provider was different than the final eligibility outcome for the client. Since ATS normally accepts the functional assessment provider’s determination with no question, the OCA is unsure why these differences exist. The OCA was unable to locate documentation to reconcile the difference.

Status of Pending Applications

The OCA observed applicants in Trapeze with the following status codes as at February 29, 2020:

Status	Application Received In		
	2019	2018	2017
Pending Functional Assessment	3	1	1
Pending Orientation	1	1	-
Received	5	19	4
Blank	3	5	14

With the amount of time that has passed, especially with the 2017 and 2018 applications, the OCA is concerned whether these applications were forgotten or misplaced.

Findings

Other Administrative Items

Old Application Forms Submitted

While selecting sample applications for Lifemark to evaluate, the OCA observed that many applicants submitted old versions of the application form which were accepted by staff. If ATS changes the content of its application form significantly, it will be important that staff only accept the most current version of the application form.

Shortened Application Form

The OCA observed that it is common practice for long term care and nursing home applicants to only submit pages 1, 5 and 6 of the application form. Since there are different questions in the applicant and health care provider sections, it is important that the entire form is completed.

More Timely Taxi Scrip Sales Information

Staff selling Taxi Scrip booklets at Municipal Service Centres, Mountain Transit Centre, etc. manually record the sale on a sheet, which is manually entered into the Taxi Scrip database later. As sales are recorded manually at various locations, there is an opportunity for clients to purchase booklets at different locations during the month, thus being able to go over the 3-booklet limit without staff knowing at the time of the sale.

Appeal Process

Staff told the OCA that one appeal was received in 2019. This appeal was not captured on the appeal tracking sheet. Although the application form indicates that appeals are forwarded to the Eligibility Appeal Panel, this appeal was resolved by sending the applicant for a functional assessment. If ATS changes its process and there is an increase in appeals, there should be a clear and consistent process on how appeals are tracked and managed.

Recommendations

Please refer to Appendix "B" to Report AUD20009 for a list of Recommendations and the related Management Responses that will strengthen controls, increase process efficiencies and explore cost saving opportunities.

Conclusion

The OCA has brought forward several observations and recommendations to help identify opportunities for cost savings, strengthen controls and increase process efficiencies in order to ensure eligible residents who need accessible transportation services receive it. Transit and Accessible Transportation Services have an opportunity to undertake transformative change in this area. The OCA is confident that the passion, motivation and dedication shown by staff throughout this audit can be harnessed to undertake courageous change.

The OCA would like to thank Accessible Transportation Services and other participants for their openness, enthusiasm and contributions throughout this project. We look forward to following up with management in the future to see the progress of their action plans and their impact on maintaining equitable and cost sustainable services.

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Copies of our audit reports are available at:
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Alternate report formats available upon request



Hamilton

Accessible Transportation Services

2200 Upper James Street

P.O. Box 340

Mount Hope, ON L0R 1W0

Phone: 905.529.1212 Fax: 905.679.7305

E-mail: ats@hamilton.ca Website: www.hamilton.ca/ats

APPLICATION FOR ACCESSIBLE TRANSPORTATION SERVICES

I) ELIGIBILITY FOR SERVICE

Accessible Transportation Services (ATS) are intended for persons with physical or functional disabilities or health conditions who are unable to access fixed-route public transit, such as Hamilton Street Railway (HSR) buses. Eligibility is considered on a case-by-case basis and is not based on a particular disability, nor is it based on income level.

II) ATS PROGRAMS & SERVICES

The following services are available through ATS:

- **DARTS** is an accessible, shared-ride service, providing door-to-door transportation from one accessible building entrance to another accessible building entrance. The Taxi Scrip Program is offered in conjunction with DARTS service, providing subsidized taxi fares to City of Hamilton residents only.
- **HSR Travel Training** – ATS coordinates travel training for persons interested in learning how to travel on HSR buses.

III) HOW TO APPLY FOR SERVICE

To receive an ATS application form, call 905-529-1212 and press "1" for Customer Service, or visit the ATS website at www.hamilton.ca/ats.

All sections of the ATS application must be fully completed:

- Part 1A to 1E (Pages 1 to 4) – to be completed by applicant.
- Part 2A and 2B (Pages 5 & 6) – must be completed by one of the following Health Care Professionals: **Physician, Nurse Practitioner, Registered Nurse (RN), Chiropractor, Physiotherapist, Occupational Therapist or Recreational Therapist.**
- Completed applications may be submitted to ATS by mail or fax.
- Applicants may be required to attend a third party functional assessment in order to determine eligibility.
- ATS will provide a determination of the applicant's eligibility for service, as listed in Section IV) Eligibility Determination.
- **Registrations and orientations for service are conducted by appointment only.**
- Incomplete applications will be returned to you, or you may be contacted by ATS for further information.



Hamilton

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E-mail: ats@hamilton.ca Website: www.hamilton.ca/ats

APPLICATION FOR ACCESSIBLE TRANSPORTATION SERVICES (cont'd)

IV) ELIGIBILITY DETERMINATION

- **Unconditional Eligibility** - applicant is not able to use HSR service; therefore they are eligible for all trips with DARTS.
- **Conditional Eligibility** - applicant is able to use HSR service under certain conditions; therefore they are eligible for some trips with DARTS as follows:
 - **Seasonal Eligibility** – Winter months only from November 1 to April 30, **and/or**
 - **Trip by Trip Eligibility** – travel to approved locations only.
- **Temporary Eligibility** - applicant is not able to use HSR service at the current time due to a condition that is expected to improve; therefore they are eligible for trips with DARTS on a temporary basis.
- **Not Eligible** - applicant is able to use HSR service; therefore they are not eligible for any trips with DARTS.

V) ELIGIBILITY APPEAL PROCESS

Should the applicant or their caregiver disagree with the ATS decision regarding eligibility determination, there is an appeal process available. In order to appeal an eligibility decision, an Eligibility Appeal Form **must be completed** and submitted to ATS.

In order to obtain an Eligibility Appeal Form, contact ATS at 905-529-1212, Ext. 1829, or visit the ATS website at www.hamilton.ca/ats.

Upon receipt of a completed Appeal Form, ATS will forward the appeal to the Eligibility Appeal Panel, who will render a decision regarding the applicant's eligibility determination.

VI) CONTACT ATS

For further information or assistance with the ATS application process, please call 905-529-1212 and Press "1" for ATS Customer Service.

Completed Applications or Eligibility Appeal Forms must be returned to:

Via Mail: **Accessible Transportation Services**
 P.O. Box 340
 2200 Upper James Street
 Mount Hope, ON L0R 1W0

Via Fax: **905-679-7305**

Via Email: **ats@hamilton.ca**

Website: **www.hamilton.ca/ats**



Hamilton

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APPLICATION FOR ACCESSIBLE TRANSPORTATION SERVICES**PART 1A: APPLICANT INFORMATION (Please complete pages 1 – 4)**

Name of Applicant: _____

Last Name (Please Print) Mr/Miss/Mrs/Ms First Name Middle Initial

Date of Birth: _____ Gender: Male Female

YYYY MM DD

Home Address: _____ Apt/Unit# _____

City: _____ Province: _____ Postal Code: _____

Telephone: Home () Work () Ext. Cell ()

E-mail Address: _____

Does applicant reside in a long-term care facility? Yes No

Name of Facility: _____ Ward/Room # _____

 Permanent Convalescent Respite Short-term

Mailing Address (if different): _____ Apt/Unit# _____

City: _____ Province: _____ Postal Code: _____

Telephone: Home () Work () Ext. Cell ()

E-mail Address: _____

Emergency Contact Information: In event of emergency, please provide at least one (1) emergency contact that is different from your home telephone number.

1. Name: _____ Relationship: _____

Address: _____

Telephone: Home () Work () Ext. Cell ()

2. Name: _____ Relationship: _____

Address: _____

Telephone: Home () Work () Ext. Cell ()

Additional Contact Information:

Family Doctor: _____ Telephone: () Ext. _____

Social Worker/Therapist: _____ Telephone: () Ext. _____

NAME OF APPLICANT: _____

PAGE 2 OF 6

PART 1B: INFORMATION ABOUT YOUR MOBILITY & EQUIPMENT

1. What is the disability or condition that prevents you from using public transit (HSR)?

2. Which of the following mobility/communication aids do you use? (Please check all that apply)

- Cane Crutches Manual Wheelchair Portable Oxygen
 White/Red Cane Prosthesis Power Wheelchair Communication Aid
 Walker Power Scooter Service Animal (Copy of Certification Required)
 None of the above Other (please describe): _____

MOBILITY DEVICES:

The standard size for a mobility device (wheelchair or scooter) that can be accommodated on an HSR bus or DARTS vehicle is as follows:

- 76 cm (30 inches) wide
- 122 cm (48 inches) long
- maximum combined weight of mobility device and occupant is 363 kg (800 pounds)

ATS-DARTS policy states that all wheelchairs and scooters must be in good working condition in order to be transported. Scooters must have a lap belt. Wheelchairs must have a lap belt and footrests. Exemptions for lap belts or footrests must be approved by a designated Health Care Professional (Physician, Nurse Practitioner, Registered Nurse (RN), Physiotherapist, Occupational Therapist or Recreational Therapist).

ACCESSIBILITY:

ATS-DARTS policy states that service is provided from one accessible building entrance to another accessible building entrance. Accessible is defined as no more than one (1) step for wheelchairs. Drivers will assist passengers using walkers both up and down stairs.

COMMUNICATION:

The ATS Application and user guides are available in alternate communication formats, including large print and braille (upon request).

NAME OF APPLICANT: _____ PAGE 3 OF 6

PART 1C: INFORMATION ABOUT YOUR FUNCTIONAL ABILITY

Answers should be based on how you feel most of the time, under normal circumstances, and whether you can perform this activity without the help of another person. **For each question, provide one answer only (unless otherwise noted).**

Can you independently:

1. Walk up and down three steps if there are handrails on both sides?
 Always Sometimes Never Not sure

2. Use the telephone to get information?
 Always Sometimes Never Not sure

- 3a. If the weather is good, what is the furthest distance you can walk/travel on the sidewalk?
 An average urban block is 100 metres (328 feet) on a level surface.
 Up to half (1/2) level block Up to one (1) level block
 Up to two (2) level blocks More than two (2) level blocks
 None of the above Not sure

- 3b. If you are able to do this, how long does it take you?
 Less than 5 minutes 5 to 15 minutes More than 15 minutes Not sure

4. Cross the street, if there are curb cuts (depressed curbing)?
 Always Sometimes Never Not sure

5. Ask for and follow directions/instructions if you have a question or problem?
 Always Sometimes Never Not sure

- 6a. Have you ever received training to learn how to use public transit (HSR), or for travel around your community?
 Yes No

- 6b. If you answered "Yes", when and where did you receive the training? _____

- 6c. If you answered "No", do you think you could learn to ride an HSR bus if you received training?
 Yes No Not sure

NAME OF APPLICANT: _____ PAGE 4 OF 6

PART 1D: INFORMATION ABOUT CURRENT USE OF PUBLIC TRANSIT (HSR)

Only answer PART 1D if you have previously used public transit. Answers should be based on your use of fixed-route public transit, such as the Hamilton Street Railway (HSR), or the public transit system in your area.

1. Are you currently able to use public transit (HSR) by yourself?
 Always Sometimes Never Not sure
2. Are you currently able to use the HSR riding with someone else?
 Always Sometimes Never Not sure
3. Is HSR service available in your area?
 Yes No Not sure
4. When was the last time you used HSR?
 Within 3 months Within a year More than a year Never Not sure
- 5a. Does the weather effect your ability to use HSR?
 Always Sometimes Never Not sure
- 5b. If you answered yes, please explain _____
6. Are you able to wait for an HSR bus? (Check all that apply)
 Always Sometimes Never Not sure Only if there is a bench
 Only if there is a shelter Not more than 15 minutes More than 15 minutes

PART 1E: APPLICANT SIGNATURE

I certify that the information provided in this application is true and correct. I understand that misinformation or misrepresentation of facts will be cause for disqualification or rejection of my eligibility. I also understand that additional information relating to my disability or health condition may be required to determine eligibility. I hereby consent to the transit operator and their assessment agency to contact my health care professional if additional information or if clarification is required.

Applicant or Preparer's Signature: _____ Date: _____

If someone other than the applicant is preparing this form, please provide the following:

Name of Preparer: _____ Daytime Phone: (____) _____

Address: _____

Relationship: _____

NAME OF APPLICANT: _____ PAGE 5 OF 6

PART 2A: MUST BE COMPLETED BY HEALTH CARE PROFESSIONAL

Pages 5 and 6, must be completed by one of the following Health Care Professionals: Physician, Nurse Practitioner, Chiropractor, Registered Nurse (RN), Physiotherapist, Occupational Therapist or Recreational Therapist.

DISABILITY INFORMATION (Please **PRINT**):

1a. Applicant's medical diagnosis(es) and how it compromises their mobility to use HSR service (public transit); include the **date of onset**, staging and prognosis for each condition.

1b. Currently enrolled in a Treatment Program: Yes No

1c. Approximate length required for treatment: 3 months 6 months One year

2a. Does the applicant require the use of a mobility device? Yes No

2b. When traveling in the community what is the primary mobility device used?

Walker Wheelchair Scooter

3. Does the applicant's medical diagnosis(es) or health condition require permanent, temporary or seasonal transportation?

Permanent

Temporary: _____ Week(s) _____ Month(s) _____ Year(s)

Seasonal: Spring Summer Fall Winter

4. Is the applicant physically able to climb or descend stairs? Yes No

5. If the weather is good, what is the furthest distance the applicant can walk/travel on the sidewalk? (an average urban block is 100 metres on a level surface)

Up to half (1/2) level block Up to one (1) level blocks

Up to two (2) level blocks More than two (2) level blocks

None Not sure

6. Can the applicant wait for up to one (1) hour for a bus? Yes No

7. **Behaviour** - In a transportation situation, does the applicant exhibit behaviours (impulsiveness, aggressiveness, etc.) that could be detrimental to his or her own safety, or to the safety of other persons?

HSR Bus Service: Yes No DARTS Transportation: Yes No

If yes, please explain behaviour: _____

NAME OF APPLICANT: _____ PAGE 6 OF 6

PART 2A: MUST BE COMPLETED BY HEALTH CARE PROFESSIONAL (continued)**8. Safety - Are there conditions which affect the applicant's safety in the community?**

Please specify:

Does the applicant comprehend safety risks in the community? Yes NoIs the applicant at risk for wandering or becoming lost in the community? Yes NoCan the applicant be safely left unattended at their destination? Yes No

Other (please specify): _____

9. Support Persons - DARTS drivers assist passengers door to door, but do not provide on-board care or assist passengers beyond the accessible entrance of their destination. A support person may be required for further assistance.**9a.** Does the applicant require the assistance of a Support Person in order to travel on:HSR Bus Service: Yes – always Yes – sometimes NoDARTS Transportation: Yes – always Yes – sometimes No**9b.** If yes, Is a support person required for assistance due to:Cognitive ability Yes No Communication Yes NoMobility issues Yes No Vulnerability Yes NoBehaviour challenges Yes No Medical needs Yes No

Other (please specify): _____

10. Service Animal - Does the applicant require the assistance of a certified Service Animal in order to travel on DARTS or HSR? (Copy of certification required) Yes No**PART 2B: CERTIFICATION BY HEALTH CARE PROFESSIONAL**

I hereby certify that the information I have provided is accurate and complete to the best of my knowledge.

Health Care Professional's Signature_____
DateProfessional's Name (Please **PRINT**) _____

Professional Designation: _____ Telephone: (____) _____ Ext. _____

Address: _____ Fax: (____) _____

REGISTRATION FOR ATS CONDUCTED BY APPOINTMENT ONLY

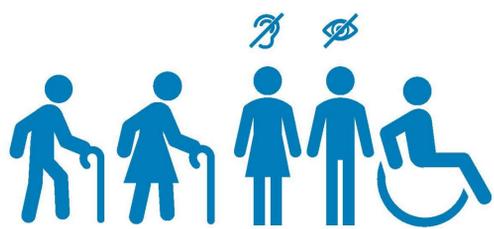
Personal information on this form is collected under the authority of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, and is used solely to determine eligibility for specialized transit services offered by the City of Hamilton. This information is held in strict confidence. Questions about this collection should be directed to: Accessible Transportation Services, Attention: Customer Service Coordinator, P.O. Box 340, 2200 Upper James Street, Mount Hope, ON L0R 1W0.



Hamilton

Office of the City Auditor

Accessible Transportation Services (ATS) Eligibility Audit



17,000

Registered ATS clients

~9,000 active clients who take one or more trips per year



844,007

Passenger Trips Completed by DARTS

City cost \$26.71 per trip

\$ 22.5M

This includes DARTS, Taxi Scrips, and Travel Training

2019 ATS Actual Net Operating Costs

Overview of ATS in 2019

26,314

Taxi Scrip Booklets Sold
City cost \$16 per booklet

47

Travel Training Recruits. City cost \$175K

3,515

Applications received and assessed by ATS

34

Third party functional assessments performed. City cost \$125 per assessment

1

Eligibility decision appeal received

\$38 and \$144

Cost to assess an application in-house plus additional cost if applicant undergoes a functional assessment

94

Average number of trips taken by active clients

Result of Applications Received and Assessed by ATS

Unconditional **2,647**

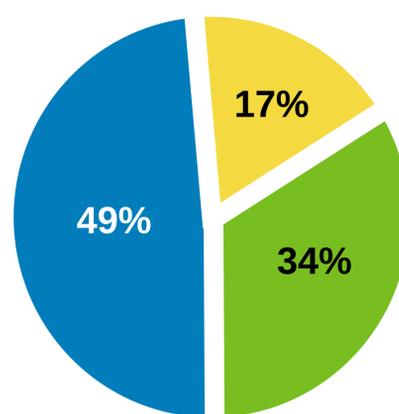
Conditional **38**

Temporary **827**

Not Eligible **3**

Findings of ATS Application Samples Assessed by Third Party

150 ATS Applications from January 1, 2019 to February 29, 2020 were assessed by a third party



Breakdown of Different Result finding by Third Party

Same Result 49%
More Information Needed 17%
Different Result 34%

Access to Less Service 23%
Access to More Service 5%
Not Eligible 6%

Audit Themes

- ▶ The eligibility process drives demand and ultimately costs
- ▶ There is a critical need to have quality assurance embedded throughout the eligibility assessment process
- ▶ The eligibility assessment process requires improvement and potential redesign
- ▶ Benchmarking to other municipalities suggests routine reassessment, exploration of service options



Hamilton

Office of the City Auditor

Accessible Transportation Services (ATS) Eligibility Audit

RECOMMENDATIONS AND MANAGEMENT RESPONSES

December 7, 2020

The following 14 recommendations will strengthen controls, increase process efficiencies and help identify cost saving opportunities in order to ensure eligible residents who need accessible transportation services receive it:

Recommendation 1

We recommend that management use the third-party evaluator's results, municipal benchmarking and their own experiences to evaluate and potentially redesign the eligibility assessment process.

Management Response

Agreed. ATS will develop an operational plan (subject to budgetary/resource approvals) to further investigate the differing third-party assessment outcomes and conduct municipal benchmarking. The purpose of the operational plan is to conduct an in-depth assessment of the Lifemark results, review and evaluate the current design, and identify redesign options for an eligibility assessment process.

Anticipated completion date (operational plan): Q2 2022.

Recommendation 2

We recommend that management update the application form by adopting the following: guiding principles, functional ability, conventional transit accessibility features, test results, travel distance, personal care attendant, health care provider's eligibility option, and health care provider's review of the applicant's response.

Management Response

Agreed. ATS will develop a project plan to review the application form and identify immediate, medium, and longer-term improvements. The goal is to improve the effectiveness of the application, address strategic information gaps and optimize the application process.

Anticipated completion date (immediate improvements and project plan): Q2 2021.

Recommendation 3

We recommend that standard operating procedures and assessment guidelines be created for all assessment processes. These procedures may include instructions and evaluation strategies to assist staff in making consistent and supported eligibility decisions.

Management Response

Agreed. The standard operating procedures and assessment guidelines will be in alignment with the development of a redesigned process in recommendation #1.

Anticipated completion date: Q2 2022 (with standard operational procedures to follow).

Recommendation 4

We recommend that management implement a quality control process where all eligibility decisions are reviewed for accuracy and approved by someone with adequate expertise and experience before results are communicated to applicants. Review objectives may also include ensuring timely management of client information.

**Management
Response**

Agreed. The development of a quality control process will be implemented as an interim measure while the eligibility assessment process is reviewed and redesigned in recommendation #1.

Anticipated implementation date: Q2 2021.

Recommendation 5

We recommend that management incorporate more in-person contact into the eligibility assessment process within the next year.

**Management
Response**

Agreed. ATS will incorporate more in-person contact into the eligibility assessment process.

Anticipated implementation date: Q2 2021.

Recommendation 6

We recommend that management assess the need for strengthening the professional qualifications and experience required for making eligibility determinations.

**Management
Response**

Agreed. ATS will include an assessment of the professional qualifications and experience required to make effective eligibility determinations in the operational plan to redesign the eligibility process in recommendation #1.

Anticipated completion date (operational plan): Q2 2022 (with qualification assessment to follow).

Recommendation 7

We recommend that management prepare a business case outlining the costs and benefits of reassessing all existing clients.

**Management
Response**

Agreed. ATS will develop a business case to assess the costs and benefits of reassessing all existing clients and alternative options.

Anticipated completion date (business case): Q2 2021 (with implementation to follow).

Recommendation 8

We recommend that management explore the feasibility, potential savings, costs and benefits of the following service options: expanded Taxi Scrip Program, integrated service model, expanded travel training, shuttles and community buses.

**Management
Response**

Agreed. ATS will develop a business case to assess the costs and benefits of reassessing all existing clients and alternative options.

Anticipated completion date (business case): Q2 2021 (with implementation to follow).

Recommendation 9

We recommend that management enhance which assessment and eligibility data is captured in Trapeze for current and future strategic purposes, including historical application information and the limiting factor that contributed most to the eligibility decision.

**Management
Response**

Agreed. ATS will develop a business case to review and assess the eligibility data captured in Trapeze to enhance the data collected and stored.

Anticipated completion date (business case): Q3 2021 (with implementation to follow).

Recommendation 10

We recommend that a report library be created in Trapeze containing standard and frequently used reports that have been tested and validated for accuracy for more efficient data analysis.

**Management
Response**

Agreed. ATS will develop a business case to investigate the report library options with the goal of creating standard, accurate, valid reports that enable efficient data analysis.

Anticipated completion date (business case): Q3 2021 (with implementation to follow).

Recommendation 11

We recommend that management re-evaluate funds spent on travel training services to ensure that value for money is being obtained.

**Management
Response**

Agreed. The Travel Training program has been suspended since May 2020 (due to COVID) and the terms are being redrafted.

Anticipated completion date: Q2 2021

Recommendation 12

We recommend that ATS maintain a record of clients sent for functional assessment and use this to validate invoices received for payment.

**Management
Response**

Agreed. All functional assessments are suspended (due to COVID). The process to validate invoices will be established.

Anticipated implementation date: Q4 2020.

Recommendation 13

We recommend that management create performance metrics to measure process efficiencies and community impact and report on these regularly.

**Management
Response**

Agreed. The definition of performance metrics will be an added element in the development of the operational plan in recommendation #1. The optimization of the new metrics will be monitored through the existing performance measurement methodology via the divisional balanced scorecard.

Anticipated completion date (operational plan): Q2 2022 (with implementation to follow).

Recommendation 14

We recommend that management address the administrative issues identified by:

- Ensuring adequate document is kept about differences between the eligibility recommendation of the functional assessment provider and ATS' final eligibility decision;
- Reviewing Trapeze status codes at least annually and investigate the state of pending applications;
- Ensuring staff only accept completed current versions of the application form;
- Creating a separate, shortened application for long term care and nursing home applicants that obtains more information from their health care provider;
- Exploring how to use technology to track Taxi Scrip sales in a timelier manner and providing sales locations with access to up-to-date client sales records; and
- Evaluating and potentially redesigning the application appeal process.

**Management
Response**

Agreed. ATS will develop a workplan to assess the feasibility and address the administrative issues identified.

Anticipated completion date (workplan): Q1 2021 (with implementation to follow).

**Office of the
City Auditor**

Charles Brown CPA, CA, CPA (Illinois)
City Auditor

Brigitte Minard CPA, CA, CIA, CGAP
Deputy City Auditor/Manager Performance and Internal Control

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SPEAK UP - Reporting Fraud and Waste

Online: hamilton.ca/fraud

Phone: 1-888-390-0393

Mail: PO Box 91880, West Vancouver, BC V7V 4S4

Email: cityofhamilton@integritycounts.ca

Fax: 1-604-926-5668

Copies of our audit reports are available at:
hamilton.ca/audit

Alternate report formats available upon request

Set Fine Schedule

City of Hamilton
Part I Provincial Offences Act

TEM	Short Form Wording	Provision creating or defining offence	Set Fine
	City of Hamilton Traffic By-law No. 01-215, as amended		
1	Make Prohibited Right Turn	Section 12	\$80.00
2	Make Prohibited Right Turn At Red Signal	Section 13	\$80.00
3	Make Prohibited Left Turn	Section 14	\$80.00
4	Make Prohibited Left Turn At Red Signal	Section 15	\$80.00
5	Make Prohibited U-Turn On Divided Highway	Section 16	\$80.00
6	Make Prohibited U-Turn	Section 17	\$80.00
7	Proceed Contrary To Marked Direction of Travel	Section 18(1)	\$80.00
8	Unauthorized Use of Transit Only Lane	Section 18(3)	\$80.00
9	Drive On Sidewalk	Section 20	\$80.00
10	Ride Bicycle Or Similar Device On Sidewalk	Section 21(1)	\$80.00
11	Ride Skateboard Or Similar Device On Sidewalk	Section 21(1)	\$80.00
12	Ride Skis Or Similar Device On Sidewalk	Section 21(1)	\$80.00
13	Ride Coaster Or Similar Device On Sidewalk	Section 21(1)	\$80.00
14	Ride E-Scooter or Similar Device on Sidewalk	Section 21 (1)	\$80.00
15	Play On Roadway	Section 22	\$80.00
16	Take Part In Game On Roadway	Section 22	\$80.00
17	Take Part In Sport On Roadway	Section 22	\$80.00
18	Ride Skateboard Or Similar Device On Roadway	Section 22	\$80.00
19	Ride Roller Skates Or Similar Device On Roadway	Section 22	\$80.00
20	Ride Coaster Or Similar Device On Roadway	Section 22	\$80.00
21	Ride Skis Or Similar Device On Roadway	Section 22	\$80.00
22	Ride Toy Vehicle Or Similar Device On Roadway	Section 22	\$80.00
23	Fail To Yield Right-Of-Way To Pedestrian On Sidewalk	Section 23	\$80.00
24	Fail To Yield Right-Of-Way To Pedestrian On Footpath	Section 23	\$80.00
25	Fail To Yield Right-Of-Way To Pedestrian On Side Boulevard	Section 23	\$80.00
26	Drive Clockwise Direction In Traffic Circle Or Roundabout	Section 25	\$80.00
27	Drive From Highway Onto Driveway Contrary To Direction Of Operation Of Driveway	Section 26	\$80.00
28	Drive From Driveway Onto Highway Contrary To Direction Of Operation Of Driveway	Section 26	\$80.00
29	Interfere With Procession	Section 29	\$80.00
30	Drive On Closed Highway Or Part Highway	Section 30	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

TEM	Short Form Wording	Provision creating or defining offence	Set Fine
31	Fail To Stop Before Entering Highway From Private Road	Section 32	\$80.00
Item	Short Form Wording	Provision creating or defining offence	Set Fine
32	Fail To Stop Before Crossing Highway From Private Road	Section 32	\$80.00
33	Fail To Stop Before Entering Highway From Private Driveway	Section 32	\$80.00
34	Fail To Stop Before Crossing Highway From Private Driveway	Section 32	\$80.00
35	Fail To Stop Before Crossing Sidewalk From Private Road	Section 32	\$80.00
36	Fail To Stop Before Crossing Sidewalk From Private Driveway	Section 32	\$80.00
37	Obstruct Signalized Intersection	Section 34	\$80.00
38	Drive Motorized Snow Vehicle Along Serviced Roadway At Restricted Time	Section 35	\$80.00
39	Drive Motorized Snow Vehicle Across Serviced Roadway At Restricted Time	Section 35	\$80.00
40	Drive Motorized Snow Vehicle Upon Highway Or Part of Highway At Restricted Time	Section 35	\$80.00
41	Pedestrian Fail To Keep To Sidewalk	Section 38	\$80.00
42	Pedestrian Fail To Face Oncoming Traffic On Highway	Section 39	\$80.00
43	Pedestrian Fail To Keep To Left On Roadway	Section 39	\$80.00
43	Pedestrian Fail To Cross Roadway By Shortest Route	Section 40	\$80.00
44	Pedestrian Proceed Over Or Under Permanent Sidewalk Railing Or Barrier	Section 41	\$80.00
45	Pedestrian Cross Or Enter Highway Where Prohibited	Section 42	\$80.00
46	Pedestrian Impede Traffic	Section 43	\$80.00
47	Unauthorized Person On Restricted Highway	Section 45	\$80.00
48	Cyclist Fail To Keep To Bicycle Lane	Section 46(2)(a)	\$80.00
49	Cyclist Fail To Keep To Right	Section 46(2)(a)	\$80.00
50	Ride Bicycle Along Roadway Abreast Of Another Bicycle	Section 46(2)(b)	\$80.00
51	Push Bicycle Along Roadway Abreast Of Another Bicycle	Section 46(2)(b)	\$80.00
52	Fail To Maintain Control Of Bicycle	Section 46(3)	\$80.00
53	Obstruct Traffic With Parked Bicycle	Section 46(4)	\$80.00
54	E-Scooter Fail to Keep to bicycle Lane	Section 46.1 (1)	\$80.00
55	E-Scooter Fail to Keep to Right	Section 46.1 (1)	\$80.00
56	Ride E-Scooter Along Roadway Abreast of another E-Scooter or Bicycle	Section 46.1 (2)	\$80.00
57	Push E-Scooter Along Roadway Abreast of Another E-Scooter or Bicycle	Section 46.1 (2)	\$80.00
58	Fail to Maintain Control of E-Scooter	Section 46.1 (3)	\$150.00
59	Obstruct Traffic with Parked E-Scooter	Section 46.1 (4)	\$150.00
60	Person under the age of 16 years operating an E-Scooter	Section 46.1 (5)	\$80.00
61	Person under the age of 18 years old failing to wear a helmet that complies with the Highway Traffic Act	Section 46.1 (6)	\$80.00
62	Operating an E-Scooter carrying any other person thereon	Section 46.1 (7)	\$80.00
63	Operating an E-Scooter towing another person, vehicle or device	Section 46.1 (8)	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

TEM	Short Form Wording	Provision creating or defining offence	Set Fine
64	Operating an E-Scooter and attaching himself or herself to another E-Scooter (vehicle or device) for the purpose of being drawn (or towed)	Section 46.1 (9)	\$150.00
65	Operating an E-Scooter in any position other than while standing at all times	Section 46.1 (10)	\$80.00
66	Operating an E-Scooter and carrying cargo	Section 46.1 (11)	\$80.00
Item	Short Form Wording	Provision creating or defining offence	Set Fine
67	Operator of an E-Scooter failing to keep a safe distance from pedestrians (and other users) at all times	Section 46.1 (12)	\$80.00
68	Operator of an E-Scooter failing to give way to a pedestrian (or bicycle) where there is insufficient space for the E-Scooter to pass	Section 46.1 (12)	\$80.00
69	Operator of an E-Scooter driving at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter	Section 46.1 (13)	\$80.00
70	Operator of an E-Scooter fail to ensure the E-Scooter is equipped with a bell (or horn) in good working order	Section 46.1 (14)	\$80.00
71	Operator of an E-Scooter fail to carry (or attach) a lighted lamp at the front and rear	Section 46.1 (15)	\$80.00
72	Operate (or cause to be operated, or use) an E-Scooter on a highway with a legal speed limit greater than 50 km per hour not in a bike lane	Section 46.1 (16)	\$150.00
73	Operate (or use) an E-Scooter in such a manner that may (harm, injure or damage) any person (or property)	Section 46.1 (17)	\$250.00
74	Drive Unauthorized Motor Vehicle Upon Bicycle Lane	Section 48(1)	\$80.00
75	Drive Unauthorized Motor Vehicle Upon Bicycle Path	Section 48(1)	\$80.00
76	Drive Unauthorized Motor Vehicle Upon Combined Foot And Bicycle Path	Section 48(1)	\$80.00
77	Fail To Keep To Right On Bicycle Path	Section 48(2)	\$80.00
78	Fail To Keep To Right On Combined Foot And Bicycle Path	Section 48(2)	\$80.00
79	Fail To Safely Pass On Bicycle Path	Section 48(3)(a)	\$80.00
80	Fail To Safely Pass On Combined Foot And Bicycle Path	Section 48(3)(a)	\$80.00
81	Fail To Pass On Left Side On Bicycle Path	Section 48(3)(b)	\$80.00
82	Fail To Pass On Left Side On Combined Foot And Bicycle Path	Section 48(3)(b)	\$80.00
83	Fail To Stay To Right Of Centre When Passing On Bicycle Path	Section 48(3)(c)	\$80.00
84	Fail To Stay To Right Of Centre When Passing On Combined Foot And Bicycle Path	Section 48(3)(c)	\$80.00
85	Cyclist Fail To Sound Audible Warning When Passing On Bicycle Path	Section 48(3)(d)	\$80.00
86	Cyclist Fail To Sound Audible Warning When Passing On Combined Foot And Bicycle Path	Section 48(3)(d)	\$80.00
87	Fail To Stop On Bicycle Path At Intersecting Roadway	Section 49(1)	\$80.00
88	Fail To Stop On Combined Foot And Bicycle Path At Intersecting Roadway	Section 49(1)	\$80.00
89	Fail To Stop On Bicycle Path At Intersecting Sidewalk	Section 49(1)	\$80.00
90	Fail To Stop On Combined Foot And Bicycle Path At Intersecting Sidewalk	Section 49(1)	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

TEM	Short Form Wording	Provision creating or defining offence	Set Fine
91	Fail To Stop On Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 50(1)	\$80.00
92	Fail To Stop On Combined Foot And Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 50(1)	\$80.00
93	Fail To Yield On Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 51(1)	\$80.00
94	Fail To Yield On Combined Foot And Bicycle Path At Intersecting Route Not A Roadway Or Sidewalk	Section 51(1)	\$80.00
95	Pedestrian Use Bicycle Path Where Adjacent Sidewalk Exists	Section 52	\$80.00
Item	Short Form Wording	Provision creating or defining offence	Set Fine
96	Pedestrian Use Bicycle Lane Where Adjacent Sidewalk Exists	Section 52	\$80.00
97	Permit Animal On Highway When Not Under Control	Section 54(1)	\$80.00
98	Permit Animal In Public Place When Not Under Control	Section 54(1)	\$80.00
99	Drive Animal Without Due Care And Attention Or Consideration	Section 54(3)	\$80.00
100	Fail To Produce Permit On Demand	Section 55(4)	\$250.00
101	Move Over-Sized Load Not In Compliance With Permit	Section 55(5)	\$105.00
102	Move Over-Weight Load Without Permit	Section 55(5.1)	\$105.00
103	Move Over-Sized Load Without Permit	Section 55(5.1)	\$105.00
104	Drive Heavy Traffic On Restricted Highway	Section 56(2)	\$105.00
105	Permit Heavy Traffic To Be Driven On Restricted Highway	Section 56(2)	\$105.00
106	Heavy Traffic Fail To Keep To Right-Hand Curb Lane	Section 56(5)(a)	\$105.00
107	Drive Over-Weight Vehicle On Restricted Bridge	Section 57(1)	\$250.00
108	Erect Unauthorized "No Parking" Or "No Stopping" sign	Section 60(2)	\$80.00
109	Install Unauthorized "No Parking" Or "No Stopping" sign	Section 60(2)	\$80.00
110	Place Or otherwise Use Unauthorized "No Parking" Or "No Stopping" sign	Section 60(2)	\$80.00
111	Display Sign Or Similar Device Above, On Or Under A City Bridge Over A Highway	Section 62.1(a)	\$105.00
112	Place Unauthorized Traffic Sign Or Device	Section 63(1)	\$80.00
113	Maintain Unauthorized Traffic Sign Or Device	Section 63(1)	\$80.00
114	Display Unauthorized Traffic Sign Or Device	Section 63(1)	\$80.00
115	Place Prohibited Sign Or Device	Section 63(2)	\$80.00
116	Maintain Prohibited Sign Or Device	Section 63(2)	\$80.00
117	Display Prohibited Sign Or Device	Section 63(2)	\$80.00
118	Fail To Remove Prohibited Sign Or Device	Section 63(3)	\$80.00
119	Move Traffic Sign Or Traffic Control Device	Section 63(5)	\$80.00
120	Interfere With Traffic Sign Or Traffic Control Device	Section 63(5)	\$80.00
121	Drive Vehicle Over Freshly Applied Painted Markings	Section 64	\$80.00
122	Drive Vehicle Over Or Through Or Around Painted Marking Warning Device	Section 64	\$80.00

Note: The general penalty section for the offences created above is Section 68 of The City of Hamilton Traffic By-Law 01-215, as amended and Section 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33.

CITY OF HAMILTON

2021

ADVISORY COMMITTEES

BUDGET SUBMISSION FORM

Hamilton Cycling Committee (HCyC)

PART A: General Information

ADVISORY COMMITTEE MEMBERS:

Jeff Axisa	Kevin Vander Muelen
Kate Berry	Joachim Brouwer
Roman Caruk	Sharon Gibbons
Yaejin Kim	Cathy Sutherland
Ann McKay	Jane Jamnik
Jessica Merolli	Cora Muis
William Oates	Chris Ritsma
Christine Yachouh	Gary Rogerson
Councillor Esther Pauls	Councillor Terry Whitehead

MANDATE:

The purpose of the Hamilton Cycling Committee (HCyC) is to advise the City Government on all matters related to cycling, to monitor implementation of the Hamilton Cycling Master Plan, to encourage and participate in planning for bicycling facilities, to encourage citizens to cycle instead of drive, to educate the public on the benefits and necessities of cycling, and to integrate the work of neighbouring municipal bicycle committees.

PART B: Strategic Planning

STRATEGIC OBJECTIVES:

- The Committee's goals are:
- Review progress in implementing the City of Hamilton Cycling Master Plan and to take action to influence progress if necessary;
 - Ensure community input on specific details associated with implementing the Master Plan;
 - Ensure that cycling needs are emphasized in all transportation related decisions;
 - Encourage legislation and policy changes that are supportive of cycling;
 - Promote cycling for transportation and recreation through relevant events;
 - Educate the public on the benefits, necessities and safety aspects of cycling;
 - Assist in establishing secure, adequate bicycle parking facilities;
 - Represent the cycling community at City of Hamilton sponsored functions/events;
 - Encourage the formation of, and liaise with other municipal cycling committees; and
 - Foster a mutual respect between cyclists and other road users.

ALIGNMENT WITH CORPORATE GOALS:

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	<input checked="" type="checkbox"/>	2) Economic Prosperity & Growth	<input checked="" type="checkbox"/>
3) Healthy & Safe Communities	<input checked="" type="checkbox"/>	4) Clean & Green	<input checked="" type="checkbox"/>
5) Built Environment & Infrastructure	<input checked="" type="checkbox"/>	6) Culture & Diversity	<input checked="" type="checkbox"/>
7) Our People & Performance	<input checked="" type="checkbox"/>		

PART C: Budget Request

INCIDENTAL COSTS:

Meeting expenses	\$1000
SUB TOTAL	\$1,000.00

SPECIAL EVENT/PROJECT COSTS:

Social Media Campaign	\$500
Special Projects	\$5,000
Group Rides	\$1,000
Tourism Promotions- supporting Ontario By Bike	\$500
Supporting Community Events to Raise Awareness for Cycling	\$3,000
Special Cycling Events	\$2,000
Conferences	\$1,000
SUB TOTAL	\$13,000

TOTAL COSTS	\$14,000
--------------------	-----------------

Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)	\$4,000
--	----------------

TOTAL 2021 BUDGET REQUEST (net of reserve funding)	\$ 10,000.00
PREVIOUS YEAR (2020) APPROVED BUDGET (2020 Request \$ 13,000)	\$13,000.00

CERTIFICATION:

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

Representative's Name: Chris Ritsma- Chair of the Hamilton Cycling Committee

Signature:



Date:

November 5, 2020

Telephone # :



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

TABLE OF CONTENTS

Preface..... 3

1 Quality Management System 4

 1.1 Purpose 4

 1.2 Scope..... 4

 1.3 Definitions 4

2 Quality Management System Policy 9

 2.1 Requirements 9

 2.2 WWQMS Policy 10

3 Commitment and Endorsement 11

 3.1 Requirements 11

 3.2 Commitment and Endorsement 12

4 WWQMS System Representative 13

 4.1 Requirements 13

 4.2 WWQMS Representative 14

5 Documents and Records Control..... 14

 5.1 Requirements 14

 5.2 Hamilton Water Document and Record Management System 15

6 Wastewater Systems Descriptions..... 15

 6.1 Requirements 15

 6.2 Wastewater System Process Descriptions..... 16

7 Environmental Aspects & Impacts 16

 7.1 Requirements 16

 7.2 Hamilton Wastewater Systems’ Aspects and Impacts Assessment 17

8 Objectives & Targets 17

 8.1 Requirements 17

 8.2 Hamilton Wastewater Systems’ Objectives and Targets 18

9 Organizational Structure, Roles, Responsibilities & Authorities 18

 9.1 Requirements 18

 9.2 Hamilton Water Organizational Structure, Roles, Responsibilities, and Authorities..... 19

10 Competencies 20

 10.1 Requirements 20

 10.2 WWQMS Competencies 21

11 Personnel Coverage 22

 11.1 Requirements 22

 11.2 WWS Personnel Coverage 22

12 Communication..... 22

 12.1 Requirements 22

 12.2 Communications 22

13 Operational Planning and Controls 23

 13.1 Requirements 23

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Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

- 13.2 WWQMS Operational Planning Controls for WWS..... 23
- 14 Evaluation of Compliance 23
 - 14.1 Requirements..... 23
 - 14.2 Hamilton Wastewater Systems’ Compliance 24
- 15 Review and Provision of Infrastructure 24
 - 15.1 Requirements..... 24
 - 15.2 Hamilton Water Infrastructure Review 24
- 16 Infrastructure Maintenance, Rehabilitation & Renewal 25
 - 16.1 Requirements..... 25
 - 16.2 Hamilton Water Infrastructure Maintenance, Rehabilitation and Renewal..... 25
- 17 Sampling, Testing & Monitoring 25
 - 17.1 Requirements..... 25
 - 17.2 Hamilton Water Sampling, Testing and Monitoring..... 26
- 18 Measurement & Recording Equipment, Calibration & Maintenance..... 26
 - 18.1 Requirements..... 26
 - 18.2 Hamilton Water Measurement and Recording Equipment, Calibration and Maintenance..... 26
- 19 Emergency Management..... 27
 - 19.1 Requirements..... 27
 - 19.2 Hamilton Water Emergency Management 27
- 20 Internal Audits..... 28
 - 20.1 Requirements..... 28
 - 20.2 WWQMS Internal Audit..... 28
- 21 Management Review 29
 - 21.1 Requirements..... 29
 - 21.2 Hamilton Water Management Review..... 30
- 22 Non-conformance, Corrective & Preventive Action 30
 - 22.1 Requirements..... 30
 - 22.2 Hamilton Water Non-Conformance, Corrective and Preventative Action Process 31
- 23 Continual Improvement 31
 - 23.1 Requirements..... 31
 - 23.2 Hamilton Water Continual Improvement Process 32



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

PREFACE

Hamilton Water is committed to the protection of worker health, public health, property, and the environment. Beyond Compliance Operating System (BCOS) was developed to support this commitment. BCOS is an integrated management system that currently oversees the Drinking Water Quality Management System, Environmental Laboratory QMS and the Occupational Health and Safety Management System.

The Wastewater Quality Management System (WWQMS) falls within the BCOS umbrella. WWQMS is being implemented to effectively collect and treat wastewater and protect the environment. As no WWQMS Standard currently exists, the voluntary standard for the WWQMS was developed internally by Hamilton Water by merging the existing ISO14001:2015 and Drinking Water Quality Management Standard. The requirements of the WWQMS are stated throughout the Operational Plan Summary Report and have been developed by subject matter experts within Hamilton Water

BCOS Framework & WWQMS



Access to Reports

Following the endorsements of the WWQMS Operational Plan Summary Report, signed copies of the WWQMS Operational Plan Summary Report will be made available to the public on the City’s website, Clerk’s Office, City Hall and the Hamilton Water storefront at 330 Wentworth.

The WWQMS Operational Plan Summary Report is also accessible to staff through the BCOS Database and the Sectional Workspaces.





Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

1 QUALITY MANAGEMENT SYSTEM

1.1 Purpose

The purpose of the Wastewater Quality Management System (WWQMS) Operational Plan is to document the City of Hamilton’s WWQMS as part of the City’s efforts to:

- a. consistently process wastewater that meets applicable legislative, regulatory and other requirements, and
- b. enhance environmental performance through the effective application and continual improvement of the Quality Management System.

1.2 Scope

The WWQMS Operational Plan applies to Hamilton Water (HW), which is the Operating Authority for the City’s wastewater collection and treatment system (WWS).

HW has developed a WWQMS Operational Plan Manual (PW-WW-M-001-007) outlining the procedures and documents appropriate to the wastewater systems located in the City of Hamilton. The purpose of the WWQMS Operational Plan Manual (PW-WW-M-001-007) is to ensure that the requirements of the WWQMS is efficiently and effectively communicated to HW staff and key stakeholders. The WWQMS Operational Plan Manual also includes a map entitled “[City of Hamilton Wastewater Collection System Map \(PW-WW-V-011-001\)](#)” which illustrates the geographic scope of the City’s wastewater systems.

1.3 Definitions

BCOS	Beyond Compliance Operating System – Environmental, Health and Safety Management System for the Hamilton Water Division. BCOS is an umbrella system to the Environmental Laboratory QMS, DWQMS, and WWQMS sub-systems.
BCOS Database	Electronic management system software provided by Intelx. Scope of software is EQH&S and meets the requirements of the BCOS standards.
BLT	BCOS Lead Team - Includes SMR, Compliance Support Group, and Sectional QAs or designates from the Hamilton Water Division.
C&R	Compliance and Regulations Section





Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

CD	Capital Delivery Section
COH	City of Hamilton
Collection System	The entire network of equipment, processes, and service pipes that collect wastewater from customers
Combined Sewer Overflow Tank (CSO Tank)	Tanks designed for the storage of combined sewage during heavy rain events. Gates in the sewer system direct flow into the CSO tanks. The combined sewage is stored in the tanks until the rain event has ceased at which point the wastewater is directed back to the sewer system and onto the WWTP for treatment. These tanks help decrease the volume of water in the combined sewer system being transported to the WWTP and also decrease the number of CSOs to the natural environment.
Combined Sewer System	A wastewater collection system which conveys sanitary wastewaters (domestic, commercial and industrial wastewaters) and stormwater runoff through a single-pipe system to a Sewage Treatment Plant (STP) or treatment works. Combined sewer systems which have been partially separated and in which roof leaders or foundation drains contribute stormwater inflow to the sewer system conveying sanitary flows are still defined as combined sewer systems.
Continual Improvement	Recurring process of enhancing the management system in order to achieve improvements in overall performance consistent with the organization's policy. Continual improvement tools include identification of existing or potential non-conformances, root cause analysis, implementation of corrective / preventive action requests and verification of the effectiveness of corrective / preventive actions.



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

Controlled documents	<p>Document deemed to be important to the functioning of Hamilton Water Division, as updated, reviewed, approved by the indicated staff, and authorized for release and distribution. The document is available to staff in a format that cannot be modified without appropriate approval. The document available to staff is always the most current version of the document. The document is subject to monitoring, auditing and update. Controlled documents have a unique BCOS issuance number.</p> <ul style="list-style-type: none"> Includes: procedures, manuals, checklists, forms, templates, lists, visual aids, guidelines and brochures.
Corrective Action	Action to eliminate the cause of a detected non-conformance or non-compliance.
CSG	Compliance Support Group
CS&CO	Customer Service and Community Outreach Section
DWQMS	Drinking Water Quality Management System
ECA	Environmental Compliance Approval



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

E2	<p>The Environmental Emergency (E2) Regulations came into force under the authorities of the Canadian Environmental Protection Act, 1999 (CEPA 1999). The E2 Regulations were put in place to enhance the safety of the environment and human life and health of Canadians by preventing, preparing for, responding to and recovering from environmental emergencies. Under the E2 Regulations, any person who owns or has the charge, management or control of a listed substance on a fixed facility may be required to:</p> <ul style="list-style-type: none"> • identify substance and place; • prepare an environmental emergency plan (E2 plan); • implement, update and test the E2 plan annually; • provide notice of closure or decommissioning; and • report environmental emergencies involving regulated substances.
EQH&S	Environmental, quality, health and safety
Hamilton Water (HW)	Hamilton Water Division, which is the water, wastewater, and stormwater Operating Authority for the City of Hamilton.
HW - SMT	The Hamilton Water Senior Management Team includes the Directors & Section Managers of the Hamilton Water Division.
IPS	Infor Public Sector (formerly HANSEN). Departmental and cross-sectional modular software system, offering a variety of packages designed to handle different aspects of municipal operations such as infrastructure assets inventory, work management, stock inventory systems, service applications and call centers, licensing and enforcement.
Level III Document	A controlled document that applies to the Hamilton Water Division.
Level III Document (Scoped)	A controlled document that applies to two or more but not all the sections of the Hamilton Water Division.



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

Level IV Document	A controlled document that applies to one Section of the Hamilton Water Division.
MOE	Ontario Ministry of Environment as amended (i.e. Ministry of Environment (MOE), Ministry of Environment and Energy (MOEE), Ministry of Environment and Climate Change (MOECC), Ministry of Environment, Conservation and Parks (MECP))
Operating Authority	Staff within the Hamilton Water Division responsible for the operation, maintenance and providing support services to the COH DWSs (including water treatment and distribution) and WWSs (including collection and water treatment).
Owner (DWS / WWS)	Every person who is a legal or beneficial owner of the City's DWSs and WWSs. Since the City's DWSs and WWSs are publicly owned and operated, the Mayor and Council of the City of Hamilton have been identified as Owners of the City's DWSs and WWSs.
PMATS	Plant Maintenance and Technical Services Section
PO	Plant Operations Section
Preventative Maintenance	Schedule of planned maintenance actions aimed at the prevention of breakdowns and failures.
QA	<p>Quality Assurance (process): Planned and systematic pattern of actions necessary to ensure that management and technical controls are being followed.</p> <p>Quality Assurance (staff): Staff who are responsible for maintaining quality within HW's Quality Management Systems. e.g. Sectional Quality Assurance Analyst, Quality Assurance Supervisor etc.</p>
RTC	Real Time Control



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

SMR	Systems Management Representative (for the BCOS, DWQMS, and WWQMS Systems) - Manager of Compliance and Regulations Section. Equivalent to QMS Representative as described in the DWQMS Standard.
Top Management (DWQMS / WWQMS)	The DWQMS and WWQMS Top Management has been identified as: the General Manager of Public Works and the Director of Hamilton Water Division.
Wastewater	Water that has been used at home, in a business or as a part of an industrial process. Excludes surface runoff or stormwater unless it enters combined sewer systems.
Objective	Objective set by Hamilton Water consistent with its WWQMS Policy
Target	Means for providing verifiable evidence that wastewater objectives have been met
Wastewater System (WWS)	Any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not include plumbing
WD&WWC	Water Distribution and Wastewater Collection Section
WWQMS	Wastewater Quality Management System
WWWPC	Water & Wastewater Planning & Capital
WWWSP	Water & Wastewater Systems Planning Section

2 QUALITY MANAGEMENT SYSTEM POLICY

2.1 Requirements

2.1.1 The Operational Plan shall document a Quality Management System Policy that provides the foundation for the Quality Management System, and:





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

- c. includes a commitment to the maintenance and continual improvement of the Quality Management System,
- d. includes a commitment to comply with applicable legislation and regulations,
- e. includes a commitment to pollution prevention, and
- f. is in a form that can be communicated to all Operating Authority personnel and the Owner.

2.1.2 The Operating Authority shall establish and maintain a Quality Management System that is consistent with the Quality Management System Policy.

2.2 **WWQMS Policy**

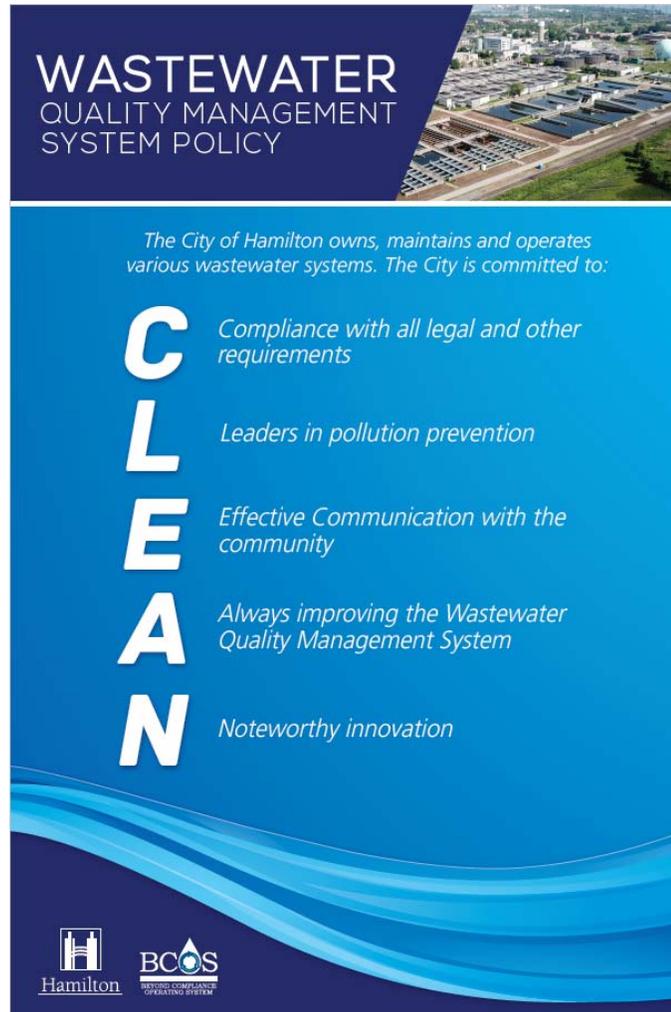
2.2.1 The WWQMS Policy was approved by Top Management on January 27, 2020. It has been communicated to HW staff as per the [Internal Communications \(PW-WW-P-008-001\)](#) procedure.

The WWQMS Policy is communicated to the public through posting on the City's website.



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

WWQMS Policy



3 COMMITMENT AND ENDORSEMENT

3.1 Requirements

- 3.1.1 The Operational Plan shall contain a written endorsement of its contents by Top Management and the Owner.
- 3.1.2 Top Management shall provide evidence of its commitment to an effective Quality Management System by:





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

- a. ensuring that a Quality Management System is in place that meets the requirements of this Standard,
- b. ensuring that the Operating Authority is aware of all applicable legislative and regulatory requirements,
- c. communicating the Quality Management System according to the procedure for communications, and
- d. determining, obtaining or providing the resources needed to maintain and continually improve the Quality Management System.

3.2 **Commitment and Endorsement**

- 3.2.1 The Owner (Mayor and Council) and Top Management (General Manager of Public Works and the Director of HW) of the Operating Authority (HW) support the development, implementation, maintenance and continual improvement of the WWQMS, which supports the COH's WWS.
- 3.2.2 The Owner acknowledges their role through the receipt and review of WWQMS reports related to the adequacy of infrastructure, audits and management reviews, and by provision of resources to support the WWQMS.
- 3.2.3 Top Management supports the WWQMS through provision of resources, ensuring staff are aware of relevant legal requirements, and supporting WWQMS communications.
- 3.2.4 The WWQMS Operational Plan will be endorsed at minimum every four years, following the municipal election cycle. The signatures that follow serve as evidence of the endorsement of the WWQMS Operational Plan Manual (PW-WW-M-001-007).



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

Fred Eisenberger Mayor WWS Owner Representative	Dan McKinnon General Manager, Public Works Department WWQMS Top Management Representative
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Andrea Holland City Clerk (Signing Authority on Behalf of Council)	Andrew Grice Director, Hamilton Water Division WWQMS Top Management Representative
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4 WWQMS SYSTEM REPRESENTATIVE

4.1 Requirements

- 4.1.1 The Operational Plan shall identify a Quality Management System representative.
- 4.1.2 Top Management shall appoint and authorize a Quality Management System representative who, irrespective of other responsibilities, shall:
 - a. administer the Quality Management System by ensuring that processes and procedures needed for the Quality Management System are established and maintained
 - b. report to Top Management on the performance of the Quality Management System and any need for improvement,
 - c. ensure that current versions of documents required by the Quality Management System are being used at all times,
 - d. ensure that personnel are aware of all applicable legislative and regulatory requirements that pertain to their duties for the operation of the Subject System, and
 - e. promote awareness of the Quality Management System throughout the Operating Authority.





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

4.2 **WWQMS Representative**

4.2.1 The Manager of Compliance & Regulations has been appointed as the Systems Management Representative (SMR) for WWQMS. The SMR is responsible for:

- ensuring that the WWQMS is established, implemented, and maintained,
- reporting to Top Management and HW - SMT regarding WWQMS performance including recommended continual improvement initiatives,
- promoting awareness of the WWQMS and of HW staff roles and responsibilities,
- overseeing the document control process including the development, review, approval and release of WWQMS System procedures and revoking obsolete documents,
- ensuring that HW and other staff are aware of all applicable legal requirements related to their duties and the WWQMS, and
- managing the WWQMS Internal Audit Program.

5 **DOCUMENTS AND RECORDS CONTROL**

5.1 **Requirements**

5.1.1 The Operational Plan shall document a procedure for Documents and Records Control that describes how:

Documents required by the Quality Management System are:

- a. kept current, legible and readily identifiable,
- b. retrievable,
- c. stored, protected, retained and disposed of, and

Records required by the Quality Management System are:

- a. kept legible, and readily identifiable,
- b. retrievable, and
- c. stored, protected, retained and disposed of.

5.1.2 The Operating Authority shall implement and conform to the procedure for Document and Records control and shall ensure that the Quality Management System documentation for the WWQMS includes:

- a. the Operational Plan and its associated policies and procedures,



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

- b. documents and records determined by the Operating Authority as being needed to ensure the effective planning, operation and control of its operations, and
- c. the results of internal and third-party Audits and management reviews.

5.2 Hamilton Water Document and Record Management System

- 5.2.1 Procedures have been developed that outline the document and record control processes for the Operating Authority.
- 5.2.2 The procedure entitled [Control of Documents \(PW-WW-P-010-001\)](#) is an integrated procedure that outlines document control processes for the Operating Authority. The purpose of this procedure is to control the issue, change, and approval of documents, ensuring that only up to date, approved documentation is used by Operating Authority staff. The Control of Documents procedure also ensures that staff can locate and access documents relevant to their work, in the format most suitable to their work, whether the documents are created internally or externally to the Operating Authority.
- 5.2.3 [Control of Records \(PW-WW-P-016-001\)](#) is an integrated procedure that applies to all HW sections. The purpose of this procedure is to ensure that both COH and externally generated non-COH records identified as critical are properly collected, identified, accessed, filed, stored, maintained, reviewed, and disposed of after their designated retention times.

6 WASTEWATER SYSTEMS DESCRIPTIONS

6.1 Requirements

- 6.1.1 The Operational Plan shall document for the Wastewater System:
 - a. the name of the Owner and Operating Authority,
 - b. a general description of the system including all components of Wastewater Collection and applicable Treatment System processes
 - c. a description including:
 - general characteristics of the receiving water body(ies),
 - common event-driven fluctuations, and
 - any resulting operational challenges and threats.
- 6.1.2 The Operating Authority shall ensure that the description of the Wastewater System is kept current.





Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

6.2 Wastewater System Process Descriptions

6.2.1 Process descriptions meeting the WWQMS requirements are found in [WWQMS Descriptions of Hamilton Wastewater Systems \(PW-WW-P-004-009\)](#). The map entitled [City of Hamilton Wastewater Collection System Map \(PW-WW-V-011-001\)](#) illustrates the geographic scope of the COH's wastewater collection and treatment systems.

7 ENVIROMENTAL ASPECTS & IMPACTS

7.1 Requirements

7.1.1 The Operational Plan shall develop an environmental aspects and impacts process to identify and assess environmental aspects and impacts associated with the collection and treatment of wastewater that:

- a. identifies the environmental aspects of its activities, and services (outputs) within the scope of the WWQMS that it can control or influence,
- b. takes into account planned or unplanned changes or modified activities, products and services,
- c. takes into account abnormal conditions and reasonably foreseeable emergency situations,
- d. identifies the environmental aspects that can have a significant impact on the environment using established criteria,
- e. identifies control measures to address the potential impacts,
- f. ensures that the significant environmental aspects are taken into account in establishing, implementing and maintaining the wastewater management system,
- g. describes how it shall communicate its significant environmental aspects among various levels and functions of the organization,
- h. identifies a method to verify, at least once every calendar year, the currency of the information, and
- i. conducts the assessment at least once every three years.

7.1.2 The Operational Plan shall document:

- a. the identified environmental aspects and associated impacts,
- b. criteria used to determine its significant environmental aspects, and
- c. the impacts rated significant.





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

The Operating Authority shall ensure that the record of environmental aspects and impacts is kept current.

7.2 **Hamilton Wastewater Systems' Aspects and Impacts Assessment**

7.2.1 The procedure entitled [Environmental Aspects & Impacts Assessment \(PW-WW-P-003-001\)](#) has been developed to document the process followed by HW to identify and assess the environmental aspects and impacts associated with the activities, products and services related to the collection and treatment of wastewater. Once the Aspect and Impact pairs are identified and rated, their Significant Impact Rating can be calculated as the product of likelihood, severity and detectability. A summary of the significant aspects and associated control measures are identified and recorded in [Aspects and Impacts Register \(PW-WW-R-003-001\)](#).

7.2.2 The Aspects and Impacts Assessment is conducted every 3 years and the WWQMS Environmental Aspects and Impacts Register is assessed annually. The Aspects and Impacts Assessment is also conducted for a new wastewater facility or a major process modification within six months after the commissioning date. Communication about significant environmental aspects is carried out as per the [Internal Communications \(PW-WW-P-008-001\)](#) procedure.

8 **OBJECTIVES & TARGETS**

8.1 **Requirements**

8.1.1 The Operating Authority shall ensure that wastewater objectives and targets are established considering significant environmental aspects and associated compliance obligations. The environmental objectives shall be:

- a. consistent with the policy,
- b. measurable (if practicable),
- c. monitored,
- d. communicated, and
- e. updated as appropriate.

When setting objectives, the Operating Authority shall determine:

- a. what will be done,
- b. what resources will be required,
- c. who will be responsible,



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

- d. when it will be completed, and
- e. how the results will be evaluated, including applicable indicators for monitoring progress towards achievement.

The Operating Authority shall establish, implement and maintain a programme(s) for achieving its objectives and targets. Programme(s) shall include:

- a. designation of responsibility for achieving objectives and targets at relevant functions and levels of the organization, and
- b. the means and time frame by which they are to be achieved.

8.1.2 The Operating Authority shall maintain documented information about its environmental objectives, targets and management programmes.

The Operating Authority shall consider how actions to achieve its environmental objectives can be integrated into the organization's business processes.

8.2 **Hamilton Wastewater Systems' Objectives and Targets**

8.2.1 The procedure entitled [Wastewater Objectives and Targets \(PW-WW-P-005-001\)](#) documents the process by which Hamilton Water sets objectives and targets to avoid or minimize environmental impacts of WWS. Objectives are established after considering evaluation criteria outlined in the procedure. Targets established provide quantifiable milestones for measuring performance against set objectives. Management programmes established list the specific tasks or means by which to achieve the desired objective and target.

8.2.2 The list of objectives, targets and wastewater management programmes is recorded in [Objectives and Targets Summary \(PW-WW-R-005-001\)](#) and approved by Top Management annually.

9 **ORGANIZATIONAL STRUCTURE, ROLES, RESPONSIBILITIES & AUTHORITIES**

9.1 **Requirements**

- 9.1.1 The Operational Plan shall:
- a. describe the organizational structure of the Operating Authority including respective roles, responsibilities and authorities,
 - b. delineate corporate oversight roles, responsibilities and authorities where the Operating Authority operates multiple Wastewater Systems,



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

- c. identify the person, persons or group of people within the management
- d. identify the structure of the organization responsible for undertaking the Management Review described in Section 21,
- e. identify the person, persons or group of people, having Top Management responsibilities required by this Standard, along with their responsibilities, and
- f. identify the Owner of the Wastewater System.

9.1.2 The Operating Authority shall keep current the description of the organizational structure including respective roles, responsibilities and authorities, and shall communicate this information to Operating Authority personnel and the Owner.

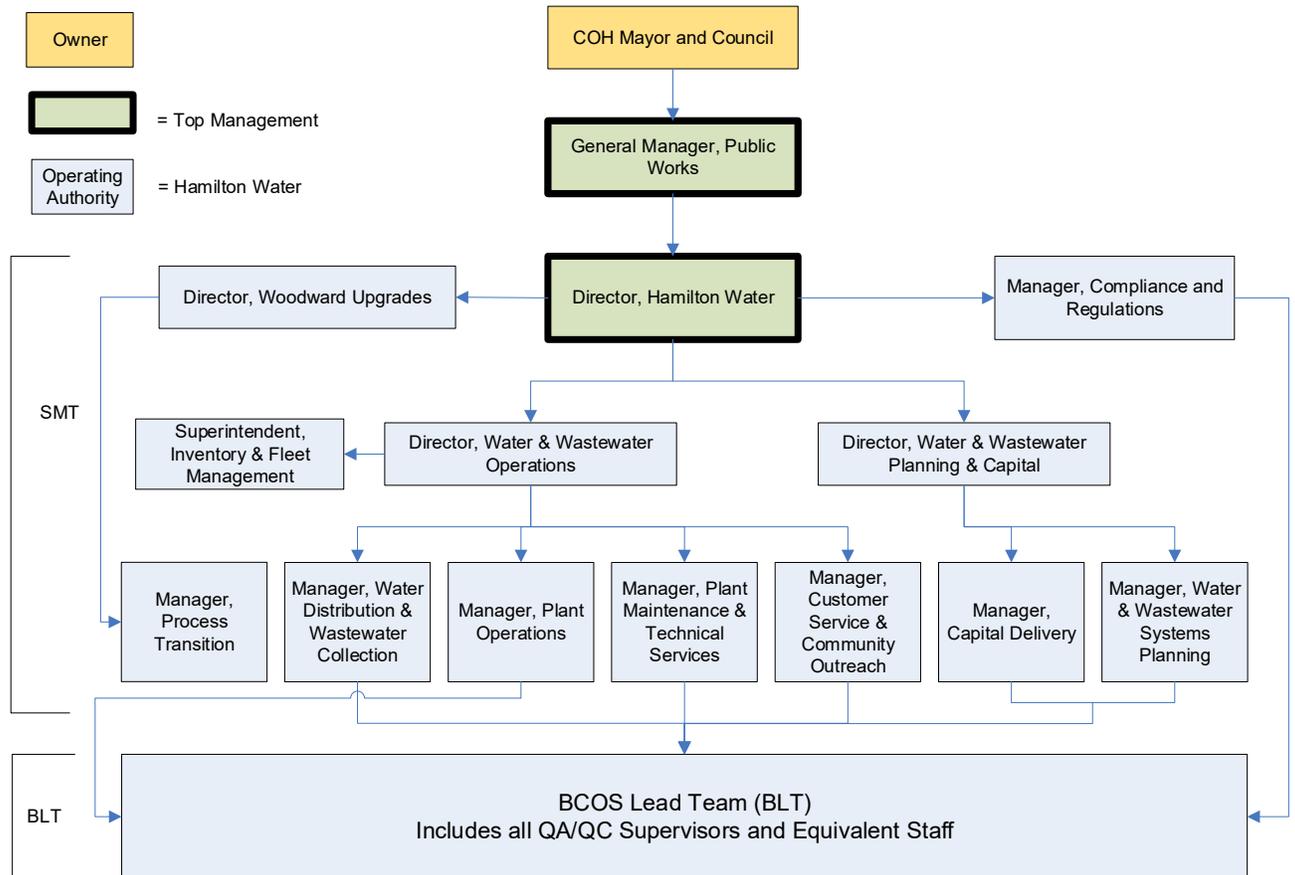
9.2 Hamilton Water Organizational Structure, Roles, Responsibilities, and Authorities

9.2.1 [Roles, Responsibilities & Authorities \(PW-WW-P-006-001\)](#) is an integrated procedure for BCOS including DWQMS and WWQMS that describes how roles, responsibilities, and authorities are defined, communicated, and maintained to ensure accountability in the implementation of these systems. The [Hamilton Water – Photo Organizational Chart \(PW-WW-R-006-002\)](#) identifies key roles and/or titles within HW. The [Roles, Responsibilities and Authorities Matrix \(PW-WW-G-006-001\)](#) outlines the roles, responsibilities and authorities relating to the BCOS systems.

9.2.2 The Roles, Responsibilities & Authorities Procedure applies to all sections of HW. CSG and BLT are responsible for ensuring that Operating Authority staff are kept aware of their respective roles, responsibilities and authorities as they relate to WWQMS. The organizational chart below delineates key wastewater positions.



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>



10 COMPETENCIES

10.1 Requirements

10.1.1 The Operational Plan shall document:

- competencies required for personnel performing duties directly affecting quality of wastewater collected and treated,
- activities to train, develop and/or maintain competencies for personnel performing duties directly affecting quality of treated wastewater, and
- activities to ensure that personnel are aware of the relevance of their duties and how they affect the quality of wastewater discharges into the environment.

10.1.2 The Operating Authority shall undertake activities to:

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Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

- a. meet and maintain competencies for personnel directly affecting quality of treated wastewater and shall maintain records of these activities, and
- b. ensure that personnel are aware of the relevance of their duties and how they affect the quality of wastewater discharges into the environment and shall maintain records of these activities.

10.2 WWQMS Competencies

- 10.2.1 The [Competency and Training Procedure \(PW-WW-P-033-001\)](#) provides the framework for the identification, delivery and tracking of training requirements related to the Hamilton Water Division. The procedure is also created to document how the Division ensures competencies of staff that could have a direct impact on wastewater collection and treatment.
- 10.2.2 The [Hamilton Water Division Core Training Guideline \(PW-WW-G-033-002\)](#) lists required core and developmental competencies for job positions that could impact wastewater quality. Positions potentially impacting quality of wastewater have been identified as:
 - Positions that require a Wastewater Operator’s License (Treatment or Collection) Positions that supervise licensed Operators or Water Quality Analysts and
 - Other positions recommended by Section Manager
- 10.2.3 All Operating Authority staff are expected to be aware of their roles, responsibilities and authorities. WWQMS Awareness Training is a core training requirement for all staff of the Operating Authority. WWQMS Awareness Training is an on-going training provided to new staff at the Hamilton Water New Employee Orientation. In addition, refresher training may be provided as needed. Staff are also updated about WWQMS as per [Internal Communications \(PW-WW-P-008-001\)](#) procedure.
- 10.2.4 Further, this training may be provided to other City staff outside of the Operating Authority as required.
- 10.2.5 In order to better connect staff to available training, use training resources effectively and help manage training records, HW utilizes the IT Tool – the Learning Management Database.



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

11 PERSONNEL COVERAGE

11.1 Requirements

11.1.1 The Operational Plan shall document, implement and conform to a procedure to ensure that sufficient personnel meeting identified competencies are available for duties that directly affect wastewater collection and treatment.

11.2 WWS Personnel Coverage

11.2.1 The [Personnel Coverage \(PW-WW-P-034-003\)](#) procedure outlines the process by which the Hamilton Water Division ensures that adequate staffing and personnel coverage are maintained for its water and wastewater operations. The procedure details personnel coverage measures followed during regular business hours as well as evenings, weekends and holidays. Where applicable, Level 4 (Sectional) personnel coverage procedures should be referenced for Section-specific Personnel Coverage processes.

12 COMMUNICATION

12.1 Requirements

12.1.1 The Operational Plan shall implement, document and conform to a procedure for communications that describes how the relevant aspects of the WWQMS are communicated between Top Management and:

- a. the Owner,
- b. Operating Authority personnel,
- c. Suppliers that have been identified as essential, and
- d. the Public.

12.2 Communications

12.2.1 The [Internal Communications \(PW-WW-P-008-001\)](#) procedure describes processes for internal communications on various elements of the organization 's management systems, policies and objectives. This procedure has been developed to ensure effective and timely communication with internal stakeholders.

12.2.2 [External Regulatory and Other Communications \(PW-WW-P-008-002\)](#) describes HW communication processes with regulatory agencies, general public and other external stakeholders.



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

13 OPERATIONAL PLANNING AND CONTROLS

13.1 Requirements

13.1.1 The Operational Plan shall establish, implement, control and maintain processes needed to meet WWQMS requirements, and shall implement actions identified in the aspects and impacts assessment process and Objectives planning process by:

- a. establishing operating criteria for the process(es), and
- b. implementing control of the process(es), in accordance with the operating criteria.

The Operating Authority shall control planned changes and review the consequences of unintended changes, taking action to mitigate any adverse effects, as necessary.

The Operating Authority shall ensure that outsourced processes are controlled or influenced. The type and extent of control or influence to be applied to the process(es) shall be defined within the WWQMS.

13.1.2 The Operational Plan shall maintain documented information to the extent necessary to have confidence that the processes have been carried out as planned.

13.2 WWQMS Operational Planning Controls for WWS

13.2.1 The [Environmental Aspects & Impacts Assessment \(PW-WW-P-003-001\)](#) procedure documents the process followed by Hamilton Water to identify operational controls to address significant environmental impacts related to the collection and treatment of wastewater. The [Aspects and Impacts Register \(PW-WW-R-003-001\)](#) records the control measures associated with aspects and impacts including preventative maintenance, inspections and monitoring, standardized work instructions and/or improvement projects.

13.2.2 The [Essential Supplies and Services \(PW-WW-P-035-001\)](#) procedure documents the process followed by Hamilton Water to identify and review the quality of essential supplies and services provided from outside of the City of Hamilton Drinking Water and Wastewater Systems managed by the HW Division that can introduce quality, safety or environmental risks.

14 EVALUATION OF COMPLIANCE

14.1 Requirements

14.1.1 The Operational Plan shall:





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

- a. document a procedure for periodically evaluating compliance with legal and other requirements and taking actions if needed,
- b. keep records of the results of the periodic evaluations and action taken,
- c. maintain knowledge and understanding of its compliance status, and
- d. establish implement and maintain processes to evaluate and fulfill its compliance obligations.

14.1.2 The Operating Authority shall implement and conform to the procedure and communicate the findings to Owner.

14.2 Hamilton Wastewater Systems' Compliance

14.2.1 The [Legal and Other Requirements \(PW-WW-P-004-004\)](#) procedure indicates how applicable legal and other requirements related to COH's WWS are identified, communicated and managed. The BCOS Database is used to list requirements, track and assign tasks associated with legal and other requirements. Wastewater approval related requirements are tracked in the [Approvals Register \(PW-WW-R-004-020\)](#) that is updated at least annually. In addition, external third-party compliance audits of WWS may be conducted as required.

15 REVIEW AND PROVISION OF INFRASTRUCTURE

15.1 Requirements

15.1.1 The Operational Plan shall document a procedure for reviewing the adequacy of the infrastructure necessary to operate and maintain the wastewater System that:

- a. considers the significant impacts described in Section 7, and
- b. ensures that the adequacy of the infrastructure necessary to operate and maintain the wastewater System is reviewed at least once every Calendar Year.

15.1.2 The Operating Authority shall implement and conform to the procedure and communicate the findings of the review to the Owner.

15.2 Hamilton Water Infrastructure Review

15.2.1 The [Review and Provision of Infrastructure procedure \(PW-WW-P-025-001\)](#) documents the process followed by Hamilton Water in reviewing the adequacy of its wastewater system infrastructure. The procedure applies to all City of Hamilton WWS infrastructure, including both vertical and horizontal infrastructure and other





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

infrastructure required for the operation of the WWS including offices, workspaces, buildings and critical software.

16 INFRASTRUCTURE MAINTENANCE, REHABILITATION & RENEWAL

16.1 Requirements

16.1.1 The Operational Plan shall document:

- a. a summary of the Operating Authority’s infrastructure maintenance, rehabilitation and renewal programs for the wastewater System, and
- b. a long term forecast of major infrastructure maintenance, rehabilitation and renewal activities.

16.1.2 The Operating Authority shall:

- a. keep the summary of the infrastructure maintenance, rehabilitation and renewal programs current,
- b. ensure that the long-term forecast is reviewed at least once every Calendar Year,
- c. communicate the programs to the Owner, and
- d. monitor the effectiveness of the maintenance program.

16.2 Hamilton Water Infrastructure Maintenance, Rehabilitation and Renewal

16.2.1 The procedure [Infrastructure Maintenance, Rehabilitation and Renewal \(PW-WW-P-026-001\)](#) describes how Hamilton Water implements infrastructure maintenance, rehabilitation, and renewal programs depending on the condition of infrastructure, redundancy of equipment and the related operational risk. Infrastructure maintenance is addressed by both planned and unplanned maintenance activities carried out by PMATS, PO and WD&WWC.

17 SAMPLING, TESTING & MONITORING

17.1 Requirements

17.1.1 The Operational Plan shall document:

- a. a sampling, testing and monitoring procedure for process control and finished wastewater quality including requirements for sampling, testing and monitoring at the conditions most challenging to the wastewater System,





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

- b. a description of relevant sampling, testing or monitoring activities, if any, that take place downstream of the wastewater System, and
- c. a procedure that describes how sampling, testing and monitoring results are recorded and shared between the Operating Authority and the Owner, where applicable.

17.1.2 The Operating Authority shall implement and conform to the procedures.

17.2 Hamilton Water Sampling, Testing and Monitoring

17.2.1 The [Sampling, Testing and Monitoring \(PW-WW-P-013-004\)](#) procedure describes how wastewater sampling, testing and monitoring activities are undertaken and how the results are communicated as per regulatory requirements.

17.2.2 The responsibilities for performing the required sampling in the City of Hamilton’s wastewater collection system and wastewater treatment plants are outlined in the [City of Hamilton Wastewater Sampling Plan \(PW-WW-P-013-006\)](#). The [City of Hamilton Wastewater Sampling Schedule \(PW-WW-L-013-003\)](#) identifies the list of samples to be collected and tests to be performed by staff to meet City of Hamilton’s compliance obligations.

18 MEASUREMENT & RECORDING EQUIPMENT, CALIBRATION & MAINTENANCE

18.1 Requirements

18.1.1 The Operational Plan shall document, implement and conform to a procedure for the calibration and maintenance of measurement and recording equipment.

18.2 Hamilton Water Measurement and Recording Equipment, Calibration and Maintenance

18.2.1 The procedure entitled [Calibration & Maintenance of Measurement and Recording Equipment \(PW-WW-P-036-001\)](#) describes the requirements for the calibration, verification and maintenance of measurement and recording equipment used in the operation of WWS. The procedure identifies responsible personnel, recording requirements, frequency and method for calibration, verification and maintenance of measurement and recording equipment.





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

19 EMERGENCY MANAGEMENT

19.1 Requirements

- 19.1.1 The Operational Plan shall document a procedure to maintain a state of emergency preparedness that includes:
 - a. a list of potential emergency situations or service interruptions,
 - b. processes for emergency response and recovery,
 - c. emergency response training and testing requirements,
 - d. Owner and Operating Authority responsibilities during emergency situations,
 - e. references to municipal emergency planning measures as appropriate, and
 - f. an emergency communication protocol and an up-to-date list of emergency contacts.
- 19.1.2 The Operating Authority shall implement and conform to the procedure.

19.2 Hamilton Water Emergency Management

- 19.2.1 The [Hamilton Water Emergency Response Plan \(PW-WW-P-012-001\)](#) describes the City's Corporate, Departmental, Divisional, and Sectional Emergency Response structure. Emergency Response Plan (ERP) Manuals (binders) are available at various locations within Hamilton Water inclusive of the Hamilton Water Emergency Response Plan. A Risk Assessment approach is used to identify possible risks or emergencies that could potentially impact the City's WWS, Annual testing of the COH (Corporate) Emergency Response Plan, the HW Emergency Response Plan, and the Plant Operation's E2 Plan is required. Upon completion of testing, a debrief is held to determine possible improvement actions and document any procedural upgrades that may be required.
- 19.2.2 HW staff must receive training for all emergency response plans and/or procedures related to their job or responsibilities. Divisional training requirements are listed in the [Hamilton Water Division Core Training Guideline \(PW-WW-G-033-002\)](#). The City's Emergency Management Office determines training requirements for the COH's Emergency Response Plan.



Title:	<i>WWQMS Operational Plan Summary Report</i>		
Document #	<i>PW-WW-R-001-003</i>	Document Level	<i>3</i>
Issue #:	<i>1</i>	Issue Date:	<i>2020</i>

20 INTERNAL AUDITS

20.1 Requirements

- 20.1.1 The Operational Plan shall document a procedure for internal Audits that:
- a. evaluates conformity of the Quality Management System with the requirements of this Standard,
 - b. identifies internal Audit criteria, frequency, scope, methodology and record-keeping requirements,
 - c. considers previous internal and third-party Audit results, and
 - d. describes how Quality Management System Corrective Actions are identified and initiated.
- 20.1.2 The Operating Authority shall implement and conform to the procedure and shall ensure that internal Audits are conducted at least once every Calendar Year.

20.2 WWQMS Internal Audit

- 20.2.1 The [Internal Auditing procedure \(PW-WW-P-017-001\)](#) is an integrated procedure that describes how HW conducts objective and systematic internal audits as a means of measuring the performance of its BCOS, including WWQMS.
- 20.2.2 The SMR holds overall responsibility for ensuring that internal audits are planned and executed annually according to the requirements of this procedure. Internal auditors are appointed by HW - SMT and are identified in the [Internal Auditor List \(PW-WW-L-017-003\)](#).
- 20.2.3 Audit findings are recorded in the BCOS database and may indicate the need for corrective, preventive, or improvement actions (See Section 22.0 of this Operational Plan).
- 20.2.4 Once scheduled internal audits are completed, the SMR (or designate) reviews audit findings and compiles the information for presentation to SMT. In addition, the Internal Audit Program is reviewed on an annual basis as an input to Management Review (See Section 21.0 of this Operational Plan).



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

21 MANAGEMENT REVIEW

21.1 Requirements

21.1.1 The Operational Plan shall document a procedure for management review that evaluates the continuing suitability, adequacy and effectiveness of the Quality Management System and that includes consideration of:

- a. incidents of regulatory non-compliance and response actions,
- b. the effectiveness of the wastewater aspects and impacts process (changes in significant wastewater aspects),
- c. objectives and targets, and status of wastewater Management Programmes,
- d. internal audit results,
- e. summary of WWQMS non-conformance reports, including Essential Supplies and Services' non-conformances,
- f. results of emergency response testing,
- g. operational performance,
- h. influent and effluent wastewater quality trends,
- i. follow-up on action items from previous management reviews,
- j. the status of management action items identified between reviews,
- k. changes that could affect the Quality Management System,
- l. internal & external communication,
- m. the resources needed to maintain the Quality Management System,
- n. the results of the infrastructure review,
- o. Operational Plan currency, content and updates, and
- p. staff suggestions.

21.1.2 Top Management shall implement and conform to the procedure and shall:

- a. ensure that a management review is conducted at least once every Calendar Year,
- b. consider the results of the management review and identify deficiencies and actions items to address the deficiencies,



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

- c. provide a record of any decisions and action items related to the management review including the personnel responsible for delivering the action items and the proposed timelines for their implementation, and
- d. report the results of the management review, the identified deficiencies, decisions and action items to the Owner.

21.2 **Hamilton Water Management Review**

- 21.2.1 The [Management Review procedure \(PW-WW-P-018-001\)](#) documents the process for planning, executing, and documenting Management Reviews, including provision of feedback to the Hamilton Water Division and reporting of review results to the Owner.
- 21.2.2 The SMR coordinates the annual Management Review meetings and compiles the required input data for presentation to Top Management. Top Management is responsible for reviewing the input materials presented and generating outputs as specified in the Management Review procedure. The SMR or delegate prepares minutes of Management Review meetings as proof of completion.
- 21.2.3 Top Management or their delegates are responsible for communicating Management Review results to the Owner. In addition, results of management reviews are summarized in the annual WWQMS Summary Report which is circulated to the WWS Owner.

22 **NON-CONFORMANCE, CORRECTIVE & PREVENTIVE ACTION**

22.1 **Requirements**

- 22.1.1 The Operating Authority shall develop a procedure for tracking and measuring effectiveness of its Quality Management System by:
 - a. documenting a process for identification and management of Quality Management System Corrective Actions that includes:
 - investigating the cause(s) of an identified non-conformity,
 - documenting the action(s) that will be taken to correct the nonconformity and prevent the non-conformity from re-occurring, and
 - reviewing the action(s) taken to correct the non-conformity, verifying that they are implemented and are effective in correcting and preventing the re-occurrence of the nonconformity.



<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

b. documenting a process for identifying and implementing Preventive Actions to eliminate the occurrence of potential non-conformities in the Quality Management System that includes:

- reviewing potential non-conformities that are identified to determine if preventive actions may be necessary,
- documenting the outcome of the review, including the action(s), if any, that will be taken to prevent a non-conformity from occurring, and
- reviewing the action(s) taken to prevent a non-conformity, verifying that they are implemented and are effective in preventing the occurrence of the non-conformity.

22.1.2 The Operating Authority shall implement and conform to the procedure

22.2 Hamilton Water Non-Conformance, Corrective and Preventative Action Process

22.2.1 The integrated [Non-conformance, Corrective & Preventive Action Process procedure \(PW-WW-P-015-002\)](#) documents the non-conformance, corrective and preventative action process that ensures the effective resolution of system non-conformances and legal non-compliances related to the WWQMS.

Non-conformances are entered into the "Findings" Application of the BCOS Database. Once details of the nature of the non-conformance are entered into BCOS, a root cause analysis can be completed, and an action plan can be developed to correct or prevent the non-conformance. All action plans are verified as being complete. Verification for effectiveness may occur at the discretion of the SMR. All of the above information must be entered into the BCOS Database. Once the completion of the plan has been verified, the non-conformance report can be closed out.

23 CONTINUAL IMPROVEMENT

23.1 Requirements

23.1.1 The Operating Authority shall develop a procedure for tracking and measuring continual improvement of its Quality Management System.

23.1.2 The Operating Authority shall strive to continually improve the effectiveness of its Quality Management System by implementing and conforming to the procedure.





<i>Title:</i>	<i>WWQMS Operational Plan Summary Report</i>		
<i>Document #</i>	<i>PW-WW-R-001-003</i>	<i>Document Level</i>	<i>3</i>
<i>Issue #:</i>	<i>1</i>	<i>Issue Date:</i>	<i>2020</i>

23.2 Hamilton Water Continual Improvement Process

23.2.1 The COH is committed to continually improving its WWQMS. The Public Works departmental Continual Improvement procedure is currently under development. In addition, Hamilton Water follows the section on continual improvement found in [Non-conformance, Corrective & Preventive Action Process procedure \(PW-WW-P-015-002\)](#). Hamilton Water uses tools such as management reviews, internal audits, communications, BIMA scorecard and benchmarking initiatives to track and measure the continual improvement of WWQMS.

BCOS software tracks the revision history of document.

**Automated Speed Enforcement (ASE)
Revised Deployment Schedule October 2020-September 2021**

Location	Operation Date
Stone Church Road between Dartnall Road and Pritchard Road	October 2020
Glancaster Road between Rymal Road and Twenty Road	November 2020
Bellagio Drive between Fletcher Road and Keystoney Crescent	December 2020
Lawrence Road between Gage Avenue and Ottawa Street	January 2021
Lawrence Road between Cochrane Ave and Mt Albion Road	February 2021
Lewis Road between Barton Street and Highway 8	March 2021
Trinity Church Road between Guyatt Road and Dickenson Road	April 2021 (first 2 weeks of month)
Hunter Street between James Street and Wellington Street*	April 2021 (second 2 weeks of month)
Harvest Road between Tews Lane and Forest Avenue	May 2021 (first 2 weeks of month)
Lottridge Street between Cannon Street and Beechwood Avenue*	May 2021 (second 2 weeks of month)
Main Street between Parkside Drive and John Street	June 2021 (first 2 weeks of month)
Mountain Brow Boulevard between Broker Drive and Mohawk Road*	June 2021 (second 2 weeks of month)
Broker Drive between Kingslea Drive and Brentwood Drive	July 2021 (first 2 weeks of month)
Gage Avenue between Cannon St and Beechwood Avenue*	July 2021 (second 2 weeks of month)
Second Street between Charles Street and King Street	August 2021 (first 2 weeks of month)
Regional Road 56 between Golf Club Road and Guyatt Road*	August 2021 (second 2 weeks of month)
Greenhill Avenue between Quigley Road and Mt. Albion Road	September 2021 (first 2 weeks of month)
Highway 5 between Harrisburg Road and Troy Road*	September 2021 (second 2 weeks of month)

* - Denotes new location added to the ASE pilot project.

Locations Reviewed for Automated Speed Enforcement Consideration

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
John Street North - John Street South to Barton Street East	2		67	ASE camera cannot be used due to roadway geometrics and on-street parking.
Hunter Street East - Hunter Street West to Wellington Street South	2		58	1 of 6 new locations added to the ASE pilot list.
Lottridge Street - Cannon Street East to Beechwood Avenue	3	Prince of Wales Elementary School	56	2 of 6 new locations added to the ASE pilot list.
Sanford Avenue North - Cannon Street East to Barton Street East	3	Cathy Weaver Elementary School	50	School zone flasher present.
Mohawk Road East - Mall Road to Bishopsgate Avenue	7	Our Lady of Lourdes Elementary School	48	ASE camera cannot be used due to five lane arterial configuration and recommended for the installation of a future school zone flasher.
Highway No. 8 - Green Road to Ellington Avenue	10	St. Francis Xavier Elementary School	47	ASE camera cannot be used due to five lane arterial configuration and school zone flasher present.
Mountain Brow Boulevard - Broker Drive to Mohawk Road East	6		43	3 of 6 new locations added to the ASE pilot list.
Regional Road 56 - Golf Club Road to Guyatt Road	11		41	4 of 6 new locations added to the ASE pilot list.
Highway No. 5 West - Harrisburg Road to Troy Road	12		41	5 of 6 new location added to the ASE pilot list.
Highway No. 5 East - Evans Road to Kerns Road	15		41	ASE camera cannot be used due to five lane arterial configuration.

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Dewitt Road - Highway No. 8 to Cresthaven Drive	10	Orchard Park Secondary School	38	School zone flasher present.
Dakota Boulevard - Rymal Road East to Pinehill Drive	9	Bishop Ryan Secondary School	38	On-street parking restricts ability to use ASE
Centre Road - Concession 6 East to Concession 5 East	15	Flamborough Centre School	37	Current speed limit reduction and school zone flasher present.
Whitedeer Road - Rymal Road East to Highbury Drive	9	St. Mark Elementary School	37	Current midblock all-way stop and parking restricts ability to use ASE cameras.
Upper James Street - English Church Road East to Airport Road East	11		37	ASE camera cannot be used due to roadway geometrics (width).
Regional Road 56 - Guyatt Road to Cemetery Road	11		37	6 of 6 new locations added to the ASE pilot list.
Regional Road 56 - Hall Road to Haldibrook Road	11		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 8 - Fifty Road to east boundary limits	10		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Glancaster Road - Twenty Road West to Book Road East	11		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Carlisle Road - Progreston Road to Milborough Line	15		37	Below ranking threshold based upon total number of available additional ASE locations (6).
Cranbrook Drive - Gretna Court to Gemini Drive	14	R.A. Riddell Elementary School	36	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Beach Boulevard - Eastport Drive to Van Wagner's Beach Road	5		36	Below ranking threshold based upon total number of available additional ASE locations (6).
Cannon Street East - Edgemont Street North to Robins Avenue	4	Queen Mary Elementary School	35	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Highland Road East - Highland Road West to Third Road East	9		35	Below ranking threshold based upon total number of available additional ASE locations (6).
Wilson Street - Mary Street to Ferguson Avenue North	2	Dr. Davey Elementary School	34	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Westbrook Road - Binbrook Road to Concession 5 Road	11		34	Below ranking threshold based upon total number of available additional ASE locations (6).
Millgrove Sideroad - Concession 5 West to Concession 6 East	15		34	Below ranking threshold based upon total number of available additional ASE locations (6).
Concession 5 West - Millgrove Sideroad to Carey Street	13	Millgrove Public School	33	Below ranking threshold based upon total number of available additional ASE locations (6).
Twenty Road East - Greti Drive to Twenty Road West	11		33	Below ranking threshold based upon total number of available additional ASE locations (6).
Upper James Street - Twenty Road East to Dickenson Road East	11		33	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Highway No. 8 - Jones Road to Glover Road	10		33	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 5 East - Spring Creek Drive to Evans Road	15		33	Below ranking threshold based upon total number of available additional ASE locations (6).
Mud Street East - First Road East to Third Road East	9		32	Below ranking threshold based upon total number of available additional ASE locations (6).
Barton Street - Napa Lane to Fifty Road	10	St Gabriel Elementary School	31	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Lawrence Road - Ottawa Street South to Kenilworth Avenue South	4		31	Below ranking threshold based upon total number of available additional ASE locations (6).
Mountain Brow Boulevard - Oakcrest Drive to Margate Avenue	6		31	Below ranking threshold based upon total number of available additional ASE locations (6).
Mud Street East - Third Road East to Tapleystown Road	9	Tapleystown Elementary School	31	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Highland Road West - Highbury Drive to First Road West	9	Saltfleet Secondary School	31	Below ranking threshold based upon total number of available additional ASE locations (6).
Mill Street South - Union Street to Mountain Brow Road	15		31	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Concession 5 East - Highway No. 6 to Centre Road	15		31	Below ranking threshold based upon total number of available additional ASE locations (6).
Gage Avenue North - Cannon Street East to Beechwood Avenue	4		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Dewitt Road - Cresthaven Drive to Barton Street	10	Our Lady of Peace Elementary School	30	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Frances Avenue - Teal Avenue to Green Road	10		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Mountain Brow Boulevard - Upper Ottawa Street to Mountain Brow Boulevard	6		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Concession 5 East - Centre Road to Robson Road	15		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Binbrook Road - Westbrook Road to Woodburn Road	11		30	Below ranking threshold based upon total number of available additional ASE locations (6).
Gatestone Drive - Shadyglen Drive to Highbury Drive	9	Gatestone Elementary School	29	Below ranking threshold based upon total number of available additional ASE locations (6).
Upper Ottawa Street - Mountain Brow Boulevard to Queensdale Avenue East	6		29	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Upper James Street - White Church Road East to Highway No. 6	11		29	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 5 East - Riley Street to Berry Hill Avenue	15		29	Below ranking threshold based upon total number of available additional ASE locations (6).
Concession 6 East - Centre Road to John Martin Crescent	15		29	Below ranking threshold based upon total number of available additional ASE locations (6).
Upper Ottawa Street - Queensdale Avenue East to Brucedale Avenue East	6		28	Below ranking threshold based upon total number of available additional ASE locations (6).
Hendershot Road - Golf Club Road to Guyatt Road	11		27	Below ranking threshold based upon total number of available additional ASE locations (6).
Fletcher Road - Rymal Road East to Pinehill Drive	9	Our Lady of the Assumption	27	Below ranking threshold based upon total number of available additional ASE locations (6) and school zone flasher present.
Concession 8 East - Centre Road to Green Spring Road	15		27	Below ranking threshold based upon total number of available additional ASE locations (6).
Highway No. 5 East - Mill Street South to Reynold Street	15		27	Below ranking threshold based upon total number of available additional ASE locations (6).
Centre Road - Concession 14 East to	15		26	Below ranking threshold based upon total number of available additional ASE locations (6).

Candidate Location	Ward	School Name (if present)	CSZ Ranking Score	Prohibitive Factor(s) & Comments
Mill Street North - Mill Street South to Church Street	15		25	Below ranking threshold based upon total number of available additional ASE locations (6).

Note: under Provincial regulations, ASE installation is not permitted in school zones where school zone flashers are present and that control speed limits.



PLANNING COMMITTEE REPORT

20-015

December 8, 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, M. Wilson and J. Partridge

THE PLANNING COMMITTEE PRESENTS REPORT 20-015 AND RESPECTFULLY RECOMMENDS:

- 1. Appointment of Committee Chair and Vice Chairs for 2021 (Item 1)**
 - (a) That Councillor Danko be appointed as Chair for 2021;
 - (b) That Councillor Farr be appointed as 1st Vice Chair for 2021; and,
 - (c) That Councillor Johnson be appointed as 2nd Vice Chair for 2021.

- 2. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED20202) (City Wide) (Item 7.1)**

That Report PED20202 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

- 3. New Generation 9-1-1 Requirements - Duplicate Street Names and Municipal Addressing Issues (PED20175(a)) (Wards 5, 13 and 15) (Item 7.2)**
 - (a) That in addition to recommendations approved under Report PED20175; that Growth Management staff be directed to address the additional Duplicate Street Names and Municipal Address Issues as outlined in this Report PED20175(a) as part of the previous direction under Report PED20175, to develop and implement a program to address the New Generation 9-1-1 requirements and issues; and,

- (b) ***That the City of Hamilton be responsible for the costs associated with the address changes for the addresses listed in Reports PED20175 and PED20175(a), with the exception of 1 Hamilton Street South which was resolved.***

4. Hamilton Municipal Heritage Committee Report 20-007 (Item 7.3)

- (a) **Revisions to the Council Approved Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes and Notice of Intention to Designate for the Designation of 85 King Street East and 4 - 12 John Street North, Hamilton under Part IV of the Ontario Heritage Act (PED17167(a)) (Ward 2) (Item 10.1)**

- (i) That the revised Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes of 85 King Street East and 4 - 12 John Street North, Hamilton, attached as Appendix "A" to Report 20-007, be approved; and,
- (ii) That the City Clerk be directed to take appropriate action to designate 85 King Street East and 4 - 12 John Street North, Hamilton under Part IV of the *Ontario Heritage Act*, in accordance with the revised Notice of Intention to Designate, attached as Appendix "B" to Report PED17167(a).

5. Liveaboard (PED18222(c)) (Ward 2) (Item 7.4)

That Report PED18222(c), respecting Liveaboard, be received.

6. Agriculture and Rural Affairs Advisory Committee Report 20-001 (Item 7.5)

- (a) **Stormwater Rate Program (PW20081) (City Wide) (Item 8.1)**

- (i) That Report PW20081, respecting the Stormwater Rate Program, be received.
- (ii) That the Agriculture and Rural Affairs Advisory Committee respectfully request that no stormwater management charges be directed to any areas outside the urban boundary, given that the rural area has no direct impact on the City of Hamilton's storm water management infrastructure.

7. Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED20201) (City Wide) (Item 8.1)

- (a) That City Initiative CI-19-F – Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary

Plans and Rural Settlement Areas, and Volume 3 – Area and Site Specific Policies of the UHOP and RHOP, correct and clarify policies and mapping, be APPROVED on the following basis:

- (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED20201, be adopted by Council;
- (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” **as amended** to Report PED20201, be adopted by Council; and,
- (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS), 2014 and conform to Growth Plan for the Greater Golden Horseshoe, 2019, as amended and the Greenbelt Plan, 2017.

(b) *That the public submissions were received and considered by the Committee in approving the City Initiative.*

8. Increase to Permit Fees under the Building By-law (PED20210) (City Wide) (Item 8.3)

- (a) That the By-law, attached as Appendix “A” to Report PED20210 to amend City of Hamilton By-law No. 15-058, the Building By-law, be enacted;
- (b) That the fees prescribed in the By-law, attached as Appendix “A” to Report PED20210, be included in the User Fees and Charges By-law, replacing the fees listed under the heading “Classes of Permits and Fees under the Hamilton Building By-law”; and,
- (c) ***That there were no public submissions received regarding this matter.***

9. City of Hamilton Draft Urban Forest Strategy (PED20173) (City Wide) (Item 10.1)

- (a) That the “City of Hamilton Draft Urban Forest Strategy – October 2020”, attached as Appendix “A” and “City of Hamilton Urban Forest Strategy Technical Report”, attached as Appendix “C” to Report PED20173 be received;
- (b) That staff be directed to undertake public and stakeholder engagement on the draft Urban Forest Strategy in Q1, 2021; and,
- (c) That staff report back to Planning Committee, summarizing public input together with the final Urban Forest Strategy in 2021.

10. Inactive Taxi Plate Fee (PED20213) (City Wide) (Item 10.2)

- (a) That staff be authorized to create a one-year inactive taxi plate(s) temporary relief program along with a user fee in the amount of \$115, to conclude December 23, 2021, as a pandemic response to allow for current inactive taxi plate(s) to be placed on hold and be permitted to return to service at a time determined by the operator;
- (b) That subject to the approval of Recommendation (a) the City Wide User Fees and Charges By-law No. 15-158 be amended accordingly.

11. Expanding Administrative Penalty System By-law 17-225 to include Sections 5, 6, 8, 9 and 21 of the Public Nuisance By-law 20-077 (PED20214) (City Wide) (Item 10.3)

- (a) That the amendment to the Administrative Penalty System (APS) By-law 17-225 to include the contraventions under Sections 5, 6, 8, 9 and 21 of the Public Nuisance By-law 20-077 described in Report PED20214, detailed in the proposed amending by-law attached as Appendix "A" be approved;
- (b) That the amending by-law attached as Appendix "A" to Report PED20214, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

12. 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 10.4)

- (a) That Amended Official Plan Amendment Application UHOPA-20-007 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in designation from "Institutional" to "Medium Density Residential 3" and to identify the subject lands as a Site Specific Policy Area in the Old Town Secondary Plan with respect to use, density and building height to permit the development of five, two and a half storey street townhouse dwellings, for lands located at 19 Dawson Avenue, as shown on Appendix "A" to Report PED20195, be ***DENIED*** on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED20195, 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 (2020).

- (b) That Amended Zoning By-law Amendment Application ZAC-20-012 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in zoning from the Small Scale Institutional “IS” Zone to the Multiple Residential “RM2-46” Zone, Modified to permit five, two and a half storey street townhouse dwellings on lands located at 19 Dawson Ave, Stoney Creek, as shown on Appendix “A” to Report PED20195, be **DENIED** on the following basis:
 - (i) That the draft By-law, attached as Appendix “C” to Report PED20195, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and will comply with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. XX.
- (c) ***That the written comments submitted relating to PED20195, including the Public Meeting held November 3, 2020, in this agenda as Item 8.4, and read out by Councillor Collins, were received and considered by the Committee in denying the application.***

13. Use of Tertiary Septic Systems in Hamilton and Update re: Local Planning Appeal Tribunal Case No. PL170858 (PW20082/LS20032) (Wards 9, 10, 11, 12, 13 and 15) (Item 14.1)

That Report PW20082/LS20032 including the Recommendations therein, **as amended**, and Appendix “A” thereto be released to the public following Council approval, except for Recommendation (c) and Appendix “B” attached to Report PW20082/LS20032 which shall remain confidential.

14. Instructions - Appeal for Lack of Decision to the Local Planning Appeal Tribunal for Urban Hamilton Official Plan Amendment Application UHOPA-19-008 and Zoning By-Law Amendment Application ZAC-19-029, for Lands Located at 73, 77, 83, and 89 Stone Church Road West and 1029 West 5th Street, Hamilton (Ward 8) (LS20036/PED20217) (Item 14.2)

That the recommendations of Report LS20036/PED20217 be released to the public following Council approval.

15. **Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-006) and a Zoning By-law Amendment Application for the Town of Flamborough Zoning By-law No. 90-145-Z and Zoning By-law No. 05-200 Application (ZAC-17-016) for Lands Located at 909 North Waterdown Drive (Flamborough) (LS20038/PED20218) (Ward 15) (Item 14.3)**

That recommendations (a) to (e) in Report PEDLS20038/PED20218, **as amended**, be made public following Council approval with the balance of the report to remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Franca Seul respecting Monster Homes, for today's meeting, and to be heard before Item 7.1.
- 6.2 Nick DeFilippis respecting 19 Dawson Avenue, for today's meeting, and to be heard before Item 10.4.

2. PUBLIC HEARINGS / WRITTEN DELEGATIONS / VIRTUAL DELEGATIONS (Item 8)

- 8.1 Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED20201) (City Wide)

(b) Added Registered Delegations:

(i) Joe Simonji

- 8.2 Application for Amendments to the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57 for Lands Located at 15 Church Street (Ancaster) (PED20205) (Ward 12)

(a) Registered Delegations:

(v) Jim MacLeod

(vi) Jaynn Miller

(b) Added Written Submissions:

(ii) Ian Hanna

(iii) Doug McLennan

- (iv) Karen Macey
- (v) Honor Hughes
- (vi) Gayle Villeneuve
- (vii) Heather Bull
- (viii) Marc Bader
- (ix) Jennifer Davis
- (x) David Gray
- (xi) Jaynn and Kevin Miller
- (xii) Barb Russell-Morse
- (xiii) David Hindley
- (xiv) David Wallis
- (xv) Diane and Harley Auty
- (xvi) Cynthia Watson
- (xvii) Gail Lazzarato
- (xviii) Elaine Simon
- (xix) Jerry Cole
- (xx) Darren Earl
- (xxi) Erin Davis
- (xxii) Armando Gomez
- (xxiii) Nicolette Stubbe
- (xxiv) Len Verhey
- (xxv) Sandy Omelon
- (xxvi) Isaac Hoogland
- (xxvii) Michael Hill

8.4 19 Dawson Avenue (PED20195) (Item 10.4) - Written Delegations

(a) Added Written Submissions:

- (xii) Stoney Creek Masonic Lodge Letter and Petition
- (xiii) Steve Macdonald
- (xiv) Ida Smith

3. PRIVATE & CONFIDENTIAL (Item 14)

- 14.3 Appeal to the Local Planning Appeal Tribunal (LPAT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-17-006) and a Zoning By-law Amendment Application for the Town of Flamborough Zoning By-law No. 90-145-Z and Zoning By-law No. 05-200 Application (ZAC-17-016) for Lands Located at 909 North Waterdown Drive (Flamborough) (LS20038/PED20218) (Ward 15)

The agenda for the December 8, 2020 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Ferguson declared a conflict with Item 10.2, Inactive Taxi Plate Fee (PED20213) as he is an owner of a taxi cab licence.

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

(i) November 17, 2020 (Item 4.1)

The Minutes of the November 17, 2020 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests (Added Items 6.1)

The following Delegation Requests were approved for today's meeting:

- (a) Franca Seul respecting Monster Homes, for today's meeting, to be heard before Item 7.1 (Added Item 6.1)
- (b) Nick DeFilippis respecting 19 Dawson Avenue, for today's meeting, to be heard before Item 10.4 (Added Item 6.2)

(e) PUBLIC HEARINGS / DELEGATIONS (Item 8)

(i) Franca Seul respecting Monster Homes (Added Item 6.1)

Franca Seul addressed the Committee respecting Monster Homes with the aid of a PowerPoint presentation.

The delegation from Franca Seul respecting Monster Homes was received.

(f) CONSENT ITEMS (Item 7)

(i) New Generation 9-1-1 Requirements - Duplicate Street Names and Municipal Addressing Issues (PED20175(a)) (Wards 5, 13 and 15) (Item 7.2)

The recommendations in Report PED20175(a) were **amended** to add sub-section (b), to read as follows:

- (b) ***That the City of Hamilton be responsible for the costs associated with the address changes for the addresses listed in Reports PED20175 and PED20175(a), with the exception of 1 Hamilton Street South which was resolved.***

For disposition of this matter, refer to Item 3.

(g) PUBLIC HEARINGS / DELEGATIONS (Item 8) - 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) Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan (PED20201) (City Wide) (Item 8.1)

The staff presentation was waived.

The following written submission was received:

1. Kevin Dhinsa (Item 8.1 (a)(i))

Registered Delegations:

1. Joe Simonji expressed concerns with the proposed Housekeeping Amendment regarding 495 Hamilton Drive, Ancaster and the redesignation from open space to low density residential.

The Registered Delegation was received.

The public meeting was closed.

Policy D.2.1.1.4 (e) was removed from the Rural Hamilton Official Plan Amendment, attached as Appendix "B" to Report PED20201.

- (a) That the correspondence from Mr. Kevin Dhinsa, dated November 19, 2020, submitted in response to the Notice of Public Meeting, be

- referred to Planning Division staff and Legal Counsel for review and consideration;
- (b) That Planning Division staff be directed to investigate the number and location of properties fronting private roads outside of a Plan of Condominium;
 - (c) That Planning Division staff consult with Legal Counsel and staff within Growth Management Division and Public Works Department on the merits of the existing Official Plan policies concerning the requirement that all newly created lots front on a public road;
 - (d) That staff report back to the Planning Committee on staff's findings noted in sub-sections (a), (b), and (c).
- (a) That City Initiative CI-19-F – Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan, to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans and Rural Settlement Areas, and Volume 3 – Area and Site Specific Policies of the UHOP and RHOP, correct and clarify policies and mapping, be APPROVED on the following basis:
- (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED20201, be adopted by Council;
 - (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” **as amended** to Report PED20201, be adopted by Council; and,
 - (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS), 2014 and conform to Growth Plan for the Greater Golden Horseshoe, 2019, as amended and the Greenbelt Plan, 2017.

The recommendations in Report PED20201 were **amended** by adding the following sub-section (b):

- (b) *That the public submissions were received and considered by the Committee in approving the City Initiative.***

For disposition of this matter, refer to Item 7.

- (ii) Application for Amendments to the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57 for Lands Located at 15 Church Street (Ancaster) (PED20205) (Ward 12) (Item 8.2)**

James Van Rooi, Planner I, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

James Webb with Webb Consulting, and Joseph Veloce, Owner, were in attendance and indicated they were in support of the staff report.

The delegations from James Webb with Webb Consulting, and Joseph Veloce, Owner, were received.

Registered Delegations:

Bob Manton (Item 8.2 (a)(i)); Jaynn Miller (Item 8.2 (a)(vi)); Jim MacLeod (Item 8.2 (a)(v)) and David Hindley (Item 8.2 (a)(iii)) expressed their concerns respecting the Application for Amendments to the Urban Hamilton Official Plan and Ancaster Zoning By-law No. 87-57 for Lands Located at 15 Church Street (Ancaster).

The following Registered Delegations were not in attendance:

1. Eldon Bull (Item 8.2 (a)(ii))
2. Brad Davis (Item 8.2 (a)(iv))

The following Registered Delegations were received:

1. Bob Manton (Item 8.2 (a)(i))
2. Jaynn Miller (Item 8.2 (a)(vi))
3. Jim MacLeod (Item 8.2 (a)(v))
4. David Hindley (Item 8.2 (a)(iii))

The following written submissions were received:

- (i) Irene Dawson
- (ii) Ian Hanna
- (iii) Doug McLennan
- (iv) Karen Macey
- (v) Honor Hughes
- (vi) Gayle Villeneuve
- (vii) Heather Bull
- (viii) Marc Bader
- (ix) Jennifer Davis
- (x) David Gray
- (xi) Jaynn and Kevin Miller
- (xii) Barb Russell-Morse
- (xiii) David Hindley
- (xiv) David Wallis
- (xv) Diane and Harley Auty
- (xvi) Cynthia Watson
- (xvii) Gail Lazzarato

- (xviii) Elaine Simon
- (xix) Jerry Cole
- (xx) Darren Earl
- (xxi) Erin Davis
- (xxii) Armando Gomez
- (xxiii) Nicolette Stubbe
- (xxiv) Len Verhey
- (xxv) Sandy Omelon
- (xxvi) Isaac Hoogland
- (xxvii) Michael Hill

The public meeting was closed.

Report PED20205 was DEFERRED to the January 12, 2021 Planning Committee meeting.

(iii) Increase to Permit Fees under the Building By-law (PED20210) (City Wide) (Item 8.3)

No members of the public were registered as Delegations or made public submissions.

The public meeting was closed.

- (a) That the By-law, attached as Appendix “A” to Report PED20210 to amend City of Hamilton By-law No. 15-058, the Building By-law, be enacted;
- (b) That the fees prescribed in the By-law, attached as Appendix “A” to Report PED20210, be included in the User Fees and Charges By-law, replacing the fees listed under the heading “Classes of Permits and Fees under the Hamilton Building By-law”.

The recommendations in Report PED20210 were **amended** by adding the following sub-section (c):

- (c) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, refer to Item 8.

(iv) 19 Dawson Avenue (PED20195) (Item 10.4) – Written Delegations (Item 8.4)

The following written submissions, were received:

- (i) Jim Edwards
- (ii) Brad Ackles
- (iii) Ben Barnes
- (iv) John Orzel
- (v) Averill Tune
- (vi) David Reid
- (vii) Sam Porco
- (viii) Greg Pavlica
- (ix) Rebecca Passmore
- (x) Pat and Cheryl Leonard
- (xi) Heidi and Dan Chisholm

For disposition of this matter, refer to Item 12.

The Delegation from Nick DeFillippis (Added Item 6.2) and Report PED20195 (Item 10.4) respecting 19 Dawson Avenue, was moved up on the agenda and considered at this time.

(v) Nick DeFillippis respecting 19 Dawson Avenue (Item 10.4) (Added Item 6.2)

Nick DeFillippis addressed the Committee respecting 19 Dawson Avenue (Item 10.4).

The Delegation from Nick DeFilippis respecting 19 Dawson Avenue (Item 10.4), was received.

For disposition of this matter, refer to Item 12.

(h) DISCUSSION ITEMS (Item 10)

(i) 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 10.4) (Deferred from the November 3, 2020 Planning Committee meeting)

Councillor Collins read out the following written submissions he received in opposition to the proposal:

- (i) Larry Mitchell, 40 Evergreen Ave.
- (ii) Mary MacDonald, 30 Cartwright Ave
- (iii) James Kerr, 28 Passmore St.
- (iv) Wendy Passmore, 31 Passmore St.
- (v) Bernice Seager, 47 Passmore St.
- (vi) Brian Panchyson, 32 Cartwright Ave.
- (vii) Seka & Miles Perencevic, 32 Evergreen Ave.

- (vi) Linda Cassidy, 36 Cartwright Ave
 - (vii) Jim & Annette Connell, 50 Passmore St.
 - (viii) Tyler Ackles, 22 Passmore St.
 - (ix) William Lockhart, 129 King St. East
- (a) That Amended Official Plan Amendment Application UHOPA-20-007 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in designation from “Institutional” to “Medium Density Residential 3” and to identify the subject lands as a Site Specific Policy Area in the Old Town Secondary Plan with respect to use, density and building height to permit the development of five, two and a half storey street townhouse dwellings, for lands located at 19 Dawson Avenue, as shown on Appendix “A” to Report PED20195, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20195, 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 (2020).
- (b) That Amended Zoning By-law Amendment Application ZAC-20-012 by DeFilippis Design, on Behalf of Marco Centofanti, Owner, for a change in zoning from the Small Scale Institutional “IS” Zone to the Multiple Residential “RM2-46” Zone, Modified to permit five, two and a half storey street townhouse dwellings on lands located at 19 Dawson Ave, Stoney Creek, as shown on Appendix “A” to Report PED20195, be **APPROVED** on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED20195, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and will comply with the Urban Hamilton Official Plan upon finalization of Official Plan Amendment No. XX.

The recommendations in Report PED20195 were **amended** to Deny the application.

The recommendations in Report PED20195 were **amended** to add sub-section (c) as follows:

- (c) *That the written comments submitted relating to PED20195, including the Public Meeting held November 3, 2020, in this agenda as Item 8.4, and read out by Councillor Collins, were received and considered by the Committee in denying the application.***

For disposition of this matter, refer to Item 12.

The Committee recessed at 1:18 p.m. until 1:50 p.m.

- (ii) City of Hamilton Draft Urban Forest Strategy (PED20173) (City Wide) (Item 10.1)**

Cathy Plosz, Natural Heritage Planner, addressed the Committee with the aid of a PowerPoint presentation.

Rike Burkhardt with KBM Consulting, addressed the Committee with the aid of a PowerPoint presentation.

The presentations from Cathy Plosz, Natural Heritage Planner, and Rike Burkhardt with KBM Consulting, were received.

For disposition of this matter, refer to Item 9.

- (i) NOTICES OF MOTION (Item 12)**

- (i) ERASE Incentive Programs Amendment (Item 12.1)**

Councillor Collins introduced the following Notice of Motion respecting ERASE Incentive Programs Amendment:

WHEREAS, the City voluntarily provides financial incentives to assist with the remediation and redevelopment of brownfield properties within the urban area under the Environmental Remediation and Site Enhancement (ERASE) Community Improvement Plan;

WHEREAS, the ERASE CIP authorizes the ERASE Redevelopment Grant (ERG) Program and ERASE Tax Assistance Program (TAP) which provide financial incentives on the basis of new municipal taxes generated as a result of the remediation and redevelopment of a brownfield site;

WHEREAS, brownfield sites may be subject to development proposals requiring planning applications and City Council approval(s) under the *Planning Act*;

WHEREAS, the Local Planning Appeals Tribunal (LPAT) has the ability to overturn City Council decisions on planning applications;

WHEREAS, applications under the ERG and TAP programs are brought for City Council consideration at such time as a site has received, at minimum, conditional Site Plan approval; and,

WHEREAS, the administrative provisions of the ERG and TAP programs do not currently contemplate refusal or reduction of a grant for developments which have been approved by LPAT in a form contrary to City Council decision(s);

THEREFORE, BE IT RESOLVED:

- (a) That Economic Development Division staff be directed to bring forward the following amendments to the ERG and TAP program terms for proposed developments that require *Planning Act* approval(s):
 - (i) a grant application may be denied by Council if the development is not supported by Council notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Local Planning Appeal Tribunal or the Minister of Municipal Affairs and Housing, and that Council's decision on the ERG and TAP applications will not fetter its discretion on an *Planning Act* applications; and
 - (ii) Council's approval of an ERG or TAP can provide for a reduced grant amount so that no grant is payable in respect of any portion of the development which Council does not support notwithstanding any approval of *Planning Act* applications by any other authority including but not limited to the Local Planning Appeal Tribunal or the Minister of Municipal Affairs and Housing, and that Council's decision on the ERG and TAP applications will not fetter its discretion on an *Planning Act* applications.

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

(i) Outstanding Business List (Item 13.1)

The following changes to the Outstanding Business List, were approved:

(a) Items to be Removed:

19L - Year Round Live-Aboards at West Harbour Marinas
(Addressed as Item 7.4 on this agenda)

(ii) General Manager's Update (Added Item 13.2)

Jason Thorne, General Manager of Planning and Economic Development addressed the Committee to congratulate Tony Sergi, Senior Director of Growth Management, for winning the Paul Wright Memorial Award for remarkable contributions to the housing industry.

The General Manager's Update, was received.

(k) PRIVATE AND CONFIDENTIAL (Item 14)

The Committee moved into Closed Session for Items 14.1, 14.2 and 14.3 pursuant to Section 8.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (e), (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the City; the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, 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.

For disposition of these matters, refer to Items 13, 14 and 15.

(l) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 4:46 p.m.

Councillor J. Farr
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 20-023

9:30 a.m.

Wednesday, December 9, 2020

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

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

Absent: Councillor S. Merulla – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-023, AND RESPECTFULLY RECOMMENDS:

1. Arts Advisory Commission Minutes, September 3, 2020 (Item 6.1)

That the Arts Advisory Commission Minutes of September 3, 2020, be received.

2. International Village Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2021 (PED20184) (Ward 2) (Item 6.2)

- (a) That the 2021 Operating Budget for the International Village Business Improvement Area (BIA), attached as Appendix “A” to Report 20-023, in the amount of \$188 K, be approved;
- (b) That the levy portion of the Operating Budget for the International Village Business Improvement Area in the amount of \$170 K, be approved;
- (c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2021 Operating Budget for the International Village Business Improvement Area; and,

(d) That the following schedule of payments for 2021 Operating Budget for the International Village Business Improvement Area, be approved:

(i)	January	\$85,000
(ii)	June	\$85,000

3. Downtown Dundas Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2021 (PED20185) (Ward 13) (Item 6.3)

(a) That the 2021 Operating Budget for the Downtown Dundas Business Improvement Area (BIA), attached as Appendix “B” to Report 20-023, in the amount of \$226,800, be approved;

(b) That the levy portion of the Operating Budget for the Downtown Dundas Business Improvement Area in the amount of \$170,632, be approved;

(c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2021 Operating Budget for the Downtown Dundas Business Improvement Area; and,

(d) That the following schedule of payments for 2021 Operating Budget for the Downtown Dundas Business Improvement Area, be approved:

(i)	January	\$85,316
(ii)	June	\$85,316

4. Downtown Hamilton Business Improvement Area (BIA) Proposed Budget and Schedule of Payments for 2021 (PED20186) (City Wide) (Item 6.4)

(a) That the 2021 Operating Budget for the Downtown Hamilton Business Improvement Area (BIA), attached as Appendix “C” to Report 20-023, in the amount of \$465 K, be approved;

(b) That the levy portion of the Operating Budget for the Downtown Hamilton Business Improvement Area in the amount of \$400 K, be approved;

(c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2021 Operating Budget for the Downtown Hamilton Business Improvement Area; and,

(d) That the following schedule of payments for 2021 Operating Budget for the Downtown Hamilton Business Improvement Area, be approved:

- | | | |
|------|---------|-----------|
| (i) | January | \$200,000 |
| (ii) | June | \$200,000 |

5. King West Business Improvement Area (BIA) Proposed Budget Schedule of Payments for 2021 (PED20190) (Ward 2) (Item 6.5)

(a) That the 2021 Operating Budget for the King West Business Improvement Area (BIA), attached as Appendix "D" to Report 20-023, in the amount of \$5,647, be approved;

(b) That the levy portion of the Operating Budget for the King West Business Improvement Area in the amount of \$5,647, be approved;

(c) That the General Manager of the Finance and Corporate Services Department be authorized and directed to prepare the requisite By-law, pursuant to Section 208, *Ontario Municipal Act, 2001*, as amended, to levy the 2021 Operating Budget for the King West Business Improvement Area; and,

(d) That the following schedule of payments for 2021 Operating Budget for the King West Business Improvement Area, be approved:

- | | | |
|------|---------|------------|
| (i) | January | \$2,823.50 |
| (ii) | June | \$2,823.50 |

6. Cleanliness and Security in the Downtown Core Sub-Committee Minutes 19-002, October 29, 2019 (Item 6.6)

That the Cleanliness and Security in the Downtown Core Sub-Committee Minutes 19-002, October 29, 2020, be received.

7. 2020 S&P Global Ratings Credit Rating Review (FCS20099) (City Wide) (Item 6.7)

That Report FCS20009, respecting the 2020 S&P Global Ratings Credit Rating Review, be received.

8. Report of the Mayor's Task Force on Economic Recovery (Item 8.1)

That the Report of the Mayor's Task Force on Economic Recovery, be received.

9. Review of the Final Report of the Mayor's Task Force on Economic Recovery (Item 8.1.a.)

WHEREAS, the COVID-19 pandemic in 2020 has resulted in widespread economic hardship across multiple sectors in Hamilton;

WHEREAS, the Mayor and Council established the Mayor's Task Force on Economic Recovery to develop an action driven plan to position the City of Hamilton for sustainable and equitable economic recovery;

WHEREAS, the deliberations and recommendations of the Task Force's seven Working Groups have been compiled as the Final Report of the Mayor's Task Force on Economic Recovery;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to review the Final Report of the Mayor's Task Force on Economic Recovery and identify actions within the Report that can be brought forward to Council for consideration either as standalone initiatives, or through other City initiatives such as the Economic Development Action Plan; and,
- (b) That the Chair of the Mayor's Task Force on Economic Recovery be requested to convene two additional meetings of the Task Force in early 2021 to receive updates from City staff, and provide City staff with feedback on the implementation of actions to support the City's economic recovery, after which the work of the Task Force be deemed complete, and the members be recognized and thanked for their contributions.

10. COVID-19 Support for Local Businesses (Item 8.1.b.)

WHEREAS, the Report of the Mayor's Task Force on Economic Recovery includes a number of recommendations related to supporting economic recovery by providing easy access for local businesses to information and resources related to financial support programs and public health best practices;

WHEREAS, the City's three Chambers of Commerce have undertaken significant efforts to support their members through COVID-19; and,

WHEREAS, the City has been partnering with the Chambers of Commerce to ensure that local businesses have the resources they need to navigate the new COVID-19 rules and regulations, including collaborating to develop and launch the COVID-19 Business Continuity and Economic Recovery website as well as the COVID Business Impact Survey;

THEREFORE, BE IT RESOLVED

That the City's Economic Development Division collaborate with the Hamilton, Flamborough, Stoney Creek, Ancaster and Dundas Chambers of Commerce to establish a COVID-Concierge service through the Hamilton Business Centre, including the creation of information materials, phone line, and on-line one-stop resource centre for COVID-19 related information for local businesses, to be funded to an upset limit of \$150,000 from the Economic Development Initiatives capital account (3621708900).

11. Motion - Financial Relief for Local Businesses (Item 8.1.c.)

WHEREAS, the Report of the Mayor's Task Force on Economic Recovery includes a number of recommendations related to supporting economic recovery through temporary financial relief for businesses; and,

WHEREAS, the City currently regulates 44 categories of businesses through its Business Licensing Program, comprising a total of 8,320 businesses;

THEREFORE, BE IT RESOLVED:

That all General Business License Fees, Trade License Fees, Taxi and Personal Transportation Providers (PTP) Fees, and Film Permit Fees be frozen at 2020 levels for 2021, with the loss in budgeted revenues in 2021 of an estimated \$275,000 to be funded from the Economic Development Initiatives capital account (3621708900).

12. Stimulating Local Development - Affordable Housing Projects - Cash-in-lieu Parking Policy – Downtown Secondary Plan Area -Temporary Period (Item 8.1.d.)

WHEREAS the Report of the Mayor's Task Force on Economic Recovery includes a number of recommendations related to supporting economic recovery by stimulating local development, and particularly construction of new affordable housing;

Parking Requirements

WHEREAS, the City previously used a temporary reduction in parking requirements to stimulate downtown development, through a Temporary Use By-law for the period November 1, 1996 to September 1, 1999;

WHEREAS, Section 40(1) and 40(2) of the *Planning Act* allows municipalities to enter into an agreement with an owner or occupant of a building that effectively allows for the payment of cash-in-lieu of any parking requirement and the City of Hamilton has such a policy in place in its Official Plan that authorizes the City to consider a cash-in-lieu payment for all or part of the parking required under the applicable in-force Zoning By-law requirements;

WHEREAS, the City of Hamilton Official Plan directs that cash-in-lieu of parking payments are to be used for the acquisition of lands and/or the provision of off-street parking as deemed appropriate by the City;

WHEREAS, the former City of Hamilton has operational guidelines in place on how cash-in-lieu of parking payments are to be calculated which currently state that “payments made by proponents will not be less than 50% of the total cost of the parking not provided” and set out a formula for calculating the cost of parking based on both land and construction costs;

WHEREAS, the most recent use of the cash-in-lieu of parking policy was in 2017 for 8 parking spaces for a project in downtown Hamilton and which resulted in the payment of \$140,400 (approximately \$17,550 per parking space);

WHEREAS, a temporary amendment to the cash-in-lieu of parking policy to reduce the cash-in-lieu rate could be used to reduce the overall cost of development;

Building Permit Fees for Affordable Housing

WHEREAS, since 2018 the City of Hamilton has waived various application fees for planning approvals (e.g. zoning, minor variances, site plan applications) for affordable housing projects, which has resulted in tens of thousands of dollars in savings for new affordable housing projects, but has not waived Building Permit fees which, for recent affordable housing projects, have cost affordable housing developers thousands of dollars per project, such as the Parkdale Landing (\$46k), North End Landing (\$118k); Ken Soble Tower (\$129k); and, Good Shephard (\$56k);

WHEREAS, the City of Hamilton currently maintains a Building Permit Revenue Stabilization Reserve, which is forecast to have a balance of approximately \$22 million as of December 2020, but the use of these funds is regulated provincially under the *Ontario Building Code Act*, which limits their use to the administration of the *Building Code Act*;

WHEREAS, if the Province were to allow it, the City could use a small portion of its Building Permit Revenue Stabilization Reserve funds to offset the cost of waiving Building Permit fees for affordable housing;

Surety Bonds

WHEREAS, the Report of the Mayor's Task Force on Economic Recovery specifically recommends that the City of Hamilton permit surety bonds as a means of securing various financial obligations to the City on the part of developers;

WHEREAS, surety bonds can potentially reduce the cost of development by providing developers with a lower-cost option for financial securities, compared to current City practice which largely require Letters of Credit; and,

WHEREAS, there are potential risks to the City with respect to surety bonds, for example, related to the ease of accessing to the funds should the City have to draw upon them;

THEREFORE, BE IT RESOLVED

- (a) That Planning staff be directed to report back to Planning Committee with options for modifying the City's existing cash-in-lieu of parking policy to provide for a temporary, reduced cash-in-lieu of parking fee within the Downtown Secondary Plan Area for a temporary period;
- (b) That the Mayor be authorized and directed to write to the Premier of Ontario, the Minister of Municipal Affairs and Housing, and the local MPPs to request that the Province amend the *Ontario Building Code Act* to permit municipalities to utilize Building Permit Reserve funds to offset the cost of waiving Building Permit fees for affordable housing projects;
- (c) That, if the amendments are made to the *Ontario Building Code Act* to permit municipalities to utilize Building Permit Reserve funds to offset the cost of waiving Building Permit fees for affordable housing projects, staff be directed to report back to the Planning Committee on a recommended program for waiving Building Permit fees for affordable housing projects, to be funded by the Building Permit Revenue Stabilization Reserve (Reserve Number 104050); and,
- (d) That Finance and Legal staff be directed to report back to the Audit, Finance and Administration Committee on the potential for the use of surety bonds as financial security for development projects to secure municipal agreements.

13. Supporting "Shop Local" (Item 8.1.e.)

WHEREAS, the Report of the Mayor's Task Force on Economic Recovery includes a number of recommendations related to supporting economic recovery by encouraging people to shop local, explore local, visit local business areas, and support local businesses;

WHEREAS, the City of Hamilton is committed to supporting local businesses as one component of its broader economic recovery planning;

WHEREAS, there are currently 13 Business Improvement Areas (BIAs) in the City of Hamilton;

WHEREAS, the BIAs are established through the coordination and request of the local business community, legislated through the *Ontario Municipal Act, 2001*, as amended, and are governed through a Board of Management, which is a Local Board;

WHEREAS, the BIAs are primarily funded through a levy placed on each commercial property owner;

WHEREAS, the City currently supports the 13 BIAs with funding enhancements by providing an annual Contribution to Operating Grant Program (\$89,100 per year total), a share of parking revenues (10% of Hamilton Municipal Parking System operating surplus to a maximum of \$167,280 per year), and an annual grant for holiday programming (\$1,000 per BIA); and,

WHEREAS, the City's annual Winterfest festival, which has a 2021 budget of approximately \$65,000 to curate outdoor activities primarily in parks across the City, presents an opportunity for an immediate impact by extending its scope to include outdoor activities in the City's BIA areas;

THEREFORE, BE IT RESOLVED:

- (a) That each of the City's existing thirteen Business Improvement Areas be provided a one-time enhancement grant of \$10,000 each to support special programming in 2021 to help to support local businesses, subject to the submission and approval of a plan and budget to the City's Economic Development Division, to be funded from the Economic Development Initiatives capital account (3621708900);
- (b) That the budget for the February 2021 Hamilton Winterfest be increased by \$25,000, to add additional programming in each of the City's 13 Business Improvement Areas, to be funded from the Economic Development Initiatives capital account (3621708900); and,

- (c) That the Commercial Districts and Small Business Section of the Economic Development Division and Tourism Hamilton be directed to include an enhanced focus on supporting local tourism and support for local businesses in their 2021 programming, using their existing budgets.

14. Creative Enterprise Facilities Property Tax Sub-class (item 8.1.f.)

WHEREAS, the Report of the Mayor's Task Force on Economic Recovery includes a number of recommendations related to property tax relief for small businesses and businesses in the arts and culture sector;

WHEREAS, on November 10, 2020, the Province of Ontario announced that it would be enabling municipalities to provide property tax relief for small businesses by giving municipalities the ability to create a new "Small Business" Tax Sub-Class in 2021; and,

WHEREAS, in 2018 the City of Toronto was successful in having the Province create a special Creative Enterprise Facilities Property Tax Sub-Class, which the City of Toronto has used to provide a reduction in property tax for eligible creative enterprises and live music venues, but this authority does not yet exist in the City of Hamilton;

THEREFORE, BE IT RESOLVED

- (a) That staff be directed to report back to the Audit, Finance & Administration Committee with options for the creation of a Small Business Tax Sub-class;
- (b) That the Mayor be authorized and directed to write to the Premier of Ontario, the Minister of Finance, with a copy to the local MPPs to request that the Province extend the eligibility for the Creative Enterprise Facilities Property Tax Sub-class to the City of Hamilton;
- (c) That, should the Province support extending the Creative Enterprise Facilities Property Tax Sub-class to the City of Hamilton, Finance staff be directed to report back to the Audit, Finance & Administration Committee with options for creating such a sub-class.

15. Federal and Provincial Assistance with COVID-19 Economic Recovery Initiatives (Item 8.1.g.)

WHEREAS, the COVID-19 pandemic in 2020 has resulted in widespread economic hardship across multiple sectors in Hamilton;

WHEREAS, the Mayor's Task Force on Economic Recovery has recognized that a successful economic recovery will require involvement and collaboration from all levels of government; and,

WHEREAS, the Mayor's Task Force on Economic Recovery has identified specific recommendations that are beyond the authority of a municipality and require action from upper levels of government;

THEREFORE, BE IT RESOLVED:

- (a) That staff directed to prepare correspondence from the Mayor, on behalf of Council, to the Prime Minister of Canada and the Premier of Ontario, copying all local MPs, MPPs, AMO and FCM to request their support and action of the following:
 - (i) establishing trade policies that support the manufacturing and auto sectors;
 - (ii) continuing transfers to municipalities to cover municipal budget shortfalls due to COVID impacts;
 - (iii) instituting Universal Paid Emergency Leave;
 - (iv) extending the Commercial Rent Assistance Program beyond 2020;
 - (v) extending the Extension of Termination and Severance Protection beyond Jan 2, 2021;
 - (vi) extending the CERB/CEWS wage subsidy programs and committing to study the potential for a Universal Basic Income program;
 - (vii) establishing a national universal childcare program;
 - (viii) allowing for the extension of Corporate Tax deferral programs;
 - (ix) providing funding for non-governmental organizations that provide well-being supports, such as services for people with mental health and addictions);
 - (x) establishing a centralized contact point for businesses for information on pandemic-related provincial restrictions and guidelines;
 - (xi) ensuring fair wages/consistent policy for workers WSIB claims to align with COVID-19 impacts;

- (xii) advancing investments for major infrastructure projects as a catalyst for job creation and economic stimulus;
 - (xiii) investing in skills development, employment supports and employer incentives for marginalized groups; and,
 - (xiv) support a home renovation tax credit; and,
- (b) That staff be directed to devise work plans for follow-up on the task force recommendations with their federal and provincial counterparts such as deputy ministers, directors and policy staff.

16. Equity, Diversity and Inclusion Framework Update (HUR19019(a)) (City Wide) (Item 8.3)

That Report HUR19019(a), respecting the Equity, Diversity and Inclusion Framework Update, be received.

17. Hamilton.ca Website Redevelopment (CM20011) (City Wide) (Item 8.4)

That Report CM20011, respecting the Hamilton.ca Website Redevelopment, be received.

18. Encampment Update - Expenses (HSC20038(a)) (City Wide) (Item 9.1)

That Report HSC20038(a), respecting the Encampment Update – Expenses, be received.

19. COVID-19 Emergency Delegated Authority By-Law Update (CM20004(c)) (City Wide) (Item 9.2)

That Report CM20004(c), respecting the COVID-19 Emergency Delegated Authority By-Law Update, be received.

20. 2021 Budget Submission – Advisory Committee for Persons with Disabilities (HUR20010) (City Wide) (Item 9.3)

That the Advisory Committee for Persons with Disabilities (ACPD) 2021 base budget submission attached as Appendix “E” to Report 20-023 in the amount of

\$6,100, be approved and forwarded to the 2021 budget process for consideration.

**21. Arts Advisory Commission 2021 Base Budget Submissions (PED20219)
(City Wide) (Item 9.4)**

That the Arts Advisory Commission 2021 base budget submission, attached as Appendix "F" to Report 20-023 in the amount of \$9,000, be approved and referred to the 2021 Budget process for consideration.

**22. Hamilton Tax Increment Grant - 144 Wellington Street North (PED20204)
(Ward 3) (Item 9.5)**

- (a) That a Hamilton Tax Increment Grant Program application submitted by Lena Zahabi, for the property at 144 Wellington Street North, Hamilton, estimated at \$34,497.60 over a maximum of a five-year period, and based upon the incremental tax increase attributable to the development of 144 Wellington Street North, Hamilton, be authorized and approved in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to the Hamilton Tax Increment Grant Program application submitted by Lena Zahabi, for the property at 144 Wellington Street North, Hamilton, in a form satisfactory to the City Solicitor; and,
- (c) That the General Manager of the Planning and Economic Development Department be authorized to approve and execute any Grant Amending Agreements, together with any ancillary amending documentation, if required, provided that the terms and conditions of the Hamilton Tax Increment Grant Program, as approved by City Council, are maintained.

23. Red Hill Valley Parkway Inquiry Update (LS19036(c)) (City Wide) (Item 9.6)

That Report LS19036(c), respecting the Red Hill Valley Parkway Inquiry Update, be received.

24. 2022 Municipal Elections: Alternative Voting Options (FCS20081) (City Wide) (Item 9.7)

- (a) That the City Clerk be directed to prepare and issue a competitive procurement process in accordance with the City's Procurement Policy for the lease of a vote tabulation system for the 2022 municipal election, with options to extend the contract to include any by-elections leading up to 2026, and the 2026 municipal election;
- (b) That a one-time increase of \$350,000 to the Election Expense Reserve (112206) be referred to the 2020 Year-end Variance Disposition Report for consideration, to support the general administration of the 2022 municipal election;
- (c) That the annual contribution to the Election Expense Reserve (112206) be increased by \$75,000, to a total of \$550,000, to cover increased costs associated with municipal election administration and be referred to the 2021 Operating Budget for consideration;
- (d) That the annual contribution to the Election Expense Reserve (112206) be increased by 2.5% in 2022 and subsequent years to cover continuing inflationary costs associated with municipal election administration; and,
- (e) That the City Clerk be directed to report back to the General Issues Committee in Q2 2021 on Election Expense Reserve needs related to consideration of internet voting for the 2026 municipal election.

25. 2021 Tax Supported User Fees (FCS20085) (City Wide) (Item 9.8)

- (a) That the 2021 User Fees contained in Appendix "G", as amended, to Report 20-023, 2021 Tax Supported User Fees, be approved and implemented;
- (b) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the user fees contained within Appendix "G", as amended, to Report 20-023; and,
- (c) That the Temporary Waiver and Deferral of User Fees and Charges Policy contained in Appendix "H" to Report 20-023, "2021 Tax Supported User Fees", be approved and implemented.

26. Event Service Provider for Christmas in Gore Park (PED20215) (Ward 2) (Item 9.9)

- (a) That the Mayor and City Clerk be authorized and directed to execute, on behalf of the City of Hamilton, a five-year service contract between the Downtown Hamilton Business Improvement Area (Downtown BIA) and the City to retain the services of the Downtown BIA to produce the Christmas in Gore Park Event beginning in 2021, with the option to renew at the City's discretion, and together with all necessary ancillary documents, with content acceptable to the Director of Tourism and Culture and in a form satisfactory to the City Solicitor; and,
- (b) That the five-year service contract between the Downtown BIA and the City of Hamilton for production of the Christmas in Gore Park Event include financial support to an upset limit of \$17 K for each year of the contract, to be funded from the Planning and Economic Development Department Operating Budget (Dept id 709120) in the amount of \$7 K and from the Public Works Department Operating Budget (Dept id 444076) in the amount of \$10 K; be approved.

27. Affordable Housing Site Selection Sub-Committee, Report 20-001, November 24, 2020 (Item 9.10)

(a) Disposition Strategy to Achieve Affordable Housing in Binbrook (PED20179) (Ward 11) (Item 14.2)

- (i) That the direction provided to staff in Closed Session, respecting Report PED20179 - the Disposition Strategy to Achieve Affordable Housing in Binbrook, be approved; and,
- (ii) That Report PED20179, respecting the Disposition Strategy to Achieve Affordable Housing in Binbrook, remain confidential until the completion of the real estate transaction.

(b) Properties and Process for Disposition of Lands for Affordable Housing (PED17219(c)) (City Wide) (Item 14.3)

That Report PED17219(c), respecting Properties and Process for Disposition of Lands for Affordable Housing, be received and remain confidential.

28. Investing in Canada Infrastructure Program - COVID-19 Resilience Infrastructure Stream (FCS20103) (City Wide) (Item 9.11)

- (a) That the projects listed in Appendix “I” to Report 20-023, be approved as the City of Hamilton’s submission for consideration to the Ministry of Infrastructure for the requested funding amount of \$7,434,008 for projects with a total project cost of \$9,464,000, in accordance with the terms and conditions associated with the Investing in Canada Infrastructure Program, COVID-19 Resilience Infrastructure Stream;
- (b) That levy funding capacity resulting from approved grant funding from the Investing in Canada Infrastructure Program, COVID-19 Resilience Infrastructure Stream be reallocated to the Unallocated Capital Reserve (108020);
- (c) That the Mayor and City Clerk be authorized to execute all necessary documentation or advisable, including Funding Agreements to receive funding under Investing in Canada Infrastructure Program, COVID-19 Resilience Infrastructure Stream with content satisfactory to the General Manager of Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (d) That staff be authorized and directed to tender and implement projects contained in Appendix “I” to Report 20-023, upon execution of a transfer payment agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Infrastructure for the Province of Ontario to Receive Funding Investing in Canada Infrastructure Program, COVID-19 Resilience Infrastructure Stream;
- (e) That the General Manager of Public Works be authorized to submit future project amendments that may be required to Infrastructure Canada and the Province of Ontario provided that no amendment shall result in the City’s maximum funding share being exceeded;
- (f) That where required to give effect and authorize the signing of a transfer payment agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Infrastructure for the Province of Ontario, to receive funding under the Investing in Canada Infrastructure Program, COVID-19 Resilience Infrastructure Stream, one or more By-law(s) be prepared in the form satisfactory to the City Solicitor for consideration by Council; and,
- (g) That where required to give effect and authorize the signing of amendments to the transfer payment agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Infrastructure for the Province of Ontario, to receive funding

under Investing in Canada Infrastructure Program, COVID-19 Resilience Infrastructure Stream, one or more By-law(s) be prepared in the form satisfactory to the City Solicitor for consideration by Council.

29. Deferral of Full Taxes for Seniors and Low-Income Persons with Disabilities Program (FCS18005(a)) (City Wide) (Item 9.12)

- (a) That the three-year pilot for a Deferral of Full Taxes for Seniors and Low-Income Persons with Disabilities Program (“Full Tax Deferral Program”) become a permanent program under the criteria included in Appendix “J” attached to Report 20-023); and,
- (b) That the 0.5 temporary Full Time Equivalent for the administration of this program funded from the Tax Stabilization Reserve (110046), be eliminated.

30. Audit and Accountability Fund Intake 2: Expression of Interest (FCS20106) (City Wide) (Item 9.13)

- (a) That the General Manager, Finance and Corporate Services, be authorized and directed to submit expression of interests associated with third-party reviews of municipal services to identify potential savings and efficiencies, in accordance with the terms and conditions associated with the Audit and Accountability Fund Intake 2 by December 18, 2020;
- (b) That the third-party reviews only be undertaken should the City be successful in obtaining funds from the Ministry of Municipal Affairs and Housing;
- (c) That staff be directed to single source third-party consultants to complete reviews should the City be successful in obtaining funds from the Ministry of Municipal Affairs and Housing;
- (d) That the Mayor and City Clerk be authorized to execute a transfer payment agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing for the transfer of funds from the Audit and Accountability Fund, together with all necessary or advisable associated documents, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager, Finance and Corporate Services;
- (e) That where required to give effect and authorize the signing of a transfer payment agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal

Affairs and Housing for the Province of Ontario for the transfer of funds from the Audit and Accountability Fund, one or more By-law(s) be prepared in the form satisfactory to the City Solicitor for consideration by Council; and,

- (f) That a certified copy of the approved by-law authorizing the signing of the transfer payment agreement be forwarded to the Ministry of Municipal Affairs and Housing upon Council approval.

31. West Harbour Development Sub-Committee Report 20-001, December 2, 2020 (Item 9.14)

(a) West Harbour Waterfront Re-Development Plan – Implementation Status Update (PED17181(b)) (Item 10.1)

(i) Animation of Piers 5-8 Lands

- (1) That staff from the Tourism and Culture Division be directed to prepare and execute an agreement with an external entity to a maximum value of \$40,000 for the implementation of operating and programming temporary animation of the Piers 5 to 8 lands, inclusive of the Waterfront Trust Centre (formerly the Discovery Centre), with nominal cost for leasing of the lands, for the 2021-2022 seasons, to be funded through Project 4411606003 (West Harbour Community Engagement) in a manner and on conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form acceptable to the City Solicitor; and,
- (2) That staff be directed to report back to the West Harbour Development Sub-Committee, by the end of the first quarter of 2021, with interim and long-term strategies for the use of the Waterfront Trust Centre (formerly the Discovery Centre), including animation of the surrounding outdoor area.

(ii) West Harbour Waterfront Re-Development Plan – Implementation Status Update (PW17181(b)) (City Wide)

That Report PW17181(b), respecting West Harbour Waterfront Re-Development Plan – Implementation Status Update, be received.

32. Business Improvement Area Advisory Committee Report 20-005, December 8, 2020 (Item 9.15)

(a) Appointment of Chair and Vice-Chair (Item 1)

- (i) That Councillor E. Pauls be appointed as Chair of the Business Improvement Area Advisory Committee for 2021; and,
- (ii) That the Vice-Chair position rotate among Committee members for the Business Improvement Area Advisory Committee for 2021.

(b) Letter to the Premier on Behalf of the Business Improvement Area Advisory Committee (Item 10.2)

That the Mayor of the City of Hamilton send a letter to the Premier of Ontario on behalf of the Business Improvement Area Advisory Committee (attached as Appendix "K" to Report 20-023), respecting the COVID-19 Response Framework: Keeping Ontario Safe and Open and the impact it has on small businesses and Business Improvement Areas.

(c) Barton Village Business Improvement Area Expenditure Request (Item 11.1)

- (i) That the expenditure request from the Barton Village Business Improvement Area, in the amount of \$6,222.03 for the cost to hire youth through the summer to clean and maintain the sidewalks in Barton Village, 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 Barton Village Business Improvement Area, in the amount of \$10,192.27 for the cost of marketing for the Barton Village BIA (\$554.24), Office Equipment (\$1,482.23), Banners and Planters (\$4,654.58), and the cost to hire a manager to oversee street cleanup (\$3,501.00), to be funded from the Shared Parking Revenue Program (Parking Revenue Account 815010-45559), be approved.

(d) Stoney Creek Business Improvement Area Expenditure Request (Item 11.2)

That the expenditure request from the Stoney Creek Business Improvement Area, in the amount of \$8,046.70 for the cost of winter

greenery for planters, Christmas decor lights, Christmas decorations maintenance, and materials for summer planters, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

33. Major Construction Project Disruptions Impacting the Eligibility for Affected Businesses under the Canada Emergency Rent Subsidy Program (Item 10.1)

WHEREAS, on October 9, 2020, the Government of Canada proposed the new Canada Emergency Rent Subsidy (CERS) to provide direct relief to businesses, non-profits and charities that continue to be economically impacted from the COVID-19 pandemic;

WHEREAS, the Canada Emergency Rent Subsidy mirrors the calculation of the Canada Emergency Wage Subsidy (CEWS), providing benefits directly to qualifying renters and property owners, without requiring the participation of landlords;

WHEREAS, the Canada Emergency Rent Subsidy provides a subsidy on eligible expenses for qualifying organizations that have experienced a revenue decline due to the impacts of COVID-19;

WHEREAS, the Canada Emergency Wage Subsidy provides a subsidy on eligible expenses for qualifying organizations that have experienced a revenue decline due to the impacts of COVID-19;

WHEREAS, the eligibility will generally be determined by the reduction in an eligible entity's monthly revenues, year-over-year, for the applicable calendar month;

WHEREAS, major construction and capital projects, such as the Locke Street Business Improvement Area road reconstructions located between Main Street West and Herkimer Street (Hamilton), caused considerable disruption to vehicular and pedestrian traffic resulting in significant declines in business levels and revenues for impacted businesses;

WHEREAS, using the 2019 base to calculate the percentage revenue decline for the current qualifying period of 2020 in determining the subsidy rate will not reflect an accurate representation of year-over-year lost revenue decline, due to the lowered revenues in 2019 due to road reconstruction; and,

WHEREAS, small businesses and commercial districts are the lifeline of not only Hamilton's, but also to the Canadian economy, and they have been devastated by the impacts of the COVID-19 pandemic;

THEREFORE, BE IT RESOLVED:

That the Mayor correspond with the Prime Minister, the Minister of Finance, the Minister of Middle-Class Prosperity and Associate Minister of Finance and, the local MPs to request that:

- (i) The reference periods for the drop-in-revenues, used for calculating the eligible payment amount under the Canada Emergency Rent Subsidy and Canada Emergency Wage Subsidy, be expanded to support businesses who were disproportionately affected by major construction and capital projects, such as the Locke Street Business Improvement Area road reconstruction, located between Main Street West and Herkimer Street (Hamilton), caused considerable disruption to vehicular and pedestrian traffic resulting in significant declines in business levels and revenues for impacted businesses; and,
- (ii) The rate of revenue drop used in the calculation of the subsidy drop in both the Canada Emergency Rent Subsidy and the Canada Emergency Wage Subsidy be more flexible to allow a base year to include a year that is most representative of a normal year's revenue, especially in situations where 2019 is not representative of a normal year's revenue.

34. Authority to Expropriate for the Acquisition of Part of 339 Mountain Brow Road (PED20206) (Ward 15) (Item 13.2)

- (a) That the direction provided to staff in Closed Session, respecting Report PED20206, regarding the Authority to Expropriate for the Acquisition of Part of 339 Mountain Brow Road, be approved; and,
- (b) That Report PED20206, respecting the Authority to Expropriate for the Acquisition of Part of 339 Mountain Brow Road, remain confidential save and except for any portions that need be disclosed for the purposes of completing this expropriation at the discretion of the City Solicitor, until completion of the real estate transaction.

35. Acquisition of Part of 344 Mountain Brow Road (PED20207) (Ward 15) (Item 13.3)

- (a) That the direction provided to staff in Closed Session, respecting Report PED20207, Acquisition of Part of 344 Mountain Brow Road, Hamilton, be approved; and,

- (b) That Report PED20207, respecting the acquisition of part of 344 Mountain Brow Road, Hamilton, remain confidential until completion of the real estate transaction.

36. Acquisition of Part of 351 Mountain Brow Road (PED20208) (Ward 15) (Item 13.4)

- (a) That an Option to Purchase, scheduled to close on February 25, 2021, for the partial acquisition of land municipally known as 351 Mountain Brow Road, Hamilton, as shown in Appendix “A” attached to Report PED20208, based substantially on the Terms and Conditions, attached as Appendix “B” to Report PED20208, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved;
- (b) That all costs related to the acquisition of part of 351 Mountain Brow Road, Hamilton, be charged to Project ID Account No. 4031280288, as outlined in Appendix “B” attached to Report PED20208;
- (c) That the sum of \$37,050 be funded from Project ID Account No. 4031280288 and be credited to Dept. ID No. 812036 (Real Estate – Admin Recovery) for recovery of expenses including real estate and legal fees and costs;
- (d) That the City Solicitor be authorized and directed to complete the acquisition of part of 351 Mountain Brow Road, Hamilton, transaction on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;
- (e) That the Mayor and Clerk be authorized and directed to execute the necessary documents, respecting the acquisition of part of 351 Mountain Brow Road, Hamilton, in a form satisfactory to the City Solicitor; and,
- (f) That the Report PED20208, respecting the acquisition of part of 351 Mountain Brow Road, Hamilton, remain confidential until completion of the real estate transaction.

37. Acquisition of 154-156 Cannon Street East (PED20209) (Ward 2) (Item 13.5)

- (a) That an Option to Purchase, scheduled to close on April 21, 2021, for the acquisition of land described as 154-156 Cannon Street East, Hamilton, as shown in Appendix “A” attached to Report PED20209, based substantially on the Terms and Conditions, attached as Appendix “B” to

- Report PED20209, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved;
- (b) That all costs related to the acquisition of 154-156 Cannon Street East be charged to reserve 104090 – Parkland Dedication, as outlined in Appendix “B” attached to Report PED20209;
 - (c) That the sum of \$113,075 be funded from reserve 104090 – Parkland Dedication and be credited to Dept. ID No. 812036 (Real Estate – Admin Recovery) for recovery of expenses including real estate and legal administration fees and costs associated with the acquisition and leasing of 154-156 Cannon Street East;
 - (d) That a lease to the current operating company, Car Star, scheduled to commence on April 21, 2021, for a portion of the property (buildings and a portion of the parking area), as shown in Appendix “A” attached to Report PED20209, based substantially on the Terms and Conditions attached as Appendix “C” to Report PED20209, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved;
 - (e) That a lease to the current sub-tenant, City Max Motors, scheduled to commence on April 21, 2021, for a portion of the property (remainder of the parking area), as shown in Appendix “A” attached to Report PED20209, based substantially on the Terms and Conditions attached as Appendix “D” to Report PED20209, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be approved;
 - (f) That all net proceeds related to the leases outlined in Appendices “C” and “D” attached to Report PED20209 be credited to reserve 104090 – Parkland Dedication;
 - (g) The General Manager of Planning and Economic Development Department, or designate, acting on behalf of the City as lessor, be authorized to provide any consents, approvals, and notices related to the subject Lease Agreement herein outlined;
 - (h) That the City Solicitor be authorized and directed to complete the acquisition and lease transactions related to 154-156 Cannon Street East on behalf of the City, including completing and/or amending the leases, paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as she considers reasonable;

- (i) That the Mayor and Clerk be authorized and directed to execute the necessary documents required to complete the acquisition and lease transactions related to 154-156 Cannon Street East, Hamilton, as shown in Appendix "A" attached to Report PED20209, in a form satisfactory to the City Solicitor; and,
- (j) That Report PED20209, respecting the Acquisition of 154-156 Cannon Street East, remain confidential and not be released as a public document, until final completion of the real estate transactions.

38. Downtown Entertainment Precinct Status Update (PED18168(f)) (City Wide) (Item 13.6)

That Report PED18168, respecting the Downtown Entertainment Precinct Status Update, remain confidential.

39. Motion - Proposed Assignment and Amendment to Operating Agreement (Ward 2) (Item 13.7)

- (a) That the direction provided to staff in Closed Session, respecting the Proposed Assignment and Amendment to Operating Agreement in Ward 2, be approved; and,
- (b) That the Motion, respecting Proposed Assignment and Amendment to Operating Agreement (Ward 2), remain confidential until completion of the real estate transaction.

40. City of Hamilton Transfer Stations and Community Recycling Centre Update (PW20068(c)/LS20039(b)) (City Wide) (Item 13.9)

That Report (PW20068(c)/LS20039(b)), respecting City of Hamilton Transfer Stations and Community Recycling Centre Update, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

4. ADDED COMMUNICATION ITEMS

Correspondence respecting COVID-19 Matters:

4.1.d. Christine Campbell, Ballare Studio Dance

4.1.e. Robert Burke

4.1.f. Darren Mullin

4.1.g. Fran Spoelstra

4.1.h. Sandra Smith

8. STAFF PRESENTATIONS

8.1 Report on the Mayor's Task Force on Economic Recovery –
Motions directly related to this report:

8.1.b. Motion - COVID-19 Support for Local Businesses

8.1.c. Motion - Financial Relief for Local Businesses

8.1.d. Stimulating Local Development - Affordable
Housing Projects - Cash-in-lieu Parking Policy –
Downtown Secondary Plan Area -Temporary
Period

8.1.e. Motion - Supporting "Shop Local" *8.1.f. Creative
Enterprise Facilities Property Tax Sub-class
*8.1.g. Federal and Provincial Assistance with
COVID-19 Economic Recovery Initiatives

8.1.f. Creative Enterprise Facilities Property Tax Sub-
class

8.1.g. Federal and Provincial Assistance with COVID-19
Economic Recovery Initiatives

9. DISCUSSION ITEMS

9.14. West Harbour Development Sub-Committee Report 20-001,
December 2, 2020

- 9.15. Business Improvement Area Advisory Committee Report 20-005, December 8, 2020 13.

13. PRIVATE AND CONFIDENTIAL

- 13.9. City of Hamilton Transfer Stations and Community Recycling Centre Update (PW20068(c)/LS20039(b)) (City Wide)
Pursuant to Section 8.1, Sub-sections (e) and (k) of the City's Procedural By-law 18- 270, as amended, and Section 239(2), Sub-sections (e) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to 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.

The agenda for the December 9, 2020 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

- (i) Councillor M. Wilson declared an interest to Item 13.6 – Report PED18168(f), respecting the Downtown Entertainment Precinct Status Update, as her spouse has a potential involvement in this matter.
- (ii) Councillor L. Ferguson declared an interest to Item 8.1.c., being a Motion regarding Financial Relief for Local Businesses, as he has an interest in the taxi industry.
- (iii) Councillor L. Ferguson declared an interest to the amendment to Appendix “A” to Item 9.8 – Report FCS20085, respecting the 2021 Tax Supported User Fee that related to the taxi industry, as he has an interest in the taxi industry.

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

- (i) November 18, 2020 and November 30, 2020 (Items 3.1 and 3.2)**

The Minutes of the November 18, 2020 and November 30, 2020 General Issues Committee meetings were approved, as presented.

(d) COMMUNICATION ITEMS (Item 4)

(i) Correspondence respecting COVID-19 Matters (Item 4.1)

The following correspondence respecting COVID-19 Matters was received:

- (1) Kimberly Coole (Item 4.1.a.)
- (2) Lauren Stephen (Item 4.1.b.)
- (3) Mark-Alan Whittle (Item 4.1.c.)
- (4) Christine Campbell, Ballare Studio Dance (Item 4.1.d.)
- (5) Robert Burke (Item 4.1.e.)
- (6) Darren Mullin (Item 4.1.f.)
- (7) Fran Spoelstra (Item 4.1.g)
- (8) Sandra Smith (Item 4.1.h)

(ii) Correspondence from Catherine Bridgman, CEO, Ronald McDonald House Charities, South Central Ontario, respecting a Request for the City to Consider Partnering with RMHCSCO through the Invest in Canada Infrastructure Program (Item 4.2)

The correspondence from Catherine Bridgman, CEO, Ronald McDonald House Charities, South Central Ontario, respecting a Request for the City to Consider Partnering with RMHCSCO through the Invest in Canada Infrastructure Program, was received and referred to the consideration of Item 9.11.

(e) STAFF PRESENTATIONS (Item 8)

(i) Report of the Mayor's Task Force on Economic Recovery (Item 8.1)

Ron McKerlie, President of Mohawk College, provided a PowerPoint presentation respecting the Report of the Mayor's Task Force on Economic Recovery.

The presentation, respecting the Report of the Mayor's Task Force on Economic Recovery was received.

For disposition of this matter, please refer to Items 8 to 15.

(ii) COVID-19 Verbal Update (Item 8.2)

Paul Johnson, General Manager of the Healthy and Safe Communities Department, provided Committee with a verbal update respecting COVID-19.

The verbal update, respecting COVID-19 was received.

(iii) Equity, Diversity and Inclusion Framework Update (HUR19019(a)) (City Wide) (Item 8.3)

Jodi Koch, Director of Talent and Diversity, provided the presentation regarding Report HUR19019(a), Equity, Diversity and Inclusion Framework Update.

The presentation, respecting Report HUR19019(a), Equity, Diversity and Inclusion Framework Update, was received.

For disposition of this matter, please refer to Item 16.

(iv) Hamilton.ca Website Redevelopment (CM20011) (City Wide) (Item 8.4)

Matthew Grant, Director of Communications and Intergovernmental Affairs; and, Bonnie Large, Senior Digital Officer, provided the PowerPoint presentation respecting Report CM20011, Hamilton.ca Website Redevelopment.

The presentation, respecting Report CM20011, Hamilton.ca Website Redevelopment, was received.

For disposition of this matter, please refer to Item 17.

(f) DISCUSSION ITEMS (Item 9)

(i) 2022 Municipal Elections: Alternative Voting Options (FCS20081) (City Wide) (Item 9.7)

Sub-section (b) to Report FCS20081, respecting the 2022 Municipal Elections: Alternative Voting Options, which reads as follows, was REFERRED to the Governance Review Sub-committee for discussion:

- (b) That the City Clerk be directed to evaluate the vote from home program and special vote by mail option for the 2022 municipal election and report back to the General Issues Committee by Q2 2021 with recommendations for alternative voting methods and an authorizing by-law, with a one-time increase of \$125,000 to the Election Expense Reserve (112206) be referred to the 2020 Year-end Variance Disposition Report for consideration, to support these initiatives;

For disposition of this matter, please refer to Item 24.

(ii) 2021 Tax Supported User Fees (FCS20085) (City Wide) (Item 9.8)

Appendix "A" to Report FCS20085, respecting the 2021 Tax Supported User Fees, was amended to reflect the freezing of fees for all General Business Licence Fees, Trade Licence Fees, Taxi and Personal Transportation Providers (PTP) Fees and Film Permit Fees at 2020 levels, of which the loss of budgeted revenues in 2021 are being funded at an estimated amount of \$275,000 from the Economic Development Initiatives Capital account 3621708900.

Staff was directed to report back to the General Issues Committee with a COVID-19 recreation financial assistance program aimed to offset the increase in the 2021 User Fees.

For disposition of this matter, please refer to Item 25.

(g) PRIVATE & CONFIDENTIAL (Item 13)

(i) Closed Session Minutes – November 18, 2020 (Item 13.1)

- (a) The Closed Session Minutes of the November 18, 2020 General Issues Committee meeting were approved; and,
- (b) The Closed Session Minutes of the November 18, 2020 General Issues Committee meeting shall remain confidential.

Committee moved into Closed Session respecting Items 13.2 to 13.7 and 13.9, pursuant to Section 8.1, Sub-sections (c), (e), and (k) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (c), (e), 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; 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.

(h) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 7:30 p.m.

Respectfully submitted,

Deputy Mayor Brad Clark
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

**INTERNATIONAL VILLAGE
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2021 OPERATING BUDGET**

Revenues	
BIA Levy	\$170,000
Reserve Monies	\$18,000
Total Revenue	\$188,000
Expenses	
Rent	\$12,900
Telephone/fax/internet/website	\$4,000
Office Supplies <small>(cleaning supplies, postage, paper, toner, general office, etc.)</small>	\$2,500
Equipment repairs & purchases <small>(equipment maintenance, computer upgrades/repairs, photocopier)</small>	\$1,000
Bank charges, book-keeper, audit fees	\$3,500
Insurance	\$3,900
Administrative Services <small>(wages, benefits, source deductions)</small>	\$72,000
Member contact & events <small>(printing, networking events, Chamber of Commerce membership, OBIAA Conference, event supplies)</small>	\$7,700
Board Expense, travel & promotion <small>(board gifts, gifts, flowers, parking, mileage)</small>	\$2,000
Advertising	\$70,000
Beautification & maintenance <small>(graffiti removal/summer staff/garbage)</small>	\$3,500
Contingency <small>(reassessed properties that affect levy)</small>	\$5,000
Total Expenses	\$188,000

**DOWNTOWN DUNDAS
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2021 OPERATING BUDGET**

Revenue	
BIA Levy	\$170,362
HST Recovery	\$7,000
Other Income	\$35,438
Grants	\$14,000
Total Revenues	\$226,800
Expenses	
<i>Promotion & Events</i>	
General Advertising	\$10,809
Easter	\$7,000
Cactus Parade	\$1,000
Scarecrow Saturday	\$5,100
Christmas	\$47,000
Buskerfest	\$25,000
Shopify Marketplace	\$1,250
<i>Beautification</i>	\$35,691
<i>Economic Development</i>	\$3,000
<i>Administration</i>	
Rent & Taxes	\$19,000
Office Expenses & supplies	\$4,500
Member Services	\$2,100
Insurance	\$3,850
Staff/benefits	\$56,000
Assessment appeals	\$2,000
Audit & Bookkeeping	\$3,500
Total Expenses	\$226,800

**DOWNTOWN HAMILTON
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2021 OPERATING BUDGET**

Revenue	
BIA Levy	\$400,000
Other Income	\$65,000
Total Revenues	\$465,000
Expenses	
<i>Office Expenses</i>	
Professional Fees	\$4,000
Telephone	\$5,000
Levy Appeals	\$27,000
Rent	\$40,000
Meetings	\$3,000
Memberships	\$1,000
Salaries/Benefits	\$175,000
Office Expenses	\$0
Insurance	\$10,000
Amortization	\$12,000
Other – Bank Charges/Bad Debts	\$500
<i>Special Events/Promotions</i>	
Events & Promotions	\$145,000
<i>Beautification</i>	
Beautification	\$42,500
Total Expenses	\$465,000

**KING WEST
BUSINESS IMPROVEMENT AREA (BIA)
PROPOSED 2021 OPERATING BUDGET**

Revenue	
BIA Levy	\$5,647
Total Revenues	\$5,647
Expenses	
Insurance	\$2,500
Office	\$500
Audit	\$350
Meeting Expenses	\$600
AGM Expenses	\$200
OBIAA Membership	\$225
Beautification/Graffiti Removal	\$0
Marketing	\$1,000
Miscellaneous	\$272
Total Expenses	\$5,647

CITY OF HAMILTON

2021

ADVISORY COMMITTEES

BUDGET SUBMISSION

Advisory Committee For Persons With Disabilities (ACPD)

PART A: General Information

ADVISORY COMMITTEE MEMBERS:

Shahan Aaron	Aznive Mallett
Patty Cameron	Tom Manzuk
Elizabeth (Jayne) Cardno	Corbin McBride
Michelle Dent	Mark McNeil
Lance Dingman	Tim Murphy
Anthony Frisina	Kim Nolan
Sophie Geffros	Tim Nolan
James Kemp	Mary Sinclair
Paula Kilburn	Alex Wilson

MANDATE:

The Advisory Committee for Persons with Disabilities recommends to the City of Hamilton policies, procedures and guidelines that address the needs and concerns of persons with disabilities.

PART B: Strategic Planning

STRATEGIC OBJECTIVES:

Terms of Reference

1. To advise Council annually about the preparation, implementation, and effectiveness of its accessibility plan required pursuant to the Ontarians with Disabilities Act, the Accessibility for Ontarians with Disabilities Act, and related regulations.
2. To provide advice and recommendations to City Council and staff with respect to the implementation of Provincial standards, and policies, procedures and guidelines that address the needs and concerns of persons with disabilities.
3. To ensure that the right of access for persons with disabilities to programs and services provided by the City is sustained, maintained, and/or improved in accordance with Provincial legislation, regulations and City standards.
4. To review and comment to Council and other levels of government on pertinent reports, proposed legislation and studies which affect all persons with disabilities, where appropriate.
5. To provide a forum where persons with disabilities and service representatives can express their concerns, share information and recommend improvements to the existing level of City services for persons with disabilities.
6. To educate and increase awareness of the City on issues which affect people with disabilities.
7. To support the work of the committee through sub-committees and working groups, as required, and specifically related to the Provincial standards, including Customer Service, Transportation, Employment, Built Environment, and Information and Communications.
8. To maintain knowledge of the work of the committee through attendance at meetings and review of agendas and supporting materials.
9. To regularly review the progress and measure the success of the committee and its activities.

ALIGNMENT WITH CORPORATE GOALS:

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	X	2) Economic Prosperity & Growth	X
3) Healthy & Safe Communities	X	4) Clean & Green	X
5) Built Environment & Infrastructure	X	6) Culture & Diversity	X
7) Our People & Performance	X		

PART C: Budget Request

INCIDENTAL COSTS:

Monthly Meetings Expenses (photocopying, refreshments, advertising, postage, etc.)	\$300.00
Administrative Assistance (note-taking) for special meetings such as Roundtable.	
Refreshments: <ul style="list-style-type: none"> Advisory Committee for People with Disabilities \$1500.00 Built Environment Working Group \$750.00 Transportation Working Group \$850.00 Housing Working Group \$600.00 Outreach Working Group \$600.00 Wheelchair and Scooter Safety Committee Disability Justice and Climate Crisis Working Group Community Safety Working Group 	\$4300.00
SUB TOTAL	\$4,600.00

SPECIAL EVENT/PROJECT COSTS:

Conferences and related travel expenses	\$1500.00
SUB TOTAL	\$1500.00

TOTAL COSTS	\$ 6100.00
Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)	\$ N/A
TOTAL 2021 BUDGET REQUEST (net of reserve funding)	\$ 6100.00
PREVIOUS YEAR (2020) APPROVED BUDGET (2020 Request \$ 6100.00)	\$ 6100.00

CERTIFICATION:

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

Representative's Name: **Aznive Mallett**

Signature: **(signed electronically)**

Date: **October 29, 2020**

Telephone # : **905 973 2616**

CITY OF HAMILTON

2021

ADVISORY COMMITTEES

BUDGET SUBMISSION FORM

ARTS ADVISORY COMMISSION

PART A: General Information

ADVISORY COMMITTEE MEMBERS:

Annette Paiement - Chair	(Resigned - Steve Parton - Vice-Chair)
Elizabeth Jayne Cardno	Janna Malseed
Monika Ciolek	Eileen Reilly - Co Chair
Lisa La Rocca	Ranil Sonnadara
Monolina Bhattacharyya-Ray	Councillor Jason Farr
Councillor John-Paul Danko	

MANDATE:

To recommend activities for the stabilization and strengthening of the arts community; to inform Council of issues and achievements in the Hamilton arts community; to liaise with and act as a point of contact for members of the arts community regarding issues affecting the arts community; to monitor and assist with the implementation of the Public Art Program; to monitor and assist with the implementation of the Arts Awards Program.

PART B: Strategic Planning

STRATEGIC OBJECTIVES:

In 2021, the Arts Advisory Commission (AAC) will be undertaking a number of initiatives identified in the Big Picture 2017 arts community consultation report needed for the community to grow and to continue contributing to the quality of life and economy of Hamilton.

The AAC continues its work monitoring and assisting with the implementation of the Public Art Program and the City of Hamilton's Arts Awards Program.

ALIGNMENT WITH CORPORATE GOALS:

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	X	2) Economic Prosperity & Growth	X
3) Healthy & Safe Communities		4) Clean & Green	X
5) Built Environment & Infrastructure	X	6) Culture & Diversity	X
7) Our People & Performance			

PART C: Budget Request

INCIDENTAL COSTS:

Refreshments for Committee Meetings (6 regular AAC meetings and Sub Committee meetings)	\$500
Off-site Meetings	\$200
Refreshments for Training Sessions and Sub-Committees	\$500
Binders, office supplies, printing, etc.	\$500
Printing costs for reports, etc.	\$100
SUB TOTAL	\$1,800

SPECIAL EVENT/PROJECT COSTS:

Arts community support and outreach events	\$7,200
SUB TOTAL	\$9,000

TOTAL COSTS	\$9,000
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Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)	\$0
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TOTAL 2021 BUDGET REQUEST (net of reserve funding)	\$9,000
PREVIOUS YEAR (2020) APPROVED BUDGET (2020 Request \$9,000)	\$9,000

CERTIFICATION:

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

Representative's Name: Annette Paiement (Chair)

Signature: _____

Date: November 24, 2020

Telephone #: _____

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Impound Fees (Standard Rate)						
1	Licensed Dog - 1st Offence	\$ 67.00	\$ 68.00	N	1.5%	Guideline increase, rounded to the nearest dollar
2	Licensed Dog - Subsequent Offence	\$ 180.00	\$ 184.00	N	2.2%	Guideline increase, rounded to the nearest dollar
3	Licensed Dog - Subsequent Offence (after initial subsequent offence - increase of \$50.00 per occurrence up to 5 occurrences)	n/a	\$ 50.00	N	0.0%	NEW FEE - to reduce the repeat offenders
4	Unlicensed Dog - 1st Offence	\$ 107.00	\$ 109.00	N	1.9%	Guideline increase, rounded to the nearest dollar
5	Unlicensed Dog - Subsequent Offence	\$ 180.00	\$ 184.00	N	2.2%	Guideline increase, rounded to the nearest dollar
6	Unlicensed Dog - Subsequent Offence (after initial subsequent offence increase of \$50.00 per occurrence up to 5 occurrences)	n/a	\$ 50.00	N	0.0%	NEW FEE - to reduce the repeat offenders
7	Dangerous or Potentially Dangerous Dog	\$ 648.00	\$ 661.00	N	2.0%	Guideline increase, rounded to the nearest dollar
8	Cat (identified [1] and unidentified)	\$ 26.00	\$ 27.00	N	3.8%	Guideline increase, rounded to the nearest dollar
9	Cat (identified [1] and unidentified)- Subsequent Offence	\$ 41.00	\$ 42.00	N	2.4%	Guideline increase, rounded to the nearest dollar
10	Multiple Small Domestic Animals (up to 6)	\$ 56.00	\$ 57.00	N	1.8%	Guideline increase, rounded to the nearest dollar
11	Other Small Domestic Animal [2]	\$ 25.00	\$ 26.00	N	4.0%	Guideline increase, rounded to the nearest dollar
12	Snake or Reptile	\$ 25.00	\$ 26.00	N	4.0%	Guideline increase, rounded to the nearest dollar
13	Livestock - Small	\$ 138.00	\$ 141.00	N	2.2%	Guideline increase, rounded to the nearest dollar
14	Livestock - Large	\$ 293.00	\$ 299.00	N	2.0%	Guideline increase, rounded to the nearest dollar
Impound Fees (Senior & Disabled Rate)						
15	Licensed Dog - 1st Offence	\$ 62.00	\$ 63.00	N	1.6%	Guideline increase, rounded to the nearest dollar
16	Licensed Dog - Subsequent Offence	\$ 97.00	\$ 99.00	N	2.1%	Guideline increase, rounded to the nearest dollar
17	Licensed Dog - Subsequent Offence (after initial subsequent offence - increase of \$50.00 per occurrence up to 5 occurrences)	n/a	\$ 50.00	N	0.0%	NEW FEE - to reduce the repeat offenders
18	Unlicensed Dog - 1st Offence	\$ 97.00	\$ 99.00	N	2.1%	Guideline increase, rounded to the nearest dollar
19	Unlicensed Dog - Subsequent Offence	\$ 158.00	\$ 161.00	N	1.9%	Guideline increase, rounded to the nearest dollar
20	Unlicensed Dog - Subsequent Offence (after initial subsequent offence increase of \$50.00 per occurrence up to 5 occurrences)	n/a	\$ 50.00	N	0.0%	NEW FEE - to reduce the repeat offenders
21	Dangerous or Potentially Dangerous Dog	\$ 648.00	\$ 661.00	N	2.0%	Guideline increase, rounded to the nearest dollar
22	Cat (identified [1] and unidentified)	\$ 26.00	\$ 27.00	N	3.8%	Guideline increase, rounded to the nearest dollar
23	Cat (identified [1] and unidentified)- Subsequent Offence	\$ 36.00	\$ 37.00	N	2.8%	Guideline increase, rounded to the nearest dollar
24	Multiple Small Domestic Animals (up to 6)	\$ 46.00	\$ 47.00	N	2.2%	Guideline increase, rounded to the nearest dollar
25	Other Small Domestic Animal [2]	\$ 25.00	\$ 26.00	N	4.0%	Guideline increase, rounded to the nearest dollar
26	Snake or Reptile	\$ 25.00	\$ 26.00	N	4.0%	Guideline increase, rounded to the nearest dollar
27	Livestock - Small	\$ 132.00	\$ 135.00	N	2.3%	Guideline increase, rounded to the nearest dollar
28	Livestock - Large	\$ 275.00	\$ 281.00	N	2.2%	Guideline increase, rounded to the nearest dollar
Live Surrender Fees - [3] (Standard Rate)						
29	Dog (unlicensed)	\$ 175.22	\$ 175.22	Y	0.0%	Recommend no increase in fee. Service fee needs to encourage humane surrender not abandonment. Also following industry standards.
30	Dog (licensed)	\$ 138.94	\$ 138.94	Y	0.0%	Recommend no increase in fee. Service fee needs to encourage humane surrender not abandonment. Also following industry standards.
31	Cat (unregistered)	\$ 175.22	\$ 175.22	Y	0.0%	Recommend no increase in fee. Service fee needs to encourage humane surrender not abandonment. Also following industry standards.
32	Cat (registered)	\$ 138.94	\$ -	Y	-100.0%	REMOVE FEE - NOT APPLICABLE
33	Litter (up to 6) - Canine or Feline	\$ 62.83	\$ 63.72	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
34	a) Inspection Fee	\$ 64.60	\$ 65.49	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
35	Rabbit (individual)	\$ 62.83	\$ 63.72	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
36	Multiple Small Domestic Animals (up to 6)	\$ 62.83	\$ 63.72	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
37	Small Livestock	\$ 119.47	\$ 122.12	Y	2.2%	Guideline increase, rounded to the nearest dollar after HST applied
Live Surrender Fees - [3] (Senior & Disabled Rate)						

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
38	Dog (unlicensed)	\$ 138.94	\$ 138.94	Y	0.0%	Recommend no increase in fee. Service fee needs to encourage humane surrender not abandonment. Also following industry standards.
39	Dog (licensed)	\$ 102.65	\$ 102.65	Y	0.0%	Recommend no increase in fee. Service fee needs to encourage humane surrender not abandonment. Also following industry standards.
40	Cat (not registered)	\$ 138.94	\$ 138.94	Y	0.0%	Recommend no increase in fee. Service fee needs to encourage humane surrender not abandonment. Also following industry standards.
41	Cat (registered)	\$ 102.65	\$ -	Y	-100.0%	REMOVE FEE - NOT APPLICABLE
42	Litter (up to 6) - Canine or Feline	\$ 49.56	\$ 50.44	Y	1.8%	Guideline increase, rounded to the nearest dollar after HST applied
43	Other Small Domestic Animal [4]	\$ 49.56	\$ 50.44	Y	1.8%	Guideline increase, rounded to the nearest dollar after HST applied
44	Multiple Small Domestic Animals (up to 5)	\$ 49.56	\$ 50.44	Y	1.8%	Guideline increase, rounded to the nearest dollar after HST applied
45	Small Livestock	\$ 102.65	\$ 104.42	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
Cadaver Surrender Fees (Standard Rate)						
46	Dog	\$ 118.58	\$ 121.24	Y	2.2%	Guideline increase, rounded to the nearest dollar after HST applied
47	Dog - Small	\$ 52.21	\$ 53.10	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
48	Cat	\$ 53.10	\$ 53.98	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
49	Litter - Canine or Feline (up to 5) (under 12 weeks)	\$ 53.10	\$ 53.98	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
50	Other Small Domestic Animal [4]	\$ 53.10	\$ 53.98	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
51	Multiple Small Domestic Animals (up to 5)	\$ 53.10	\$ 53.98	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
52	Small Livestock	\$ 92.04	\$ 93.81	Y	1.9%	Guideline increase, rounded to the nearest dollar after HST applied
Cadaver Surrender Fees (Senior & Disabled Rate)						
53	Dog	\$ 92.04	\$ 93.81	Y	1.9%	Guideline increase, rounded to the nearest dollar after HST applied
54	Dog - Small	\$ 37.17	\$ 38.05	Y	2.4%	Guideline increase, rounded to the nearest dollar after HST applied
55	Cat	\$ 38.05	\$ 38.94	Y	2.3%	Guideline increase, rounded to the nearest dollar after HST applied
56	Litter - Canine or Feline (up to 5) (under 12 weeks)	\$ 38.05	\$ 38.94	Y	2.3%	Guideline increase, rounded to the nearest dollar after HST applied
57	Other Small Domestic Animal [4]	\$ 38.05	\$ 38.94	Y	2.3%	Guideline increase, rounded to the nearest dollar after HST applied
58	Multiple Small Domestic Animals (up to 5)	\$ 38.05	\$ 38.94	Y	2.3%	Guideline increase, rounded to the nearest dollar after HST applied
59	Small Livestock	\$ 59.29	\$ 60.18	Y	1.5%	Guideline increase, rounded to the nearest dollar after HST applied
Boarding Fees (Standard Rate Per Day)						
60	Dog	\$ 18.00	\$ 19.00	N	5.6%	Guideline increase, rounded up to the nearest dollar
61	Dangerous or Potentially Dangerous Dog	\$ 60.00	\$ 61.00	N	1.7%	Guideline increase, rounded to the nearest dollar
62	Cat	\$ 13.00	\$ 14.00	N	7.7%	Guideline increase, rounded up to the nearest dollar
63	Other Small Domestic Animal	\$ 7.00	\$ 8.00	N	14.3%	Guideline increase, rounded up to the nearest dollar
64	Small Livestock	\$ 34.00	\$ 35.00	N	2.9%	Guideline increase, rounded to the nearest dollar
65	Large Livestock	\$ 57.00	\$ 58.00	N	1.8%	Guideline increase, rounded to the nearest dollar
Boarding Fee (Senior & Disable Rate - Per Day)						
66	Dog	\$ 12.00	\$ 13.00	N	8.3%	Guideline increase, rounded up to the nearest dollar
67	Dangerous or Potentially Dangerous Dog	\$ 60.00	\$ 61.00	N	1.7%	Guideline increase, rounded to the nearest dollar
68	Cat	\$ 7.00	\$ 8.00	N	14.3%	Guideline increase, rounded up to the nearest dollar
69	Other Small Domestic Animal	\$ 7.00	\$ 8.00	N	14.3%	Guideline increase, rounded up to the nearest dollar
70	Small Livestock	\$ 18.00	\$ 19.00	N	5.6%	Guideline increase, rounded up to the nearest dollar
71	Large Livestock	\$ 39.00	\$ 40.00	N	2.6%	Guideline increase, rounded to the nearest dollar
Miscellaneous						
72	Vietnamese Pot Bellied Pig Licence	\$ 40.00	\$ 41.00	N	2.5%	Guideline increase, rounded to the nearest dollar

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Animal Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
73	Voluntary Cat Registration	\$ 15.00	\$ 16.00	N	6.7%	Guideline increase, rounded up to the nearest dollar
74	Quarantine per day - Dog	\$ 37.00	\$ 38.00	N	2.7%	Guideline increase, rounded to the nearest dollar
75	Quarantine per day - Dangerous or Potentially Dangerous Dog	\$ 64.00	\$ 65.00	N	1.6%	Guideline increase, rounded to the nearest dollar
76	Quarantine per day - Cat	\$ 26.00	\$ 27.00	N	3.8%	Guideline increase, rounded to the nearest dollar
77	Hearing Fee re: Dangerous or Potentially Dangerous Dog	\$ 185.00	\$ 189.00	N	2.2%	Guideline increase, rounded to the nearest dollar
78	Microchip implant	\$ 22.12	\$ 22.12	Y	0.0%	Fee needs to be set at a rate that is affordable to general public and encourage providing pets with identification.
79	Wildlife removal from private trap - release on site	\$ 62.83	\$ 63.72	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
80	Wildlife removal from private trap - Euthanasia [5]	\$ 107.08	\$ -	Y	-100.0%	REMOVE FEE - NOT APPLICABLE
81	Pet Transport (Ambulance)	\$ 76.99	\$ 78.76	Y	2.3%	Guideline increase, rounded to the nearest dollar after HST applied
82	Poopbag Refill Bags	\$ 5.31	\$ 5.31	Y	0.0%	No increase to fee as just trying for cost recovery, encourage public to remove pet feces - also following industry standard.
83	Admin Fee (e.g. for special billing arrangements)	\$ 30.09	\$ 30.97	Y	2.9%	Guideline increase, rounded to the nearest dollar after HST applied
84	Engraving (Urns)	\$ 11.50	\$ 12.39	Y	7.7%	Guideline increase, rounded up to the nearest dollar after HST applied
85	Special Cremation Fee	\$ 135.40	\$ 138.05	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
86	Clay Paw Print	\$ 30.09	\$ 30.97	Y	2.9%	Guideline increase, rounded to the nearest dollar after HST applied
87	Painted Paw Print	\$ 46.02	\$ 46.90	Y	1.9%	Guideline increase, rounded to the nearest dollar after HST applied
88	Animal Assistance Fee - per hour	\$ 51.33	\$ 52.21	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
Animal Adoption Fees						
89	Dog/Puppy	\$ 262.83	\$ 287.61	Y	9.4%	Increase above guideline due to cost recovery related to medical expenses i.e. vaccinations
90	Dog Senior/Special Needs	\$26.43-78.39	\$26.55-79.65	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
91	Cat/Kitten	\$ 157.52	\$ 181.41	Y	15.2%	Increase above guideline due to cost recovery related to medical expenses i.e. vaccinations
92	Cat Senior/Special Needs	\$26.43-78.39	\$26.55-79.65	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
93	Small Domestic Animal/Bird/Other	\$5.47-104.82	\$6.19-107.08	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
94	Snake or Reptile	\$5.47-104.82	\$6.19-107.08	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
NOTES						
	[1] Micro-chipped, engraved collar, tattooed, registered					
	[2] Rabbits, rodents, song birds, etc.					
	[3] Includes cremation					
	[4] Excludes Fish - no charge					
	[5] No Charge if animal fatally injured prior to capture or poses bona fide threat					

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - Lottery Licensing

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Lottery Licence Application Administration Fee	\$ 68.14	\$ 69.91	Y	2.6%	Guideline increase, rounded to nearest dollar after HST applied. Standardize Application Fees (same as admin fee on new license applications)
2	Lottery Licence Fee - Bingo (per event)	\$ 165.00	\$ 165.00	N	0.0%	Maximum fee allowed per Provincial guidelines
3	Lottery Licence Fee - Nevada	Up to maximum of 3% prize value	Up to maximum of 3% prize value	N	N/A	Fees set by the province
4	Lottery Licence Fee - Raffles	Up to maximum of 3% prize value	Up to maximum of 3% prize value	N	N/A	Fees set by the province
5	Lottery Licence Fee - Others	Varies by type and mandated by the province	Varies by type and mandated by the province	N	N/A	Fees set by the province

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Sign By-Law Fees

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
PERMITS FOR SIGNS						
SIGN TYPE						
Mobile Sign						
1	- for 28 consecutive days	\$ 130.00	\$ 133.00	N	2.3%	Guideline increase, rounded to the nearest dollar
2	- for 14 consecutive days	\$ 88.00	\$ 90.00	N	2.3%	Guideline increase, rounded to the nearest dollar
3	Mobile Sign advertising a grand opening or closing promotional event (for 7 consecutive days)	\$ 198.00	\$ 202.00	N	2.0%	Guideline increase, rounded to the nearest dollar
4	Sidewalk Sign (per year)	\$ 101.00	\$ 103.00	N	2.0%	Guideline increase, rounded to the nearest dollar
5	Banner (for 28 consecutive days)	\$ 101.00	\$ 103.00	N	2.0%	Guideline increase, rounded to the nearest dollar
6	Banner advertising a grand opening or closing promotional event (for 7 consecutive days)	\$ 198.00	\$ 202.00	N	2.0%	Guideline increase, rounded to the nearest dollar
7	Inflatable Sign (for 7 consecutive days)	\$ 101.00	\$ 103.00	N	2.0%	Guideline increase, rounded to the nearest dollar
8	New Home Development Portable Sign (per year)	\$ 66.00	\$ 67.00	N	1.5%	Guideline increase, rounded to the nearest dollar
9	Sign permit fee for any new permanent signs/per property per occasion	\$ 153.00	\$ 156.00	N	2.0%	Guideline increase, rounded to the nearest dollar
10	Sign permit fee for changes to existing signs/per property per occasion	\$ 237.00	\$ 242.00	N	2.1%	Guideline increase, rounded to the nearest dollar
11	Corrugated Plastic Sign (yearly permit fee per location per property)	\$ 153.00	\$ 156.00	N	2.0%	Guideline increase, rounded to the nearest dollar
12	A-frame signs on sidewalks (permit fee for a three-year period)	\$ 159.00	\$ 162.00	N	1.9%	Guideline increase, rounded to the nearest dollar
Digital Boards						
13	Annual Sign Permit Fee	\$ 2,000.00	\$ 2,040.00	N	2.0%	Guideline increase, rounded to the nearest dollar
SIGN VARIANCE APPLICATION						
Sign variance fees appear under "Planning" Division						
ENFORCEMENT FEES						
14	Removal of an Unlawful Permanent Sign - per sign (or the actual cost of removing the sign, whichever is greater)	\$ 253.10	\$ 258.41	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
15	Storage Charge for an Unlawful Permanent Sign - per sign/day	\$ 64.60	\$ 65.49	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
16	Removal of an Unlawful Mobile Sign - per sign (or the actual cost of removing the sign, whichever is greater)	\$ 253.10	\$ 258.41	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
17	Storage Charge for an Unlawful Mobile Sign - per sign/day	\$ 64.60	\$ 65.49	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
18	a) Inspection Fee	\$ 64.60	\$ 65.49	Y	1.4%	Guideline increase, rounded to the nearest dollar after HST applied
19	Storage Charge for an Unlawful Portable Sign - per sign/day	\$ 36.28	\$ 37.17	Y	2.4%	Guideline increase, rounded to the nearest dollar after HST applied
20	Storage Charge for an Unlawful Election Sign - per sign/day	\$ 36.28	\$ 37.17	Y	2.4%	Guideline increase, rounded to the nearest dollar after HST applied
21	Annual Inspection Fee (existing non-conforming overhanging signs)	\$ 109.73	\$ 111.50	Y	1.6%	Guideline increase, rounded to the nearest dollar after HST applied
Note: the permit fees for Ground Signs, Awnings, Canopies, Marquees, Parapet Signs, Projecting Signs, Wall Signs and Billboards appear under "Building Services - Building Permit Fees"						

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - General Fees

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Discharge of Firearms By-law						
1	a) Exemption permit application fee for the discharge of recreational firearms or bows	\$ 116.84	\$ 119.47	Y	2.3%	Guideline increase, rounded to the nearest dollar after HST applied
2	b) Renewal fee	\$ 21.25	\$ 22.12	Y	4.1%	Guideline increase, rounded up to the nearest dollar after HST applied
Certificate of Compliance						
3	a) Single detached dwelling	\$ 296.46	\$ 302.65	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
4	b) A two, three or multiple unit dwelling	\$ 296.46	\$ 302.65	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
5	- plus additional fee for each additional dwelling unit in excess of the first	\$ 43.36	\$ 44.25	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
6	c) A lodging house	\$ 296.46	\$ 302.65	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
7	- plus additional fee per each permitted resident (required every 3 years)	\$ 32.74	\$ 33.63	Y	2.7%	Guideline increase, rounded to the nearest dollar after HST applied
8	d) All other buildings (Liquor licence)	\$ 296.46	\$ 302.65	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
9	- plus additional fee per each 100 square metres in excess of the first 100 square metres	\$ 18.58	\$ 19.47	Y	4.8%	Guideline increase, rounded up to the nearest dollar after HST applied
10	e) Residential care facility (first time applications & change in ownership)	\$ 296.46	\$ 302.65	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
11	- plus additional fee per each permitted resident	\$ 33.63	\$ 34.51	Y	2.6%	Guideline increase, rounded to the nearest dollar after HST applied
12	f) Discharge of an Order - Non registered Order to Comply	\$ 296.46	\$ 302.65	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
13	g) Discharge of an Order - Registered Order To Comply	\$ 631.86	\$ 644.25	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
Fees charged for inspections carried out by the City resulting from non-compliance with any City by-law (except Vital Services By-law):						
Inspection demonstrating non-compliance when there has been an earlier incident of non-compliance:						
14	Initial	\$ 296.46	\$ 302.65	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
15	Subsequent	\$ 152.21	\$ 154.87	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
<i>Note: an "incident of non-compliance" includes an inspection carried out by the City or by another enforcement agency demonstrating non-compliance.</i>						
16	Vital services - Admin Fee	10% of total utility billings paid by the City	10% of total utility billings paid by the City	Y	0.0%	% recovery not changed. Increases would be incorporated into the utility billings
Noise by-Law Exemption:						
17	- Application received 60 days or more prior to the event	\$ 185.00	\$ 189.00	N	2.2%	Guideline increase, rounded to the nearest dollar
18	- Application received less than 60 days prior to the event	\$ 279.00	\$ 285.00	N	2.2%	Guideline increase, rounded to the nearest dollar
19	Corporate Profile Report and Deed & Abstract Reports	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fees set at 100% cost recovery
20	Application Fee for outdoor commercial patio exemption permits	\$ 525.00	\$ 536.00	N	2.1%	Guideline increase, rounded to the nearest dollar
21	Application Fee for any appeal to the Property Standards Committee	\$ 141.00	\$ 144.00	N	2.1%	Guideline increase, rounded to the nearest dollar
22	Zoning Verification & Work Order Reports - Regular	\$ 122.00	\$ 124.00	N	1.6%	Guideline increase, rounded to the nearest dollar
23	Zoning Verification & Work Order Reports - Express	\$ 185.00	\$ 189.00	N	2.2%	Guideline increase, rounded to the nearest dollar
24	Fees charged by the City for costs incurred when its inspection powers under s. 436(2) of the Municipal Act, 2001 are exercised	Full Cost Recovery	Full Cost Recovery	N	N/A	Fees set at 100% cost recovery
25	Registration Fee - One Time Fee For Initial Registration of a Vacant Building	\$ 291.00	\$ 297.00	N	2.1%	Guideline increase, rounded to the nearest dollar
26	Vacant Building Fee - Annual Inspection Fee	\$ 729.20	\$ 743.36	Y	1.9%	Guideline increase, rounded to the nearest dollar after HST applied
27	Annual Fee for each additional vacant building on a property (inspection)	\$ 356.64	\$ 363.72	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
28	Vacant Building Quarterly Inspection Fee	\$ 292.03	\$ 298.23	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
29	Licensing Tribunal and Property Standards Committee decisions	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fees set at 100% cost recovery

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - General Fees

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Municipal Law Enforcement Contractor Services Administration:						
30	- Administration Fee for invoices less than or equal to \$600 (before tax)	\$ 98.23	\$ 100.00	Y	1.8%	Guideline increase, rounded to the nearest dollar after HST applied
31	- Administration Fee for invoices greater than \$600 (before tax)	\$ 221.24	\$ 225.66	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
32	- Administration Fee for requests for file review	\$ 36.28	\$ 37.17	Y	2.4%	Guideline increase, rounded to the nearest dollar after HST applied
33	Application Fee for outdoor commercial patio exemption permits	\$ 525.00	\$ 536.00	N	2.1%	Guideline increase, rounded to the nearest dollar
34	a) Inspection Fee	\$ 208.00	\$ 212.00	N	1.9%	Guideline increase, rounded to the nearest dollar
35	Paid Duty Municipal Law Enforcement	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fees set at 100% cost recovery
Tree Permits						
36	Review of Permit Application to Injure or Destroy Trees - Urban Woodland Tree By-law No. 14-212	N/A	\$ 250.00	Y	N/A	New fee to recoup costs associated with Permit Review
37	Review of Notice of Intent to Cut Application - Regional Woodland Tree By-law No. R00-054	N/A	\$ 150.00	Y	N/A	New fee to recoup costs associated with Permit Review
38	Review of Permit Application to Injure or Destroy Trees - Dundas Tree By-law No. 4513-99	N/A	\$ 50.00	Y	N/A	New fee to recoup costs associated with Permit Review
39	Review of Permit Application to Injure or Destroy Trees - Stoney Creek Tree By-law No. 4401-96: a) 2 to 10 trees	N/A	\$ 25.00	Y	N/A	Existing fee in By-law not yet added to User fees
40	b) 11 to 20 trees	N/A	\$ 50.00	Y	N/A	Existing fee in By-law not yet added to User fees
41	c) Greater than 20 trees	N/A	\$ 100.00	Y	N/A	Existing fee in By-law not yet added to User fees

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Adult Services						
1	Adult Entertainment Parlour	\$ 6,211.00	\$ 6,211.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
2	Adult Entertainment Parlor Attendant	\$ 516.00	\$ 516.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
3	Adult Entertainment Parlour Operator/Manager	\$ 1,821.00	\$ 1,821.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
4	Adult Film Theatre	\$ 3,839.00	\$ 3,839.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
5	Adult Video Store Class A	\$ 3,839.00	\$ 3,839.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
6	Adult Video Store Class B	\$ 398.00	\$ 398.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
7	Body Rub Parlour Owner	\$ 9,771.00	\$ 9,771.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
8	Body Rub Parlour Attendant	\$ 516.00	\$ 516.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
9	Body Rub Parlour Operator/Manager	\$ 1,465.00	\$ 1,465.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
10	Tobacco & Electronic Cigarettes	\$ 448.00	\$ 448.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Accommodations						
11	Bed and Breakfast	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
12	Motels and Hotels	\$ 190.00	\$ 190.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
13	Lodging House	\$ 504.00	\$ 504.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
14	Residential Care Facility (4-10 Residents)	\$ 693.00	\$ 693.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
15	Residential Care Facility (11 or more Residents)	\$ 990.00	\$ 990.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Mobile						
16	Mobile Sign leasing or renting	\$ 316.00	\$ 316.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
17	Hawker/Peddler (motorized vehicle)	\$ 365.00	\$ 365.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
18	Seasonal Food Vendor	\$ 390.00	\$ 390.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
19	Limousines (owner)	\$ 662.00	\$ 662.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
20	Limousines (driver)	\$ 77.00	\$ 77.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
21	Taxi cab owner (private) (Renewal)	\$ 661.00	\$ 661.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
22	Taxi cab owner (private) (New)	\$ 4,791.00	\$ 4,791.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
23	Taxi cab owner (transfer)	\$ 842.00	\$ 842.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
24	Taxi cab Broker	\$ 1,135.00	\$ 1,135.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
25	Taxi cab Driver	\$ 107.00	\$ 107.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
26	Transient Trader (3 month period)	\$ 715.00	\$ 715.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
27	Auctioneer	\$ 294.00	\$ 294.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Food Service Vehicles:						
28	Class A	\$ 390.00	\$ 390.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
29	Class B	\$ 390.00	\$ 390.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
30	Class C	\$ 359.00	\$ 359.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
31	Food Service Vehicles (Four day)	\$ 102.00	\$ 102.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
32	Food Service Vehicles (Park Permit)	\$ 214.00	\$ 214.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Services						
Eating Establishments:						
33	Bars and Nightclubs	\$ 324.00	\$ 324.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
34	Food Premises	\$ 186.00	\$ 186.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
35	Restaurant with Liquor Service	\$ 238.00	\$ 238.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Public Garage:						
36	(A) Buying, Selling, Storing	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
37	(B1) Combined Engine & Body Work	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
38	(B2) Engine Work	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
39	(B3) Body Work	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
40	(C) Service Station	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
41	(D) Parking Lot	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
42	(E) Car Wash Only	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
43	Public Halls	\$ 372.00	\$ 372.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
44	Pay Day Loan Businesses	\$ 820.00	\$ 820.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
45	Kennels, Pet Shops	\$ 263.00	\$ 263.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
46	Personal Aesthetic Services Facility	\$ 191.00	\$ 191.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
47	Personal Wellness Services Establishment	\$ 191.00	\$ 191.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Places of Amusement						
48	Amusement Arcade	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
49	Amusement Rides	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
50	Amusement Water	\$ 443.00	\$ 443.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
51	Billiard / Bagatelle Tables	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
52	Bingo Parlour	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
53	Bowling Alley	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
54	Carnival	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
55	Circus	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
56	Motor Vehicle Race Track	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
57	Other	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
58	Proprietary Club	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
59	Roller Skating Rink	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
60	Skateboarding, BMX bikes	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Used Goods Services						
61	Antique Market/Flea Market	\$ 265.00	\$ 265.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
62	Pawn Broker	\$ 443.00	\$ 443.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
63	Precious Metals & Jewellery Dealers	\$ 443.00	\$ 443.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
64	Salvage Yard	\$ 443.00	\$ 443.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
65	Second-hand Shop	\$ 506.00	\$ 506.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Trade Licence Contractor						
66	Building Repair	\$ 283.00	\$ 283.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
67	Plumbing	\$ 283.00	\$ 283.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
68	Heating, Ventilation & Air Conditioning	\$ 283.00	\$ 283.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
69	Drain Repair	\$ 283.00	\$ 283.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
70	Sprinkler and Fire Protection Installer	\$ 283.00	\$ 283.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
71	Tree Cutting Services	\$ 270.00	\$ 270.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Trade Licence Masters						
72	Building Repair	\$ 167.00	\$ 167.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
73	Plumbing	\$ 167.00	\$ 167.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
74	Heating, Ventilation & Air Conditioning	\$ 167.00	\$ 167.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
75	Drain Repair	\$ 167.00	\$ 167.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
76	Sprinkler and Fire Protection Installer	\$ 167.00	\$ 167.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Other Fees						
77	Daily fee for spare taxicabs	\$ 27.43	\$ 27.43	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
78	Taxi cab (limited interest agreement)	\$ 83.00	\$ 83.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
79	Taxi cab Priority list	\$ 101.77	\$ 101.77	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
80	Taxi cab accessible priority list	\$ 53.10	\$ 53.10	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
81	Annual spare taxicab inspection fee	\$ 177.88	\$ 177.88	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
82	Exam/Processing Fee	\$ 55.75	\$ 55.75	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
83	Administration fee - applications / amendments	\$ 68.14	\$ 68.14	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Licensing & By-law Services - Licensing

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
84	Licence re-instatement fee (late fee)	\$ 289.38	\$ 289.38	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
85	Photo ID Card	\$ 18.58	\$ 18.58	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
86	Licence certificate replacement	\$ 18.58	\$ 18.58	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
87	Licence plate replacement	\$ 78.76	\$ 78.76	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
88	Appeal to Hamilton Licensing Tribunal	\$ 154.87	\$ 154.87	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
89	Municipal consent for new liquor licence applications and extensions	\$ 188.50	\$ 188.50	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
90	Corporate Profile Report, Deed & Abstract Reports	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fees set at 100% cost recovery
91	Failure to fulfil conditions imposed by the Issuer of Licenses or the Licensing Tribunal	\$ 107.08	\$ 107.08	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
92	Special Occasions Permit - Administration Fee	\$ 81.42	\$ 81.42	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
93	Application for Temporary Occupancy	\$ 772.57	\$ 772.57	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
Personal Transportation Provided						
94	Annual Licence Fee	\$ 5,000.00	\$ 5,000.00	N	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
95	Per Trip Fee (Transaction fee per class A-C)	\$ 0.30	\$ 0.30	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: General: Planning Act Fees

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	<p>Cost Recovery on City-supported applications appealed to the Ontario Municipal Board</p> <p>Where an application approved by Council of the City of Hamilton is appealed to the Ontario Municipal Board, the applicant/respondent shall pay any and all costs incurred by the City to support the applicant/respondent at a hearing, including but not limited to the legal costs for in-house or retained counsel, the costs for City staff (not including Planning & Economic Development staff) and the costs of consultants and witnesses. Accordingly, applicants shall submit a completed Cost Acknowledgment Agreement, in a form as prescribed by the General Manager of Planning & Economic Development, together with their application.</p>	Full cost Recovery	Full cost Recovery	N	N/A	Fee set at 100% cost recovery

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Parking & School Crossing - Hamilton Municipal Parking System

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	On-Street Parking Permits	\$ 90.26	\$ 92.04	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
2	Status of Agreement Inquiries (Front Yard Parking)	\$ 59.29	\$ 60.18	Y	1.5%	Guideline increase, rounded to the nearest dollar after HST applied
3	Free Floating Car Share Permits	n/a	\$ 270.78	Y	N/A	New Fee in 2021: Approved in report PED20025.
Residential Boulevard Parking (Front Yard Parking)						
4	Teranet Registration	\$ 92.08	\$ 94.00	N	2.1%	Fee Set by the province
5	Processing Fee	\$ 273.45	\$ 278.76	Y	1.9%	Guideline increase, rounded to the nearest dollar after HST applied
6	Annual Admin Fee	\$ 10.30	\$ 10.62	Y	3.1%	Guideline increase, rounded to the nearest dollar after HST applied
7	Encroachment Insurance	\$ 10.30	\$ 10.62	Y	3.1%	Guideline increase, rounded to the nearest dollar after HST applied
Commercial Boulevard Parking						
8	Registration	\$ 50.00	\$ 51.00	N	2.0%	Fee Set by the province
9	Processing Fee	\$ 342.47	\$ 349.56	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
10	Encroachment Insurance	\$ 10.30	\$ 10.62	Y	3.1%	Guideline increase, rounded to the nearest dollar after HST applied
11	Fee/space (first two spaces)	\$ 103.54	\$ 105.31	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
12	Fee/space (remaining spaces)	\$ 52.21	\$ 53.10	Y	1.7%	Guideline increase, rounded to the nearest dollar after HST applied
13	Access Permit Application	\$ 137.00	\$ 140.00	N	2.2%	Phase in cost recovery over 4 years (2018 as Year 1)
14	On street patio application fee	\$ 650.00	\$ 662.83	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
Occupation of Public/Metered Parking Spaces (pre payment required)						
15	Single Space Per Day	\$ 22.00	\$ 23.01	Y	4.6%	Guideline increase, rounded up to the nearest dollar after HST applied
16	Each Additional Day Up To 6 Consecutive Days Per Space	\$ 11.00	\$ 11.50	Y	4.6%	Guideline increase, rounded to the nearest dollar after HST applied
17	Weekly Consecutive Rate Per Space	\$ 80.00	\$ 81.42	Y	1.8%	Guideline increase, rounded to the nearest dollar after HST applied
18	Monthly Consecutive Rate Per Space	\$ 226.00	\$ 230.09	Y	1.8%	Guideline increase, rounded to the nearest dollar after HST applied
19	Administration Fee on Temporary Parking Permits	N/A	15% of the permit fee	Y	N/A	New Harmonized Fee for 2021
20	Inspection Fee for the Review of Business Licences	\$ 32.74	\$ 33.63	Y	2.7%	Guideline increase, rounded to the nearest dollar after HST applied
Administrative Penalty System (APS)**						
21	MTO Search	\$ 12.39	\$ 13.27	Y	7.1%	Guideline increase, rounded to the nearest dollar after HST applied
22	Late Payment	\$ 25.66	\$ 26.55	Y	3.5%	Guideline increase, rounded to the nearest dollar after HST applied
23	Fail to Attend Hearing	\$ 100.00	\$ 104.42	Y	4.4%	Aligns with fee for Fail to attend with APS process under LBS and Parking
24	Plate Denial	\$ 3.53	\$ 4.42	Y	25.2%	Guideline increase, rounded up to the nearest dollar after HST applied. Note 2020 fees, \$20 of this fee is not collected by CoH. Net fee for City was 4.00 after hst. 2021 proposed is \$5 after hst
25	Mail Issuance (New)	\$ 11.50	\$ 12.38	Y	7.7%	Guideline increase, rounded to the nearest dollar after HST applied

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - Dog Licences

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Dog Licences - Standard Rate						
1	- spayed/neutered or under 6 months of age	\$ 34.00	\$ 34.00	N	0.0%	Recommend no increase - want to encourage compliance with by-law by keeping valid licence and tag on dog to ensure it can be traced/returned home vs. coming into shelter and increasing shelter costs - also due to COVID financial hardship
2	- over six months not spayed/neutered	\$ 72.00	\$ 72.00	N	0.0%	Recommend no increase - want to encourage compliance with by-law by keeping valid licence and tag on dog to ensure it can be traced/returned home vs. coming into shelter and increasing shelter costs - also due to COVID financial hardship
Dog Licences - Senior / Disability Rate						
3	- spayed/neutered or under 6 months of age	\$ 16.00	\$ 16.00	N	0.0%	Recommend no increase - want to encourage compliance with by-law by keeping valid licence and tag on dog to ensure it can be traced/returned home vs. coming into shelter and increasing shelter costs - also due to COVID financial hardship
4	- over six months not spayed/neutered	\$ 39.00	\$ 39.00	N	0.0%	Recommend no increase - want to encourage compliance with by-law by keeping valid licence and tag on dog to ensure it can be traced/returned home vs. coming into shelter and increasing shelter costs - also due to COVID financial hardship
5	Dog Licences - Dangerous or Potentially Dangerous Dog	\$ 336.00	\$ 343.00	N	2.1%	Guideline increase, rounded to nearest dollar
6	Replacement Tag Fee	\$ 4.42	\$ 4.42	Y	0.0%	Recommend no increase - want to encourage compliance with by-law by keeping valid licence and tag on dog to ensure it can be traced/returned home vs. coming into shelter and increasing shelter costs - also due to COVID financial hardship
7	Late Payment Fee	\$ 17.70	\$ 17.70	Y	0.0%	Recommend no increase - want to encourage compliance with by-law by keeping valid licence and tag on dog to ensure it can be traced/returned home vs. coming into shelter and increasing shelter costs - also due to COVID financial hardship
8	Flat Rate Licence (grandfathered fee)	\$ 121.00	\$ 123.00	N	1.7%	Guideline increase, rounded to the nearest dollar
9	Valid Licence in another Municipality where the owner has moved to the City of Hamilton within 30 days	\$ 14.00	\$ 15.00	N	7.1%	Guideline increase, rounded up to the nearest dollar
Leash Free Fee of \$1.00 is included/charged for every licence sold.						

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Tourism

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Tourism-Oriented Directional Signs (TODS) - 2' x 8'	\$ 168.30	\$ 171.68	Y	2.0%	Fees set by the province
2	Tourism-Oriented Directional Signs (TODS) - 1.5' x 6'	\$ 132.60	\$ 135.40	Y	2.1%	Fees set by the province
3	Tourism-Oriented Directional Signs (TODS) - 1' x 4'	\$ 66.30	\$ 67.26	Y	1.4%	Fees set by the province
4	Tourism-Oriented Directional Signs (TODS) - 1' x 5'	\$ 76.50	\$ 77.88	Y	1.8%	Fees set by the province
LOGO Program - LINC & Redhill Parkway Road Signage Fees:						
5	- Mainlines/Ramps	\$ 2,500.00	\$ 2,550.44	Y	2.0%	Fees set by the province
6	- Trailblazing	\$ 200.00	\$ 204.42	Y	2.2%	Fees set by the province
Visitors Centre Room Rental Rates (Social and Corporate)						
Discounts are made available to not-for-profit and community-based organizations. Minimum hourly rates are recorded. Hourly rates will fluctuate based on cost recovery and net profit margin.						
7	Tourism Visitor Centre - daytime hourly rate	\$ 38.05	\$ 38.94	Y	2.3%	Guideline increase, rounded to the nearest dollar after HST applied
8	Premium for rentals involving alcohol consumption	\$ 517.70	\$ 528.32	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
9	Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	Various	Various	Y	N/A	Set at Fair Market Value and to match similar fee for "Museum Special Events"

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
MUSEUM GENERAL ADMISSION FEES:						
Last increase in general admission was 2014 based on market analysis of competitors. New rates reflect current (2018) market analysis						
Children's Museum - Adult: 18 to 59, Senior: 60+, Student/Youth: 13 to 17 or with valid student ID, Child: 1 to 12, Infant: under 1, Family: Two Adults and dependant children						
All Other Sites - Adult: 18 to 59, Senior: 60+, Student/Youth: 13 to 17 or with valid student ID, Child: 6 to 12, Infant: 5 & under, Family: Two Adults and dependant children						
1	Dundurn Castle - Adult	\$ 12.39	\$ 12.39	Y	0.0%	Fair Market Value. More than10% increase in 2020.
2	Dundurn Castle - Senior	\$ 10.62	\$ 10.62	Y	0.0%	Fair Market Value. More than10% increase in 2020.
3	Dundurn Castle - Student/Youth	\$ 10.62	\$ 10.62	Y	0.0%	Fair Market Value. More than10% increase in 2020.
4	Dundurn Castle - Child	\$ 7.08	\$ 7.08	Y	0.0%	Fair Market Value. More than10% increase in 2020.
5	Dundurn Castle - Infant	Free	Free		n/a	
6	Dundurn Castle - Family	\$ 32.74	\$ 33.63	Y	2.7%	Wiggle room in Family rate formula enabled increase.
7	Hamilton Military Museum - Adult	\$ 4.42	\$ 4.42	Y	0.0%	Fair Market Value. More than10% increase in 2020.
8	Hamilton Military Museum - Senior	\$ 3.98	\$ 3.98	Y	0.0%	Fair Market Value. More than10% increase in 2020.
9	Hamilton Military Museum - Student/Youth	\$ 3.98	\$ 3.98	Y	0.0%	Fair Market Value. More than10% increase in 2020.
10	Hamilton Military Museum - Child	\$ 3.54	\$ 3.54	Y	0.0%	Fair Market Value. More than10% increase in 2020.
11	Hamilton Military Museum - Infant	Free	Free		n/a	
12	Hamilton Military Museum - Family	\$ 13.27	\$ 13.27	Y	0.0%	Fair Market Value. More than10% increase in 2020.
13	Whitehern Historic House & Garden - Adult	\$ 7.52	\$ 7.52	Y	0.0%	Fair Market Value. More than10% increase in 2020.
14	Whitehern Historic House & Garden - Senior	\$ 6.64	\$ 6.64	Y	0.0%	Fair Market Value. More than10% increase in 2020.
15	Whitehern Historic House & Garden - Student/Youth	\$ 6.64	\$ 6.64	Y	0.0%	Fair Market Value. More than10% increase in 2020.
16	Whitehern Historic House & Garden - Child	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than10% increase in 2020.
17	Whitehern Historic House & Garden - Infant	Free	Free		n/a	
18	Whitehern Historic House & Garden - Family	\$ 22.12	\$ 22.12	Y	0.0%	Fair Market Value. More than10% increase in 2020.
19	Battlefield House Museum & Park - Adult	\$ 7.52	\$ 7.52	Y	0.0%	Fair Market Value. More than10% increase in 2020.
20	Battlefield House Museum & Park - Senior	\$ 6.64	\$ 6.64	Y	0.0%	Fair Market Value. More than10% increase in 2020.
21	Battlefield House Museum & Park - Student/Youth	\$ 6.64	\$ 6.64	Y	0.0%	Fair Market Value. More than10% increase in 2020.
22	Battlefield House Museum & Park - Child	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than10% increase in 2020.
23	Battlefield House Museum & Park - Infant	Free	Free		n/a	
24	Battlefield House Museum & Park - Family	\$ 22.12	\$ 22.12	Y	0.0%	Fair Market Value. More than10% increase in 2020.
25	Hamilton Museum of Steam & Technology - Adult	\$ 7.52	\$ 7.52	Y	0.0%	Fair Market Value. More than10% increase in 2020.
26	Hamilton Museum of Steam & Technology - Senior	\$ 6.64	\$ 6.64	Y	0.0%	Fair Market Value. More than10% increase in 2020.
27	Hamilton Museum of Steam & Technology - Student/Youth	\$ 6.64	\$ 6.64	Y	0.0%	Fair Market Value. More than10% increase in 2020.
28	Hamilton Museum of Steam & Technology - Child	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than10% increase in 2020.
29	Hamilton Museum of Steam & Technology - Infant	Free	Free		n/a	
30	Hamilton Museum of Steam & Technology - Family	\$ 22.12	\$ 22.12	Y	0.0%	Fair Market Value. More than10% increase in 2020.
31	Hamilton Children's Museum - Adult	\$ 2.65	\$ 2.65	Y	0.0%	Fair Market Value. More than10% increase in 2020.
32	Hamilton Children's Museum - Senior	\$ 2.65	\$ 2.65	Y	0.0%	Fair Market Value. More than10% increase in 2020.
33	Hamilton Children's Museum - Student/Youth	\$ 2.65	\$ 2.65	Y	0.0%	Fair Market Value. More than10% increase in 2020.
34	Hamilton Children's Museum - Child	\$ 3.98	\$ 3.98	Y	0.0%	Fair Market Value. More than10% increase in 2020.
35	Hamilton Children's Museum - Infant	Free	Free		n/a	
36	Hamilton Children's Museum - Family	\$ 10.62	\$ 10.62	Y	0.0%	Fair Market Value. More than10% increase in 2020.
37	Fieldcote Memorial Park & Museum - Adult	\$ 3.98	\$ 3.98	Y	0.0%	Fair Market Value. More than10% increase in 2020.
38	Fieldcote Memorial Park & Museum - Senior	\$ 3.54	\$ 3.54	Y	0.0%	Fair Market Value. More than10% increase in 2020.
39	Fieldcote Memorial Park & Museum - Student/Youth	\$ 3.54	\$ 3.54	Y	0.0%	Fair Market Value. More than10% increase in 2020.
40	Fieldcote Memorial Park & Museum - Child	\$ 2.88	\$ 2.88	Y	0.0%	Fair Market Value. More than10% increase in 2020.
41	Fieldcote Memorial Park & Museum - Infant	Free	Free		n/a	
42	Fieldcote Memorial Park & Museum - Family	\$ 11.95	\$ 11.95	Y	0.0%	Fair Market Value. More than10% increase in 2020.
43	Griffin House - Adult	Free		Y	N/A	
44	Griffin House - Senior	Free		Y	N/A	
45	Griffin House - Student/Youth	Free		Y	N/A	

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
46	Griffin House - Child	Free		Y	N/A	
47	Griffin House - Infant	Free		Y	N/A	
MUSEUM SPECIAL EVENTS Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.						
48	Dundurn Castle Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	Y	N/A	
	Hamilton Military Museum					
	Whitehern Historic House & Garden					
	Battlefield House Museum & Park					
	Hamilton Museum of Steam & Technology					
	Hamilton Children's Museum					
	Fieldcote Memorial Park & Museum					
MUSEUM GROUP RATES General tour rates for Tour Operators, Group Leaders, Community Groups. Expenses incurred for specific programming may increase rate accordingly.						
49	Dundurn Castle - Adult	\$ 8.41	\$ 8.41	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
50	Dundurn Castle - Senior	\$ 8.41	\$ 8.41	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
51	Dundurn Castle - Youth	\$ 8.41	\$ 8.41	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
52	Dundurn Castle - Child	\$ 5.75	\$ 5.75	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
53	Dundurn Castle and Hamilton Military Museum - Adult	\$ 11.50	\$ 11.50	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
54	Dundurn Castle and Hamilton Military Museum - Senior	\$ 9.73	\$ 9.73	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
55	Dundurn Castle and Hamilton Military Museum - Youth	\$ 9.73	\$ 9.73	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
56	Dundurn Castle and Hamilton Military Museum - Child	\$ 6.19	\$ 6.19	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
57	Hamilton Military Museum - Adult	\$ 3.10	\$ 3.10	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
58	Hamilton Military Museum - Senior	\$ 3.10	\$ 3.10	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
59	Hamilton Military Museum - Youth	\$ 3.10	\$ 3.10	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
60	Hamilton Military Museum - Child	\$ 2.88	\$ 2.88	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
61	Dundurn National Historic Site: Guided tour of Grounds/Garden - Adult/Senior/Student	\$ 3.54	\$ 3.54	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
62	Dundurn National Historic Site: Guided tour of Grounds/Garden - Child	\$ 3.10	\$ 3.10	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
63	Whitehern Historic House & Garden - Adult	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
64	Whitehern Historic House & Garden - Senior	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
65	Whitehern Historic House & Garden - Youth	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
66	Whitehern Historic House & Garden - Child	\$ 4.20	\$ 4.20	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
67	Battlefield House Museum & Park - Adult	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
68	Battlefield House Museum & Park - Senior	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
69	Battlefield House Museum & Park - Youth	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
70	Battlefield House Museum & Park - Child	\$ 4.20	\$ 4.20	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
71	Hamilton Museum of Steam & Technology - Adult	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
72	Hamilton Museum of Steam & Technology - Senior	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
73	Hamilton Museum of Steam & Technology - Youth	\$ 5.31	\$ 5.31	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
74	Hamilton Museum of Steam & Technology - Child	\$ 4.20	\$ 4.20	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
75	Hamilton Children's Museum - Child	\$ 3.54	\$ 3.54	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
76	Fieldcote Memorial Park & Museum - Adult	\$ 2.88	\$ 2.88	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
77	Fieldcote Memorial Park & Museum - Senior	\$ 2.88	\$ 2.88	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
78	Fieldcote Memorial Park & Museum - Youth	\$ 2.88	\$ 2.88	Y	0.0%	Fair Market Value. More than 10% increase in 2020.
79	Fieldcote Memorial Park & Museum - Child	\$ 2.43	\$ 2.43	Y	0.0%	Fair Market Value. More than 10% increase in 2020.

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
MUSEUM STUDENT AND YOUTH GROUP RATES						
Educational Program Rates - minimum rate of \$3.50 per student applies to programs 1 hour in length. Programs over 1 hour in length may include discount to hourly rate. Expenses incurred for specific programming may increase rate accordingly.						
Outreach Rates - Minimum flat rate.						
80	Dundurn Castle - Elementary School per hour/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
81	Dundurn Castle - High School per hour/student	\$ 3.32	\$ 3.32	Y	0.0%	Program delivery under review due to COVID.
82	Dundurn Castle - Tour Only	\$ 5.75	\$ 5.75	Y	0.0%	Program delivery under review due to COVID.
83	Hamilton Military Museum - Elementary School per hr/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
84	Hamilton Military Museum - High School per hr/student	\$ 3.32	\$ 3.32	Y	0.0%	Program delivery under review due to COVID.
85	Hamilton Military Museum - Tour Only	\$ 2.88	\$ 2.88	Y	0.0%	Program delivery under review due to COVID.
86	Evening Tour After 5:00 pm (Dundurn and Military)	\$ 309.73	\$ 309.73	Y	0.0%	Program delivery under review due to COVID.
87	Evening Tour After 5:00 pm Additional Staff (Dundurn and Military)	\$ 150.44	\$ 150.44	Y	0.0%	Program delivery under review due to COVID.
88	Whitehern Historic House & Garden - Elementary School per hr/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
89	Whitehern Historic House & Garden - High School per hr/student	\$ 3.32	\$ 3.32	Y	0.0%	Program delivery under review due to COVID.
90	Whitehern Historic House & Garden - Tour Only	\$ 4.65	\$ 4.65	Y	0.0%	Program delivery under review due to COVID.
91	Battlefield House Museum & Park - Elementary School per hr/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
92	Battlefield House Museum & Park - High School per hr/student	\$ 3.32	\$ 3.32	Y	0.0%	Program delivery under review due to COVID.
93	Battlefield House Museum & Park - Tour Only	\$ 4.65	\$ 4.65	Y	0.0%	Program delivery under review due to COVID.
94	Hamilton Museum of Steam & Technology - Elementary School per hr/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
95	Hamilton Museum of Steam & Technology - High School per hr/student	\$ 3.32	\$ 3.32	Y	0.0%	Program delivery under review due to COVID.
96	Hamilton Museum of Steam & Technology - Tour Only	\$ 4.65	\$ 4.65	Y	0.0%	Program delivery under review due to COVID.
97	Hamilton Children's Museum - Elementary School per hr/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
98	Fieldcote Memorial Park & Museum - Elementary School per hr/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
99	Fieldcote Memorial Park & Museum - High School per hr/student	\$ 3.32	\$ 3.32	Y	0.0%	Program delivery under review due to COVID.
100	Griffin House - Elementary School per hr/student	\$ 3.75	\$ 3.75	N	0.0%	Program delivery under review due to COVID.
101	Griffin House - High School per hr/student	\$ 3.32	\$ 3.32	Y	0.0%	Program delivery under review due to COVID.
102	Hamilton Civic Museum Outreach Lecture	\$ 154.87	\$ 154.87	Y	0.0%	Program delivery under review due to COVID.
103	Hamilton Civic Museum Outreach Program- Elementary Flat rate	\$ 175.00	\$ 175.00	N	0.0%	Program delivery under review due to COVID.
104	Hamilton Civic Museum Outreach Program	\$ 154.87	\$ 154.87	Y	0.0%	Program delivery under review due to COVID.
MUSEUM MEMBERSHIPS (annual)						
105	Hamilton Museum of Steam & Technology - Organizational per person	\$ 13.27	\$ 13.27	Y	0.0%	Fair Market Value.
106	Fieldcote Memorial Park & Museum - Individual	\$ 21.24	\$ 21.24	Y	0.0%	Fair Market Value.
107	Fieldcote Memorial Park & Museum - Family	\$ 30.97	\$ 30.97	Y	0.0%	Fair Market Value.
MUSEUM CHILD BIRTHDAY PARTIES						
Package rate will fluctuate according to client needs (i.e. program, craft, food, etc.) Minimum hourly rates are recorded. Hourly rates will fluctuate based on cost recovery and net profit margin.						
108	Dundurn Castle - Package per person	\$ 16.37	\$ 17.70	Y	8.1%	Fair market value.
109	Whitehern Historic House & Garden - Package per person	\$ 16.37	\$ 17.70	Y	8.1%	Fair market value.
110	Battlefield House Museum & Park - Package per person	\$ 16.37	\$ 17.70	Y	8.1%	Fair market value.
111	Hamilton Museum of Steam & Technology - Package per person	\$ 16.37	\$ 17.70	Y	8.1%	Fair market value.
112	Fieldcote Memorial Park & Museum - Package per person	\$ 16.37	\$ 17.70	Y	8.1%	Fair market value.
MUSEUM RENTAL RATES (Social and Corporate)						
Discounts are made available to not-for-profit and community-based organizations. Minimum hourly rates are recorded. Hourly rates will fluctuate based on cost recovery and net profit margin.						
113	Ancaster Old Town Hall	\$ 44.25	\$ 48.67	Y	10.0%	Fair market value.
114	The Coach House at Dundurn - hourly rate	\$ 44.25	\$ 48.67	Y	10.0%	Fair market value.
115	Dundurn Pavilion (Outdoor)	\$ 132.74	\$ 141.59	Y	6.7%	Fair market value.
116	The Stable at Whitehern - hourly rate	\$ 44.25	\$ 48.67	Y	10.0%	Fair market value.
117	The Woodshed at HMST - hourly rate	\$ 44.25	\$ 48.67	Y	10.0%	Fair market value.
118	The Woodshed Pavilion with access to Kitchenette - 2021		\$ 141.59			New Rate.
119	"The Party Room" at Children's Museum - hourly rate	\$ 48.67	\$ 53.10	Y	9.1%	Fair market value.

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Tourism & Culture - Culture

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
120	Private Rental Hamilton Children's Museum - hourly rate	\$ 137.17	\$ 146.02	Y	6.5%	Fair market value.
121	Fieldcote Memorial Park & Museum Meeting Room - hourly rate	\$ 44.25	\$ 48.67	Y	10.0%	Fair market value.
122	Battlefield Pavilion	\$ 97.35	\$ 101.77	Y	4.5%	Fair market value.
123	Battlefield Pavilion (with use of kitchenette)	\$ 132.74	\$ 135.40	Y	2.0%	Fair market value.
124	Grandview at Battlefield Park - hourly rate	\$ 44.25	\$ 48.67	Y	10.0%	Fair market value.
125	Premium for rentals involving alcohol consumption	\$ 500.02	\$ -	Y	-100.0%	Increasing Evening rental rates and introducing increased 'Wedding Reception' rates to offset the elimination of this former surcharge.
MUSEUM RENTAL RATES - USE OF GROUNDS						
Discounts are made available to not-for-profit and community-based organizations.						
126	Dundurn Castle - Outdoor or Cockpit	\$ 553.09	\$ 575.22	Y	4.0%	Fair market value.
127	Whitehern Historic House & Garden - Outdoor	\$ 354.00	\$ 376.11	Y	6.2%	Fair market value.
128	Battlefield House Museum & Park - Outdoor	\$ 354.00	\$ 376.11	Y	6.2%	Fair market value.
129	Hamilton Museum of Steam & Technology - Outdoor	\$ 354.00	\$ 376.11	Y	6.2%	Fair market value.
130	Fieldcote Memorial Park & Museum - Outdoor	\$ 553.09	\$ 575.22	Y	4.0%	Fair market value.
131	Fieldcote Memorial Park and Museum - 1/2 day rate	\$ 353.98	\$ 376.11	Y	6.3%	Fair market value.
132	Evening Grounds Use After 5:00pm (All sites)	\$ 619.47	\$ 641.59	Y	3.6%	Fair market value.
133	Dundurn parking lot- minimum rate	\$ 243.36	\$ 252.21	Y	3.6%	Fair market value.
COMMERCIAL PHOTOGRAPHY - USE OF GROUNDS						
134	Ancaster Old Town Hall	\$ 168.14	\$ 176.99	Y	5.3%	Fair market value.
135	Dundurn National Historic Site	\$ 168.14	\$ 176.99	Y	5.3%	Fair market value.
136	Whitehern Historic House & Garden	\$ 168.14	\$ 176.99	Y	5.3%	Fair market value.
137	Battlefield House Museum & Park	\$ 168.14	\$ 176.99	Y	5.3%	Fair market value.
138	Hamilton Museum of Steam & Technology	\$ 168.14	\$ 176.99	Y	5.3%	Fair market value.
139	Fieldcote Memorial Park & Museum	\$ 168.14	\$ 176.99	Y	5.3%	Fair market value.
COMMERCIAL FILM RATES						
140	Site Supervisor - hourly rate [change to] Museum Staffing 8am - 6pm, per person, per hour	\$ 110.62	\$ 66.37	Y	-40.0%	Harmonized with Film Office and to result in an even number with HST
141	Additional monitoring - staff hourly rate [change to] Museum Staffing 6pm - 8am, per person, per hour	\$ 110.62	\$ 88.50	Y	-20.0%	Harmonized with Film Office and to result in an even number with HST
142	Hourly rate, in addition to staff hourly rate (above), for outside business hours or after eight (8) hours	\$ 53.10	\$ -	Y	-100.0%	
143	Hourly rate for Site Supervision; midnight - 8am, Saturdays, Sundays & all Stat Holidays	\$ 163.72	\$ -	Y	-100.0%	
144	Filming rate per exterior location per day (including setup, shooting and take down days). Note: there may be multiple locations per premises	\$ 707.98	\$ -	Y	-100.0%	
145	Filming rate per interior location per day (including setup, shooting and take down days). Note: there may be multiple locations per premises. Note: interior filming is not permitted in National Historic Sites (NHS). Other restrictions in other non-NHS or non-heritage spaces will apply	\$ 1,769.96	\$ -	Y	-100.0%	
146	Use of part or all of parking lot for film per day	\$ 1,327.43	\$ -	Y	-100.0%	
147	Research or Curatorial fee per day	\$ 530.97	\$ -	Y	-100.0%	
148	Retaining set-up on non-filming days	\$ 88.50	\$ -	Y	-100.0%	
149	Hamilton Film Office Administration Fees		\$ -			
150	All Student Productions will be exempt from any permit fees		\$ -			
151	For Profit Productions - Administration Fee	\$ 56.64	\$ 56.64	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
152	Non-Profit Productions - Administration Fee	\$ 28.32	\$ 28.32	Y	0.0%	Fee frozen at 2020 level for 2021 per Motion 8.1 c) at the December 9, 2020 GIC Meeting
153	Surcharge on City services and/or location	Fees as Negotiated	\$ -	Y	N/A	

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development

Division: Licensing & By-law Services - Administrative Penalty System (APS)

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Late Payment (after 15 days)	\$ 52.22	\$ 53.10	Y	1.7%	Guideline increase, rounded to nearest dollar after HST applied.
2	Fail to Attend Hearing	\$ 102.66	\$ 104.42	Y	1.7%	Guideline increase, rounded to nearest dollar after HST applied.
3	Final notice of non-payment	\$ 52.22	\$ 53.10	Y	1.7%	Guideline increase, rounded to nearest dollar after HST applied.

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Economic Development - Urban Renewal

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Loan/Incentive Programs						
1	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants less than \$5,000	\$ 90.00	\$ 92.92	Y	3.2%	Guideline increase, rounded to the nearest five dollars after HST applied
2	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants greater than \$5,000 and less than \$12,500	\$ 240.00	\$ 243.36	Y	1.4%	Guideline increase, rounded to the nearest five dollars after HST applied
3	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants greater than \$12,500	\$ 375.00	\$ 380.53	Y	1.5%	Guideline increase, rounded to the nearest five dollars after HST applied
Hamilton Tax Increment Grant Program						
4	Basic Fee - Developer only (only for Grants less than or equal to \$12,500)	\$ 240.00	\$ 243.36	Y	1.4%	Guideline increase, rounded to the nearest five dollars after HST applied
5	Basic Fee - Developer only (only for Grants greater than \$12,500)	\$ 825.00	\$ 840.71	Y	1.9%	Guideline increase, rounded to the nearest five dollars after HST applied
6	Additional Fee - Developer Transfer to New Condo Owner	\$ 440.00	\$ 446.90	Y	1.6%	Guideline increase, rounded to the nearest five dollars after HST applied
Hamilton Downtown, Barton/Kenilworth Multi-Residential Property Investment Program						
7	a) Initial Application	\$ 310.00	\$ 314.16	Y	1.3%	Guideline increase, rounded to the nearest five dollars after HST applied
	b) Fee is based on a Graduated Scale basis as follows:					
8	50 units or less - per unit	\$ 515.00	\$ 526.55	Y	2.2%	Guideline increase, rounded to the nearest five dollars after HST applied
9	50-100 units - per unit	\$ 410.00	\$ 420.35	Y	2.5%	Guideline increase, rounded to the nearest five dollars after HST applied
10	100 units plus - per unit	\$ 310.00	\$ 314.16	Y	1.3%	Guideline increase, rounded to the nearest five dollars after HST applied
11	Commercial Corridor Housing Loan & Grant Program - per unit	\$ 270.00	\$ 274.34	Y	1.6%	Guideline increase, rounded to the nearest five dollars after HST applied
12	Commercial Corridor Housing Loan and Grant Application Fee (At final application stage)	\$ 310.00	\$ 314.16	Y	1.3%	Guideline increase, rounded to the nearest five dollars after HST applied
13	Hamilton Heritage Property Grant Program less than or equal to \$12,500	\$ 240.00	\$ 243.36	Y	1.4%	Guideline increase, rounded to the nearest five dollars after HST applied
14	Hamilton Heritage Property Grant Program greater than \$12,500	\$ 370.00	\$ 376.11	Y	1.7%	Guideline increase, rounded to the nearest five dollars after HST applied
15	Hamilton Downtown/West Harbourfront Remediation Loan Pilot Program	\$ 310.00	\$ 314.16	Y	1.3%	Guideline increase, rounded to the nearest five dollars after HST applied
16	Office Tenancy Assistance Program	\$ 505.00	\$ 513.27	Y	1.6%	Guideline increase, rounded to the nearest five dollars after HST applied
17	Commercial Property Improvement Grant Program for grants less than \$5,000	\$ 90.00	\$ 92.92	Y	3.2%	Guideline increase, rounded to the nearest five dollars after HST applied
18	Commercial Property Improvement Grant Program for grants greater than \$5,000	\$ 240.00	\$ 243.36	Y	1.4%	Guideline increase, rounded to the nearest five dollars after HST applied
Hamilton Community Heritage Fund Loan Program - administration fees						
19	a) Designated Commercial, Industrial or like properties (fee is based on percentage of loan amount)	2.06% of loan amount	2.10% of loan amount	Y	1.9%	Guideline increase, rounded to the nearest ten
20	b) Other properties	\$ 295.00	\$ 300.88	Y	2.0%	Guideline increase, rounded to the nearest five dollars after HST applied
21	ERASE Grant Study	\$ 230.00	\$ 234.51	Y	2.0%	Guideline increase, rounded to the nearest five dollars after HST applied
22	ERASE Redevelopment Grant	\$ 800.00	\$ 840.71	Y	5.1%	Increase to be consistent with fee on other Tax Grants, rounded to the nearest five dollars after HST applied
23	LEED Grant Program	\$ 800.00	\$ 840.71	Y	5.1%	Increase to be consistent with fee on other Tax Grants, rounded to the nearest five dollars after HST applied
24	LEED Grant Program Administration Fees (Fee Per Unit)		\$ 393.81			New to the schedule
25	Hamilton Heritage Conservations Grant Program Application Fee	\$ 90.00	\$ 92.92	Y	3.2%	Guideline increase, rounded to the nearest five dollars after HST applied
26	Barton/Kenilworth Commercial Corridor Building Improvement Grant Program Admin Fee for Grants less than or equal to \$12,500	\$ 240.00	\$ 243.36	Y	1.4%	Guideline increase, rounded to the nearest five dollars after HST applied
27	Barton/Kenilworth Commercial Corridor Building Improvement Grant Program Admin Fee for Grants greater than \$12,500	\$ 375.00	\$ 380.53	Y	1.5%	Guideline increase, rounded to the nearest five dollars after HST applied
28	Barton/Kenilworth Tax Increment Grant Program Admin Fee for Grants less than or equal to \$12,500	\$ 240.00	\$ 243.36	Y	1.4%	Guideline increase, rounded to the nearest five dollars after HST applied
29	Barton/Kenilworth Tax Increment Grant Program Admin Fee for Grants greater than \$12,500	\$ 825.00	\$ 840.71	Y	1.9%	Guideline increase, rounded to the nearest five dollars after HST applied
30	Barton/Kenilworth Tax Increment Grant Program - Additional Fee - Developer Transfer to New Condo Owner	\$ 425.00	\$ 433.63	Y	2.0%	Guideline increase, rounded to the nearest five dollars after HST applied
31	Barton/Kenilworth Planning and Building Fee Rebate	\$ 90.00	\$ 92.92	Y	3.2%	Guideline increase, rounded to the nearest five dollars after HST applied

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development
Division: Building Services - General Fees

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Zoning Verification & Work Order Reports (Single & Two Family Dwellings, Townhouses) - Regular	\$ 121.00	\$ 124.00	N	2.5%	Guideline increase, rounded to the nearest dollar
2	Zoning Verification & Work Order Reports (Single & Two Family Dwellings, Townhouses) - Express	\$ 185.00	\$ 189.00	N	2.2%	Guideline increase, rounded to the nearest dollar
3	Zoning Verification & Work Order Reports (Non-Residential / Multi-Residential) - Regular	\$ 249.00	\$ 254.00	N	2.0%	Guideline increase, rounded to the nearest dollar
4	Zoning Verification & Work Order Reports (Non-Residential / Multi-Residential) - Express	\$ 376.00	\$ 384.00	N	2.1%	Guideline increase, rounded to the nearest dollar
5	Sewage System and Sewage Comments	\$ 253.00	\$ 259.00	N	2.4%	Guideline increase, rounded to the nearest dollar
6	Site Plan Security Reduction Fee	\$ 330.00	\$ 336.00	Y	1.8%	Increase in relation to Growth Management fee increase, rounded to the nearest dollar after HST applied
7	Zoning Compliance Letter - liquor license	\$ 188.00	\$ 192.00	N	2.1%	Guideline increase, rounded to the nearest dollar
Photocopy service						
8	Computer Printouts per page	\$ 0.35	\$ 0.36	Y	2.9%	Guideline increase, rounded to the nearest nickel after HST applied
9	Microfilm Copies (for up to 20 copies)	\$ 26.55	\$ 27.10	Y	2.1%	Guideline increase, rounded to the nearest nickel after HST applied
10	Microfilm Copies (each additional copy)	\$ 1.15	\$ 1.20	Y	4.3%	Guideline increase, rounded to the nearest nickel after HST applied
Routine Disclosure of Building Division Records (new)						
11	Routine Disclosure Application Fee (includes the first 15 minutes of file search time and up to 10 photocopies)	\$ -	\$ 25.00	Y	NEW	New fee
12	For each additional 15 minutes of file search time above the first 15 minutes	\$ -	\$ 19.85	Y	NEW	New fee
Records searches						
13	Including manual searches and preparation of information - for each 15 minutes	\$ 19.47	\$ 19.85	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
Computer Programming						
14	For developing programs or other ways of producing records from machine readable records - for each 15 minutes	\$ 19.47	\$ 19.85	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
15	Blasting Permit	\$ 130.00	\$ 133.00	N	2.3%	Guideline increase, rounded to the nearest dollar
16	Grading (Security) Deposit	\$ 1,500.00	\$ 1,530.00	N	2.0%	Guideline increase, rounded to the nearest dollar
17	Grading (Security) Deposit for a Single Lot (Infill)	\$ 7,500.00	\$ 7,650.00	N	2.0%	Guideline increase, rounded to the nearest dollar
18	Grading (Security) Deposit for a Semi-Detached Dwelling (Infill)	\$ 10,000.00	\$ 10,200.00	N	2.0%	Guideline increase, rounded to the nearest dollar
Demolition Agreement for Building Replacement						
19	a) Agreement	\$ 521.00	\$ 532.00	N	2.1%	Guideline increase, rounded to the nearest dollar
20	b) Security deposit/letter of credit - per sq. metre of bldg to be demolished (\$2,500 min & \$25,000 max)	\$ 125.00	\$ 128.00	N	2.4%	Guideline increase, rounded to the nearest dollar
21	Demolition Control Applications	\$ 521.00	\$ 532.00	N	2.1%	Guideline increase, rounded to the nearest dollar
Application Fee for outdoor commercial patio exemption permits						
22	a) Inspection Fee	\$ 515.00	\$ 526.00	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
Illegal Grow Operations						
23	a) Inspection Fee	\$ 772.00	\$ 788.00	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
24	b) Re-occupancy Fee	\$ 701.00	\$ 715.00	Y	2.0%	Guideline increase, rounded to the nearest dollar after HST applied
25	Swimming Pool Enclosure Fee	\$ 250.00	\$ 255.00	N	2.0%	Fee increase to keep in line with Building permit

2021 PROPOSED USER FEES & CHARGES

Department: Planning & Economic Development

Division: General Fees

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Map / Publication Sales Fees	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
2	Data Base Information	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
Photocopy & Computer Printout Service						
3	- First Page	\$ 0.36	\$ 0.40	Y	11.1%	Guideline increase, rounded to nearest nickel, after HST is applied
4	- Additional Pages	\$ 0.36	\$ 0.40	Y	11.1%	Guideline increase, rounded to nearest nickel, after HST is applied
Information Requests						
5	- Floppy disks & CD's - per disk or CD	\$ 13.10	\$ 13.40	Y	2.3%	Guideline increase, rounded to nearest nickel
6	- For manually researching a record - for each 15 minutes	\$ 18.90	\$ 19.30	N	2.1%	Guideline increase, rounded to nearest nickel
7	- Developing Computer Programs or other methods of producing a record from machine readable record - for each 15 minutes	\$ 18.90	\$ 19.30	N	2.1%	Guideline increase, rounded to nearest nickel

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Public Health Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Reproductive Health						
1	Prenatal Complete Class	\$ 46.90	\$ 47.79	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
Epidemiology, Wellness and Communicable Disease Control						
Inspection Fees (in addition to fees collected for Planning and/or Fire)						
2	Personal Services Settings Fee	\$ 116.81	\$ 119.47	Y	2.3%	Guideline increase, rounded to nearest dollar after HST applied
Healthy Environments						
3	Property Status Reports (Work Orders) - No Inspection	\$ 52.21	\$ 53.10	Y	1.7%	Guideline increase, rounded to nearest dollar after HST applied
4	Rezoning By-Law & Official Plan Amendment - Inspection	\$ 116.81	\$ 119.47	Y	2.3%	Guideline increase, rounded to nearest dollar after HST applied
5	Land Severance - Inspection	\$ 116.81	\$ 119.47	Y	2.3%	Guideline increase, rounded to nearest dollar after HST applied
6	Migrant Farm Worker Housing	\$ 128.32	\$ 130.97	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
7	Disinterment Inspections	\$ 130.09	\$ 132.74	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
8	Funeral Home Inspection	\$ 63.72	\$ 64.60	Y	1.4%	Guideline increase, rounded to nearest dollar after HST applied
9	Letters of Compliance-Variou Agencies	\$ 36.28	\$ 37.17	Y	2.4%	Guideline increase, rounded to nearest dollar after HST applied
10	Special Events/Festivals - (per vendor/per event) - Inspection	\$ 35.40	\$ 36.28	Y	2.5%	Guideline increase, rounded to nearest dollar after HST applied
11	Food Handlers Course (per person) - No Inspection	\$ 52.21	\$ 53.10	Y	1.7%	Guideline increase, rounded to nearest dollar after HST applied
12	Special Events Late Fee - Inspection	\$ 26.55	\$ 27.43	Y	3.3%	Guideline increase, rounded to nearest dollar after HST applied
13	Food Handler Training Challenge Exam - No Inspection	\$ 10.62	\$ 10.62	Y	0.0%	Guideline increase, rounded to nearest dollar after HST applied
Inspection Fees (in addition to fees collected for Planning and/or Fire)						
14	Lodging House	\$ 110.62	\$ 113.27	Y	2.4%	Guideline increase, rounded to nearest dollar after HST applied
15	Residential Care Facilities - annual/per bed	\$ 65.49	\$ 66.37	Y	1.3%	Guideline increase, rounded to nearest dollar after HST applied
16	Food Safety Fee - High Risk	\$ 209.73	\$ 214.16	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
17	Food Safety Fee - Medium Risk	\$ 96.46	\$ 98.23	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
18	Food Safety Fee - Low Risk	\$ 48.67	\$ 49.56	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
19	Adult Entertainment Parlour	\$ 116.81	\$ 119.47	Y	2.3%	Guideline increase, rounded to nearest dollar after HST applied
20	Body Rub Parlour Owner	\$ 116.81	\$ 119.47	Y	2.3%	Guideline increase, rounded to nearest dollar after HST applied
21	Bed and Breakfast	\$ 96.46	\$ 98.23	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
22	Mobile Home Park - per site	\$ 140.71	\$ 143.36	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
23	Public Halls	\$ 48.67	\$ 49.56	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
24	Places of Amusement - Carnivals	\$ 40.71	\$ 41.59	Y	2.2%	Guideline increase, rounded to nearest dollar after HST applied
25	Places of Amusement - Circus	\$ 48.67	\$ 49.56	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
26	Proprietary Club	\$ 48.67	\$ 49.56	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
27	Refreshment Vehicle - Class A	\$ 96.46	\$ 98.23	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
28	Refreshment Vehicle - Class B	\$ 96.46	\$ 98.23	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
29	Refreshment Vehicle - Class C	\$ 48.67	\$ 49.56	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
30	Recreational Camping Establishment	\$ 140.71	\$ 143.36	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
31	Seasonal Food Vendors	\$ 48.67	\$ 49.56	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
32	Tobacco Vendors - Inspection per Licence	\$ 195.58	\$ 199.12	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
33	Electronic Cigarettes - Inspection per Licence	\$ 63.72	\$ 64.60	Y	1.4%	Guideline increase, rounded to nearest dollar after HST applied

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Sports Field Rentals (Effective January 1, 2021)						
1	Field/Diamond-Premium (Hourly)	\$ 43.52	\$ 44.40	Y	2.0%	Guideline increase
2	Field/Diamond-Premium-Youth Affiliated (Hourly)	\$ 22.90	\$ 23.40	Y	2.2%	Guideline increase
3	Field/Diamond-A (Hourly)	\$ 38.52	\$ 39.30	Y	2.0%	Guideline increase
4	Field/Diamond-A-Youth Affiliated (Hourly)	\$ 19.26	\$ 19.70	Y	2.3%	Guideline increase
5	Field/Diamond-B (Hourly)	\$ 26.74	\$ 27.30	Y	2.1%	Guideline increase
6	Field/Diamond-B-Youth Affiliated (Hourly)	\$ 13.37	\$ 13.70	Y	2.5%	Guideline increase
7	Field/Diamond-C (Hourly)	\$ 4.55	\$ 4.80	Y	5.5%	Increased to bring closer to market rate (5% plus rounding)
8	Field/Diamond-C-Youth Affiliated (Hourly)	\$ 2.42	\$ 2.60	Y	7.4%	Increased to bring closer to market rate (5% plus rounding)
9	Field-MINI (Hourly)	\$ 3.14	\$ 3.30	Y	5.1%	Increased to bring closer to market rate (5% plus rounding)
10	Field-MINI-Youth Affiliated (Hourly)	\$ 1.81	\$ 2.00	Y	10.5%	Increased to bring closer to market rate (5% plus rounding)
11	Class A Artificial Turf (Hourly)	\$ 130.34	\$ 133.00	Y	2.0%	Guideline increase
12	Class A Artificial Turf - Youth/Outdoor Affiliated (Hourly)	\$ 65.17	\$ 66.50	Y	2.0%	Guideline increase
Hall Rentals (Effective July 1, 2021)						
Category A - Premium Community Rooms/Auditorium/Lobby						
13	Hourly Rate - Subsidized	\$ 20.89	\$ 21.40	Y	2.4%	Guideline increase
14	Hourly Rate - Standard	\$ 49.16	\$ 50.20	Y	2.1%	Guideline increase
15	Hourly Rate - Commercial/Non-Resident	\$ 73.76	\$ 75.30	Y	2.1%	Guideline increase
Category B - Standard Community Rooms						
16	Hourly Rate - Affiliate (Arena Only)	\$ 11.94	\$ 12.20	Y	2.2%	Guideline increase
17	Hourly Rate - Subsidized	\$ 16.72	\$ 17.10	Y	2.3%	Guideline increase
18	Hourly Rate - Standard	\$ 35.82	\$ 36.60	Y	2.2%	Guideline increase
19	Hourly Rate - Commercial/Non-Resident	\$ 59.70	\$ 60.90	Y	2.0%	Guideline increase
Category C - Basic Community Rooms						
20	Hourly Rate - Affiliate (Arena Only)	\$ 2.39	\$ 2.50	Y	4.6%	Guideline increase
21	Hourly Rate - Subsidized	\$ 4.78	\$ 4.90	Y	2.5%	Guideline increase
22	Hourly Rate - Standard	\$ 14.33	\$ 14.70	Y	2.6%	Guideline increase
23	Hourly Rate - Commercial/Non-Resident	\$ 23.89	\$ 24.40	Y	2.1%	Guideline increase
Gym Rentals (Effective July 1, 2021)						
Category A - Premium Gym 6000 Sq Ft+ (ARC Double, WMT Double, Central, BMRC Double)						
24	Hourly Rate - Subsidized	\$ -	\$ 37.50	Y		New fee
25	Hourly Rate - Standard	\$ -	\$ 75.00	Y		New fee
26	Hourly Rate - Commercial/Non-Resident	\$ -	\$ 112.50	Y		New fee
Category B - Gym 3500-6000Sq Ft+ (Ancaster Single, Dundas, Huntington, Bennetto, WMT Single)						
27	Hourly Rate - Subsidized	\$ -	\$ 31.60	Y		New fee
28	Hourly Rate - Standard	\$ -	\$ 63.20	Y		New fee
29	Hourly Rate - Commercial/Non-Resident	\$ -	\$ 94.40	Y		New fee
Category C - Gym - 3000-3499 (BMRC single, Winona)						
30	Hourly Rate - Subsidized	\$ -	\$ 15.80	Y		New fee
31	Hourly Rate - Standard	\$ -	\$ 31.60	Y		New fee
32	Hourly Rate - Commercial/Non-Resident	\$ -	\$ 47.40	Y		New fee
Parks (Effective July 1, 2021)						
33	Parks - Hamilton Pavilion (Per Booking)	\$ 74.88	\$ 76.40	Y	2.0%	Guideline increase
34	Parks - Hamilton (Per Booking)	\$ 105.45	\$ 107.60	Y	2.0%	Guideline increase
35	Parks - Hamilton (Hourly)	\$ -	\$ 13.50	Y		New Fee
36	Parks - Hamilton Premium (Per Booking)	\$ 343.81	\$ 350.70	Y	2.0%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
37	Parks - Hamilton - Wedding Ceremony/Photos (Per Booking)	\$ 181.95	\$ 185.60	Y	2.0%	Guideline increase
38	Parks - Special Event Exclusive Use Fee (Select Locations Only) (Per Booking)	\$ 789.34	\$ 805.20	Y	2.0%	Guideline increase
Pool Rentals (Effective July 1, 2021)						
Category A - Specialty Pools (With 2 Lifeguards) (Stoney Creek, Westmount, Valley Park)						
39	Hourly Rate - Subsidized	\$ 133.89	\$ 136.60	Y	2.0%	Guideline increase
40	Hourly Rate - Standard	\$ 214.23	\$ 218.60	Y	2.0%	Guideline increase
41	Hourly Rate - Commercial/Non-Resident	\$ 332.78	\$ 339.50	Y	2.0%	Guideline increase
42	Slide Rental (Hourly)	\$ 99.88	\$ 101.90	Y	2.0%	Guideline increase
Category B - Traditional Pools (With 2 Lifeguards) (All Other Facilities)						
43	Hourly Rate - Subsidized	\$ 63.64	\$ 65.00	Y	2.1%	Guideline increase
44	Hourly Rate - Standard	\$ 133.89	\$ 136.60	Y	2.0%	Guideline increase
45	Hourly Rate - Commercial/Non-Resident	\$ 214.23	\$ 218.60	Y	2.0%	Guideline increase
Category C - Hot/Teach Pool (With 1 Lifeguard)						
46	Hourly Rate -Subsidized	\$ 33.62	\$ 34.30	Y	2.0%	Guideline increase
47	Hourly Rate - Standard	\$ 73.25	\$ 74.80	Y	2.1%	Guideline increase
48	Hourly Rate - Commercial/Non-Resident	\$ 117.20	\$ 119.60	Y	2.0%	Guideline increase
Arena Floor Rates (Effective July 1, 2021)						
49	Arena Floor Hamilton (Hourly)	\$ 50.10	\$ 51.20	Y	2.2%	Guideline increase
50	Arena Special Event - Standard (Hourly)	\$ 108.17	\$ 110.40	Y	2.1%	Guideline increase
51	Arena Special Event - Commercial/Non-Resident (Per Booking)	\$ 1,250.00	\$ 1,275.00	Y	2.0%	Guideline increase
Extra Rental Fees (Effective July 1, 2021)						
52	Arena Event Cleaning Charge (Per Booking)	\$ 187.39	\$ 191.20	Y	2.0%	Guideline increase
53	Arena Overtime (Per Booking)	\$ 375.12	\$ 382.70	Y	2.0%	Guideline increase
54	Field & Park - Lights (Hourly)	\$ 13.92	\$ 14.20	Y	2.0%	Guideline increase
55	Field & Park - Lights - Subsidized (Hourly)	\$ 7.73	\$ 7.90	Y	2.2%	Guideline increase
56	Field & Park - Lights - Key Deposit	\$ 29.42	\$ 30.10	N	2.3%	Guideline increase
57	Field & Park - Hydro Access Fee (Per Booking)	\$ 6.49	\$ 6.70	Y	3.2%	Guideline increase
58	Field & Park - Staff Maintenance OT (Per Booking)	\$ 399.13	\$ 407.20	Y	2.0%	Guideline increase
59	Field & Park - Staff Maintenance OT Hourly (Hourly)	\$ 79.83	\$ 81.50	Y	2.1%	Guideline increase
60	Flat Fee Damage Charge (Per Booking)	\$ 355.47	\$ 362.60	Y	2.0%	Guideline increase
61	Gym/Kitchen Equipment (Hourly)	\$ 10.16	\$ 10.40	Y	2.4%	Guideline increase
62	Flat Fee Kitchen Sanitization	\$ 61.80	\$ 63.10	Y	2.1%	Guideline increase
63	Flat Fee Set-up Full Gym (Per Booking)	\$ 224.21	\$ 228.70	Y	2.0%	Guideline increase
64	Flat Fee Set-up Half Gym (Per Booking)	\$ 112.25	\$ 114.50	Y	2.0%	Guideline increase
65	Flat Fee Set-up Meeting Room (Per Booking)	\$ 58.13	\$ 59.30	Y	2.0%	Guideline increase
66	Locker Key Replacement Fee	\$ 11.25	\$ 11.50	Y	2.2%	Guideline increase
67	Parking Lot (Spot/Day) (Special Events Only)	\$ 6.75	\$ 6.90	Y	2.2%	Guideline increase
68	Rental Amendment	\$ 5.63	\$ 5.80	Y	3.0%	Guideline increase
69	Insurance Fee	\$ 5.47	\$ 5.60	Y	2.4%	Guideline increase
70	Staff - Monitor/Additional Staffing (Hourly)	\$ 27.15	\$ 27.70	Y	2.0%	Guideline increase
71	Staff - Supervisor - Onsite/Extra Lifeguard/Waterfit Instructor (Hourly)	\$ 41.21	\$ 42.10	Y	2.2%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Healthy & Safe Communities
Division: Recreation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Registered program fees are applied to instructional classes and charged once for the duration of the class. All registered program fees listed below are based on a single unit fee and multiplied by the number of classes to establish the full program fee unless specified.						
Preschool - 0 to 5 years Child - 6 to 12 years Youth - 13 to 17 years Adult - 18 to 54 years Seniors - 55+ years Family - 1 to 2 adults and/or their dependent children under 18 years of age living at the same address						
Aquatic Programs (Effective July 1, 2021)						
1	Adult - Fitness Aqua Spinning (1 Hour Class)	\$ 8.39	\$ 8.60	Y	2.5%	Guideline increase
2	Learn to Swim Program - Parented (30 Minute Class)	\$ 6.19	\$ 6.40	N	3.4%	Guideline increase
3	Learn to Swim Program (30 Minute Class)	\$ 6.97	\$ 7.20	N	3.3%	Guideline increase
4	Learn to Swim Program (45 Minute Class)	\$ 7.69	\$ 7.90	N	2.7%	Guideline increase
5	Learn to Swim Program (45 Minute Class) (Senior)	\$ 6.16	\$ 6.30	Y	2.3%	Guideline increase
6	Private Lesson - Semi (30 Minute Class)/per class	\$ 20.61	\$ 22.70	N	10.1%	Increasing to bring closer to market rate
7	Private Lesson - Tri (30 Minute Class)/per class	\$ 15.46	\$ 17.10	N	10.6%	Increasing to bring closer to market rate
8	Private Lesson (30 Minute Class)/per class	\$ 25.76	\$ 28.40	N	10.2%	Increasing to bring closer to market rate
9	Swim Patrol Program (1 Hour Class)	\$ 7.69	\$ 7.90	N	2.7%	Guideline increase
10	Non-Resident Fee Applies to All of the Above Rates	\$ 1.56	\$ 1.60	Y	2.6%	Guideline increase
Aquatic Leadership Programs (Effective July 1, 2021)						
Any material costs and exam fees by the applicable service providers, are passed on to the client as an extra fee.						
11	Bronze Cross	\$ 105.35	\$ 108.60	N	3.1%	Adjusted for increased material costs
12	Bronze Medallion with Emergency First Aid	\$ 124.23	\$ 128.00	N	3.0%	Adjusted for increased material costs
13	Bronze Medallion/Bronze Cross Recertification	\$ 65.36	\$ 67.40	N	3.1%	Adjusted for increased material costs
14	Bronze Star	\$ 91.04	\$ 93.80	N	3.0%	Adjusted for increased material costs
15	Lifesaving Society Aquatic Safety Inspector	\$ 75.29	\$ 77.60	Y	3.1%	Adjusted for increased material costs
16	Lifesaving Society Aquatic Supervisor Training (AST)	\$ 84.08	\$ 86.70	Y	3.1%	Adjusted for increased material costs
17	Lifesaving Society Aquatic Supervisor Training (AST) Instructor	\$ 87.85	\$ 90.50	Y	3.0%	Adjusted for increased material costs
18	Lifesaving Society Assistant Instructors	\$ 148.89	\$ 153.40	Y	3.0%	Adjusted for increased material costs
19	Lifesaving Society Combined Instructors	\$ 211.34	\$ 228.30	Y	8.0%	Increasing to bring closer to market rate
20	Lifesaving Society Examiner	\$ 41.72	\$ 77.40	Y	85.5%	Increasing to bring closer to market rate
21	Lifesaving Society First Aid Instructor	\$ 105.10	\$ 113.60	Y	8.1%	Increasing to bring closer to market rate
22	Lifesaving Society Safeguard	\$ 25.10	\$ 25.90	Y	3.2%	Adjusted for increased material costs
23	Lifesaving Society SEE Auditor	\$ 25.10	\$ 25.90	Y	3.2%	Adjusted for increased material costs
24	Lifesaving Society Standard First Aid	\$ 84.08	\$ 90.90	Y	8.1%	Increasing to bring closer to market rate
25	Lifesaving Society Standard First Aid (Senior)	\$ 67.26	\$ 72.70	Y	8.1%	Increasing to bring closer to market rate
26	Lifesaving Society Standard First Aid Recertification	\$ 61.50	\$ 63.40	Y	3.1%	Adjusted for increased material costs
27	Lifesaving Society Trainer	\$ 132.09	\$ 136.10	Y	3.0%	Adjusted for increased material costs
28	National Lifeguard	\$ 211.34	\$ 228.30	Y	8.0%	Increasing to bring closer to market rate
29	National Lifeguard Instructor Course	\$ 74.10	\$ 80.10	Y	8.1%	Increasing to bring closer to market rate
30	National Lifeguard Recertification	\$ 46.62	\$ 48.10	Y	3.2%	Adjusted for increased material costs
31	Swim for Fitness 13+	\$ 68.71	\$ 70.80	Y	3.0%	Adjusted for increased material costs
32	Swim for Fitness 6-12 years	\$ 69.25	\$ 71.40	N	3.1%	Adjusted for increased material costs
33	Swim Abilities (12 Weeks) (1 Hour Class)	\$ 81.92	\$ 84.40	N	3.0%	Adjusted for increased material costs
34	Synchro Routines/Diving Competition (1 Day)	\$ 9.19	\$ 9.50	N	3.4%	Adjusted for increased material costs
35	Synchro/Diving (45 Minute Class)	\$ 72.15	\$ 74.40	N	3.1%	Adjusted for increased material costs
36	Synchro/Diving (45 Minute Class) (Senior)	\$ 57.72	\$ 59.50	Y	3.1%	Adjusted for increased material costs
37	Synchro/Diving Program - Add-on Fee (45 Minute Class)	\$ 2.01	\$ 2.10	N	4.5%	Adjusted for increased material costs
38	Withdrawal Fee	\$ 25.00	\$ 25.00	Y	0.0%	FREEZE - Flat Rate
39	Non-Resident Fee Applies to All of the Above Rates	\$ 14.00	\$ 14.30	Y	2.1%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Healthy & Safe Communities
Division: Recreation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Programs (Effective July 1, 2021)						
<i>All Facilities - Applied to all facilities unless otherwise identified</i>						
40	Adult - Art/Music Program (1 Hour Class)	\$ 5.10	\$ 5.30	Y	3.9%	Guideline increase
41	Adult - Dance/Fitness Program - Specialty (1 Hour Class)	\$ 7.52	\$ 7.70	Y	2.4%	Guideline increase
42	Adult - Dance/Fitness Program (1 Hour Class)	\$ 6.30	\$ 6.50	Y	3.2%	Guideline increase
43	Adult - Friday Framers Program (2 Hour Class)	\$ 2.88	\$ 3.00	N	4.2%	Guideline increase
44	Adult - Sport Program (Non-Instructed) (2 Hour Class)	\$ 5.98	\$ 6.10	Y	2.0%	Guideline increase
45	Camp without trip – Camp Kidaca Base Fee (5 day)	\$ 26.16	\$ 26.70	N	2.1%	Guideline increase
46	Camp Specialty Add-On Fee (per day)	\$ 17.10	\$ 17.50	N	2.3%	Guideline increase
47	Camp Trip Add-On Fee (per trip)	\$ 25.75	\$ 26.30	N	2.1%	Guideline increase
48	Child - Cycling Program (15 Hours)	\$ 129.11	\$ 131.70	N	2.0%	Guideline increase
49	Child - Home Alone Course (online)	\$ -	\$ 25.00	N		New Fee
50	Child - Music (Piano) (1 Hour Class)	\$ 13.92	\$ 14.20	N	2.0%	Guideline increase
51	Child - Program (1 Hour)	\$ 3.82	\$ 4.30	N	12.6%	Increasing to bring closer to market rate.
52	Child - Red Cross Babysitting (8 Hour Class)	\$ 46.40				DELETE - Youth Leadership fee is used.
53	Child - Smash Volleyball League (1.5 Hour Class)	\$ 9.39	\$ 9.60	N	2.2%	Guideline increase
54	High Five (PHCD) Certification (8 Hour Class - includes manual)	\$ 63.13	\$ 64.40	N	2.0%	Guideline increase
55	Preschool - Parented Program (1 Hour Class)	\$ 3.72	\$ 4.30	N	15.6%	Increased to match "Child - Program (1 hour)
56	Preschool - Program (1 Hour Class)	\$ 5.10	\$ 5.30	N	3.9%	Guideline increase
57	Senior - Dance/Fitness Program (1 Hour Class)	\$ 5.04	\$ 5.20	Y	3.2%	Guideline increase
58	Senior - Dance/Fitness Program - Specialty (1 Hour Class)	\$ 6.02	\$ 6.20	Y	3.0%	Guideline increase
59	Senior - Art/Music Program (1 Hour Class)	\$ 4.08	\$ 4.20	Y	2.9%	Guideline increase
60	Senior - Sport Program (Non-Instructed) (2 Hour Class)	\$ 4.78	\$ 4.90	Y	2.5%	Guideline increase
61	Special Needs (3 Hours, 12 Weeks)	\$ 11.26	\$ 11.50	N	2.1%	Guideline increase
62	Special Needs Fitness/Cooking (3 Hours, 6 Weeks)	\$ 15.25	\$ 15.60	N	2.3%	Guideline increase
63	Youth - Leadership (8 Hours)	\$ 43.26	\$ 44.20	N	2.2%	Guideline increase
64	Youth - Fitness Program (1 Hour Class)	\$ 4.91	\$ 5.10	N	3.9%	Guideline increase
65	Late Pick-Up Fee (Per Each Half Hour)	\$ 10.00	\$ 10.00	N	0.0%	FREEZE - Flat Rate
66	Program Unenrollment Fee	\$ -	\$ 5.60	Y		New Fee
67	Withdrawal Fee (Camps)	\$ 25.00	\$ 25.00	Y	0.0%	FREEZE - Flat Rate
68	Withdrawal Fee (Registered Programs)	\$ 10.00				DELETE - No longer used
69	Non-Resident Fee Applies to All of the Above Rates	\$ 1.56	\$ 1.60	Y	2.6%	Guideline increase
Coach Leadership Programs (Effective April 1, 2021)						
<i>Any material costs and exam fees by the applicable service providers, are passed on to the client as an extra fee.</i>						
70	Making Ethical Decisions	\$ -	\$ 49.00	Y		New Fee
71	Planning a Practice	\$ -	\$ 59.00	Y		New Fee
72	Basic Mental Skills	\$ -	\$ 49.00	Y		New Fee

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
	Admission fees applied to patrons upon entering Recreation Centres, Outdoor Pools, Arenas and Seniors' Facilities for non-registered drop-in programming.					
	Infant - 0 to 36 months (Free) Child/Youth - 3 to 17 years Adult - 18 to 54 years Seniors - 55+ years Family - 1 to 2 adults and/or their dependent children under 18 years of age living at the same address					
	Recreation Centre & Pool Admission Fees (Effective July 1, 2021) <i>Applied to drop-in gym programs as well as drop-in swimming programs which are staff supervised but not lead by an instructor.</i>					
1	Single Admit (Child/Youth/Senior)	\$ 3.08	\$ 3.20	Y	3.9%	Guideline increase
2	Single Admit (Adult)	\$ 4.60	\$ 4.70	Y	2.2%	Guideline increase
3	Single Admit (Family)	\$ 9.39	\$ 9.90	Y	5.4%	Standardizing discount
4	Single Admit (Fitness)	\$ 7.56	\$ 7.80	Y	3.2%	Guideline increase
5	Single Admit (Fitness Specialty)	\$ 9.02	\$ 9.30	Y	3.1%	Guideline increase
6	Single Admit (Fun Night)	\$ 6.09	\$ 6.30	N	3.4%	Guideline increase
7	Single Admit (Initiative Program)	\$ 2.01	\$ 2.10	Y	4.5%	Guideline increase
8	Aqua Bike Rental	\$ 5.58	\$ 5.70	Y	2.2%	Guideline increase
9	10 Visit Clip Card (Child/Youth/Senior)	\$ 22.46	\$ 23.00	Y	2.4%	Guideline increase
10	10 Visit Clip Card (Adult)	\$ 34.54	\$ 35.30	Y	2.2%	Guideline increase
11	10 Visit Clip Card (Family)	\$ 70.45	\$ 74.10	Y	5.2%	Standardizing discount
12	Yearly Pass (Child/Youth/Senior)	\$ 42.75	\$ 43.70	Y	2.2%	Guideline increase
13	Yearly Pass (Senior RFAP Clients)	\$ 10.69	\$ 11.00	Y	2.9%	Guideline increase
14	Yearly Pass (Adult)	\$ 101.34	\$ 103.40	Y	2.0%	Guideline increase
15	Yearly Pass (Adult RFAP Clients)	\$ 25.34	\$ 25.90	Y	2.2%	Guideline increase
16	Yearly Pass (Family)	\$ 157.34	\$ 217.10	Y	38.0%	Standardizing discount
17	Yearly Pass (Replacement Card)	\$ 4.83	\$ 5.00	Y	3.5%	Guideline increase
18	Non-Resident Fee Applied to Clip Cards & Yearly Pass Rates Above	\$ 14.00	\$ 14.30	Y	2.1%	Guideline increase
19	Promotional Pass (Youth) (20 pack with expiration date)	\$ 10.00	\$ 10.00	Y	0.0%	Promotional rate. No increase required
	Waterfit Admission Fees (Effective July 1, 2021) <i>Applied to instructor lead drop-in water fitness programs.</i>					
20	Single Admit (Senior)	\$ 2.24	\$ 2.50	Y	11.6%	Increased to match the senior facility single admit
21	Single Admit (Adult)	\$ 5.06	\$ 5.20	Y	2.8%	Guideline increase
22	Single Admit (Warm Water Exercise) (Adult)	\$ 6.33	\$ 6.50	Y	2.7%	Guideline increase
23	Single Admit (Warm Water Exercise) (Senior)	\$ 5.07	\$ 5.20	Y	2.6%	Guideline increase
24	Warm Water Exercise (Senior Centre Partnership)	\$ 2.97	\$ 3.10	Y	4.4%	Guideline increase
25	Monthly Pass (Senior)	\$ 7.40	\$ 7.60	Y	2.7%	Guideline increase
26	Monthly Pass (Adult)	\$ 20.98	\$ 21.40	Y	2.0%	Guideline increase
27	25 Visit Clip Card (Senior)	\$ 28.89	\$ 29.50	Y	2.1%	Guideline increase
28	25 Visit Clip Card (Adult)	\$ 82.27	\$ 84.00	Y	2.1%	Guideline increase
29	Yearly Pass (Senior)	\$ 74.65	\$ 76.20	Y	2.1%	Guideline increase
30	Yearly Pass (Senior RFAP Clients)	\$ 37.33	\$ 38.10	Y	2.1%	Guideline increase
31	Yearly Pass (Adult)	\$ 192.34	\$ 196.20	Y	2.0%	Guideline increase
32	Yearly Pass (Adult RFAP Clients)	\$ 96.17	\$ 98.10	Y	2.0%	Guideline increase
33	Yearly Pass (Replacement Card)	\$ 4.83	\$ 5.00	Y	3.5%	Guideline increase
34	Non-Resident Fee Applied to Clip Cards, Yearly and Monthly Pass Rates Above	\$ 14.00	\$ 14.30	Y	2.1%	Guideline increase
	Arena Admission Fees (Effective July 1, 2021) <i>Applied to drop-in skating programs which are staff supervised but not lead by an instructor.</i>					
35	Single Admit (Child/Youth/Senior)	\$ 3.08	\$ 3.20	Y	3.9%	Guideline increase
36	Single Admit (Adult)	\$ 4.60	\$ 4.70	Y	2.2%	Guideline increase
37	Shinny (Adult)	\$ 7.12	\$ 7.30	Y	2.5%	Guideline increase
38	Shinny (Youth/Senior)	\$ 4.76	\$ 4.90	Y	2.9%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
39	Single Admit (Family)	\$ 9.39	\$ 9.87	Y	5.1%	Standardizing discount
40	Figure Skating Ticket Ice	\$ 12.23	\$ 12.50	Y	2.2%	Guideline increase
41	10 Visit Clip Card Shinny (Adult)	\$ 53.38	\$ 54.50	Y	2.1%	Guideline increase
42	10 Visit Clip Card Shinny (Youth/Senior)	\$ 35.69	\$ 36.50	Y	2.3%	Guideline increase
43	10 Visit Clip Card Figure Skating Ticket Ice	\$ 91.70	\$ 93.60	Y	2.1%	Guideline increase
44	Yearly Pass (Child/Youth/Senior)	\$ 38.63	\$ 39.50	Y	2.3%	Guideline increase
45	Yearly Pass (Adult)	\$ 59.27	\$ 60.50	Y	2.1%	Guideline increase
46	Yearly Pass (Family)	\$ 87.40	\$ 127.10	Y	45.4%	Standardizing discount
47	Yearly Pass (Replacement Card)	\$ 4.83	\$ 5.00	Y	3.5%	Guideline increase
48	Non-Resident Fee Applies to Yearly Pass Rates Above	\$ 14.00	\$ 14.30	Y	2.1%	Guideline increase
49	Promotional Pass (Youth) (20 pack with expiration date)	\$ 10.00	\$ 10.00	Y	0.0%	Promotional rate. No increase required
Senior Facility Admission Fees (Effective July 1, 2021)						
<i>Applied to all users (age 55+) of the facility based on the facility's status with the municipality as either "Club" or "Centre" designation.</i>						
50	Single Admit	\$ 2.37	\$ 2.50	Y	5.5%	Guideline increase
51	Yearly Pass (Senior Centre)	\$ 32.07	\$ 32.80	Y	2.3%	Guideline increase
52	Non-Resident Fee Applies to Yearly Pass Rates Above	\$ 14.00	\$ 14.30	Y	2.1%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
User Group Ice Rates (Hourly) (Effective July 1, 2021)						
1	Prime Time Non Subsidized	\$ 292.49	\$ 301.30	Y	3.0%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
2	Prime Time Subsidized	\$ 158.08	\$ 162.90	Y	3.0%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
3	Non Prime Time	\$ 219.37	\$ 226.00	Y	3.0%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
4	Tournaments (Subsidized Groups Only)	\$ 219.37	\$ 226.00	Y	3.0%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
5	Summer Ice Non Subsidized	\$ 316.16	\$ 325.70	Y	3.0%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
6	Summer Ice Subsidized	\$ 219.37	\$ 226.00	Y	3.0%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
7	Last Minute Ice (48 Hours Prior to Use, Non-Refundable)	\$ 158.08	\$ 162.90	Y	3.0%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
8	Shooter Pad (1 Hour)	\$ 27.12	\$ 28.00	Y	3.2%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.
9	Shooter Pad (1 Hour) (Block Booking >50 hours)	\$ 20.34	\$ 21.00	Y	3.2%	Actual operating cost of City owned arenas would be too prohibitive for the market, thus arena ice rates have been increased by 3%. Cost model is re-evaluated annually.

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
King's Forest Green Fees (Effective January 1, 2021)						
1	Monday to Thursday - 18 Holes	\$ 56.90	\$ 58.41	Y	2.6%	Guideline increase, rounded to nearest dollar after HST applied
2	Fri/Sat/Sun/Holidays - 18 Holes	\$ 64.49	\$ 65.49	Y	1.5%	Guideline increase, rounded to nearest dollar after HST applied
3	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 43.63	\$ 44.25	Y	1.4%	Guideline increase, rounded to nearest dollar after HST applied
4	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 50.26	\$ 51.33	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
5	Junior (18&under) - after 11 am	\$ 30.35	\$ 30.97	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
6	Twilight - Monday to Thursday	\$ 36.98	\$ 38.05	Y	2.9%	Guideline increase, rounded to nearest dollar after HST applied
7	Twilight - Fri/Sat/Sun/Holidays	\$ 40.77	\$ 41.59	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
8	9 Hole - Any day	\$ 30.35	\$ 30.97	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
9	9 Hole Senior (60&up) - Any day	\$ 25.60	\$ 26.55	Y	3.7%	Guideline increase, rounded to nearest dollar after HST applied
10	Spring/Fall Green Fees (walking)	\$ -	\$ 39.82	Y		New Fee
11	League Fee with cart (9 holes)	\$ -	\$ 35.40	Y		New Fee
12	League Fee with cart (18 holes)	\$ -	\$ 39.82	Y		New Fee
13	Tournament Green Rate (Monday - Thursday)	\$ -	\$ 66.37	Y		New Fee
14	Tournament Green Rate (Friday - Sunday)	\$ -	\$ 73.45	Y		New Fee
15	Sell off Rate (18 holes)	\$ -	\$ 32.74	Y		New Fee
King's Forest (only) Advantage Packs (Effective January 1, 2021)						
16	12 Rounds	\$ 608.19	\$ 620.35	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
17	24 Rounds	\$ 1,177.14	\$ 1,200.88	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
King's Forest Golf Memberships (Effective January 1, 2021)						
18	King's Forest -Adult	\$ 1,990.81	\$ 2,030.97	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
19	King's Forest -Couples	\$ 3,582.58	\$ 3,653.98	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
20	King's Forest -Junior (18&under) - any day	\$ 475.23	\$ 484.96	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
21	King's Forest -Senior (60 & over) Monday to Friday only, excluding holidays	\$ 1,420.75	\$ 1,449.56	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
22	King's Forest -Weekday	\$ 1,467.89	\$ 1,497.35	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
23	City Wide - Adult	\$ 2,461.10	\$ 2,510.62	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
24	City Wide - Couples	\$ 4,125.22	\$ 4,207.96	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
25	City Wide-Senior	\$ 1,789.10	\$ 1,824.78	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
26	City Wide - Weekday	\$ 1,863.64	\$ 1,900.88	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
27	City Wide - Intermediate Membership (19 - 34) - Any day	\$ 1,050.60	\$ 1,071.68	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
28	City Wide - Junior (18 and under)	\$ -	\$ 599.12	Y		New Fee
29	Lower banquet room rental per hour	\$ 52.53				DELETE - Replaced with Special Event Fee
30	Main banquet room rental per hour	\$ 78.80				DELETE - Replaced with Special Event Fee
31	Lower banquet room rental - Special Event	\$ -	\$ 75.22	Y		New Fee - Replaces hourly fee
32	Main banquet room rental - Special Event	\$ -	\$ 150.44	Y		New Fee - Replaces hourly fee
Flex Pass - King's Forest (Effective January 1, 2021)						
<i>Flex Pass Characteristics - ADULT</i>						
33	Activation Fee to Purchase Pass - One Time Fee	\$ 272.95	\$ 278.76	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
34	Peak Green Fee (25% off before 11am)	\$ 45.58	\$ 46.90	Y	2.9%	Guideline increase, rounded to nearest dollar after HST applied
35	Non-Peak Green Fee (40% off)	\$ 36.46	\$ 37.17	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
36	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off				DELETE - No longer used
<i>Flex Pass Characteristics - SENIOR (60+)</i>						
37	Activation Fee to Purchase Pass - One Time Fee	\$ 231.75	\$ 236.28	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
38	Peak Green Fee (25% off before 11am)	\$ 37.37	\$ 38.05	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
39	Non-Peak Green Fee (40% off)	\$ 30.08	\$ 30.97	Y	3.0%	Guideline increase, rounded to nearest dollar after HST applied
40	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off				DELETE - No longer used

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Golf Carts - All Courses (Effective January 1, 2021)						
41	9 hole pull cart	\$ 2.73	\$ 3.54	Y	29.7%	Increasing fee to reflect market rate
42	18 hole pull cart	\$ 4.55	\$ 5.31	Y	16.7%	Increasing fee to reflect market rate
43	18 hole power cart	\$ 30.99	\$ 31.86	Y	2.8%	Guideline increase, rounded to nearest dollar after HST applied
44	18 hole power cart - single rider	\$ 17.31	\$ 17.70	Y	2.2%	Guideline increase, rounded to nearest dollar after HST applied
45	9 hole power cart	\$ 18.23	\$ 18.58	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
46	9 hole power cart - single rider	\$ 9.12	\$ 9.73	Y	6.7%	Guideline increase, rounded to nearest dollar after HST applied
47	Sunset (After 6pm) Power cart	\$ 9.12	\$ 9.73	Y	6.7%	Guideline increase, rounded to nearest dollar after HST applied
48	Sunset (After 6pm) Pull cart	\$ 2.73				DELETE - No longer used
Notes:						
Golf Assoc of Ont (GOA) Fee is added on top of regular fee.						
Tournament Rates are based by weekday or weekend tournaments and at a percentage of 10% less than the regular green fee and golf cart prices.						

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Chedoke Green Fees-Beddoe (Effective January 1, 2021)						
1	Monday to Thursday - 18 Holes	\$ 40.77	\$ 41.59	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
2	Fri/Sat/Sun/Holidays - 18 Holes	\$ 47.42	\$ 48.67	Y	2.6%	Guideline increase, rounded to nearest dollar after HST applied
3	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 36.04	\$ 37.17	Y	3.1%	Guideline increase, rounded to nearest dollar after HST applied
4	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 40.77	\$ 41.59	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
5	Junior (18&under) - after 11 am	\$ 26.55	\$ 27.43	Y	3.3%	Guideline increase, rounded to nearest dollar after HST applied
6	Twilight - Monday to Thursday	\$ 28.45	\$ 29.20	Y	2.6%	Guideline increase, rounded to nearest dollar after HST applied
7	Twilight - Fri/Sat/Sun/Holidays	\$ 33.19	\$ 33.63	Y	1.3%	Guideline increase, rounded to nearest dollar after HST applied
8	9 Hole - Monday to Thursday	\$ 23.70	\$ 23.89	Y	0.8%	Guideline increase, rounded to nearest dollar after HST applied
9	9 Hole - Fri/Sat/Sun/Holidays	\$ 26.55	\$ 27.43	Y	3.3%	Guideline increase, rounded to nearest dollar after HST applied
10	9 Hole Senior (60&up) - Monday to Thursday	\$ 20.86	\$ 21.24	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
11	9 Hole Senior (60&up)- Fri/Sat/Sun/Holidays	\$ 22.76	\$ 23.01	Y	1.1%	Guideline increase, rounded to nearest dollar after HST applied
12	Sunset - after 6pm	\$ 23.70	\$ 23.89	Y	0.8%	Guideline increase, rounded to nearest dollar after HST applied
13	Spring/Fall Green Fees (walking)	\$ -	\$ 30.97	Y		New Fee
14	League Fee with cart (9 holes)	\$ -	\$ 26.55	Y		New Fee
15	League Fee with cart (18 holes)	\$ -	\$ 30.97	Y		New Fee
16	Tournament Green Rate (Monday - Thursday)	\$ -	\$ 51.33	Y		New Fee
17	Tournament Green Rate (Friday - Sunday)	\$ -	\$ 57.52	Y		New Fee
18	Sell off Rate (18 holes)	\$ -	\$ 23.89	Y		New Fee
Chedoke Green Fees - Martin (Effective January 1, 2021)						
19	Monday to Thursday - 18 Holes	\$ 31.29	\$ 31.86	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
20	Fri/Sat/Sun/Holidays - 18 Holes	\$ 36.04	\$ 37.17	Y	3.1%	Guideline increase, rounded to nearest dollar after HST applied
21	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 27.50	\$ 28.32	Y	3.0%	Guideline increase, rounded to nearest dollar after HST applied
22	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 30.35	\$ 30.97	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
23	Junior (18&under) - after 11 am	\$ 20.86	\$ 21.24	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
24	Twilight - Monday to Thursday	\$ 21.81	\$ 22.12	Y	1.4%	Guideline increase, rounded to nearest dollar after HST applied
25	Twilight - Fri/Sat/Sun/Holidays	\$ 25.60	\$ 26.55	Y	3.7%	Guideline increase, rounded to nearest dollar after HST applied
26	9 Hole - Monday to Thursday	\$ 18.01	\$ 18.58	Y	3.2%	Guideline increase, rounded to nearest dollar after HST applied
27	9 Hole - Fri/Sat/Sun/Holidays	\$ 19.91	\$ 20.35	Y	2.2%	Guideline increase, rounded to nearest dollar after HST applied
28	9 Hole Senior (60&up) - Monday to Thursday	\$ 16.12	\$ 16.81	Y	4.3%	Guideline increase, rounded to nearest dollar after HST applied
29	9 Hole Senior (60&up)- Fri/Sat/Sun/Holidays	\$ 17.07	\$ 17.70	Y	3.7%	Guideline increase, rounded to nearest dollar after HST applied
30	Sunset - after 6pm	\$ 18.01	\$ 18.58	Y	3.2%	Guideline increase, rounded to nearest dollar after HST applied
31	Spring/Fall Green Fees (walking)	\$ -	\$ 22.12	Y		New Fee
32	League Fee with cart (9 holes)	\$ -	\$ 22.12	Y		New Fee
33	League Fee with cart (18 holes)	\$ -	\$ 26.55	Y		New Fee
34	Tournament Green Rate (Monday - Thursday)	\$ -	\$ 43.36	Y		New Fee
35	Tournament Green Rate (Friday - Sunday)	\$ -	\$ 47.79	Y		New Fee
36	Sell off Rate (18 holes)	\$ -	\$ 18.58	Y		New Fee
37	Winter Golf Green Fee	\$ -	\$ 20.35	Y		New Fee
Chedoke Beddoe (only) Advantage Packs (Effective January 1, 2021)						
38	12 Rounds	\$ 446.20	\$ 454.87	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
39	24 Rounds	\$ 839.00	\$ 855.75	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
Chedoke Golf Memberships (Effective January 1, 2021)						
40	Beddoe & Martin - Adult - any day	\$ 1,891.92	\$ 1,930.09	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
41	Beddoe & Martin - Couples - any day	\$ 3,310.85	\$ 3,376.99	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
42	Beddoe & Martin - Junior (18 & under) - any day	\$ 474.17	\$ 484.07	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
43	Beddoe & Martin - Senior (60 & over) - Monday to Friday only, excluding holidays	\$ 1,418.94	\$ 1,447.79	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities

Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
44	Beddoe & Martin - Weekday (excluding holidays)	\$ 1,418.94	\$ 1,447.79	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
45	Martin-Adult	\$ 1,232.83	\$ 1,257.52	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
46	Martin-Couples	\$ 2,157.44	\$ 2,200.88	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
47	Martin-Junior (18 & under) - any day	\$ 331.91	\$ 338.94	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
48	Martin-Senior (60 & over) - Monday to Friday only, excluding holidays	\$ 924.62	\$ 943.36	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
49	Martin-Weekday - excluding holidays	\$ 924.62	\$ 943.36	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
50	City Wide - Adult	\$ 2,460.00	\$ 2,510.62	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
51	City Wide - Couples	\$ 4,125.22	\$ 4,207.96	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
52	City Wide - Senior	\$ 1,789.10	\$ 1,824.78	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
53	City Wide - Weekday - excluding holidays	\$ 1,863.64	\$ 1,900.88	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
54	City Wide - Intermediate Membership (19 - 34) - Any day	\$ 945.54	\$ 1,071.68	Y	13.3%	Increased to match Kings Forest fee
55	City Wide - Junior (18 and under)	\$ -	\$ 599.12	Y		New Fee
Flex Pass - Chedoke - Beddoe (Effective January 1, 2021)						
<i>Flex Pass Characteristics - ADULT</i>						
56	Activation Fee to Purchase Pass - One Time Fee	\$ 272.95	\$ 278.76	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
57	Peak Green Fee (25% off before 11am)	\$ 31.90	\$ 32.74	Y	2.6%	Guideline increase, rounded to nearest dollar after HST applied
58	Non-Peak Green Fee (40% off)	\$ 25.52	\$ 25.66	Y	0.6%	Guideline increase, rounded to nearest dollar after HST applied
59	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off				DELETE - No longer used
<i>Flex Pass Characteristics - SENIOR (60+)</i>						
60	Activation Fee to Purchase Pass - One Time Fee	\$ 231.75	\$ 236.28	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
61	Peak Green Fee (25% off before 11am)	\$ 27.35	\$ 28.32	Y	3.5%	Guideline increase, rounded to nearest dollar after HST applied
62	Non-Peak Green Fee (40% off)	\$ 21.88	\$ 22.12	Y	1.1%	Guideline increase, rounded to nearest dollar after HST applied
63	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off				DELETE - No longer used
<i>Flex Pass Characteristics - ADULT</i>						
64	Activation Fee to Purchase Pass - One Time Fee	\$ 272.95	\$ 278.76	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
65	Peak Green Fee (25% off before 11am)	\$ 19.14	\$ 19.47	Y	1.7%	Guideline increase, rounded to nearest dollar after HST applied
66	Non-Peak Green Fee (40% off)	\$ 19.14	\$ 19.47	Y	1.7%	Guideline increase, rounded to nearest dollar after HST applied
67	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off				DELETE - No longer used
<i>Flex Pass Characteristics - SENIOR (60+)</i>						
68	Activation Fee to Purchase Pass - One Time Fee	\$ 231.75	\$ 236.28	Y	2.0%	Guideline increase, rounded to nearest dollar after HST applied
69	Peak Green Fee (25% off before 11am)	\$ 16.41	\$ 16.81	Y	2.5%	Guideline increase, rounded to nearest dollar after HST applied
70	Non-Peak Green Fee (40% off)	\$ 16.41	\$ 16.81	Y	2.5%	Guideline increase, rounded to nearest dollar after HST applied
71	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off				DELETE - No longer used
Golf Carts - All Courses (Effective January 1, 2021)						
72	9 hole pull cart	\$ 2.73	\$ 3.54	Y	29.7%	Increasing fee to reflect market rate
73	18 hole pull cart	\$ 4.55	\$ 5.31	Y	16.7%	Increasing fee to reflect market rate
74	18 hole power cart	\$ 30.99	\$ 31.86	Y	2.8%	Guideline increase, rounded to nearest dollar after HST applied
75	18 hole power cart - single rider	\$ 17.31	\$ 17.70	Y	2.2%	Guideline increase, rounded to nearest dollar after HST applied
76	9 hole power cart	\$ 18.23	\$ 18.58	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
77	9 hole power cart - single rider	\$ 9.12	\$ 9.73	Y	6.7%	Guideline increase, rounded to nearest dollar after HST applied
78	Sunset (After 6pm) Power cart	\$ 9.12	\$ 9.73	Y	6.7%	Guideline increase, rounded to nearest dollar after HST applied
79	Sunset (After 6pm) Pull cart	\$ 2.73				DELETE - No longer used
Notes:						
Golf Assoc of Ont (GOA) Fee is added on top of regular fee.						

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities

Division: Recreation - Golf Courses

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
	Tournament Rates are based by weekday or weekend tournaments and at a percentage of 10% less than the regular green fee and golf cart prices.					

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Long Term Care and Ontario Works

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Macassa Lodge						
1	Day Program - All Day	\$ 22.75	\$ 23.20	N	2.0%	Guideline increase, rounded to nearest nickel Increase effective April 1, 2021
Wentworth Lodge						
2	Meals-on-Wheels	\$ 7.20	\$ 7.35	N	2.1%	Guideline increase, rounded to nearest nickel
Helping Hands Program						
3	Regular Cleaning (1 Hour Minimum)	\$ 9.95	\$ -	N		DELETE - Program has been eliminated
4	Heavy Cleaning (1 Hour Minimum) (Wall Washing, Window Cleaning, Rug Shampoo)	\$ 13.15	\$ -	N		DELETE - Program has been eliminated
5	Lawn Maintenance (1 Hour Minimum)	\$ 13.15	\$ -	N		DELETE - Program has been eliminated
6	Snow Shoveling (1 Hour Minimum)	\$ 13.15	\$ -	N		DELETE - Program has been eliminated
7	Lawn Crew Services (1 Hour Minimum)	\$ 18.60	\$ -	N		DELETE - Program has been eliminated
8	Snow Crew Services (1 Hour Minimum)	\$ 18.60	\$ -	N		DELETE - Program has been eliminated
9	Air Conditioner Install or Removal (1 Hour Minimum)	\$ 18.60	\$ -	N		DELETE - Program has been eliminated
10	Annual Administrative Fee	\$ 36.42	\$ -	Y		DELETE - Program has been eliminated

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Triggering alarm not including testing alarm:						
1	4th or subsequent response in a 30 day period (property owner or individual responsible, where this can be determined)	\$ 526.90	\$ 805.00	Y	52.8%	Full cost recovery, rounded to nearest nickel once HST applied
2	6th or subsequent response in a calendar year (property owner or individual responsible, where this can be determined)	\$ 526.90	\$ 805.00	Y	52.8%	Full cost recovery, rounded to nearest nickel once HST applied
3	Testing alarm without notification to Fire Department (property owner)	\$ 753.50	\$ 805.00	Y	6.8%	Full cost recovery, rounded to nearest nickel once HST applied
Responses for Motor vehicles						
4	Within City, for a motor vehicle owned by a person who does not reside in the City (motor vehicle owner) Fee per Fire Department vehicle for the 1st hour divided equally among motor vehicle owners if more than one motor vehicle	\$ 526.90	\$ 751.06	Y	42.5%	Full cost recovery, rounded to nearest nickel once HST applied
5	- Each Additional Hour (In Half Hour Increments)	\$ 263.50	\$ 375.53	Y	42.5%	Full cost recovery, rounded to nearest nickel once HST applied
Response for Open Air Burning						
6	Non-compliance with the Open Air Burning By-law including non-compliance with a permit issued under the By-law – second or subsequent response in a 12 month period (property owner) Fee per Fire Department vehicle for the 1st hour	\$ 526.90	\$ 798.05	Y	51.5%	Full cost recovery, rounded to nearest nickel once HST applied
7	- Each Additional Hour (In Half Hour Increments)	\$ 263.50	\$ 399.03	Y	51.4%	Full cost recovery, rounded to nearest nickel once HST applied
Response for Natural Gas Leaks						
8	Failure to obtain Utility Service Locate (property owner) Fee per Fire Department vehicle for the 1st hour	\$ 526.90	\$ 751.06	Y	42.5%	Full cost recovery, rounded to nearest nickel once HST applied
9	- Each Additional Hour (In Half Hour Increments)	\$ 263.50	\$ 375.53	Y	42.5%	Full cost recovery, rounded to nearest nickel once HST applied
Reports / Letters / File Searches						
10	Fire Department response report	\$ 42.26	\$ 43.10	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
11	Clearance/status letter	\$ 38.00	\$ 38.76	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
12	Outstanding work order file search	\$ 74.70	\$ 76.19	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
13	Environmental property search	\$ 497.25	\$ 507.21	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
Fire Routes						
14	Establishing new fire routes or reviewing existing fire routes	\$ 253.10	\$ 258.14	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
Events						
15	Non-emergency stand-by for events (e.g. film events, demolition derbies) per vehicle	\$ 526.90	\$ 537.52	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
16	Full cost recovery for crew	Full Cost Recovery	Full Cost Recovery	Y		
17	Approvals for pyrotechnic and firework displays and film shoot pyrotechnics	\$ 320.00	\$ 326.42	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
18	Capacity cards per room (upon request)	\$ 150.00	\$ 153.01	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
Inspections of Residential Buildings						
19	Daycares – licensed	\$ 168.85	\$ 172.26	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
20	Daycares – private home	\$ 70.31	\$ 71.73	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
21	Foster care homes with a capacity of less than or equal to 4	\$ 70.31	\$ 71.73	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
22	Group homes with a capacity of less than or equal to 4	\$ 70.31	\$ 71.73	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
23	Foster care homes with a capacity of more than 4	\$ 267.30	\$ 272.66	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
24	Student housing, Bed & Breakfast, Lodging house	\$ 267.30	\$ 272.66	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
25	Residential buildings with 1 dwelling	\$ 70.31	\$ 71.73	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
26	Residential buildings with 2 dwellings	\$ 337.61	\$ 344.38	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
27	Residential buildings with less than 4 stories and more than 2 dwelling units	\$ 590.75	\$ 602.57	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
28	Residential buildings with 4 - 6 stories	\$ 998.76	\$ 1,018.77	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
29	Residential buildings with 7 - 11 stories	\$ 1,166.68	\$ 1,190.04	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
30	Residential buildings with 12 - 18 stories	\$ 1,335.75	\$ 1,362.48	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
31	Residential buildings with more than 18 stories	\$ 1,686.46	\$ 1,720.22	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Inspections of Non-Residential Buildings						
32	Non-residential buildings with less than 5 stories and less than 3,000 sq. ft per floor	\$ 267.30	\$ 272.66	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
33	Non-residential buildings with less than 5 stories and 3,000 sq. ft to 5,000 sq. ft per floor	\$ 422.26	\$ 430.71	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
34	Non-residential buildings with less than 5 stories and more than 5,000 sq. ft per floor	\$ 563.01	\$ 574.29	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
35	Non-residential buildings with 5 or more stories and less than 3,000 sq. ft per floor	\$ 632.30	\$ 644.96	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
36	Non-residential buildings with 5 or more stories and 3,000 to 5,000 sq. ft per floor	\$ 745.62	\$ 760.53	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
37	Non-residential buildings with 5 or more stories and more than 5,000 sq. ft per floor	\$ 998.63	\$ 1,018.58	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
Other Inspections						
38	AGCO liquor licence – indoor	\$ 183.19	\$ 186.72	Y	1.9%	Guideline increase, rounded to nearest dollar after HST applied
39	AGCO liquor licence – patio	\$ 84.96	\$ 86.73	Y	2.1%	Guideline increase, rounded to nearest dollar after HST applied
40	Municipal business licence	\$ 149.56	\$ 152.21	Y	1.8%	Guideline increase, rounded to nearest dollar after HST applied
41	Open air burning	\$ 168.85	\$ 172.26	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
All Re-Inspections						
42	2nd or subsequent re-inspection	\$ 70.31	\$ 71.73	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
Permits						
43	Family fireworks sale permit – store	\$ 211.06	\$ 215.31	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
44	Family fireworks sale permit – trailer	\$ 421.95	\$ 430.40	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
45	Open air burning permit	\$ 25.00	\$ 25.50	N	2.0%	Guideline increase, rounded to nearest nickel
Risk and Safety Management Plan Reviews (RSMPs) for Propane Facilities						
46	Level 2 propane facility (propane volume > 5K water gallons) – first RSMP	\$ 2,966.55	\$ 3,025.88	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
47	Level 2 propane facility (propane volume > 5K water gallons) – renewal RSMP	\$ 1,483.36	\$ 1,513.01	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
48	Level 2 propane facility (propane volume > 5K water gallons) – new RSMP resulting from modification or expansion of the propane facility	\$ 2,195.31	\$ 2,239.21	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
49	Level 1 propane facility (propane volume ≤ 5K water gallons) – all RSMPs	\$ 296.64	\$ 302.56	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
Extraordinary Costs						
50	Costs in addition to costs ordinarily incurred to eliminate an emergency or risk, preserve property or evidence, or to investigate, including but not limited to:	Full Cost Recovery	Full Cost Recovery		N/A	
	- renting equipment (e.g. specialized equipment);					
	- hiring contractors;					
	- hiring professional services (e.g. engineering services);					
	- using consumable materials (e.g. foam)					
	- replacing damaged equipment (e.g. bunker gear, firefighting hose); or					
	- purchasing materials (e.g. shoring lumber)					
51	Alternative Solutions Review for Ontario Fire Code	\$ 803.00	\$ 819.07	Y	2.0%	Guideline increase, rounded to nearest nickel after HST applied
52	Fire Safety Plan Review - 3rd or subsequent review	\$ -	\$ 181.02	Y	NEW	New for 2021 - Full cost recovery

2021 PROPOSED USER FEES & CHARGES

Department: Healthy and Safe Communities
Division: Hamilton Paramedic Service

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Special Event Coverage						
1	Event coverage - 1 Ambulance & 2 Paramedics - min. 4 hours	\$ 986.11	\$ 1,005.93	Y	2.0%	Guideline increase, rounded to nearest nickel after HST is applied
2	- Each Additional Hour (In Half Hour Increments)	\$ 246.90	\$ 251.90	Y	2.0%	Guideline increase, rounded to nearest nickel after HST is applied
3	Event coverage - First Response Unit & 1 Paramedic - min. 4 hours	\$ 767.79	\$ 783.19	Y	2.0%	Guideline increase, rounded to nearest nickel after HST is applied
4	- Each Additional Hour (In Half Hour Increments)	\$ 192.04	\$ 195.93	Y	2.0%	Guideline increase, rounded to nearest nickel after HST is applied
Ambulance Reports/Investigations						
5	Copy of Ambulance Call Reports to Outside Agencies	\$ 83.58	\$ 85.31	Y	2.1%	Guideline increase, rounded to nearest nickel after HST is applied
6	Investigative Interview of Paramedics by Outside Agencies (Per Hour)	\$ 150.62	\$ 153.72	Y	2.1%	Guideline increase, rounded to nearest nickel after HST is applied
Preceptor Fees						
7	Paramedic Student Equipment Fee	\$ 57.92	\$ 59.16	Y	2.1%	Guideline increase, rounded to nearest nickel after HST is applied
8	Paramedic Student Preceptor Fee - Primary Care Paramedic (Per Hour)	\$ 1.99	\$ 2.04	Y	2.5%	Guideline increase, rounded to nearest nickel after HST is applied
9	Paramedic Student Preceptor Fee - Advanced Care Paramedic (Per Hour)	\$ 2.83	\$ 2.92	Y	3.2%	Guideline increase, rounded to nearest nickel after HST is applied

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Transit

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Cash Fare	\$ 3.25	\$ 3.25	N	0.0%	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
2	Adult Ticket	\$ 2.50	\$ 2.55	N	2.0%	Guideline increase
3	Elementary / Secondary Ticket	\$ 2.05	\$ 2.10	N	2.4%	Guideline increase
4	Adult Monthly Pass	\$ 110.00	\$ 112.20	N	2.0%	Guideline increase
5	Elementary / Secondary Monthly Pass	\$ 90.20	\$ 92.40	N	2.4%	Guideline increase
6	Summer Youth Pass	\$ 90.20	\$ 92.40	N	2.4%	Report pending to discontinue pass
7	Senior Single Ride	\$ 2.05	\$ 2.10	N	2.4%	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
8	Senior Monthly Pass	\$ 32.50	\$ 35.50	N	9.2%	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
9	Senior Annual Pass	\$ 325.00	\$ 355.00	N	9.2%	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
10	Golden Age Pass (80 years+)	Free	Free	N	N/A	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
11	University College Transit Pass (UCTP)	\$ 190.00	\$ 199.35	N	4.9%	Per 2020 - 2023 agreement
12	McMaster Undergraduate UCTP	\$ 218.60	\$ 228.52	N	4.5%	Per 2020 - 2023 agreement
13	McMaster Graduate Student Association (GSA) UCTP	\$ 276.68	\$ 288.55	N	4.3%	Per 2020 - 2023 agreement
14	Day Pass	\$ 15.00	\$ 15.30	N	2.0%	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
15	Columbia International College Transit Pass (off campus residence)	\$ 69.30	\$ 70.00	N	1.0%	Fee as at Sept. 1/20 based on Mar./20 Student Mth. Pass rounded to nearest five dollars.
16	Columbia International College Transit Pass (on campus residence)	\$ 22.08	\$ 25.00	N	13.2%	Fee as at Sept. 1/20 based on Mar./20 Student Mth. Pass rounded to nearest five dollars.
17	Columbia International College Transit Pass (non residence)	\$ 77.00	\$ 80.00	N	3.9%	Fee as at Sept. 1/20 based on Mar./20 Student Mth. Pass rounded to nearest five dollars.
18	Employee Commuter Pass	\$ 105.00	\$ 107.10	N	2.0%	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
19	School Hour Only Pass	\$ 63.83	\$ 65.57	N	2.7%	Based on % of approved Student Pass Rate
20	School Plus Pass	\$ 26.00	\$ 26.00	N	0.0%	No increase, as current fee is sufficient
21	Affordable Transit Pass	\$ 55.00	\$ 56.10	N	2.0%	Per Report PW14015(c); report PW14015(a), effective September 1, 2020 paused to September 1, 2021
22	TransCab	Regular Fare + \$0.50	Regular Fare + \$0.50	N	N/A	No increase, as current fee is sufficient
23	Urban Charters	\$ 144.56	\$ 147.45	Y	2.0%	Guideline increase
24	HSR Photo ID - Elementary/Secondary School Students	\$ 5.15	\$ 5.25	Y	2.0%	Guideline increase
25	HSR Replacement Photo ID - Senior, EC Pass, SHO, School Plus Pass	\$ 15.45	\$ 15.76	Y	2.0%	Guideline increase
26	Document Requests on CD's (Mobility Programs and Transportation Planning)	\$ 4.55	\$ 4.64	Y	2.0%	Guideline increase
27	Event Impact – Advertisement Charge for route diversion/route impact (per Pole Card)	\$ 3.61	\$ 3.68	Y	2.0%	Guideline increase
28	Event Coverage – PER Supervisory Charge for event related activities including crowd disbursement, operational needs, and other customer related event needs	\$ 231.13	\$ 235.75	Y	2.0%	Guideline increase
	Minimum: First 4 Hours					

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)

Division: Transit

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
29	Additional \$/Hr beyond 4 Hours	\$ 57.78	\$ 58.94	Y	2.0%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Energy, Fleet and Facilities - Tim Horton's Field

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
RENTAL RATES						
Community Sport Programming						
1	Adults & Non-affiliated Youth (Hourly)	\$ 133.79	\$ 136.50	Y	2.0%	Guideline increase
2	Youth Affiliated (Hourly)	\$ 66.89	\$ 68.30	Y	2.1%	Guideline increase
3	Lights when required (Hourly)	\$ 27.87	\$ 28.50	Y	2.3%	Guideline increase
Community Room Rentals - Level 1						
Room 1E501 - Alumni Room (1,800 sq ft.)						
4	Commercial/Non-resident (Hourly)	\$ 133.95	\$ 136.70	Y	2.1%	Guideline increase
5	Resident (Hourly)	\$ 80.37	\$ 82.00	Y	2.0%	Guideline increase
6	Community Group (Hourly)	\$ 37.51	\$ 38.30	Y	2.1%	Guideline increase
7	Affiliate Group (Hourly)	\$ 26.79	\$ 27.40	Y	2.3%	Guideline increase
8	Caretaker's Club (Soccer Warm-up Area) (Hourly Rate)	\$ 80.37	\$ 82.00	Y	2.0%	Guideline increase
Community Room Rentals - Level 2						
Room 2W 600 - City Lounge (1,625 sq ft.)						
9	Commercial/Non-resident (Hourly)	\$ 55.75	\$ 56.90	Y	2.1%	Guideline increase
10	Resident (Hourly)	\$ 33.45	\$ 34.20	Y	2.2%	Guideline increase
11	Community Group (Hourly)	\$ 15.61	\$ 16.00	Y	2.5%	Guideline increase
12	Affiliate Group (Hourly)	\$ 11.15	\$ 11.40	Y	2.2%	Guideline increase
Room 2W 336 - Community Video Room (194 sq ft.)						
13	Commercial/Non-resident (Hourly)	\$ 22.30	\$ 22.80	Y	2.2%	Guideline increase
14	Resident (Hourly)	\$ 13.38	\$ 13.70	Y	2.4%	Guideline increase
15	Community Group (Hourly)	\$ 4.46	\$ 4.60	Y	3.1%	Guideline increase
16	Affiliate Group (Hourly)	\$ 2.23	\$ 2.30	Y	3.1%	Guideline increase
Room 2W 601 - Community Room (280 sq ft.)						
17	Commercial/Non-resident (Hourly)	\$ 22.30	\$ 22.80	Y	2.2%	Guideline increase
18	Resident (Hourly)	\$ 13.38	\$ 13.70	Y	2.4%	Guideline increase
19	Community Group (Hourly)	\$ 4.46	\$ 4.60	Y	3.1%	Guideline increase
20	Affiliate Group (Hourly)	\$ 2.23	\$ 2.30	Y	3.1%	Guideline increase
Room 2W 602 - Community Room (280 sq ft.)						
21	Commercial/Non-resident (Hourly)	\$ 22.30	\$ 22.80	Y	2.2%	Guideline increase
22	Resident (Hourly)	\$ 13.38	\$ 13.70	Y	2.4%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Energy, Fleet and Facilities - Tim Horton's Field

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
23	Community Group (Hourly)	\$ 4.46	\$ 4.60	Y	3.1%	Guideline increase
24	Affiliate Group (Hourly)	\$ 2.23	\$ 2.30	Y	3.1%	Guideline increase
Room 2W 603 - Community Room (366 sq ft.)						
25	Commercial/Non-resident (Hourly)	\$ 22.30	\$ 22.80	Y	2.2%	Guideline increase
26	Resident (Hourly)	\$ 13.38	\$ 13.70	Y	2.4%	Guideline increase
27	Community Group (Hourly)	\$ 4.46	\$ 4.60	Y	3.1%	Guideline increase
28	Affiliate Group (Hourly)	\$ 2.23	\$ 2.30	Y	3.1%	Guideline increase
Amateur Sport Events - Spectator Events (not-for-profit and charitable organizations)						
29	Lower Bowl - west side only per Hour	\$ 131.16	\$ 133.80	Y	2.0%	Guideline increase
30	Upper & Lower Bowl - west side only (Daily)*	\$ 5,000.00	\$ 5,100.00	Y	2.0%	2021 Flat Rate. Fee is comparable to industry standard.
31	Full Stadium (Daily)*	\$ 7,500.00	\$ 7,650.00	Y	2.0%	2021 Flat Rate. Fee is comparable to industry standard.
32	Film Shoots	Negotiable	Negotiable	Y	N/A	2021 Flat Rate. Market Driven
33	Photography (Commercial Rate) Flat Fee - First 4 Hours	\$ 1,746.88	\$ 1,781.90	Y	2.0%	Guideline increase
34	Hourly fee beyond 4 hours	\$ 424.00	\$ 432.50	Y	2.0%	Guideline increase
35	Photography (Wedding Photography Only) (2 hour maximum)	\$ 187.53	\$ 191.30	Y	2.0%	Guideline increase
Concerts						
36	West Stands Only	Negotiable	Negotiable	Y	N/A	2021 Flat Rate. Market Driven
37	Full Stadium	Negotiable	Negotiable	Y	N/A	2021 Flat Rate. Market Driven
Corporate Gatherings/Professional Sports						
38	Upper & Lower Bowl - west side only (Daily)*	\$ 10,000.00	\$ 10,200.00	Y	2.0%	2021 Flat Rate. Market Driven
39	Full Stadium (Daily)*	\$ 15,000.00	\$ 15,300.00	Y	2.0%	2021 Flat Rate. Market Driven
Corporate Room Rentals - Level 4						
Room 4W 300 (1,012 sq ft.) - Club Room 1						
40	Social/Corporate - Day Rate *	\$ 327.91	\$ 334.50	Y	2.0%	Guideline increase
41	Social/Corporate - Evening Rate *	\$ 327.91	\$ 334.50	Y	2.0%	Guideline increase
42	Social/Corporate - Day & Evening Rate *	\$ 590.24	\$ 602.10	Y	2.0%	Guideline increase
43	Community Groups (not-for-profit) - Day Rate *	\$ 196.75	\$ 200.70	Y	2.0%	Guideline increase
44	Community Groups (not-for-profit) - Evening Rate *	\$ 196.75	\$ 200.70	Y	2.0%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Energy, Fleet and Facilities - Tim Horton's Field

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
45	Community Groups (not-for-profit) - Day & Evening*	\$ 354.15	\$ 361.30	Y	2.0%	Guideline increase
46	City of Hamilton - Day Rate *	\$ 98.37	\$ 100.40	Y	2.1%	Guideline increase
47	City of Hamilton - Evening Rate *	\$ 98.37	\$ 100.40	Y	2.1%	Guideline increase
48	City of Hamilton - Day & Evening Rate *	\$ 177.07	\$ 180.70	Y	2.1%	Guideline increase
Room 4W 301 (1,410 sq ft.) - Club Room 2						
49	Social/Corporate - Day Rate *	\$ 491.87	\$ 501.80	Y	2.0%	Guideline increase
50	Social/Corporate - Evening Rate *	\$ 491.87	\$ 501.80	Y	2.0%	Guideline increase
51	Social/Corporate - Day & Evening Rate *	\$ 885.37	\$ 903.10	Y	2.0%	Guideline increase
52	Community Groups (not-for-profit) - Day Rate *	\$ 295.12	\$ 301.10	Y	2.0%	Guideline increase
53	Community Groups (not-for-profit) - Evening Rate *	\$ 295.12	\$ 301.10	Y	2.0%	Guideline increase
54	Community Groups (not-for-profit) - Day & Evening*	\$ 531.22	\$ 541.90	Y	2.0%	Guideline increase
55	City of Hamilton - Day Rate *	\$ 147.56	\$ 150.60	Y	2.1%	Guideline increase
56	City of Hamilton - Evening Rate *	\$ 147.56	\$ 150.60	Y	2.1%	Guideline increase
57	City of Hamilton - Day & Evening Rate *	\$ 265.61	\$ 271.00	Y	2.0%	Guideline increase
Room 4W 313 (5,952 sq ft.) - Club Room 3						
58	Social/Corporate - Day Rate *	\$ 1,530.26	\$ 1,560.90	Y	2.0%	Guideline increase
59	Social/Corporate - Evening Rate *	\$ 1,530.26	\$ 1,560.90	Y	2.0%	Guideline increase
60	Social/Corporate - Day & Evening Rate *	\$ 2,754.47	\$ 2,809.60	Y	2.0%	Guideline increase
61	Community Groups (not-for-profit) - Day Rate *	\$ 918.16	\$ 936.60	Y	2.0%	Guideline increase
62	Community Groups (not-for-profit) - Evening Rate *	\$ 918.16	\$ 936.60	Y	2.0%	Guideline increase
63	Community Groups (not-for-profit) - Day & Evening*	\$ 1,652.68	\$ 1,685.80	Y	2.0%	Guideline increase
64	City of Hamilton - Day Rate *	\$ 459.08	\$ 468.30	Y	2.0%	Guideline increase
65	City of Hamilton - Evening Rate *	\$ 459.08	\$ 468.30	Y	2.0%	Guideline increase
66	City of Hamilton - Day & Evening Rate *	\$ 826.34	\$ 842.90	Y	2.0%	Guideline increase
Room 4W 314 (1,410 sq ft.) - Club Room 4						
67	Social/Corporate - Day Rate *	\$ 491.87	\$ 501.80	Y	2.0%	Guideline increase
68	Social/Corporate - Evening Rate *	\$ 491.87	\$ 501.80	Y	2.0%	Guideline increase
69	Social/Corporate - Day & Evening Rate *	\$ 885.37	\$ 903.10	Y	2.0%	Guideline increase
70	Community Groups (not-for-profit) - Day Rate *	\$ 295.12	\$ 301.10	Y	2.0%	Guideline increase
71	Community Groups (not-for-profit) - Evening Rate *	\$ 295.12	\$ 301.10	Y	2.0%	Guideline increase
72	Community Groups (not-for-profit) - Day & Evening*	\$ 531.22	\$ 541.90	Y	2.0%	Guideline increase
73	City of Hamilton - Day Rate *	\$ 147.56	\$ 150.60	Y	2.1%	Guideline increase
74	City of Hamilton - Evening Rate *	\$ 147.56	\$ 150.60	Y	2.1%	Guideline increase
75	City of Hamilton - Day & Evening Rate *	\$ 265.61	\$ 271.00	Y	2.0%	Guideline increase
Room 4W 315 (1,012 sq ft.) - Club Room 5						

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Energy, Fleet and Facilities - Tim Horton's Field

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
76	Social/Corporate - Day Rate *	\$ 327.91	\$ 334.50	Y	2.0%	Guideline increase
77	Social/Corporate - Evening Rate *	\$ 327.91	\$ 334.50	Y	2.0%	"
78	Social/Corporate - Day & Evening Rate *	\$ 590.24	\$ 602.10	Y	2.0%	"
79	Community Groups (not-for-profit) - Day Rate *	\$ 196.75	\$ 200.70	Y	2.0%	"
80	Community Groups (not-for-profit) - Evening Rate *	\$ 196.75	\$ 200.70	Y	2.0%	"
81	Community Groups (not-for-profit) - Day & Evening*	\$ 354.15	\$ 361.30	Y	2.0%	"
82	City of Hamilton - Day Rate *	\$ 98.37	\$ 100.40	Y	2.1%	"
83	City of Hamilton - Evening Rate *	\$ 98.37	\$ 100.40	Y	2.1%	"
84	City of Hamilton - Day & Evening Rate *	\$ 177.07	\$ 180.70	Y	2.1%	"
Club Level - includes all rooms noted above (10,796 sq ft.)						
85	Social/Corporate - Day Rate *	\$ 2,240.74	\$ 2,285.60	Y	2.0%	Guideline increase
86	Social/Corporate - Evening Rate *	\$ 2,240.74	\$ 2,285.60	Y	2.0%	Guideline increase
87	Social/Corporate - Day & Evening Rate *	\$ 4,033.33	\$ 4,114.00	Y	2.0%	Guideline increase
88	Community Groups (not-for-profit) - Day Rate *	\$ 1,344.44	\$ 1,371.40	Y	2.0%	Guideline increase
89	Community Groups (not-for-profit) - Evening Rate *	\$ 1,344.44	\$ 1,371.40	Y	2.0%	Guideline increase
90	Community Groups (not-for-profit) - Day & Evening*	\$ 2,420.00	\$ 2,468.40	Y	2.0%	Guideline increase
91	City of Hamilton - Day Rate *	\$ 674.41	\$ 687.90	Y	2.0%	Guideline increase
92	City of Hamilton - Evening Rate *	\$ 674.41	\$ 687.90	Y	2.0%	Guideline increase
93	City of Hamilton - Day & Evening Rate *	\$ 1,210.00	\$ 1,234.20	Y	2.0%	Guideline increase
South Plaza - outside gates SE corner						
94	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 535.81	\$ 546.60	Y	2.0%	Guideline increase
95	(<4 hour rental - flat fee) - Resident	\$ 321.48	\$ 328.00	Y	2.0%	Guideline increase
96	(<4 hour rental fee - flat fee) - Community Group	\$ 150.24	\$ 153.30	Y	2.0%	Guideline increase
97	(4< hour rental fee - flat fee) - Affiliate Group	\$ 107.16	\$ 109.40	Y	2.1%	Guideline increase
Coors Banquet Patio - East Side 2nd Floor & Concourse						
98	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 535.81	\$ 546.60	Y	2.0%	Guideline increase
99	(<4 hour rental - flat fee) - Resident	\$ 321.48	\$ 328.00	Y	2.0%	Guideline increase
100	(<4 hour rental fee - flat fee) - Community Group	\$ 150.24	\$ 153.30	Y	2.0%	Guideline increase
101	(4< hour rental fee - flat fee) - Affiliate Group	\$ 107.16	\$ 109.40	Y	2.1%	Guideline increase
Coors Light Patio - North End						
102	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 535.81	\$ 546.60	Y	2.0%	Guideline increase
103	(<4 hour rental - flat fee) - Resident	\$ 321.48	\$ 328.00	Y	2.0%	Guideline increase
104	(<4 hour rental fee - flat fee) - Community Group	\$ 150.24	\$ 153.30	Y	2.0%	Guideline increase
105	(4< hour rental fee - flat fee) - Affiliate Group	\$ 107.16	\$ 109.40	Y	2.1%	Guideline increase

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)

Division: Energy, Fleet and Facilities - Tim Horton's Field

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Stipley BBQ Area - South Plaza inside the gates						
106	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 535.81	\$ 546.60	Y	2.0%	Guideline increase
107	(<4 hour rental - flat fee) - Resident	\$ 321.48	\$ 328.00	Y	2.0%	Guideline increase
108	(<4 hour rental fee - flat fee) - Community Group	\$ 150.24	\$ 153.30	Y	2.0%	Guideline increase
109	(4< hour rental fee - flat fee) - Affiliate Group	\$ 107.16	\$ 109.40	Y	2.1%	Guideline increase
** All additional operational expenses are to be added to the above noted rates.						

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Transportation Operations & Maintenance

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Damage to Traffic Property (i.e., Traffic posts, traffic signs, signal poles) Priced per job. Direct job costs	Cost + 7% Admin Fee	Cost + 7% Admin Fee	N	N/A	Fee set at cost plus 7%
2	Banner/Sign Fabricating - external requests - Priced per Job	Cost + 7% Admin Fee	Cost + 7% Admin Fee	Y	N/A	Fee set at cost plus 7%
3	Municipal Numbering Fees - Full installation by City Forces	\$ 188.00	\$ 192.00	N	2.1%	Guideline increase rounded to nearest dollar
4	Municipal Numbering Fees - Materials for Homeowner Installation (including delivery)	\$ 33.00	\$ 34.00	N	3.0%	Guideline increase rounded to nearest dollar
5	Traffic Signal Timing Plans - Inquiries	\$ 267.00	\$ 272.00	Y	1.9%	Guideline increase rounded to nearest dollar
6	Traffic Signal Timing Plans - Drawings	\$ 63.00	\$ 64.00	Y	1.6%	Guideline increase rounded to nearest dollar
7	Traffic Count Fee - provision of count data on file, on request	\$ 68.00	\$ 69.40	Y	2.1%	Guideline increase rounded to nearest dollar
8	Traffic Warning Boards - install and remove	Cost + 7% Admin Fee	Cost + 7% Admin Fee	Y	N/A	Fee set at cost plus 7%
9	Traffic Signs - remove and replace	Cost + 7% Admin Fee	Cost + 7% Admin Fee	Y	N/A	Fee set at cost plus 7%
10	Publication Box Permit - Initial Fee	\$ 51.00	\$ 52.00	N	2.0%	Guideline increase rounded to nearest dollar
11	Publication Box Annual Permit Renewal	\$ 34.00	\$ 35.00	N	2.9%	Guideline increase rounded to nearest dollar
12	Culvert Installation - Roads - Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
13	Culvert Installation - Inspection Only - Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
14	Repair-Replace Property on City Roads - Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
15	Approach Ramp Installation	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
16	Personal Item Retrieval (Catch Basin Retrieval)	\$ 115.00	\$ 117.00	N	1.7%	Guideline increase rounded to nearest dollar
17	Street Flushing/Sweeping/Mud-Tracking - Developers - Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
18	Snow Removal - Public School Board - Sidewalks - Cost Actuals	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
19	Snow Removal - Separate School Board - Sidewalks - Cost Actuals	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
20	Temporary Road Access Permit Application Fee - per application	\$ 121.00	\$ 123.00	N	1.7%	Guideline increase rounded to nearest dollar
21	Temporary Road Access Permit Security Deposit - per application	\$ 1,030.00	\$ 1,051.00	N	2.0%	Guideline increase rounded to nearest dollar
22	Street Lighting Subdivision Review and Evaluation Fee	\$ 6,422.00	\$ 6,550.00		2.0%	Guideline increase rounded to nearest dollar

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Environmental Services - Waste Management

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Non-Residential Recycling Blue Box Container	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
2	Non-Residential Recycling Blue Carts	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
3	Non-Residential Green Cart	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
4	Non-Residential Kitchen "Mini-bin" Organics Container	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
Waste Management Per Event Fee for Non-Funded Festivals and Events (#5-#11):						
5	- Recycling (up to 25 barrels)	\$ 1,515.30	Full Cost Recovery	Y		Revised to Full Cost Recovery to reflect cost in new contract.
6	- Garbage - per roll off bin (plus tipping fees)	\$ 189.30	Full Cost Recovery	Y		Revised to Full Cost Recovery to reflect cost in new contract.
7	- Organics (up to 25 green carts)	\$ 675.40	Full Cost Recovery	Y		Revised to Full Cost Recovery to reflect cost in new contract.
8	- Administrative Fee per event	\$ 144.70	Full Cost Recovery	Y		Revised to Full Cost Recovery to reflect cost in new contract.
9	- Recycling Containers - replacement of damaged blue barrels	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
10	- Organics Containers - replacement of damaged green carts	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
11	- Garbage Containers - replacement of damaged containers	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
12	Waste Removal - Non Compliance Fee (plus tipping fees)	\$ 352.75	\$ 359.90	Y	2.0%	Guideline increase.
13	Backyard Composters	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
14	Tipping Fee per 100 kilograms	\$ 12.10	\$ 12.10	N	0.0%	Fee reviewed every 2 years, last updated in 2020.
15	Minimum Vehicle Fee	\$ 10.00	\$ 10.00	N	0.0%	No change required for 2021. This rate was increased by over 17% from 2019 to 2020.
Deposit Fees at Transfer Stations (#16-#20):						
16	- 0-2500kg	\$ 50.00	\$ 50.00	N	0.0%	Refundable deposit no increase required
17	- 2501-3000 kg	\$ 100.00	\$ 100.00	N	0.0%	Refundable deposit no increase required
18	- 3001-6000 kg	\$ 200.00	\$ 200.00	N	0.0%	Refundable deposit no increase required
19	- 6001-9000 kg	\$ 300.00	\$ 300.00	N	0.0%	Refundable deposit no increase required
20	- Over 9000 kg	\$ 400.00	\$ 400.00	N	0.0%	Refundable deposit no increase required
21	Impacted Soil Fee (per tonne)	\$ 12.36	\$ 12.60	N	1.9%	Guideline increase
22	Waste Site Searches	N/A	\$ 50.00	Y	N/A	NEW - For land purchase inquiries
23	Special Event Waste Containers - replacement of damaged containers	N/A	Full Cost Recovery	Y	N/A	NEW - Fee set at 100% cost recovery
24	Fees charged for inspections carried out by the City resulting from non-compliance with the City's Solid Waste Management By-law and the City's Parks By-law - Initial inspection	N/A	\$ 302.65	Y	N/A	NEW
25	Fees charged for inspections carried out by the City resulting from non-compliance with the City's Solid Waste Management By-law and the City's Parks By-law - Subsequent inspection	N/A	\$ 154.87	Y	N/A	NEW
26	Fee for Commercial Vehicles possessing a signed affidavit transporting Waste for personal use. One trip per month (for the first 100 kg)	N/A	\$ 10.00	N	N/A	No service level impact. Fee is being removed from the existing Waste Management By-law 09-067 and being added to the User Fees By-law.
27	Recreational Vehicle Liquid Waste	\$ 8.50	\$ 8.75	N	2.9%	Guideline increase, rounded to nearest quarter.
28	Septic Waste (per 100 kg)	\$ 0.85	\$ 0.90	N	5.9%	Guideline increase, rounded to nearest nickel.

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)

Division: Environmental Services - Waste Management

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
29	Weight verification	\$ 5.00	\$ 5.10	N	2.0%	Guideline increase
30	Alternate Minimum Fee for Private Haulers and Commercial Vehicles in the event that the weigh scales become inoperative	N/A	\$ 20.00	N	N/A	Fee is being removed from the existing Waste Management By-law 09-067 and being added to the User Fees By-law

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Interment of an Adult at Standard Depth (6-ft)	\$ 1,120.00	\$ 1,142.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
2	Interment of an Adult at Double Depth (8-ft)	\$ 1,395.00	\$ 1,423.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
3	Entombment in a Mausoleum Crypt - includes sealing	\$ 666.00	\$ 680.00	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
4	Interment of a Child - Stillborn - Case up to 24"	\$ 230.00	\$ 235.00	Y	2.2%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
5	Interment of a Child - Case 25" to 72" - Standard Depth (6-ft)	\$ 696.00	\$ 710.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
6	Interment of a Child - Case 25" to 72" - Double Depth (8-ft)	\$ 937.00	\$ 956.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
7	Interment of Cremated Remains - Urn Garden Grave	\$ 448.00	\$ 457.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
8	Interment of Cremated Remains - Columbarium Niche	\$ 381.00	\$ 389.00	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
9	Interment of Cremated Remains - Cremorial (Woodland Only)	\$ 381.00	\$ 389.00	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
10	Interment - Second set of cremated remains with another burial	\$ 100.00	\$ 105.00	Y	5.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
11	Interment Rights purchased before January 1, 1955 - Care & Maintenance	\$ 242.00	\$ 247.00	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
12	Interment Late Fee (for Funeral arriving > 30 minutes after ETA)	\$ 203.00	\$ 207.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
13	Interment on Saturday - Traditional Burial - 8:30am to 11:00am	\$ 820.00	\$ 836.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
14	Interment on Saturday - Cremated Remains - 8:30am to 11:00am	\$ 648.00	\$ 661.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
15	Interment on Non-Statutory Holiday - Traditional Burial 8:30am to 11:00am	\$ 1,441.00	\$ 1,470.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
16	Interment on Non-Statutory Holiday - Cremated Remains - 8:30am to 11:00am	\$ 787.00	\$ 803.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
17	Interment on Statutory Holiday - Traditional Burial - 8:30am to 11:00am	\$ 2,112.00	\$ 2,154.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
18	Interment on Statutory Holiday - Cremated Remains - 8:30am to 11:00am	\$ 1,428.00	\$ 1,457.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
19	Interment - Lowering: Adult - from 6ft to 8 ft - Shell	\$ 4,161.00	\$ 4,244.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
20	Interment - Lowering: Adult - from 6ft to 8 ft - Vault or Crypt	\$ 3,470.00	\$ 3,539.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
21	Interment - Lowering: Child - from 6ft to 8 ft - Shell	\$ 1,817.00	\$ 1,853.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
22	Interment - Lowering: Child - from 6ft to 8 ft - Vault or Crypt	\$ 1,511.00	\$ 1,541.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
23	Interment - Scattering (Woodland Tranquility Gardens and Mount Hamilton Natural Burial Section only) - includes \$25.00 Care and maintenance fee as per BAO	\$ 400.00	\$ 408.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
24	Interment - Scattering + Memorialization (Woodland Tranquility Gardens and Mount Hamilton Natural Burial Section only) - includes \$25.00 care and maintenance fee as per BAO	\$ 650.00	\$ 663.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
25	Interment - Removal: Adult - 6-ft No Outer Container (Shell)	\$ 3,643.00	\$ 3,716.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
26	Interment - Removal: Adult - 8-ft No Outer Container (Shell)	\$ 4,518.00	\$ 4,608.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
27	Interment - Removal: Adult - 6-ft Outer Container (Vault or Crypt)	\$ 2,992.00	\$ 3,052.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
28	Interment - Removal: Adult - 8-ft Outer Container (Vault or Crypt)	\$ 3,669.00	\$ 3,742.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
29	Interment - Removal: Child - 6-ft No Outer Container (Shell)	\$ 1,099.00	\$ 1,121.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
30	Interment - Removal: Child - 8-ft No Outer Container (Shell)	\$ 1,485.00	\$ 1,515.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
31	Interment - Removal: Child - 6-ft Outer Container (Vault or Crypt)	\$ 897.00	\$ 915.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
32	Interment - Removal: Child - 8-ft Outer Container (Vault or Crypt)	\$ 1,362.00	\$ 1,389.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
33	Disinterment of Cremated Remains - Urn Garden Grave	\$ 448.00	\$ 457.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
34	Disinterment of Cremated Remains - Columbarium Niche	\$ 381.00	\$ 389.00	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
35	Lot Sale - Singles-in-a-Row (At Need Only)	\$ 1,140.00	\$ 1,163.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
36	Lot Sale - single flat marker only	\$ 1,990.00	\$ 2,030.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
37	Lot Sale- green/natural section	\$ 2,050.00	\$ 2,091.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
38	Lot Sale -preferred single premium lot	\$ 2,956.00	\$ 3,015.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
39	Lot Sale - two grave flat marker only	\$ 3,980.00	\$ 4,060.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
40	Lot Sale - three grave flat marker only	\$ 5,970.00	\$ 6,089.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
41	Lot Sale - four grave flat marker only	\$ 7,960.00	\$ 8,119.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
42	Lot Sale - monument	\$ 2,150.00	\$ 2,193.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
43	Lot Sale - two grave monument	\$ 4,300.00	\$ 4,386.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
44	Lot Sale - three grave monument	\$ 6,450.00	\$ 6,579.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
45	Lot Sale - four grave monument	\$ 8,600.00	\$ 8,772.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
46	Lot Sale - Veteran's Grave Section 18 - Woodland Only	\$ 1,055.00	\$ 1,076.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
47	Lot Sale - Child: Stillborn - Case up to 24": C&M Portion	\$ 150.00	\$ 150.00	Y	0.0%	Fees Prescribed by Ministry legislation; cannot be increased.

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
48	Lot Sale - Child 72"	\$ 525.00	\$ 536.00	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
49	Lot Sale - Mausoleum Crypt	\$ 3,050.00	\$ 3,111.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
50	Lot Sale - Cremation Urn Garden Grave	\$ 1,025.00	\$ 1,046.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
51	Lot Sale - Cremation Urn Garden Grave - (Woodland and Premium)	\$ 1,355.00	\$ 1,382.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
52	Lot Sale - Garden Stone interment right	\$ 1,355.00	\$ 1,382.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
53	Lot Sale - 6 ft Burials ONLY	\$ 3,115.00	\$ 3,177.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
54	Lot Sale - two grave lot Premium (Woodland Sec 14)	\$ 6,270.00	\$ 6,395.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
55	Lot Sale - three grave monument (Woodland Sec 14)	\$ 9,405.00	\$ 9,593.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
56	Lot Sale - four grave monument (Woodland Sec 14)	\$ 12,540.00	\$ 12,791.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
57	Niche Sale - Bronze Wreath Plaque	\$ 3,015.00	\$ 3,075.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
58	Niche Sale - Monument engraved plaque	\$ 2,330.00	\$ 2,377.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
59	Niche Sale - Cremorial (Woodland only)	\$ 1,715.00	\$ 1,749.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
60	Niche Sale - Lower Level (Rows 1, 2, 6)	\$ 2,215.00	\$ 2,259.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
61	Niche Sale - Upper Level (Rows 3-5)	\$ 2,920.00	\$ 2,978.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
62	Niche Sale - Woodland Tranquility Gardens - Rows 3, 4 (bottom)	\$ 5,230.00	\$ 5,335.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
63	Niche Sale - Woodland Tranquility Gardens - Rows 1, 2 (top)	\$ 5,775.00	\$ 5,891.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
64	Niche Sale - Premium (Hamilton Cemetery)	\$ 3,880.00	\$ 3,958.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
65	Cremation Bench Sale (Tranquility Gardens) interment rights (for 2)	\$ 2,575.00	\$ 2,627.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
66	Cremation bench Sale (Tranquility Gardens) granite bench	\$ 5,658.00	\$ 5,771.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
67	Non-Resident Surcharge	25%	25%	Y	0.0%	Tied directly to the land sale fee (25% of the sale on non-resident land purchases).
68	Markers and Foundations - Concrete Foundation Pouring - per square inch of surface area to a depth of 5-ft	\$ 143.00	\$ 143.00	Y	0.0%	Fee set at 100% cost recovery, BAO, Cemeteries Act does not permit City to earn revenue on this item. No increase permitted.
69	Markers and Foundations - Foundation Removal Fee	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery, BAO, Cemeteries Act does not permit City to earn revenue on this item. No increase permitted.
70	Markers and Foundations - Marker Setting Fee: 12" x 10" - Flat Marker (No C&M)	\$ 155.00	\$ 158.00	Y	1.9%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
71	Markers and Foundations - Marker Setting Fee: Child's 18" x 14" Flat Marker (Plus C&M)	\$ 180.00	\$ 184.00	Y	2.2%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
72	Markers and Foundations - Marker Setting Fee: All other size Flat Marker - maximum size 24" x 18" (Plus C&M)	\$ 250.00	\$ 255.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
73	Markers and Foundations - Marker Setting Fee: DVA Flat Marker: plus C&M	\$ 217.00	\$ 221.00	Y	1.8%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
74	Markers and Foundations - Marker Setting Fee: Bronze Vase	\$ 250.00	\$ 255.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
75	Markers and Foundations - Marker Setting Fee: DVA Upright Marker: plus C&M	\$ 193.00	\$ 197.00	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
76	Care & Maintenance - Flat Marker (173 inches or greater)	\$ 50.00	\$ 50.00	Y	0.0%	Fees Prescribed by Ministry legislation
77	Care & Maintenance - DVA Flat Marker	\$ 50.00	\$ 50.00	Y	0.0%	Fees Prescribed by Ministry legislation
78	Care & Maintenance - Small Foundations (up to 38" x 14" or 532 sq. inches)	\$ 100.00	\$ 100.00	Y	0.0%	Fees Prescribed by Ministry legislation
79	Care & Maintenance - Large Foundations (greater than 532 sq. inches)	\$ 200.00	\$ 200.00	Y	0.0%	Fees Prescribed by Ministry legislation
80	Care & Maintenance - DVA Upright Marker	\$ 100.00	\$ 100.00	Y	0.0%	Fees Prescribed by Ministry legislation
81	Cemetery license fees	\$ 12.00	\$ 12.00	Y	0.0%	Fees Prescribed by Ministry legislation
82	Columbarium Niche Bronze Plaque	\$ 640.00	\$ 670.00	Y	4.7%	Accomplishes cost recovery.
83	Columbarium Niche Bronze Plaque - Date scroll	\$ 135.00	\$ 145.00	Y	7.4%	Accomplishes cost recovery.
84	Columbarium Niche - Companion Vase (Plastic)	\$ 165.00	\$ 168.00	Y	1.8%	Accomplishes cost recovery and guideline increase rounded to nearest dollar
85	Columbarium Niche - Companion Vase (Bronze)	\$ 190.00	\$ 195.00	Y	2.6%	Accomplishes cost recovery.
86	Cremorial Bronze Plaque	\$ 320.00	\$ 350.00	Y	9.4%	Accomplishes cost recovery.
87	Merchandise / Miscellaneous Services - Flower Beds - Supply, install & maintain Flower Bed - per grave to a maximum of three graves	\$ 622.00	\$ 635.00	Y	2.1%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
88	Merchandise / Miscellaneous Services - Duplicate Deed/Interment Rights Certificate/Transfer of Rights (copy)	\$ 31.00	\$ 32.00	Y	3.2%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
89	Merchandise / Miscellaneous Services - Genealogical Research	\$ 36.00	\$ 40.00	Y	11.1%	Accomplishes cost recovery.
90	Merchandise / Miscellaneous Services - Memorial Tree Planting (12"x10" stone; 6"x8" bronze plaque)	\$ 1,195.00	\$ 1,219.00	Y	2.0%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
91	Merchandise / Miscellaneous Services - Memorial Tree Planting (14" X 14" stone; inscription)	\$ 1,495.00	\$ 1,525.00	Y	2.0%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
92	Merchandise / Miscellaneous Services - Memorial Bench (bench; 8" x 5" bronze plaque with 3 lines)	Starting at \$1760	Starting at \$ 1795	Y	2.0%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
93	Merchandise / Miscellaneous Services - Temporary Marker (permitted for up to one year)	\$ 109.00	\$ 112.00	Y	2.8%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
94	Merchandise / Miscellaneous Services - Columbarium Plaque or Vase Installation	\$ 155.00	\$ 158.00	Y	1.9%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
95	Outer Container - Concrete Crypt - Youth	\$ 785.00	\$ 801.00	Y	2.0%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
96	Outer Container - Concrete Crypt - Intermediate	\$ 855.00	\$ 872.00	Y	2.0%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
97	Outer Container - Concrete Crypt - Oversize	\$ 1,030.00	\$ 1,051.00	Y	2.0%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
98	Temporary Access Permit from Cemetery Lands onto Private Property	\$ 132.00	\$ 135.00	Y	2.3%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Environmental Services - Cemeteries

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
99	Administrative Fee: Third Party Resale and/or Property Exchange; Family Authorization Fee	\$ 243.00	\$ 248.00	Y	2.1%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar
100	Tent Rental 10'x10' per use and Chair Rental 4 chairs per use	\$ 260.00	\$ 265.00	Y	1.9%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
101	Vaults - Various: Starting Prices	\$ 1,190.00	\$ 1,290.00	Y	8.4%	Adjusted to market rates.
102	Urn Vaults - Various: Starting Prices	\$ 815.00	\$ 875.00	Y	7.4%	Adjusted to market rates.
103	Inscription Dateline: Flat Charge	\$ 300.00	\$ 320.00	Y	6.7%	Accomplishes cost recovery.
104	Additional Charge per letter	\$ 7.25	\$ 7.40	Y	2.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
105	Monument/Marker cleaning - Various: Starting Prices	\$ 360.00	\$ 367.00	Y	1.9%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
106	Repainting of letters on monument/marker - Various: Starting Prices	\$ 360.00	\$ 367.00	Y	1.9%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
107	Urns - Various: Starting Prices	\$ 290.00	\$ 300.00	Y	3.4%	Accomplishes cost recovery.
108	Markers - Various: Starting Prices	\$ 535.00	\$ 575.00	Y	7.5%	Accomplishes cost recovery.
109	Monuments - Various: Starting Prices	\$ 2,820.00	\$ 2,950.00	Y	4.6%	Accomplishes cost recovery.
110	Porcelain Pictures - b/w	\$ 330.00	\$ 337.00	Y	2.1%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar.
111	Porcelain Pictures - colour	\$ 380.00	\$ 388.00	Y	2.1%	Accomplishes cost recovery and Guideline increase rounded to nearest dollar.
112	Vigil Lights - Various: Starting Prices	\$ 465.00	\$ 495.00	Y	6.5%	Accomplishes cost recovery.
113	Turf Repair fee	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
114	Green/Natural Section Memorialization	\$ 615.00	\$ 627.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
115	Access Fee - for Photo shoots, birdwatching etc. - per day	\$ 11.00	\$ 12.00	Y	9.1%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
116	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Inscription only	\$ 26.00	\$ 27.00	Y	3.8%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
117	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Flat Memorial	\$ 52.00	\$ 53.00	Y	1.9%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
118	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Upright Memorial	\$ 103.00	\$ 105.00	Y	1.9%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
119	Garden Stones (24 x 24 X 16) (stone/carving/delivery)	\$ 2,500.00	\$ 2,550.00	Y	2.0%	Accomplishes cost recovery and guideline increase rounded to nearest dollar.
120	Shrub removal - less than 4 ft tall	\$ 25.00	\$ 25.00	Y	0.0%	Not cost recovery - no increase, new service in 2020 previously not charged for.
121	Private Columbarium Unit	starting at \$1500	starting at \$3500	Y		Cost recovery and adjusted to market rates.
122	Shrub removal - 4ft tall or larger	N/A	\$ 50.00	Y	N/A	NEW - Not cost recovery
123	Lot Sale - Green/Natural Section - Cremation Grave	N/A	\$ 1,046.00	Y	N/A	NEW
124	Interment on Sunday - Traditional Burial or Created Remains - Only on Approval of Appropriate Authority	N/A	Full Cost Recovery + 7% Admin Fee	Y	N/A	NEW

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Environmental Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Mum Show Admissions - Adult (13 - 54 years old)	\$ 6.42	\$ 6.64	Y	3.4%	Guideline increase, rounded to nearest quarter when HST is included.
2	Mum Show Admissions - Seniors (55+ years old) and Children (6 - 12 years old)	\$ 5.53	\$ 5.75	Y	4.0%	Guideline increase, rounded to nearest quarter when HST is included.
3	Mum Show Admissions - Family Rate (2 Adults, 2 Children)	\$ 18.58	\$ 19.47	Y	4.8%	Guideline increase, rounded to nearest dollar when HST is included.
4	Mum Show Admissions - Week Pass	\$ 18.58	\$ 19.47	Y	4.8%	Guideline increase, rounded to nearest dollar when HST is included.
5	Mum Show Admissions - Tour Group (20 people)	\$ 92.92	\$ 97.35	Y	4.8%	Guideline increase, rounded to nearest dollar when HST is included.
6	Mum Show School Tour - Full Class	\$ 92.92	\$ 97.35	Y	4.8%	Guideline increase, rounded to nearest dollar when HST is included.
7	Roadway tree trimming - per tree	Full Cost Recovery	Full Cost Recovery	N	N/A	Fee set at 100% cost recovery.
8	Work done for others Forestry - Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
9	New Development Tree Installation (and minimum replacement value of tree)	\$ 644.89	\$ 657.80	Y	2.0%	Guideline increase.
Permit for work performed on, in or under a public tree (#10-#11):						
10	- Minor: small scale project not requiring review of a Tree Management Plan	\$ 54.65	\$ 55.80	Y	2.1%	Guideline increase.
11	- Major: larger scale project requiring review of a Tree Management Plan	\$ 273.26	\$ 278.80	Y	2.0%	Guideline increase.
12	Removal of a public tree for a private individual or entity	Cost + 7% Admin Fee	Cost + 7% Admin Fee	Y	N/A	Bylaw 15-125 and CoH Tree Preservation and Sustainability Policy.
13	"Loss of Canopy calculations using the Trunk Formula technique from the Guide for Plant Appraisal, 10th Edition"	Cost + 7% Admin Fee	Cost + 7% Admin Fee	Y	N/A	Bylaw 15-125 and CoH Tree Preservation and Sustainability Policy.
14	Wedding photos in Greenhouse - before 5 pm (2 hour block)	\$ 231.75	\$ 236.40	Y	2.0%	Guideline increase.
15	Wedding photos in Greenhouse - after 5 pm (2 hour block)	\$ 309.00	\$ 315.20	Y	2.0%	Guideline increase.
16	Work done for others by Horticulture - Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
17	Gage Park Electronic Sign (Programming)	\$ 103.00	\$ 105.10	Y	2.0%	Guideline increase.
18	Gage Park Tropical Greenhouse Rental - half day (4 hrs.) between 9am and 5pm	\$ 330.00	\$ 336.60	Y	2.0%	Fee set to be comparable to industry standard.
19	Gage Park Tropical Greenhouse Rental - full day (7 hrs.) between 9am and 5pm	\$ 463.50	\$ 472.80	Y	2.0%	Guideline increase.
20	Gage Park Tropical Greenhouse Rental - Evening between 5pm and 11pm.	\$ 556.20	\$ 567.40	Y	2.0%	Guideline increase.
21	Park/Pavilion Rental - Bleacher Rental - First Day**	\$ 551.33	\$ 562.83	Y	2.1%	Guideline increase, rounded to nearest dollar when HST is included.
22	Park/Pavilion Rental - Bleacher Rentals - Additional Days**	\$ 367.48	\$ 374.90	Y	2.0%	Guideline increase.
23	Work done for others Parks Maintenance - Priced per Job	Cost + 7% Admin Fee	Cost + 7% Admin Fee	Y	N/A	Guideline increase.
24	Park amenity donation - Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Guideline increase.
25	Temporary Parks Access Permit Application Fee - per application	\$ 175.00	\$ 178.50	N	2.0%	Guideline increase.
26	Cost to Repair Damage	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
27	Temporary Parks Access Permit Security Deposit - per application	\$ 1,000.00	\$ 1,000.00	N	0.0%	Deposit - no increase required.
28	Stage Rental -Priced per job	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery.
29	Per parking space per day	\$ 15.00	\$ 15.30	Y	2.0%	Aligned with other municipal comparators.
30	Picnic Table Rental-6 pack/72hours: per booking	\$ 360.50	\$ 367.80	Y	2.0%	Guideline increase.
31	Garbage Can Rental 10pack/72hours: per booking	\$ 309.00	\$ 315.20	Y	2.0%	Guideline increase.
32	Fence Cost Share Program - Application Fee	\$ 175.00	\$ 178.50	Y	2.0%	Guideline increase.

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)

Division: Environmental Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
33	Banner Installations - Main Street West	\$ 328.40	\$ 335.00	Y	2.0%	Guideline increase.
34	Banner Installations - King Street West (Dundas)	Full Cost Recovery	Full Cost Recovery	Y	N/A	Fee set at 100% cost recovery
	** In addition to the fees noted with a **, users pay 100% of the cost of delivery, set-up and takedown of bleachers					

2021 PROPOSED USER FEES & CHARGES

Department: Public Works (Tax)
Division: Engineering Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Map C - Engineering Drawings (24 x 36)	\$ 19.73	\$ -	Y	-100.0%	Remove as now Digital Fee
2	Map C - Engineering Drawings (12 x 18)	\$ 9.86		Y	-100.0%	Remove as now Digital Fee
3	NEW FEE - Digital Records Fee per image		\$ 30.00	Y	N/A	New fee as moved to Digital Processing
4	NEW FEE - Annual Login Account fee to Engineering/Consultants		\$ 300.00	Y	N/A	New fee as moved to Digital Processing
5	City Specification Manual	\$ 94.12	\$ 96.10	Y	2.1%	Guideline increase
6	Reports - Environmental Assessments and Master Plans	\$ 14.84	\$ 15.20	Y	2.4%	Guideline increase
7	- plus fee/page	\$ 0.11	\$ 0.11	Y	0.0%	No increase as current fee is sufficient
Intrusive Environmental Investigations on City Owned Property:						
8	General Administration Fee - Application Review by SEP	\$ 260.52	\$ 265.80	Y	2.0%	Guideline increase
9	General Administration Fee - Application Workplan Review by Design	\$ 260.52	\$ 265.80	Y	2.0%	Guideline increase
10	Agreement Preparation Fee	\$ 132.46	\$ 135.20	Y	2.1%	Guideline increase
11	Field Review (Utility Co-ordinator Call Out)	\$ 241.92	\$ 246.80	N	2.0%	Guideline increase
12	Compliance Requests	\$ 104.96	\$ 107.10	N	2.0%	Guideline increase
13	Lawyer Fees - Inquiries	cost + 7%	cost + 7%	Y	N/A	Fee set at cost plus 7%
14	Road Cut Permit Fees (EP)	\$ 593.35	\$ 605.30	N	2.0%	Guideline increase
15	Municipal Consent permit fees (MC) Short Stream	\$ 593.35	\$ 605.30	N	2.0%	Guideline increase
16	Municipal Consent permit fees (MC) Long Stream	\$ 1,186.60	\$ 1,210.40	N	2.0%	Guideline increase
17	Access Permits - Commercial or Multiple Dwelling	\$ 121.31	\$ 123.80	N	2.1%	Guideline increase
18	Overland Permit Annual - Overdimensional	\$ 133.09	\$ 135.80	N	2.0%	Guideline increase
19	Overload Permit Annual- Per tonne Overweight	\$ 208.59	\$ 212.80	N	2.0%	Guideline increase
20	Administration Invoice Processing Fee	\$ 65.22	\$ 66.60	Y	2.1%	Guideline increase
21	Overload Permit Single Trip	\$ 66.49	\$ 67.90	N	2.1%	Guideline increase
22	Encroachments on Road Allowance - Application Fee (excludes Outdoor Boulevard Cafes)	\$ 327.48	\$ 334.10	Y	2.0%	Guideline increase
23	Encroachments - Annual Fee (excludes Outdoor Boulevard Cafes and Areaways)	\$ 63.11	\$ 64.40	Y	2.0%	Guideline increase
24	Encroachments - Outdoor Blvd. Cafes - Application Fee	\$ 1,592.07	\$ 1,624.00	Y	2.0%	Guideline increase
25	Encroachments - Annual Fee - Areaways-% of Market Value	\$ 0.05	\$ -	Y	-100.0%	Areaway agreements are no longer relevant. Fee is not necessary.
26	Encroachments - Compliance Requests & Discharge Agreements	\$ 104.99	\$ 107.10	Y	2.0%	Guideline increase
27	Active Encroachments - Annual Fee - Utility Corridors	Cost + 7%	Cost + 7%	Y	N/A	Fee set at cost plus 7%
28	Permanent Road Closure Application Fee + Cost of Advertisement (AD) + Cost of Environmental Assessment (EA)	\$4,773.02 + Cost of AD + Cost of EA	\$4,868.50 + Cost of AD + Cost of EA	N	2.0%	Guideline increase
29	Formal Consultation for Permanent Road Closure	\$ 1,061.21	\$ 1,082.50	N	2.0%	Guideline increase
30	Temporary Lane Closure	\$ 52.53	\$ 53.60	N	2.0%	Guideline increase
31	Temporary Sidewalk Closure	\$ 113.75	\$ 116.10	N	2.1%	Guideline increase
32	Temporary Road Closure - FULL Special Events & Filming (one time fee)	\$ 693.23	\$ 707.10	N	2.0%	Guideline increase
33	Temporary Road Closure - FULL Construction (one time fee)	\$ 1,490.08	\$ 1,519.90	N	2.0%	Guideline increase
Note:						
34	For documents that due to the size would not warrant the Approved user fee, a minimum fee of \$13.32 (plus HST) would be assessed. This would be to offset the administrative component to process requests.					

2021 PROPOSED USER FEES & CHARGES

Department: Corporate Services

Division: POA

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Administrative review cost recovery fee	\$ 60.00	\$ 61.20	N	2.0%	Cost recovery
2	Collection cost recovery fee	Varies	Varies	Y	N/A	Pass through of collection fees to the defendant
3	Court Documents (POA) - per page	\$ 2.50	\$ 2.60	N	4.0%	Guideline increase, rounded to the nearest nickel
4	Certified Court Documents (POA) - per page	\$ 4.70	\$ 4.80	N	2.1%	Guideline increase, rounded to the nearest nickel

2021 PROPOSED USER FEES & CHARGES

Department: Corporate Services

Division: Various

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Manual searches for records (per 15 minutes)	\$ 10.27	\$ 13.00	Y	26.6%	Council direction to increase user fees toward full cost recovery, or user fee waivers that can be reduced or eliminated over a one to three-year phase in period.
2	Preparation of Records for release (per 15 minutes)	\$ 10.27	\$ 13.00	Y	26.6%	Council direction to increase user fees toward full cost recovery, or user fee waivers that can be reduced or eliminated over a one to three-year phase in period.
3	Developing computer programs or other methods of producing a record from a machine (per 15 minutes)	\$ 20.44	\$ 20.90	Y	2.3%	Guideline increase rounded to nearest nickel after HST
4	Encrypted USB Charge	\$ -	\$ 30.00	Y	N/A	New Fee
5	Routine Disclosure Administration fee	\$ -	\$ 10.00	Y	N/A	New Fee

2021 PROPOSED USER FEES & CHARGES

Department: Corporate Services

Division: Financial Planning, Administration & Policy

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Subdivision Agreement Finance Processing Flat Fee	\$ 1,521.85	\$ 1,552.30	N	2.0%	Guideline increase, rounded to the nearest nickel
2	Subdivision Agreement Finance Processing Per Lot Fee	\$ 15.85	\$ 16.20	N	2.2%	Guideline increase, rounded to the nearest nickel
3	Subdivision Agreement Finance Processing Best Efforts Fee	\$ 1,521.85	\$ 1,552.30	N	2.0%	Guideline increase, rounded to the nearest nickel
4	Subdivision Compliance Fee	\$ 71.55	\$ 73.00	N	2.0%	Guideline increase, rounded to the nearest nickel

2021 PROPOSED USER FEES & CHARGES

Department: Corporate Services
Division: Financial Services - Taxation

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Registration of Delinquent Accounts - Phase 1	\$ 1,138.05	\$ 1,160.90	N	2.0%	Guideline increase, rounded to the nearest nickel
2	Registration of Delinquent Accounts - Carried to Tax Sale	\$ 1,453.45	\$ 1,482.60	N	2.0%	Guideline increase, rounded to the nearest nickel
3	Extension Agreements	\$ 210.45	\$ 214.70	N	2.0%	Guideline increase, rounded to the nearest nickel
4	Tax Certificate (manual and on-line)	\$ 63.15	\$ 64.40	N	2.0%	Guideline increase, rounded to the nearest nickel
5	Tax Letters (Analysis, Income Tax, Paid in Full) - per year	\$ 27.85	\$ 28.40	N	2.0%	Guideline increase, rounded to the nearest nickel
6	Ownership change fee	\$ 15.00	\$ 15.30	N	2.0%	Guideline increase, rounded to the nearest nickel
7	Mortgage Company - on-line account balance/status (annual fee per property account)	\$ 5.95	\$ 6.05	N	1.7%	Guideline increase, rounded to the nearest nickel
8	Mortgage Company - payout statement / account detail (per account)	\$ 12.10	\$ 12.35	N	2.1%	Guideline increase, rounded to the nearest nickel
9	Tax Transfer Fee - Balances transferred to City tax roll	\$ 35.30	\$ 36.02	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
10	NSF Fee - Processing fee on all 'returned' payments	\$ 35.30	\$ 36.02	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
11	Admin Fee for Arrears Notices (on arrears > \$50)	\$ 3.10	\$ 3.15	N	1.6%	Guideline increase, rounded to the nearest nickel
12	Admin Fee for 3 Years Arrears Letter (Pending Lien Registration)	\$ 10.00	\$ 10.20	N	2.0%	Guideline increase, rounded to the nearest nickel
13	New tax roll account fee	\$ 18.60	\$ 18.95	N	1.9%	Guideline increase, rounded to the nearest nickel
14	Apportionment fee - Current year	\$ 61.85	\$ 63.10	N	2.0%	Guideline increase, rounded to the nearest nickel
15	On-line Tax Certificate - delinquent account turn off/on	\$ 35.30	\$ 36.02	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
16	Misapplied Payments - payment transfer (Taxpayer or Financial Institution error)	\$ 35.30	\$ 36.02	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
17	Reprint of prior year tax bill (no charge for current year tax bill) - per bill	\$ 12.10	\$ 12.35	N	2.1%	Guideline increase, rounded to the nearest nickel after HST applied
18	Full Tax Deferral Program - application fee	\$ 200.00	\$ 200.00	Y	0.0%	No increase recommended at this time - low-income senior/persons with disability (subject to program continuing)
19	Full Tax Deferral Program - annual renewal fee	\$ 100.00	\$ 100.00	Y	0.0%	No increase recommended at this time - low-income senior/persons with disability (subject to program continuing)
20	Debit Authorizations from Financial Institutions	\$ -	\$ 36.02	Y	NEW	NEW FEE: To recover costs to return incorrect payment back to financial institutions

2021 PROPOSED USER FEES & CHARGES

Department: Corporate Services

Division: City Clerk's

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Marriage Licence Fee	\$ 160.00	\$ 163.00	N	1.9%	Guideline increase, rounded to the nearest dollar
2	Death Registration Administration Fee	\$ 47.00	\$ 48.00	N	2.1%	Guideline increase, rounded to the nearest dollar
3	Certified Copies	\$ 28.00	\$ 28.60	Y	2.1%	Guideline increase, rounded to the nearest dollar after HST applied
4	Photocopies per page (8.5x11 or 8.5x14)	\$ 0.37	\$ 0.40	Y	8.1%	Guideline increase, rounded to the nearest penny after HST applied
5	Photocopies large scale drawings (greater than 8.5x14)	\$ -	\$ 10.00	Y		New Fee
6	Commissioner of Oaths	\$ 22.35	\$ 23.01	Y	3.0%	Guideline increase, rounded to the nearest nickel after HST applied
7	Proof of Residence Letter	\$ 25.00	\$ 26.50	Y	6.0%	Council direction to increase user fees toward full cost recovery, or user fee waivers that can be reduced or eliminated over a one to three-year phase in period. Proof of Residence letters are currently free and it is the intention to bring them in line with Certified True Copies in three (3) years. (GIC July 8, 2019)
8	Commissioner of Oaths - Pension Forms	\$ 15.00	\$ 18.50	Y	23.3%	Staff plan to phase in the cost as per council direction. It is the intention to bring pension form fees in line with existing commissioning fees within three (3) years.
9	Civil Marriage Ceremony	\$ 300.00	\$ 306.19	Y	2.1%	Guideline increase, rounded to the nearest nickel after HST applied
10	Renewal of Vows Ceremony	\$ 50.00	\$ 51.11	Y	2.2%	Guideline increase, rounded to the nearest nickel after HST applied
11	Fee for Witnesses	\$ 25.00	\$ 25.50	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied

2021 PROPOSED USER FEES & CHARGES

Department: Corporate Services
Division: Financial Services

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
1	Tenders and RFPs	\$ 48.32	\$ 49.30	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
2	Tenders and RFPs - Complex	\$ 163.05	\$ 166.40	Y	2.1%	Guideline increase, rounded to the nearest nickel after HST applied
3	Change in Banking Information (Note 1)	\$ 26.28	\$ 26.90	Y	2.3%	Guideline increase, rounded to the nearest nickel after HST applied
Consideration of assignment/corporate change requests (Note 2)						
4	Simple	\$ 372.35	\$ 379.80	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
5	Standard	\$ 668.94	\$ 682.40	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
6	Complex	\$ 891.90	\$ 909.80	Y	2.0%	Guideline increase, rounded to the nearest nickel after HST applied
Notes:						
1. Change in Banking Information will only be applied when there is more than one request per year made by the vendor.						
2. The fee for consideration of assignment/corporate change requests include any applicable 'change in Banking Information' fee.						

2021 PROPOSED USER FEES & CHARGES

Department: City Manager
Division: Human Resources

#	Service or Activity Provided or Use of City Property	2020 Approved Fees	2021 Proposed Fee	HST (Y/N)*	% Change in Fee	Basis for Fee Increase
Employee File Duplication:						
1	Base rate (0-10 pages)	\$ 123.90	\$ 126.40	Y	2.0%	Guideline increase
2	Greater than 10 pages (per page)	\$ 1.28	\$ 1.31	Y	2.0%	Guideline increase

Operating Budget Policies Temporary Waiver and Deferral of User Fees and Charges	 Hamilton	Corporate Services Department
Policy No: FPAP-OP-004		
Page 1 of 3		Approval:

POLICY STATEMENT	<p>This Policy sets out the guidelines for the temporary waiver and deferral of user fees and charges contained in the annual City of Hamilton By-Law to Establish User Fees and Charges for Services, Activities or the Use of Property (the "User Fees and Charges By-Law"), making sure that there is no conflict with the City's financial and policy objectives or any other legislative requirement.</p>
PURPOSE	<p>User fees and charges are utilized to finance those services offered by the City, that provide a direct benefit to the specific person or groups using those services.</p> <p>The City of Hamilton's User Fees and Charges By-Law authorizes the processing of any request for services, activities or the use of City's property after the applicable fee or charge has been paid. On occasion, however, user fees and charges are waived or deferred in recognition that, through unforeseen circumstances, groups of identifiable individuals are likely to experience undue financial hardship that the temporary waiver or deferral of user fees or charges can mitigate, or because the temporary waiver or deferral of user fees would result in a direct economic, public health or social benefit to the community.</p> <p>The purpose of this Policy is therefore, to have a consistent and transparent approach across the City to the temporary waiver and deferral of user fees and charges.</p>
SCOPE	<p>This Policy applies to all Departments that administer and collect user fees and charges and does not extend to outside Boards and Agencies.</p> <p>This Policy applies to all user fees and charges included in the User Fee and Charges By-Law and that are regulated by the <i>Municipal Act</i>.</p> <p>Exclusions:</p> <ul style="list-style-type: none"> • User fees and charges included in the User Fee and Charges By-Law but regulated by other legislation, including but not limited to the <i>Building Code Act</i>, <i>Planning Act</i>, Lottery rules and regulations and the <i>Funeral, Burial and Cremation Services Act</i>, are excluded from this Policy. • Waiver or deferrals of user fees and charges regulated by other legislation such as, but not limited to the <i>Building Code Act</i>, <i>Planning Act</i>, Lottery rules and regulations and the <i>Funeral, Burial and Cremation Services Act</i>, must follow the prescribed legislation. • If no particular process or authority has been specified in the

<p>Operating Budget Policies Temporary Waiver and Deferral of User Fees and Charges</p>	 Hamilton	<p>Corporate Services Department</p>
<p>Policy No: FPAP-OP-004 Page 2 of 3</p>		<p style="text-align: right;">Approval:</p>
	<p>respective regulation, the responsible department will request the waiver or deferral as outlined in this Policy.</p> <ul style="list-style-type: none"> • Permanent support programs such as, but not limited to, the Recreation Assistance Program and the Affordable Transit Pass Program, are not covered under this Policy. 	
<p>DEFINITIONS</p>	<p>“Identifiable group” means a group of individuals, corporations and / or organizations responsible for paying a specific user fee or charge. Examples may include, property taxpayers, tenants, HSR users.</p>	
<p>PRINCIPLES</p>	<p>The following principles apply to this Policy:</p> <p>Rationale:</p> <p>Temporary waivers or deferrals of user fees and charges may be considered where:</p> <ul style="list-style-type: none"> • Unforeseen circumstances have affected an identifiable group’s ability to pay a specific user fee or charge. • Granting relief promotes or advances economic, public health or social benefits or advances specific City policy goals or City objectives that would not be achieved if not for the deferral or waiver. <p>Equal Application:</p> <ul style="list-style-type: none"> • Temporary waiver or deferral of user fees and charges, if approved, shall apply equally to all identifiable groups that are normally liable for the payment of the user fee or charge. • Deferrals, however, are optional. Individuals, groups of individuals, organizations or corporations within the identifiable group that wish to continue making the regular payments of user fees or charges, may continue to do so. 	
<p>AUTHORITY AND PROCESS</p>	<p>Waivers:</p> <ul style="list-style-type: none"> • Temporary waiver of user fees and charges shall be approved by Council, unless specific authority has been given to the City’s Treasurer by legislation or By-Law. <p>Deferrals:</p> <ul style="list-style-type: none"> • Approval limits for deferrals for each user fee or charge within the maximum allowable time period as stated in this Policy are: <ul style="list-style-type: none"> – \$0 to \$99,999: General Manager of Finance and Corporate Services, or his / her delegate – Over \$100,000: Council. <p>Maximum allowable time period or limitation:</p>	

Operating Budget Policies Temporary Waiver and Deferral of User Fees and Charges	 Hamilton	Corporate Services Department
Policy No: FPAP-OP-004 Page 3 of 3		Approval:
	<ul style="list-style-type: none"> • Temporary waiver or deferral of user fees and charges may have a maximum term of 90 days. • A one-time extension for up to a maximum of another 90 days may be approved by Council. <p>Process:</p> <ul style="list-style-type: none"> • Where approval by the General Manager of Finance and Corporate Services is required, staff in the department responsible for the administration and / or collection of the user fee or charge must make a request to the Financial Planning, Administration and Policy Division of the Corporate Services Department through their corresponding Finance and Administration (F&A) Team, in order to have the request approved. All relevant information is to be included with the request including but not limited to rationale, financial considerations (levy impact, cashflow, accounting, etc.) and timing. • Where approval by Council is required, staff in the department responsible for the administration and / or collection of the user fee or charge must submit a Recommendation Report to the appropriate Standing Committee. • Waiver or Deferral of user fees and charges that are not governed by the Municipal Act and do not have a process specified in the respective legislation, may be approved by submitting a Recommendation Report to the appropriate Standing Committee. 	
SPECIAL CIRCUMSTANCES	In the event that the City cannot conduct business as usual, such as but not limited to, a time where Council has declared a State of Emergency, Council may delegate the authority to waive and/or defer user fees and charges either by a specific Delegation of Authority to senior staff or through the activation of the Emergency Operations Centre.	
GOVERNING LEGISLATION	<i>Municipal Act, 2001, S.O. 2001, c. 25</i>	
RESPONSIBILITY FOR THE POLICY	Corporate Services Department Director of Financial Planning, Administration and Policy	
POLICY HISTORY	This Policy is to be approved by Council in December 2020 through Report FCS20085.	

2020 ICIP - COVID-19 Resilience Infrastructure Stream Project Submissions

Project Description	Division	Total Gross (000's)	Total Eligible (000's)	Cost Sharing Breakdown		
				Federal 80%	Provincial 20.00%	City Ineligible
				(000's)	(000's)	(000's)
Category 1: Retrofits, Repairs and Upgrades						
HVAC Upgrades Program	Facilities	\$ 3,689	\$ 3,354	\$ 2,683.2	\$ 670.8	\$ 335.4
Category 2: COVID-19 Response Infrastructure						
Public Service Counter Enhancements	Facilities	\$ 1,100	\$ 1,000	\$ 800.0	\$ 200.0	\$ 100.0
Category 3: Active Transportation Infrastructure						
Gage Park Walkways Redevelopment	LAS	\$ 1,705	\$ 1,550	\$ 1,240.0	\$ 310.0	\$ 155.0
Andrew Warburton Memorial Park and Pipeline Trail	LAS	\$ 2,400	\$ 960	\$ 768.0	\$ 192.0	\$ 1,440.0
Cycling Network Enhancements	Transport Plng	\$ 570	\$ 570	\$ 456.0	\$ 114.0	\$ -
Total Submission	Total (000's):	\$ 9,464	\$ 7,434	\$ 5,947.2	\$ 1,486.8	\$ 2,030.4

Criteria for the Deferral of Full Taxes for Seniors and Low-Income Persons with Disabilities Program (“Full Tax Deferral Program”)

Deferred amount:

- The total taxes for applicable taxation year including municipal and education taxes.
- Accumulated deferred amounts, including interest, shall not exceed 40% of the assessed value of the property at the time of application, considering the tax estimate of year being applied for.

Eligible person:

- The owner, the owner’s spouse, or both, are 65 years of age in the year preceding the taxation year in which the rebate would be granted.
OR
- The owner or the owner’s spouse is a low-income person with disabilities who is in receipt of assistance paid under the Ontario Disability Support Program (ODSP) or a disability amount paid under the Guaranteed Income Supplement (GIS) or an amount paid under the CPP disability benefit.
- Only eligible if the registered owners are not participating in any other City of Hamilton property tax relief program.

Income:

- The aggregate taxable income of all applicants is no more than 150% of the GIS Maximum Annual Income (combined), as published by the Government of Canada for individuals whose spouse / common law receives the full OAS pension. This threshold applies regardless of marital status (\$36,900 for 2020).
- The income threshold will be verified against line 15000 – Total Income, on the previous year’s Notice of Assessment(s) from Canada Revenue Agency. In the case of pension income splitting, line 15000 of the transferring spouse will be adjusted by the deduction for elected split-pension amount captured on line 21000 of the Income Tax and Benefit Return.

Property:

- The property must be assessed in the residential property class. For multiple use properties, only the residential portion is used to determine eligibility.
- Must be the principal residence of the applicant.
- Property taxes for the prior years must be up to date at the time of the application.
- A registered owner cannot apply for a deferral for more than one property.

Ownership:

- Must have owned the property for at least one year preceding the application.

Application:

- Annual application is required to defer the current year’s taxes. If an application is not made for the taxation year, the property taxes for the taxation year become payable.
- If an application is not received for the current taxation year, previously deferred amounts will remain in the tax account until they become payable.
- The application can be made any time during the year and up to the last business day of September of the taxation year.
- The applicant, the applicant’s spouse and all registered owners must apply and qualify.
- Any taxes paid prior to the submission of successful application will be refunded.

Penalties and Interest:

- Deferred amounts will be subject to interest, compounded annually, based on the City’s external debt forecasting assumptions (3% for 2020 – to be revised annually).
- Interest will be charged starting January of the applicable taxation year.
- Penalties and Interest charged before an application is accepted will be cleared.
- Penalties and Interest incurred before an application is rejected will be applied to the tax account.

Special Lien:

- Deferred amounts and interest and penalties, if applicable, are a special lien on the respective property. Deferred amounts and any interest and penalties will be shown in the Tax Certificate

Repayment:

- If the current owner / applicant is no longer eligible, deferred amounts will remain in the tax account, continuing to accrue interest, until the property is sold.
- Deferred amounts, plus interest, become payable immediately if the property is sold.
- If at any point the assessment cap is reached, no additional deferrals will be allowed for the property, regardless of Current Value Assessment (CVA) changes. Existing deferred amounts will continue to be subject to interest and will become payable when the property is sold or if the owner is no longer eligible.

Fees:

- Non-refundable application fee of \$200 for 2020. To be revised annually and included in the User Fee and Tax Policy reports.
- Annual renewal fee of \$100 for 2020. To be revised annually and included in the User Fee and Tax Policy reports.

Premier Doug Ford

December 2020

Dear Premier Ford,

RE: COVID-19 Response Framework: Keeping Ontario Safe and Open

We understand that times are unprecedented, and we are very grateful for how the government has stepped up to protect the safety of Canadians along with creating programs to assist and support business, especially Digital Main Street. The decisions you are making each day are challenging and we are sure you are being pulled in many different directions, with no rule book on which to follow. We appreciate you regularly mentioning supporting the small business owners.

We are writing with regards to the restrictions imposed on small businesses in the COVID-19 Response Framework and more specific to Business Improvement Areas (BIAs) that pay an extra tax levy so they can have proper collective cohesion and representation, especially important during times like this. As you know, in Hamilton, we are now in the red stage because of the changing formula and the rising numbers. This means increased restrictions to our small businesses, while the large corporately owned big box stores, malls and casinos are still able to operate, seemingly without impact.

We were concerned at the shocking way Hamilton moved from yellow to red stage, apparently catching even our public health officials off guard. We are concerned that we may soon too go into lockdown stage, with similar notice. Virtually all of our small businesses are complying and following all of the guidelines, while spending and borrowing to cover required PPE expenses and other necessities to operate with restrictions. We simply ask to consider the value of our small businesses when deciding next steps. We appreciate having a premier who understands and supports small business.

We urge you to please create a level playing field so that our small independent Canadian businesses and BIAs, who reinvest their profits back into the local economy, survive. Malls, big box stores and casinos should see the same restrictions imposed on them. If a local retailer is unable to sell books in person, why should a big box store be allowed to?

We appreciate your support for our home-grown businesses who are not only rooted in this community, but also nourish it and add greatly to the tax foundation of this economy. If small business does not survive COVID-19 then the hearts of our cities will be severely impacted, and it will not be the Canada that has historically encouraged entrepreneurship and investment in small business.

Please keep our small businesses, the heart of the Ontario economy, in your heart and mind when making these decisions.

We appreciate your consideration and compassion.

Warm Regards.

BIAAC

Cc Kay Matthews, ED Ontario Business Improvement Area Association



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 20-013

9:30 a.m.

December 10, 2020

Council Chambers

Hamilton City Hall

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

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 20-013 AND RESPECTFULLY RECOMMENDS:

- 1. Appointment of Committee Chair and Vice-Chair for 2021 (Item 1)**
 - (a) That Councillor B. Clark be appointed as Chair of the Audit, Finance & Administration Committee for 2021.
 - (b) That Councillor L. Ferguson be appointed as Vice-Chair of the Audit, Finance & Administration Committee for 2021.

- 2. Consent Items (Item 7)**
 - (a) That Consent Items 7.2 through 7.7 be received, as presented:
 - (i) Criteria for Participation in Assessment Appeals (FCS20063(a)) (City Wide) (Item 7.2)**
 - (ii) 2020 Third Quarter Request for Tenders and Proposals Report (FCS20033(b)) (City Wide) (Item 7.3)**
 - (iii) 2020 Third Quarter Non-Compliance with the Procurement Policy Report (FCS20035(b)) (City Wide) (Item 7.4)**
 - (iv) 2020 Third Quarter Emergency and Non-competitive Procurements Report (FCS20034(b)) (City Wide) (Item 7.5)**
 - (v) \$51,075,000 Serial Debentures Dated November 3, 2020 and Maturing November 3, 2021 to 2035 (FCS20100) (City Wide) (Item 7.6)**

(vi) **Standards and Approved Products Committee Report
(PW20080) (City Wide) (Item 7.7)**

3. 2021 Budget Submissions Volunteer Advisory Committee (HUR20012) (City Wide) (Item 10.1)

- (a) That the Volunteer Advisory Committee 2021 budget base submissions be approved as follows and referred to the 2021 budget process:
- (i) Advisory Committee on Immigrant & Refugees in the amount of \$3,500, attached as Appendix “A” to Report HUR20012;
 - (ii) Aboriginal Advisory Committee in the amount of \$3,552, attached as Appendix “B” to Report HUR20012;
 - (iii) Hamilton Mundialization Committee in the amount of \$5,890, attached as Appendix “C” to Report HUR20012; and,
 - (iv) Hamilton Status of Women Committee in the amount of \$3,500, attached as Appendix “D” to Report HUR20012.

4. 2021 Budget Submissions Volunteer Advisory Committee (CM20013) (City Wide) (Item 10.2)

- (a) That the Volunteer Advisory Committee 2021 budget base submissions be approved as follows and referred to the 2021 budget process:
- (i) Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee in the amount of \$3,960, attached as Appendix “A” to Report CM20013; and,
 - (ii) Committee Against Racism in the amount of \$8,900, attached as Appendix “B” to Report CM20013.

5. Parklane Workplace Management System (HUR20013) (City Wide) (Item 10.3)

- (a) That the request to move from single source-procurement to standardization for a five (5) year term (January 1, 2021 to December 31, 2025), pursuant to Procurement Policy #14 – Standardization, for access to, and use of the Parklane Workplace Management System, be approved; and,
- (b) That the Executive Director, Human Resources be authorized to negotiate, enter into and execute the extension of the current agreement and any ancillary documents required to give effect thereto with Parklane Computer Systems, in a form satisfactory to the City Solicitor.

6. HMRF – HWRF Pension Administration Sub-Committee Report 20-001 – November 24, 2020 (Item 10.4)

(a) 2020 Master Trust Pension Statement of Investment Policies and Procedures (FCS20074) (City Wide) (Item 8.1)

- (i) That Appendix “A” to Audit, Finance & Administration Committee Report 20-013 respecting the 2020 City of Hamilton Defined Benefit Pension Plans Master Trust Statement of Investment Policies and Procedures be approved and replace the previous 2019 City of Hamilton Defined Benefit Pension Plans Master Trust Statement of Investment Policies and Procedures contained in Report FCS19073 and approved by Council on January 22, 2020; and,
- (ii) That Appendix “A” to Audit, Finance & Administration Committee Report 20-013 respecting the 2020 City of Hamilton Defined Benefit Pension Plans Master Trust Statement of Investment Policies and Procedures be forwarded to the Hamilton Street Railway Pension Advisory Committee for their information.
- (iii) That an Asset Liability Modelling Study be performed on the HMRF/HWRF/HSR Pension Plans up to a limit of \$90,000, to be funded from the respective Pension Plans based on their prorated share of total assets.

(b) Hamilton Wentworth Retirement Fund (HWRF) Valuation at December 31, 2019 (FCS20064) (City Wide) (Item 8.2)

That the December 31,2019 actuarial valuation for the Hamilton Wentworth Retirement Fund (HWRF) per Appendix “A” to Report FCS20064 be received for information.

(c) Hamilton Municipal Retirement Fund (HMRF) Valuation at December 31, 2019 (FCS20065) (City Wide) (Item 8.3)

That the December 31,2019 actuarial valuation for the Hamilton Municipal Retirement Fund (HMRF) per Appendix “A” to Report FCS20065 be received for information.

(d) Master Trust Pension Investment Performance Report as at December 31, 2019 (FCS19075(a)) (City Wide) (Item 9.1)

That Report FCS19075(a), respecting the Master Trust Pension Investment Performance Report as at December 31, 2019, be received.

(e) Master Trust Pension Investment Performance Report as at June 30, 2020 (FCS20075) (City Wide) (Item 9.2)

That Report FCS20075, respecting the Master Trust Pension Investment Performance Report as at June 30, 2020, be received.

7. Authority to Negotiate and Place a Debenture Issue(s) for CityHousing Hamilton Corporation (CHH) Projects (FCS19068(a)) (City Wide) (Item 10.5)

- (a) That the General Manager, Finance and Corporate Services, be authorized to enter into and execute any necessary agreements, including any agreements with Infrastructure Ontario's Loan Program, to secure the capital funding required for CityHousing Hamilton Corporation project at 55 Queenston Road with content acceptable to the General Manager, Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (b) That the General Manager, Finance and Corporate Services, be authorized and directed to negotiate and confirm the terms, placement and issuance of all debenture issue(s) and / or private placement debenture issue(s), in either a public or private market and / or bank loan agreements and debenture issue(s) and / or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed \$4,200,000 Canadian currency in support of CityHousing Hamilton for project at 55 Queenston Road;
- (c) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into and execute any necessary agreements, to engage the services of all required persons, agencies and companies to secure the terms and issuance of the debenture issue(s) described in recommendation (b) to Report FCS19068(a) including, but not limited to, external legal counsel, fiscal agents and financial professionals, with content acceptable to the General Manager, Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (d) That the General Manager, Finance and Corporate Services, Mayor and City Clerk are individually authorized and directed to enter into and / or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents to implement Recommendation (b) to Report FCS19068(a) and in order to secure the terms and issuance of the debenture issue(s) described in Recommendation (b) to Report FCS19068(a) with content acceptable to the General Manager, Finance and Corporate Services and in a form satisfactory to the City Solicitor;
- (e) That the General Manager, Finance and Corporate Services be authorized and directed to administer all agreements and necessary ancillary documents described in Recommendations (a), (c) and (d) to Report FCS19068(a); and,
- (f) That staff be directed to prepare, for Council's consideration, all necessary By-law(s) to authorize and implement CityHousing Hamilton Corporation

projects as attached in Appendix “B” to Audit, Finance and Administration Committee Report 20-013 including By-laws for the purpose of authorizing the debenture issue(s) in accordance with Recommendations (b), (c), (d), (e), and (f) to Report FCS19068(a) and any by-laws necessary to negotiate, place and secure the required capital funding in accordance with Recommendation (a) to Report FCS19068(a).

8. 2021 Grant Advances – City Enrichment Fund (GRA20004) (City Wide) (Item 10.6)

- (a) That effective Jan 1, 2021, an advance of funds be provided to the organizations specified in the attached Appendix “C” to Audit, Finance and Report 20-013, and;
- (b) That any outstanding arrears due to the City of Hamilton by the organizations (as shown in the attached Appendix “C” to Audit, Finance and Report 20-013) be first applied against the approved grant funding, including advances until the debt is satisfied, prior to that organization receiving the balance of any approved payment.

9. 9252 Twenty Road West, Mount Hope – Water and Wastewater / Storm Charges Deferred Payment Arrangement (FCS20107) (Ward 11) (Item 10.7)

That the General Manager, Finance and Corporate Services, be authorized to enter into a deferred payment arrangement with a four-month repayment period commencing in January 2021, pertaining to water and wastewater / storm charges for a total amount of \$230,229.52 regarding Alectra Utilities (Alectra) account numbers 5092581300 and 6092581300 with the service address of 9252 Twenty Road West, Mount Hope.

10. Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Budget Expenditure Request (CM20012) (Item 10.8)

- (a) That Report CM20012, respecting the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Budget Expenditure Request, be received.
- (b) That the following budget allocation from the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee budget, be approved:

Motion 7.3:

- (i) That a budget allocation of \$500.00 from the LGBTQAC's budget to assist spectrum Hamilton in running their online events and weekly online peer support;
- (ii) That a budget allocation of \$500.00 from the LGBTQAC's budget to assist Kyle's Place in stocking their food pantry;

- (iii) That a budget allocation of \$500.00 from the LGBTQAC's budget to assist the Sex Workers' Action Program Hamilton (SWAP) in supporting their ongoing drive to compile Harm Reduction Outreach Packages; and,
- (iv) That a budget allocation of \$500.00 from the LGBTQAC's budget to assist The SPACE Youth Centre in supporting their OQRA and Kaleidoscope programs.

**11. Governance Review Sub-Committee Report 20-003 - December 2, 2020
(Added Item 10.9)**

That the Governance Review Sub-Committee Report 20-003, be approved as amended, as follows:

1. Integrity Commissioner Work Plan (FCS20016(a)) (City Wide) (Item 10.1)

- (i) Report FCS20016(a), respecting the Integrity Commissioner Work Plan was referred back to Clerk's staff and Principles Integrity to determine an upset limit for development of each the following and report back to the Governance Review Sub-Committee:
 - (1) Council Code of Conduct;
 - (2) Council/Staff Relations Policy;
 - (3) Protocols for review and/or investigation of complaints, and reporting on complaints;
 - (4) Members' roles and responsibilities including with respect to appointments to, and sitting on, external bodies and separate entities such as municipal corporations;
 - (5) Advisory Committee/Task Force Governance Issues, and Codes of Conduct (Local Boards); and,
 - (6) Such Other issues of integrity or governance that Council wishes to assign;
- (ii) That staff be directed to gather and review Council/Staff Relations policies from other municipalities and bring recommendations on a new policy to the governance committee by April 30, 2021.
- (iii) That staff be directed to write to the Ministry of Municipal Affairs and Housing, which governs the Conflict of Interest Act to obtain a second opinion on common law to determine which of a Councillors'

family members would a Councillor be obliged to declare conflicts of interest on.

- (iv) That staff be directed to write a letter to Principles Integrity to seek insight into how Janice Atwood-Petkovski manages her work to avoid Conflicts of Interest given her past relationship with the City of Hamilton as an employee.

12. Hamilton Street Railway Pension Plan Valuation at January 1, 2020 (FCS20066) (City Wide) (Added Item 10.10)

That the January 1, 2020 actuarial valuation for the Hamilton Street Railway Pension Plan per Appendix "C" to Report FCS20066 be received for information.

13. Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100(b)/LS18060(b)) (City Wide) (Item 14.1)

- (a) That amended Confidential recommendations (a) and (b) be released publicly following approval by Council; and,
- (b) That the contents of Report FCS18100(b) / LS18060(b), respecting the Commercial Relationship Between the City of Hamilton and Century Group Inc., remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS ITEMS

- 5.1 Correspondence from the Hamilton Waterfront Trust respecting their December 31, 2019 Audited Financial Statements
Recommendation: Be received
- 5.2 Correspondence from Principles Integrity, respecting the Recommendations of Governance Review Sub-Committee re Ethical Framework Work Plan
Recommendation: Be received and referred to consideration of Item 10.9 - Governance Review Sub-Committee Report 20-003 - December 2, 2020

7. CONSENT ITEMS

- 7.1(f) Hamilton Status of Women Advisory Committee - October 22, 2020
- 7.1(g) Committee Against Racism - January 28, 2020
- 7.1(h) Committee Against Racism - February 25, 2020

- 7.1(i) Committee Against Racism - October 27, 2020
- 7.1(j) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee - February 18, 2020
- 7.1(k) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee - September 15, 2020
- 7.1(l) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee - October 20, 2020

10. DISCUSSION ITEMS

- 10.9 Governance Review Sub-Committee Report 20-003 – December 2, 2020
- 10.10 Hamilton Street Railway Pension Plan Valuation at January 1, 2020 (FCS20066) (City Wide)

The agenda for the December 10, 2020 Audit, Finance and Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Wilson declared a non-pecuniary interest to Item 10.7, respecting 9252 Twenty Road West, Mount Hope – Water and Wastewater / Storm Charges Deferred Payment Arrangement (FCS20107) (Ward 11) as she has a family member who lives in the condominium corporation that is set out in the report.

Councillor Clark declared an apparent interest to Item 10.7, respecting 9252 Twenty Road West, Mount Hope – Water and Wastewater / Storm Charges Deferred Payment Arrangement (FCS20107) (Ward 11) as he has family members who live in Twenty Place.

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

(i) November 19, 2020 (Item 4.1)

The Minutes of the November 19, 2020 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

Communication Items 5.1 and 5.2, were approved, as follows:

(i) Correspondence from the Hamilton Waterfront Trust respecting their December 31, 2019 Audited Financial Statements (Added Item 5.1)

Be received.

(ii) Correspondence from Principles Integrity, respecting the Recommendations of Governance Review Sub-Committee re Ethical Framework Work Plan (Added Item 5.2)

Recommendation: Be received and referred to consideration of Item 10.9 - Governance Review Sub-Committee Report 20-003 - December 2, 2020

(e) CONSENT ITEMS (Item 7)

The following Volunteer Advisory Committee Minutes, were received:

- (i) Hamilton Mundialization Committee - February 19, 2020 (Item 7.1(a))
- (ii) Hamilton Mundialization Committee - October 21, 2020 (Item 7.1(b))
- (iii) Hamilton Status of Women Committee - January 23, 2020 (Item 7.1(c))
- (iv) Hamilton Aboriginal Advisory Committee - March 5, 2020 (Item 7.1(d))
- (v) Committee Against Racism - September 22, 2020 (Item 7.1(e))
- (vi) Hamilton Status of Women Advisory Committee - October 22, 2020 (Added Item 7.1(f))
- (vii) Committee Against Racism - January 28, 2020 (Added Item 7.1(g))
- (viii) Committee Against Racism - February 25, 2020 (Added Item 7.1(h))
- (ix) Committee Against Racism - October 27, 2020 (Added Item 7.1(i))
- (x) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee - February 18, 2020 (Added Item 7.1(j))
- (xi) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee - September 15, 2020 (Added Item 7.1(k))
- (xii) Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Advisory Committee - October 20, 2020 (Added Item 7.1(l))

(f) PRESENTATIONS (Item 9)

(i) Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Annual Presentation (Item 9.1)

Consideration of Item 9.1, the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Annual Presentation was postponed until later in the meeting to allow for the Presenter to resolve audio issues.

(g) DISCUSSION ITEMS (Item 10)

Item 9.1, the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Annual Presentation was considered following the consideration of Item 10.7.

(h) PRESENTATIONS (Item 9) (Continued)

(i) Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Annual Presentation (Item 9.1)

Cameron Kroetsch, Chair, Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee addressed the Committee with the LGBTQ Advisory Committee Annual Presentation.

The Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee Annual Presentation, was received.

(i) DISCUSSION ITEMS (Item 9) (Continued)

(i) Governance Review Sub-Committee Report 20-003 – December 2, 2020 (Added Item 10.9)

Item (d)(i) respecting Report FCS20016(a), the Integrity Commissioner Work Plan, was lifted from the Information Section of the Governance Review Sub-Committee Report 20-003 and added as Item 1.

That Item 1 of the Governance Review Sub-Committee Report 20-003 **be amended** by adding the following sub-sections (ii) and (iii):

- (ii) *That staff be directed to gather and review Council/Staff Relations policies from other municipalities and bring recommendations on a new policy to the governance committee by April 30, 2021.***
- (iii) *That staff be directed to write to the Ministry of Municipal Affairs and Housing, which governs the Conflict of Interest Act to obtain a second opinion on common law to determine which of a Councillors' family members would a Councillor be obliged to declare conflicts of interest on.***

That Item 1 of the Governance Review Sub-Committee Report 20-003 **be further amended** by adding the following sub-section (iv):

- (iv) *That staff be directed to write a letter to Principles Integrity to seek insight into how Janice Atwood-Petkovski manages her***

work to avoid Conflicts of Interest given her past relationship with the City of Hamilton as an employee.

For further disposition of this matter refer to Item 11.

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

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

The following amendments to the Audit, Finance & Administration Committee's Outstanding Business List, were approved:

(a) Items Considered Complete and Needing to be Removed:

(i) Criteria for Participation in Assessment Appeals (FCS20063)
(City Wide)

Added: August 13, 2020 at I AF&A Item 5.4

Completed: December 10, 2020 AF&A - Item 7.2

OBL Item: 20-I

(ii) Citizen Committee Report - Lesbian, Gay, Bisexual,
Transgender and Queer (LGBTQ) Advisory Committee Budget
Expenditure Requests

Added: November 19, 2020 at AF&A - Item 9.4

Completed: December 10, 2020 AF&A - Item 10.8

OBL Item: 20-L

(k) PRIVATE AND CONFIDENTIAL (Item 14)

Committee moved into Closed Session respecting Item 14.1, pursuant to Section 8.1, Sub-section (f) of the City's Procedural Bylaw 18-270, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

(i) Commercial Relationship Between the City of Hamilton and Century Group Inc. (FCS18100(b)/LS18060(b)) (City Wide) (Item 14.1)

Staff were provided direction in Closed Session.

For disposition of this matter refer to Item 13.

(l) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee, adjourned at 12:28 p.m.

Respectfully submitted,

Councillor Wilson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

Statement of Investment Policies and Procedures

City of Hamilton Defined Benefit Pension Plans Master Trust

November 2020

APPROVED on this day of November, 2020

Contents

Section 1—Overview	3
1.01 Purpose of Statement	3
1.02 Background of the Master Trust	3
1.03 Objective of the Plan	3
1.04 Investment and Risk Philosophy	3
1.05 Administration	3
Section 2—Asset Mix and Diversification Policy	4
2.01 Master Trust Return Expectations	4
2.02 Expected Volatility	4
2.03 Asset Mix	4
2.04 Management Structure	8
2.05 Environmental, Social and Governance (ESG) Issues	8
Section 3—Permitted and Prohibited Investments	9
3.01 General Guidelines	9
3.02 Permitted Investments	9
3.03 Minimum Quality Requirements	11
3.04 Maximum Quantity Restrictions	13
3.05 Prior Permission Required	14
3.06 Prohibited Investments	14
3.07 Securities Lending	15
3.08 Borrowing	15
3.09 Conflicts between the Policy and Pooled Fund Investment Policies	15
Section 4—Monitoring and Control	16
4.01 Delegation of Responsibilities	16
4.02 Performance Measurement	18
4.03 Compliance Reporting by Investment Manager	19
4.04 Standard of Professional Conduct	19
Section 5—Administration	20
5.01 Conflicts of Interest	20
5.02 Related Party Transactions	21
5.03 Selecting Investment Managers	22
5.04 Directed Brokerage Commissions	22
5.05 Monitoring of Asset Mix	22
5.06 Monitoring of Investment Managers	23
5.07 Dismissal of an Investment Manager	23
5.08 Voting Rights	23
5.09 Valuation of Investments Not Regularly Traded	23
5.10 Policy Review	24
Appendix A - Statement of Investment Policies & Procedures Hamilton Municipal Retirement Fund	25
Appendix B - Statement of Investment Policies & Procedures Hamilton Street Railway Pension Plan (1994)	27
Appendix C - Statement of Investment Policies & Procedures The Hamilton-Wentworth Retirement Fund	30
Appendix D – Compliance Reports	32

Section 1—Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the “Policy” or “Master Trust SIPP”) provides the framework for the investment of the assets of the City of Hamilton Defined Benefit Pension Plans Master Trust (the “Master Trust”).

This Policy is based on the “prudent person portfolio approach” to ensure the prudent investment and administration of the assets of the Master Trust are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

1.02 Background of the Master Trust

The inception date of the Master Trust is November 1, 1999, when three defined benefit pension plans, the “Plans”, (the Hamilton Municipal Retirement Fund (Registration number 0275123), the Hamilton Street Railway Pension Plan (1994) (Registration number 0253344), and the Hamilton Wentworth Retirement Fund (Registration number 1073352)) invested in units of the Master Trust. The portfolio of assets in the Master Trust is referred to as “the Fund”. These Plans hold units of the Master Trust and share, on a pro-rata basis, in all income, expenses and capital gains and losses of the Master Trust.

For reference purposes, the details of the Statement of Investment Policies and Procedures for each of the above mentioned Plans participating in the Master Trust have been attached to Appendix A of this Policy.

1.03 Objective of the Plan

The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

1.04 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund Plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plans and the City of Hamilton (the “City”).

In recognition of the risk and return objectives of the Plans and the City, an initial asset allocation policy was developed by the Investment Consultant in consultation with both the Chief Investments Officer and the Treasurer of the City (the “Treasurer”) based on the Plans’ current (at that time) funded status and the characteristics of the Plans and City. It is recognized, however, that the Plans’ return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plans’ funded statuses improve.

1.05 Administration

The General Manager of Finance and Corporate Services for the City (“General Manager of Finance and Corporate Services”) is the designated contact person at the City for administrative purposes.

Section 2—Asset Mix and Diversification Policy

2.01 Master Trust Return Expectations

Each of the investment managers appointed to invest the assets of the Master Trust (the “Investment Managers”) is directed to achieve a satisfactory long-term real rate of return through a diversified portfolio, consistent with acceptable risks, performance objectives and prudent management.

In order to achieve their long-term investment goals, the Plans must invest in assets that have uncertain returns, such as Canadian equities, foreign equities and bonds. However, the City attempts to reduce the overall level of risk by diversifying the asset classes and further diversifying within each individual asset class. Based on historical data and reasonable expectations for future returns, the City believes that a diversified portfolio of Canadian equities, nominal bonds, real return bonds and foreign equities will likely outperform over the long term.

The overall goal of this Policy is to maximize the return of the Fund while bearing a reasonable level of risk relative to the liabilities in order to ensure the solvency of the Fund over time. The assets of the Plans are sufficiently liquid to make payments which may become due from the Plans. The weights applied to each of the asset classes are based on the targets in the initial asset allocation outlined in Section 2.03 and adjusted based on the target allocation in the Dynamic Investment Policy Schedule in Section 2.03.

2.02 Expected Volatility

The volatility of the Master Trust is directly related to its asset mix, specifically, the balance between Canadian bonds, Canadian equities and foreign equities. Since the Investment Managers do not have the authority to make any type of leveraged investment on behalf of the Master Trust, the volatility of the Master Trust should be similar to the volatility of the Benchmark Portfolio set out in Section 4.02 (Performance Measurement).

2.03 Asset Mix

(a) In order to achieve the long-term objective within the risk/return considerations described in Section 1.04, the following asset mix policy (Benchmark Portfolio) and ranges were selected for the initial asset allocation:

Assets	Minimum %	Initial Target Weight %	Maximum %	Asset Category
Canadian Equity	25	30	35	Return-Seeking
Global Equity	25	30	35	Return-Seeking
Total Equities	50	60	70	Return-Seeking
Fixed Income	30	40	50	Liability-Hedging

For purpose of the total asset mix described above, the Investment Managers' asset class pooled funds are deemed to be 100% invested, even though these funds may contain a portion held in cash and cash equivalent instruments.

The Plan's target asset allocation¹ for each investment category listed in subsection 76(12) of the Regulation 909 to the Pension Benefits Act (Ontario) is as follows:

PfAD Table

Investment Category under subsection 76(12) of Regulation 909	Target Asset Allocation¹	Accessed through mutual or pooled or segregated funds
1. Insured Contracts	0.0%	-
2. Mutual or pooled funds or segregated funds	N/A	-
3. Demand deposits and cash on hand	0.0%	-
4. Short-term notes and treasury bills	0.0%	-
5. Term Deposits and guaranteed investment certificates	0.0%	-
6. Mortgage Loans	0.0%	-
7. Real Estate	0.0%	-
8. Real Estate Debentures	0.0%	-
9. Resource properties	0.0%	-
10. Venture Capital	0.0%	-
11. Corporations referred to in subsection 11(2) of Schedule III to the federal investment regs	0.0%	-
12. Employer issued securities	0.0%	-
13. Canadian stocks other than investments referred to in 1 to 12 above	28.0%	Yes
14. Non-Canadian stocks other than investments referred to in 1 to 12 above	28.0%	Yes
15. Canadian bonds and debentures other than investments referred to in 1 to 12 above	44.0%	Yes
16. Non-Canadian bonds and debentures other than investments referred to in 1 to 12 above	0.0%	-
17. Investments other than investments referred to in 1 to 16 above	0.0%	-

For inclusion within a fixed income investment category in the above table, the minimum ratings for target asset allocations of fixed income assets are outlined below. This framework is used to inform whether the target asset allocation to an investment category qualifies as fixed income for purposes of calculating the Provision for Adverse Deviations (PfAD) as defined under Regulation 909.

Credit Rating Agency	Rating – Bond Market Securities	Rating – Money Market Securities
DBRS	BBB	R-2 (middle)
Fitch Ratings	BBB-	F-3
Moody's Investors Services	Baa3	P-3
Standard & Poor's	BBB-	A-3

- (b) **Return-Seeking Assets**: These assets generally will consist of all non-fixed income investments, such as equities and alternatives, with a main focus on price appreciation with generally higher expected long-term returns.
- (c) **Liability-Hedging Assets**: These assets generally will be fixed-income investments, such as bonds, with similar duration characteristics as the pension liabilities (i.e., these assets generally behave like pension liabilities). Since these assets focus mainly on current income, their expected long-term returns will generally be lower than return-seeking assets.
- (d) **Sub-Allocations and Rebalancing Ranges**: The sub-allocations and rebalancing ranges within the return-seeking portfolio will be reviewed from time to time as the total

¹ The target asset allocation indicated in the PfAD table is based on the glidepath positioning as of June 30, 2020.

return-seeking allocation changes due to the Dynamic Investment Policy Schedule below. The rebalancing ranges for the total return-seeking assets and liability-hedging assets (fixed income) are also determined by the Dynamic Investment Policy Schedule below.

- (e) In recognition of the risk and return objectives of the Plans and the City, an initial asset allocation policy was developed by the Investment Consultant in consultation with both the Chief Investments Officer and the Treasurer based on the Plans' current (at that time) funded status and the characteristics of the Plans and City. It is recognized, however, that the Plans' return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plans' funded statuses improve.

Based on an assessment of the Plans' long-term goals and desired risk levels, the HMRF/HWRF Pension Administration Sub-Committee (following advice from the Investment Consultant) recommended to City Council a "Dynamic Investment Policy" which was subsequently approved by City Council. The Dynamic Investment Policy was developed by the Investment Consultant in consultation with the Chief Investments Officer and the Treasurer, and is based on the 2010 Dynamic Investment Policy Study which was conducted by the Investment Consultant.

The Dynamic Investment Policy dynamically adjusts the allocation to return-seeking assets and liability-hedging assets as the Plans' funded statuses improve. Funded status may change due to any combination of investment returns, contributions, benefit payments, fund expenses, and changes to liabilities (including discount rate changes).

This Policy is based on the results of the 2010 Dynamic Investment Policy Study and the Dynamic Investment Policy Schedule is as follows:

Funded Ratio ^{1,2}	Return -Seeking Allocation		
	Minimum	Target	Maximum
<65%	50%	60%	70%
65%	50%	60%	70%
66%	50%	60%	70%
67%	50%	60%	70%
68%	50%	60%	70%
69%	50%	60%	70%
70%	50%	60%	70%
71%	49%	59%	69%
72%	47%	57%	67%
73%	46%	56%	66%
74%	44%	54%	64%
75%	43%	53%	63%
76%	41%	51%	61%
77%	40%	50%	60%
78%	38%	48%	58%
79%	37%	47%	57%
80%	35%	45%	55%
81%	34%	44%	54%
82%	32%	42%	52%
83%	31%	41%	51%

Funded Ratio ^{1 2}	Return -Seeking Allocation		
	Minimum	Target	Maximum
84%	29%	39%	49%
85%	28%	38%	48%
86%	26%	36%	46%
87%	25%	35%	45%
88%	23%	33%	43%
89%	22%	32%	42%
90%	20%	30%	40%
91%	19%	29%	39%
92%	17%	27%	37%
93%	16%	26%	36%
94%	14%	24%	34%
95%	13%	23%	33%
96%	11%	21%	31%
97%	10%	20%	30%
98%	8%	18%	28%
99%	7%	17%	27%
100%	5%	15%	25%
>100%	5%	15%	25%

¹ Funded ratio defined on a Wind-up basis.

² Funded ratio will change based on any combination of investment returns, contributions, benefits payments, expenses and changes in liabilities.

Sub-Allocations: The sub-allocations within the liability hedging and return seeking categories will be drawn down approximately based on the table below. However, allocations to illiquid assets may be adjusted at a slower rate. Sub-allocations should be within 5% of their targets. The sub-allocations will be adjusted proportionately when the return-seeking allocation is between the levels listed in the table below.

	Return Seeking		Liability Hedging	
	Canadian Equity	Global Equity	Long-Term Bonds	Real Return Bonds
15% return seeking	8%	7%	11%	74%
20% return seeking	10%	10%	12%	68%
25% return seeking	13%	12%	14%	61%
30% return seeking	15%	15%	15%	55%
35% return seeking	18%	17%	17%	48%
40% return seeking	20%	20%	18%	42%
45% return seeking	23%	22%	20%	35%
50% return seeking	25%	25%	21%	29%
55% return seeking	28%	27%	23%	22%
60% return seeking	30%	30%	25%	15%

Duration Strategy: Based on the Dynamic Investment Policy Study completed in 2010, the portfolio interest rate dollar duration will increase as the funded status improves and the allocation to liability hedging assets increases. Interest rate derivatives may be used on either a strategic or opportunistic basis to mitigate risk by increasing the hedge ratio up to 100%. This will be at the discretion of the Administrator and based on the duration of the Plan's liabilities.

Rebalancing and Monitoring: A systematic rebalancing procedure will be utilized to ensure that the asset allocation of the Fund stays within the ranges defined above. As the return-seeking asset allocation changes, the sub-category allocations will be kept approximately proportional to the Initial allocation specified above. However, the allocations to illiquid investments may be adjusted more slowly. The funded ratio and asset allocation of the Fund will be reviewed regularly or when significant cash flows occur, and will be monitored and reported on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. The Fund will be rebalanced as necessary, making use of benefit payments and contributions to the extent possible and considering the transaction costs involved in the rebalancing.

2.04 Management Structure

The Master Trust may employ a mix of active and passive management styles. Active management provides the opportunity to outperform specific investment benchmarks and it can provide lower absolute volatility of returns. Passive, or index, management minimizes the risk of underperformance relative to a benchmark index and is generally less expensive than active management. This approach also diversifies the manager risk, making the Master Trust less reliant on the skills of a single Investment Manager.

Because holding large amounts of foreign assets can expose the Master Trust to fluctuations in the level of the Canadian dollar, a portion of the foreign assets may be hedged back into Canadian dollars.

2.05 Environmental, Social and Governance (ESG) Issues

The Administrator's primary responsibility is to make decisions in the best interest of the Plan beneficiaries. This responsibility requires that there be an appropriate balance between the need to seek long-term investment returns to help build better pensions for all members of the Plans and the needs for those returns to be delivered in as stable a manner as possible (given the behaviour of the investment markets).

The Administrator neither favours nor avoids managers and investments based on ESG integration. In keeping with the foregoing, and having regard to the size of the Plans and the pension fund, the Administrator does not take ESG factors into account when making investment decisions. As previously noted, the Administrator has delegated the search for investment managers to its Investment Consultant. On the direction of the Administrator, the Investment Consultant is directed to search and select the best investment managers for investing the assets of the Plans considering factors such as business, staff, historical performance and investment process, since the Administrator believes that these factors will contribute to higher investment returns in the long run and manage risk. Investment Managers are not prohibited from considering ESG factors if they believe that it will have a positive impact on the Plans' investment returns.

Section 3—Permitted and Prohibited Investments

3.01 General Guidelines

The investments of the Master Trust must comply with the requirements and restrictions set out in the *Income Tax Act* (Canada) and the *Pension Benefits Act* (Ontario), and their respective Regulations.

3.02 Permitted Investments

In general, and subject to the restrictions in this Section 3, the Investment Managers may invest in any of the following asset classes and in any of the investment instruments listed below:

- (a) **Canadian and Foreign Equities**
 - (i) Common and convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;
 - (ii) Debentures convertible into common or convertible preferred stock, provided such instruments are traded on a recognized public exchange or through established investment dealers;
 - (iii) Rights, warrants and special warrants for common or convertible preferred stock the shares of which are (a) listed on a prescribed stock exchange in Canada; or (b) listed on a prescribed stock exchange outside Canada;
 - (iv) Private placement equities, where the security will be eligible for trading on a recognized public exchange within a reasonable and defined time frame;
 - (v) Instalment receipts, American Depositary Receipts, Global Depositary Receipts and similar exchange traded instruments;
 - (vi) Units of real estate investment trusts (REITs);
 - (vii) Exchange traded index-participation units (e.g., iUnits; SPDRs);
 - (viii) Income trusts registered as reporting issuers under the Securities Act, domiciled in a Canadian jurisdiction that provides limited liability protection to unit holders; and
 - (ix) Units of limited partnerships which are listed on the TSX exchange.

- (b) **Canadian and Foreign Fixed Income**
- (i) Bonds, debentures, notes, non-convertible preferred stock and other evidence of indebtedness of Canadian or developed market foreign issuers whether denominated and payable in Canadian dollars or a foreign currency, provided such instruments are traded on a recognized public exchange or through established investment dealers, subject to Section 3.04 below;
 - (ii) Real return bonds, subject to Section 3.04 below;
 - (iii) Mortgages secured against Canadian real estate subject to Section 3.05 below;
 - (iv) Mortgage-backed securities, guaranteed under the *National Housing Act*;
 - (v) Term deposits and guaranteed investment certificates;
 - (vi) Private placements of bonds subject to Section 3.03 below; and,
 - (vii) Investment in bond and debenture issues of the City and affiliated bodies is neither encouraged nor discouraged. The decision by the Investment Manager(s) to invest in such issues is entirely their responsibility and they should be governed by the same degree of due diligence and prudence that they would apply when assessing any other investment in respect of a registered pension plan.
- (c) **Cash and Short Term Investments**
- (i) Cash on hand and demand deposits;
 - (ii) Canadian and U.S. Treasury bills and bonds (with remaining maturities not exceeding 365 days) issued by the federal (Canada & U.S., as applicable) and provincial governments and their agencies;
 - (iii) Sovereign short-term debt instruments of developed countries, with maturities not exceeding 365 days;
 - (iv) Obligations of trust companies and Canadian and foreign banks chartered to operate in Canada, including bankers' acceptances;
 - (v) Commercial paper and term deposits; and
 - (vi) Other money market instruments (maturity not exceeding 365 days).
- (d) **Derivatives**
- Assets are not invested in derivative instruments and the trust will not invest in derivatives directly (including options and futures). In the event that a pooled fund invests in derivatives, prior to investing in such pooled fund, appropriate risk management processes and procedures will be in place in order to help mitigate any risks associated with derivatives. Specifically, all derivative investments will

be made in accordance with applicable legislation and regulatory policies relating to the investment of pension plan assets in derivatives. The following uses of non-leveraged derivative instruments are permitted:

- (i) Covered put and/or call options with respect to publicly traded securities that are held in the portfolio;
 - (ii) The Investment Manager of an index portfolio may utilize fully backed, i.e. non-leveraged, derivative strategies designed to replicate the performance of specific market indices, i.e.- exchange-traded equity index futures contracts;
 - (iii) Investment Managers may use currency futures contracts and forward contracts to hedge foreign currency exposure; and
 - (iv) Interest rate derivatives can be used to hedge the interest rate risk in the liabilities.
- (e) **Other Investments**
- (i) Investments in open-ended or closed-ended pooled funds provided that the assets of such funds are permissible investments under this Policy, and
 - (ii) Deposit accounts of the Custodian can be used to invest surplus cash holdings.
- (f) **Index Mandates**
- (i) For managers of index mandates, permitted investment vehicles may include all instruments that may form part of the respective index.

3.03 Minimum Quality Requirements

- (a) **Quality Standards**
- Within the investment restrictions for individual portfolios, all portfolios should hold a prudently diversified exposure to the intended market.
- (i) The minimum quality standard for individual bonds and debentures is 'BBB-' or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
 - (ii) The minimum quality standard for individual short term investments is 'R-1' low or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
 - (iii) The minimum quality standard for individual preferred shares is 'P-1' or equivalent as rated by a Recognized Bond Rating Agency, at the time of purchase.
 - (iv) All investments shall be reasonably liquid (i.e. in normal circumstances they should be capable of liquidation within 1 month).

(b) **Split Ratings**

In cases where the Recognized Bond Rating Agencies do not agree on the credit rating, the bond will be classified according to the following methodology:

- (i) If two agencies rate a security, use the lower of the two ratings;
- (ii) If three agencies rate a security, use the most common; and if four agencies rate a security, use the lowest most common; and
- (iii) If three agencies rate a security and all three agencies disagree, use the middle rating; if four agencies rate a security and all four agencies disagree, use the lowest middle rating.

(c) **Downgrades in Credit Quality**

Each Investment Manager will take the following steps in the event of a downgrade in the credit rating of a portfolio asset by a Recognized Rating Agency to below the purchase standards set out in Section 3.03 (a) Quality Standards:

- (i) The Chief Investments Officer will be notified of the downgrade by telephone at the earliest possible opportunity;
- (ii) Within ten business days of the downgrade, the Investment Manager will advise the Chief Investments Officer in writing of the course of action taken or to be taken by the Investment Manager, and its rationale; and
- (iii) Immediately upon downgrade, the Investment Manager will place the asset on a Watch List subject to monthly review by the Investment Manager with the Chief Investments Officer until such time as the security matures, is sold or until it is upgraded to a level consistent with the purchase quality standards as expressed in the above guidelines.

(d) **Rating Agencies**

For the purposes of this Policy, the following rating agencies shall be considered to be 'Recognized Bond Rating Agencies':

- (i) Dominion Bond Rating Service Limited;
- (ii) Standard and Poor's;
- (iii) Moody's Investors Services Inc.; and
- (iv) Fitch Ratings

(e) **Private Placement Bonds**

Private placement bonds are permitted subject to **all** of the following conditions:

- (i) The issues acquired must be 'A' or equivalent rated;
- (ii) The total investment in such issues must **not** exceed 10% of the market value of the Investment Manager(s) bond portfolio;

- (iii) The Investment Manager's portfolio may **not** hold more than 5% of the market value of any one private placement;
- (iv) The Investment Manager(s) must be satisfied that there is sufficient liquidity to ensure sale at a reasonable price; and
- (v) The minimum issue size for any single security must be at least \$150 million.

3.04 Maximum Quantity Restrictions

(a) Total Fund Level

No one equity holding shall represent more than 10% of the total market value of the Master Trust's assets.

(b) Individual Investment Manager Level

The Investment Manager(s) shall adhere to the following restrictions:

(i) *Equities*

- (A) No one equity holding shall represent more than 10% of the market value of any one Investment Manager's equity portfolio.
- (B) No one equity holding shall represent more than 10% of the voting shares of a corporation.
- (C) No one equity holding shall represent more than 10% of the available public float of such equity security.
- (D) Income Trusts shall not comprise more than 15% of any Investment Manager's Canadian equity portfolio.

(ii) *Bonds and Short Term*

- (A) Except for federal and provincial bonds (including government guaranteed bonds), no more than 10% of an Investment Manager's bond portfolio may be invested in the bonds of a single issuer and its related companies.
- (B) Except for federal and provincial bonds, no one bond holding shall represent more than 10% of the market value of the total outstanding for that bond issue.
- (C) No more than 8% of the market value of an Investment Manager's bond portfolio shall be invested in bonds rated BBB (this includes all of BBB's: BBB+, BBB, and BBB-) or equivalent.
- (D) This Policy will permit the continued holding of instruments whose ratings are downgraded below BBB- after purchase, provided that such instruments are disposed of in an orderly fashion.

- (E) No more than 10% of the market value of an Investment Manager's bond portfolio shall be invested in bonds denominated in a currency other than Canadian dollars.
- (F) Except for the dedicated real return bond mandate, no more than 10% of the market value of the bond portfolio may be held in real return bonds.

(iii) Other

The use of derivative securities shall be supported at all times by the explicit allocation of sufficient assets to back the intended derivative strategy. For greater certainty, Investment Managers are not permitted to leverage the assets of the Master Trust. The use of derivative securities is only permitted for the uses described in this Policy. Purchase or sale of any of these instruments for speculative purposes is prohibited.

Notwithstanding the limits described in this Section, the single security limits do not apply to an Investment Manager's index mandate.

3.05 Prior Permission Required

The following investments are permitted **provided that** prior permission for such investments has been obtained from the Administrator:

- (a) Investments in private placement equities (except for the foreign equity investment managers investing in pooled funds where the pooled fund policy permits private placement equities).
- (b) Direct investments in mortgages.
- (c) Direct investments in any one parcel of real property that has a book value less than or equal to 5% of the book value of the Master Trust's assets. The aggregate book value of all investments in real property and Canadian resource properties shall not exceed 25% of the book value of the Master Trust's assets. (Previously, the overall 25% limit in respect of real and resource properties was a requirement under the *Pension Benefits Act* (Ontario).)
- (d) Direct investments in venture capital financing or private equity partnerships; and
- (e) Derivatives other than those described in 3.02(d).

3.06 Prohibited Investments

The Investment Managers shall not:

- (a) Invest in companies for the purpose of managing them;
- (b) Invest in securities that would result in the imposition of a tax on the Fund under the *Income Tax Act* (Canada) unless they provide a prior written acknowledgement that such investments will result in a tax and receive prior written permission for such investments from the Administrator or;
- (c) Make any investments not specifically permitted by this Policy.

3.07 Securities Lending

The investments of the Master Trust may be loaned, for the purpose of generating revenue for the Fund, subject to the provisions of the *Pension Benefits Act* (Ontario) and the *Income Tax Act* (Canada), and applicable regulations.

For securities held in segregated accounts, such loans must be secured by cash and/or readily marketable government bonds, treasury bills and/or letters of credit, discount notes and bankers' acceptances of chartered banks. For loaned securities, the security held or collateral must have an aggregate market value which shall never be less than the percentage of the aggregate market value of the loaned securities which is the highest of: (i) the minimum percentage required by any applicable legislation, regulatory authority or prevailing market practice; or (ii) 105%. The aggregate market value of the loaned securities and of the collateral shall be monitored and calculated by the Custodian daily.

The terms and conditions of any securities lending program will be set out in a contract with the custodian. The custodian shall, at all times, ensure that the Chief Investments Officer has a current list of those institutions that are approved to borrow the Fund's investments.

Lending of the portion of the Master Trust's assets held in a pooled fund is governed by the terms of the conditions set out in the pooled fund Statement of Investment Policies and Procedures or similar document.

3.08 Borrowing

The Master Trust shall not borrow money, except to cover short-term contingency and the borrowing is for a period that does not exceed ninety days, subject to the *Pension Benefits Act* (Ontario), the *Income Tax Act* (Canada) and the written permission of the General Manager of Finance and Corporate Services.

3.09 Conflicts between the Policy and Pooled Fund Investment Policies

While the guidelines in this Policy are intended to guide the management of the Master Trust, it is recognized that, due to the use of pooled funds, there may be instances where there is a conflict between the Policy and the investment policy of a pooled fund. In that case, the Investment Manager is expected to notify Chief Investments Officer upon the initial review of the Policy and whenever a change in the pooled fund policy creates a conflict. However, it is understood that any ambiguity will be interpreted in favour of the pooled fund policy, provided such interpretation complies with all applicable laws.

Section 4—Monitoring and Control

4.01 Delegation of Responsibilities

The General Manager of Finance and Corporate Services is the designated contact person for administrative matters. However, City Council has delegated certain administrative duties and responsibilities to internal and external agents, including to the HMRF/HWRF Pension Administration Sub-committee, the Chief Investments Officer and the General Manager of Finance and Corporate Services. Overall responsibility for the Master Trust ultimately rests with City Council, and the City (acting through Council) is the pension plan administrator of the Plans (for each Plan, the “Administrator”).

(a) Chief Investments Officer

The Chief Investments Officer has been delegated the following responsibilities:

- (i) monitoring the Master Trust asset mix and rebalancing as required, including executing asset mix changes required per the Dynamic Policy Schedules outlined in section 2.03;
- (ii) day-to-day liaison including contract management with external Investment Managers, the Investment Consultant, and the Custodian/Trustee;
- (iii) monitoring and budgeting for cash flow within the pension fund;
- (iv) researching, recommending and implementing improvements to asset management of the Master Trust;
- (v) directing and implementing strategy for self-managed portfolios, if any; and
- (vi) preparing and presenting to City Council and the HMRF/HWRF Pension Administration Sub-Committee a report on the Plan’s investment performance and asset mix, and such other information as City Council may require and/or other such information as the Chief Investments Officer considers appropriate to include in the report, on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time.

(b) Investment Managers

The Investment Managers have been delegated the following responsibilities:

- (i) invest the assets of the Master Trust in accordance with this Policy;
- (ii) meet with the Chief Investments Officer as required and provide written reports regarding the Investment Manager’s past performance, their future strategies and other issues as requested;

- (iii) notify the Chief Investments Officer, in writing of any significant changes in the Investment Manager's philosophies and policies, personnel or organization and procedures;
- (iv) will provide periodically, but no less than on an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time, lists of assets and such other information as may be requested by the Chief Investments Officer; and,
- (v) file, on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time compliance reports (see Section 4.03).

(c) Custodian/Trustee

The custodian/trustee will:

- (i) Fulfil the regular duties of a Custodian/Trustee as required by law;
- (ii) maintain safe custody over the assets of the Master Trust Plans;
- (iii) execute the instructions of the Chief Investments Officer and the Investment Managers; and
- (iv) record income and provide financial statements to the Chief Investments Officer on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time, or as otherwise required.

(d) Investment Consultant

The investment consultant has been delegated the following responsibilities:

- (i) assist the Chief Investments Officer in developing a prudent long-term asset mix, and specific investment objectives and policies;
- (ii) monitor, analyse and report on the Master Trust's investment performance and to support the Chief Investments Officer on any investment related matters;
- (iii) monitor and report the funded status of the Plans to the Chief Investments Officer on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time;
- (iv) assist with the selection of Investment Managers, custodians and other suppliers; and
- (v) meet with the Chief Investments Officer as required.

(e) Actuary

The actuary has been delegated the following responsibilities:

- (i) perform actuarial valuations of the Plan as required; and
- (ii) advise the Chief Investments Officer and the Investment Consultant on any matters relating to Plan design, membership and contributions, and actuarial valuations.

4.02 Performance Measurement

For the purpose of evaluating the performance of the Master Trust and the Investment Managers, all rates of returns are measured over moving four-year periods. Return objectives are net of fees and include realized and unrealized capital gains or losses plus income from all sources. Returns will be measured quarterly and will be calculated as time-weighted rates of return.

(a) Active and Index Canadian Equity Managers

Investment results of the active and index Canadian Equity Managers are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
S&P/TSX Composite Index	100

(b) Active and Index Global Equity Managers

Investment results of the active and index Global Equity Managers are to be tested regularly against a long-term Benchmark Portfolio comprising:

Benchmark	%
MSCI World Index (C\$)	100

(c) Active and Index Canadian Bond Managers – Long Bonds

Investment results of the active and index Canadian Bond Managers for Long Bonds are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
FTSE Canada Long Bond Index	100

(d) Active and Index Canadian Bond Managers – Real Return Bonds

Investment results of the active and index Canadian Bond Managers for Real Return Bonds are to be tested regularly against a Benchmark Portfolio comprising:

Benchmark	%
FTSE Canada Real Return Bond Index	100

4.03 Compliance Reporting by Investment Manager

The Investment Managers are required to complete and deliver a compliance report to the Chief Investments Officer and the Investment Consultant on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. The compliance report will indicate whether or not the Investment Manager was in compliance with this Policy during the period covered in the report.

In the event that an Investment Manager is not in compliance with this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately, detail the nature of the non-compliance and recommend an appropriate course of action to remedy the situation.

The Master Trust invests in pooled funds with separate investment policies. In that case, the Investment Manager must confirm compliance to the pooled fund policy. In addition, should a conflict arise between a pooled fund policy and this Policy, the Investment Manager is required to advise the Chief Investments Officer immediately and detail the nature of the conflict.

4.04 Standard of Professional Conduct

The Investment Managers are expected to comply, at all times and in all respects, with a written code of ethics that is no less stringent in all material respects than the Code of Ethics and Standards of Professional Conduct as promulgated by the CFA Institute.

The Investment Managers will manage the assets with the care, diligence and skill that an investment manager of ordinary prudence would use in dealing with pension plan assets. The Investment Managers will also use all relevant knowledge and skill that they possess or ought to possess as prudent investment managers.

Section 5—Administration

5.01 Conflicts of Interest

(a) Responsibilities

This standard applies to the City’s staff, as well as to all agents employed by the City, in the execution of their responsibilities under the *Pension Benefits Act* (Ontario) (the “Affected Persons”).

An “agent” is defined to mean a company, organization, association or individual, as well as its employees who are retained by the Administrator to provide specific services with respect to the investment, administration and management of the assets of the Master Trust.

(b) Disclosure

In the execution of their duties, the Affected Persons shall disclose any material conflict of interest relating to them, or any material ownership of securities, which could impair their ability to render unbiased advice, or to make unbiased decisions, affecting the administration of the Master Trust assets.

Further, it is expected that no Affected Person shall make any personal financial gain (direct or indirect) because of his or her fiduciary position. However, normal and reasonable fees and expenses incurred in the discharge of their responsibilities are permitted in accordance with City policies as approved by Council.

No Affected Person shall accept a gift or gratuity or other personal favour, other than one of nominal value, from a person with whom the employee deals in the course of performance of his or her duties and responsibilities for the Master Trust.

It is incumbent on any Affected Person who believes that he or she may have a conflict of interest, or who is aware of any conflict of interest, to disclose full details of the situation to the attention of the General Manager of Finance and Corporate Services and/or the Treasurer immediately. The General Manager of Finance and Corporate Services and/or the Treasurer, in turn, will decide what action is appropriate under the circumstances.

No Affected Person who has or is required to make a disclosure as contemplated in this Policy shall participate in any discussion, decision or vote relating to any proposed investment or transaction in respect of which he or she has made or is required to make disclosure, unless otherwise determined permissible by decision of the General Manager of Finance and Corporate Services and/or the Treasurer.

5.02 Related Party Transactions

The Chief Investments Officer shall not, on behalf of the Plans or the Master Trust, directly or indirectly,

- (i) lend the moneys of the Plans to a related party or use those moneys to hold an investment in the securities of a related party; or
- (ii) enter into a transaction with a related party.

The Chief Investments Officer may enter into a transaction with a related party:

- (i) for the operation or administration of the Plans if it is under terms and conditions that are not less favourable to the Plans than market terms and conditions and such transaction does not involve the making of loans to, or investments in, the related party or
- (ii) the value of the transaction is nominal or the transaction is immaterial. In assessing whether the value of the transaction is nominal or immaterial, two or more transactions with the same related party shall be considered as a single transaction.

For the purposes of Section 5.02, only the market value of the combined assets of the Fund shall be used as the criteria to determine whether a transaction is nominal or immaterial. Transactions less than 0.5% of the combined market value of the assets of the Fund are considered nominal.

The following investments are exempt from the related party rules:

- (i) investments in an investment fund or a segregated fund (as those terms are used in the *Pension Benefits Standards Regulations*) in which investors other than the administrator and its affiliates may invest and that complies with Section 9 and Section 11 of Schedule III to the *Pension Benefits Standards Regulations*;
- (ii) investments in an unallocated general fund of a person authorized to carry on a life insurance business in Canada;
- (iii) investments in securities issued or fully guaranteed by the Government of Canada, the government of a province, or an agency of either one of them;

- (iv) investments in a fund composed of mortgage-backed securities that are fully guaranteed by the Government of Canada, the government of a province, or an agency of either one of them;
- (v) investments in a fund that replicates the composition of a widely recognized index of a broad class of securities traded at a marketplace (as that term is used in the *Pension Benefits Standards Regulations*); or
- (vi) investments that involve the purchase of a contract or agreement in respect of which the return is based on the performance of a widely recognized index of a broad class of securities traded at a marketplace (as that term is used in the *Pension Benefits Standards Regulations*).

A “related party” is defined to mean the Administrator of the Plans, including any officer, director or employee of the Administrator. It also includes, the Investment Managers and their employees, a union representing employees of the employer, a member of the Master Trust, a spouse or child of the persons named previously, or a corporation that is directly or indirectly controlled by the persons named previously, and any other person constituting a “related party” under the *Pension Benefits Act* (Ontario). Related party does not include government or a government agency, or a bank, trust company or other financial institution that holds the assets of the Master Trust.

5.03 Selecting Investment Managers

In the event that a new Investment Manager must be selected or additional Investment Manager(s) added to the existing Investment Manager(s), the Chief Investments Officer will undertake an Investment Manager search with or without the assistance of a third-party investment consultant depending on the expertise required. The criteria used for selecting an Investment Manager will be consistent with the investment and risk philosophy set out in Section 1.04 (Investment and Risk Philosophy).

5.04 Directed Brokerage Commissions

Investment Managers may use directed brokerage to pay for research and other investment related services provided they comply with, and provide the disclosure required by, the Soft Dollar Standards promulgated by the CFA Institute.

5.05 Monitoring of Asset Mix

In order to ensure that the Master Trust operates within the minimum and maximum guidelines stated in this Policy as outlined in Section 2, the Chief Investments Officer shall monitor the asset mix on at least an annual basis, or upon such more frequent basis as may be requested by City Council or its delegates from time to time. Rebalancing between the investment mandates can take place over a reasonably short period of time after an imbalance has been identified. Rebalancing may be effected by redirecting the net cash flows to and from the Master Trust, or by transferring cash or securities between portfolios and/or Investment Managers.

5.06 Monitoring of Investment Managers

An important element in the success of this Policy is the link between the Investment Managers and the Chief Investments Officer. It is expected that the Investment Managers will communicate with the Chief Investments Officer whenever necessary. Periodic, written investment reports from the Investment Managers are sent to and reviewed by the Chief Investments Officer and form part of the monitoring process.

Meetings including telephone conference call meetings between the Investment Managers and the Chief Investments Officer will be scheduled as required. At each meeting or telephone conference call meeting, it is expected that the Investment Managers will prepare a general economic and capital markets overview, which will be distributed prior to or during the meeting. They should also include the following in their presentations:

- review of the previous period's strategy and investment results,
- discussion of how the condition of the capital markets affects the investment strategy of their respective portfolios,
- economic and market expectations,
- anticipated changes in the asset mix within the limits provided in this Policy, and,
- discussion of compliance and any exceptions.
- discussion of any votes that were cast against the wishes of company management by the Investment Managers in exercising voting rights (Section 5.08).

5.07 Dismissal of an Investment Manager

Reasons for considering the termination of the services of an Investment Manager include, but are not limited to, the following factors:

- (a) performance results which are below the stated performance benchmarks;
- (b) changes in the overall structure of the Master Trusts' assets such that the Investment Manager's services are no longer required;
- (c) change in personnel, firm structure or investment philosophy which might adversely affect the potential return and/or risk level of the portfolio; and/or
- (d) failure to adhere to this Policy.

5.08 Voting Rights

The Administrator has delegated voting rights acquired through the investments held by the Master Trust to the custodian of the securities to be exercised in accordance with the Investment Manager's instructions. Investment Managers are expected to exercise all voting rights related to investments held by the Master Trust in the interests of the members of the underlying pension plans. The Investment Managers shall report when they vote against the wishes of the company management to the Chief Investments Officer, providing information as to the reasons behind this vote.

5.09 Valuation of Investments Not Regularly Traded

The following principles will apply for the valuation of investments that are not traded regularly:

- (a) **Equities**
Average of bid-and-ask prices from two major investment dealers, at least once every calendar quarter.
- (b) **Bonds**
Same as for equities.
- (c) **Mortgages**
Unless in arrears, the outstanding principal plus/minus the premium/discount resulting from the differential between face rate and the currently available rate for a mortgage of similar quality and term, determined at least once every month.
- (d) **Real Estate**
A certified written appraisal from a qualified independent appraiser at least once every two years.

5.10 Policy Review

This Policy may be reviewed and revised at any time, but at least once every calendar year it must be formally reviewed. Should the Investment Manager(s) wish to review this Policy at any time, it is his/her responsibility to contact the Chief Investments Officer with specific recommendations.

The appropriateness of the Dynamic Investment Policy asset allocation parameters should be reviewed on an ongoing basis. A new Dynamic Investment Policy Study (Dynamic Asset-Liability Modeling Study) may be undertaken if any of the following events occur:

- (a) The plan gets significantly closer to the end-state of the flight path, including if the flight path funded ratio measurement changes significantly (to over 84%) from the starting point of the 2010 study, which was 69%.
- (b) There are significant changes to the regulations that affect the key metrics used in making decisions in the 2010 Dynamic Investment Policy Study or should affect the asset allocation in the future;
- (c) Capital market conditions change significantly such that the assumptions embedded in the 2010 Dynamic Investment Policy Study are no longer reasonable; or
- (d) The plan sponsor's risk posture changes significantly.

Appendix A - Statement of Investment Policies & Procedures Hamilton Municipal Retirement Fund

Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the "Hamilton Municipal Retirement Fund SIPP") provides the framework for the investment of the assets of the Hamilton Municipal Retirement Fund, registration number 0275123 (the "Plan");

The objective of the Hamilton Municipal Retirement Fund SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton Municipal Retirement Fund SIPP is based on the "prudent person portfolio approach" to ensure the prudent investment and administration of the assets of the Plan (the "Fund") are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

1.02 Background of the Plan

The Hamilton Municipal Retirement Fund is a contributory defined benefit plan. The plan has been closed to new entrants since 1965. Municipal employees hired after June 30, 1965 participate in the OMERS Pension Plan. Therefore, this is a closed fund and will terminate upon the death of the last retiree or successor. Effective July 1, 2001, the last active member retired from the Plan.

1.03 Plan Profile

a) Contributions

There are no active members in the Plan.

b) Benefits

2% of average annual earnings in best consecutive 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5-year average earnings up to the final year's YMPE for each year of contributory service after January 1, 1966. CPP Offset suspended from date of retirement to age 65. Effective Jan 1, 2006 annual increases will not be less than the increase provided to retirees under the OMERS plan. .

c) Liabilities

As of the most recent actuarial valuation of the Plan as at December 31, 2019 there were no active members, 3 deferred members and 177 retirees and beneficiaries.

As of December 31, 2019, the going-concern liability of the plan was \$68,912,831, including a Provision for Adverse Deviation (PfAD) of \$3,700,990, compared to the actuarial value of assets of \$71,445,290. On a solvency basis, the liability was \$57,859,942, while the assets (at market) were \$71,295,290 (net of a provision for

plan windup expenses of \$150,000). On a windup basis, the liability was \$72,819,924.

1.04 Objective of the Plan

The objective of the Plans is to provide members of the Plans with retirement benefits prescribed under the terms thereof.

1.05 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

1.06 Administration

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 Pooling of Assets

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Street Railway Pension Plan (1994).

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the parameters set out in Section 3.02 (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

1.08 Master Trust SIPP

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton Municipal Retirement Fund.

Appendix B - Statement of Investment Policies & Procedures Hamilton Street Railway Pension Plan (1994)

Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the "Hamilton Street Railway Pension Plan SIPP") provides the framework for the investment of the assets of the Hamilton Street Railway Pension Plan (1994), registration number 0253344 (the "Plan");

The objective of the Hamilton Street Railway Pension Plan SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton Street Railway Pension Plan SIPP is based on the "prudent person portfolio approach" to ensure the prudent investment and administration of the assets of the Plan (the "Fund") are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

1.02 Background of the Plan

The current Plan dates from January 1, 1994 when two former plans – Canada Coach Lines and Hamilton Street Railway plans were merged. Effective January 1, 2009 this contributory defined benefit plan was closed to new members and active members stopped contributing and accruing service under the plan.

1.03 Plan Profile

a) Contributions

Under the terms of the Plan text, members' contributions prior to 1999 were 7.5% of earnings less contributions made to Canada Pension Plan. For the calendar years 1999 through 2008, members (depending on the year) either enjoyed a contribution holiday or were limited to contribution rates of 1% of earnings. Effective January 2009, as members became City employees, no member contributions have been required or permitted to be made to the Plan.

b) Benefits

Members receive a pension equal to 1.5% of average pensionable earnings up to the average Year's Maximum Pensionable Earnings (YMPE) as established under the Canada Pension Plan, plus 2% of the excess, multiplied by years of credited service accrued up to December 31, 2008. The "average pensionable earnings" are defined as the average of best five years' earnings during the member's credited service and OMERS credited service, if any. The "average YMPE" is defined as the average of the YMPE for the last thirty-six complete months of plan membership.

In the event that pensions accrued under the prior plan exceed the pension accrued under the current plan for service prior to July 1, 1980, then the pension is increased accordingly. Pensions are subject to annual indexing equal to the indexing provided

to retirees under the OMERS plan (100% of inflation to a maximum of 6% per annum).

c) Liabilities

As of the most recent actuarial valuation of the Plan as at January 1, 2020, there were 315 active members, 29 deferred members and 610 retirees and beneficiaries. The average age of the active members was approximately 54.3 years with average pensionable earnings of \$70,474.

As of January 1, 2020, the going-concern liability of the plan was \$228,695,400, including a Provision for Adverse Deviation (PfAD) of \$17,103,300, compared to the actuarial value of assets of \$211,167,500. On a solvency basis, the liability was \$216,314,100 while the assets (at market) were \$210,967,500 (net of a provision for plan windup expenses of \$200,000). On a windup basis the liability was \$315,487,000.

The going-concern deficit is being eliminated through a series of special payments. No special payments are required for the solvency deficit since the solvency ratio exceeds .85.

1.04 Objective of the Plan

The objective of the Plan is to provide members of the Plan with retirement benefits prescribed under the terms thereof.

1.05 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

1.06 Administration

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 Pooling of Assets

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton-Wentworth Retirement Fund and the Hamilton Municipal Retirement Fund.

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the

parameters set out in Section 3.02 (a), (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

1.08 Master Trust SIPP

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton Street Railway Pension Plan (1994).

Appendix C - Statement of Investment Policies & Procedures The Hamilton-Wentworth Retirement Fund

Overview

1.01 Purpose of Statement

This Statement of Investment Policies and Procedures (the "Hamilton-Wentworth Retirement Fund SIPP") provides the framework for the investment of the assets of the Hamilton-Wentworth Retirement Fund, registration number 1073352 (the "Plan");

The objective of the Hamilton-Wentworth Retirement Fund SIPP is to ensure that the assets of the Plan, together with expected contributions made by both the City and the Plan members, shall be invested in a continued prudent and effective manner.

The Hamilton-Wentworth Retirement Fund SIPP is based on the "prudent person portfolio approach" to ensure the prudent investment and administration of the assets of the Plan (the "Fund") are within the parameters set out in the *Pension Benefits Act*, (Ontario) and the Regulations thereunder.

All provisions in the Master Trust SIPP apply to this Appendix.

1.02 Background of the Plan

The Plan is a contributory, defined benefit Plan. Effective January 1, 1985 all active Region Other Participants, excluding Police Civilians, were transferred to OMERS. The liability to transfer such members to OMERS was met by monthly payments of \$115,187 until December 31, 2000 and monthly payments of \$361 thereafter, concluding September 30, 2003. Effective January 1, 2002, the last active member retired from the plan.

1.03 Plan Profile

a) Contributions

Under the terms of the Plan text:

For normal retirement age 60 class:

- 1) Senior Police Officers: contributions should be 7% of earnings up to the YMPE plus 8.5% of contributory earnings in excess of YMPE.
- 2) Other Police Officers: contributions should be 6.5% of earnings up to YMPE plus 8% of contributory earnings in excess of YMPE.

For a normal retirement age of 65 contributions should be 5.75% of earnings.

b) Benefits

2% of average annual earnings in best 5 years before retirement for each year of credited service up to 35 years reduced by 0.675% of the 5-year average earnings up to the final year's YMPE for each year of contributory service after January 1, 1966. CPP Offset suspended from date of retirement to age 65. Effective Jan 1, 2006 annual increases will not be less than the increase provided to retirees under the

OMERS plan, which is currently equal to 100% of the increase in the Consumer Price Index to a maximum of 6.0% per annum.

c) Liabilities

As of the most recent actuarial valuation of the Plan as at December 31, 2019, there were no active members, no deferred members and 140 retirees and beneficiaries.

As of December 31, 2019, the going-concern liability of the plan was \$52,830,000, including a Provision for Adverse Deviation (PfAD) of \$4,304,000, compared to the actuarial value of assets of \$54,821,009. On a solvency basis, the liabilities were \$50,907,000 while the assets were \$54,751,000 (net of a provision for plan windup expenses of \$70,000). On a windup basis the liability was \$64,241,000.

1.04 Objective of the Plan

The objective of the Plan is to provide members of the Plan with retirement benefits prescribed under the terms thereof.

1.05 Investment and Risk Philosophy

The primary investment objective is to provide an economic return on assets sufficient to fund plan liabilities over the long-term, while adhering to prudent investment practices.

The investment philosophies and strategies must take into account both return and risk objectives of the Plan and the City.

In recognition of the risk and return objectives of the Plan and the City, an initial Asset Allocation Policy was developed based on the Plan's current funded status and the characteristics of the Plan and City. It is recognized, however, that the Plan return requirements and risk tolerance will change over time, and the intent is to reallocate the portfolio to lower risk allocations dynamically as the Plan's funded status improves.

1.06 Administration

The General Manager of Finance and Corporate Services for the City of Hamilton is the designated contact at the City for administrative purposes.

1.07 Pooling of Assets

For investment purposes, certain assets of the Plan are invested in units of the City of Hamilton Defined Benefit Plans Master Trust, along with certain assets of the Hamilton Street Railway Pension Plan (1994) and the Hamilton Municipal Retirement Fund.

Up to 2 % of Plan assets may be invested outside of the City of Hamilton Defined Benefit Plans Master Trust for operating expenses and liquidity purposes, in accordance with the parameters set out in Section 3.02 (c) and (e) of the City of Hamilton Defined Benefit Plans Master Trust SIPP. The provisions of the City of Hamilton Defined Benefit Plans Master Trust SIPP apply to the investment of these assets.

1.08 Master Trust SIPP

The Master Trust SIPP is the policy that should be followed while investing the pooled assets of the Hamilton-Wentworth Retirement Fund Pension Plan.

Appendix D – Compliance Reports

**The City of Hamilton Master Trust
Index Bond Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
FIXED INCOME	BONDS	100%	
CASH	SHORT-TERM & CASH	0%	
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
BONDS	Investment Policy Section 3.02 (b) – Bonds		
CASH	Investment Policy Section 3.02 (c) – Cash		
DERIVATIVES	Investment Policy Section 3.02 (c) – Derivatives		
OTHER	Investment Policy Section 3.02 (e) – Other Investments		
INDEX	Investment Policy Section 3.02 (f) – Index Mandates		
QUALITY REQUIREMENTS	Investment Policy Section 3.03 – Minimum Quality Requirements		
QUANTITY RESTRICTIONS	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
PRIOR PERMISSION	Investment Policy Section 3.05 – Prior Permission Required		
PROHIBITED INVESTMENTS	Investment Policy Section 3.06 – Prohibited Investments		
SECURITIES LENDING	Investment Policy Section 3.07 – Securities Lending		
RESPONSIBILITIES	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
STANDARDS OF PROFESSIONAL CONDUCT	Investment Policy Section 4.04 - Standards of Professional Conduct		
CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**The City of Hamilton Master Trust
Index Equity Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
EQUITIES			
	U.S.		
	EAFE		
	TOTAL FOREIGN		
CASH	SHORT-TERM & CASH		
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
EQUITIES	Investment Policy Section 3.02 (a) – Canadian and Foreign Equities		
CASH	Investment Policy Section 3.02 (c) – Cash and Short Term Investments		
DERIVATIVES	Investment Policy Section 3.02 (d) – Derivatives		
OTHER INVESTMENTS	Investment Policy Section 3.02 (e) – Other Investments		
INDEX	Investment Policy Section 3.02 (f) – Index Mandates		
QUALITY REQUIREMENTS	Investment Policy Section 3.03 – Minimum Quality Requirements		
QUANTITY RESTRICTIONS	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
PRIOR PERMISSION	Investment Policy Section 3.05 – Prior Permission Required		
PROHIBITED INVESTMENTS	Investment Policy Section 3.06 – Prohibited Investments		
SECURITIES LENDING	Investment Policy Section 3.07 – Securities Lending		
BORROWING	Investment Policy Section 3.08 – Borrowing		
RESPONSIBILITIES	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
STANDARDS OF PROFESSIONAL CONDUCT	Investment Policy Section 4.04 - Standards of Professional Conduct		
CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**The City of Hamilton Master Trust
Active Bond Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
FIXED INCOME	BONDS	100%	
CASH	SHORT-TERM & CASH	0%	
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
BONDS	Investment Policy Section 3.02 (b) – Bonds		
CASH	Investment Policy Section 3.02 (c) – Cash		
DERIVATIVES	Investment Policy Section 3.02 (c) – Derivatives		
OTHER	Investment Policy Section 3.02 (e) – Other Investments		
INDEX	Investment Policy Section 3.02 (f) – Index Mandates		
QUALITY REQUIREMENTS	Investment Policy Section 3.03 – Minimum Quality Requirements		
QUANTITY RESTRICTIONS	Investment Policy Section 3.04 – Maximum Quantity Restrictions		
PRIOR PERMISSION	Investment Policy Section 3.05 – Prior Permission Required		
PROHIBITED INVESTMENTS	Investment Policy Section 3.06 – Prohibited Investments		
SECURITIES LENDING	Investment Policy Section 3.07 – Securities Lending		
RESPONSIBILITIES	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
STANDARDS OF PROFESSIONAL CONDUCT	Investment Policy Section 4.04 - Standards of Professional Conduct		
CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**The City of Hamilton Master Trust
Active Equity Manager**

**Compliance Report for the Quarter Ended _____
(date)**

		GUIDELINES	POLICY COMPLIED WITH YES/NO *
ASSET MIX (at Market Value)		%	
EQUITIES	CANADIAN		
	U.S.		
	EAFE		
	TOTAL FOREIGN		
CASH	SHORT-TERM & CASH		
CONSTRAINTS			
GENERAL	Investment Policy Section 3.01 – General Guidelines		
EQUITIES	Investment Policy Section 3.02 (a) – Canadian and Foreign Equities		
CASH	Investment Policy Section 3.02 (c) – Cash and Short Term Investments		
DERIVATIVES	Investment Policy Section 3.02 (d) – Derivatives		
OTHER INVESTMENTS	Investment Policy Section 3.02 (e) – Other Investments		
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RESPONSIBILITIES	Investment Policy Section 4.01 (b) – Delegation of Responsibilities – Investment Managers		
STANDARDS OF PROFESSIONAL CONDUCT	Investment Policy Section 4.04 - Standards of Professional Conduct		
CONFLICTS OF INTEREST	Investment Policy Section 5.01 - Conflicts of Interest		
VOTING RIGHTS	Investment Policy Section 5.08 - Voting Rights		

* If policy not complied with, comment on specifics

COMPLETED BY: _____ **SIGNED BY:** _____

**City of Hamilton Treasurer's Updated 2020
Annual Repayment Limit**

Annual Repayment Limit - effective January 1, 2020, as calculated by the Ministry of Municipal Affairs and Housing, based on 2019 Financial Information Return	\$275,795,317
Annual debt service charges on City Municipal debt approved to date 2020 and prior years but not yet issued (\$465.0 M @ 5% for 15-year term)	-\$44,795,926
Annual debt service charges on City Municipal debt in respect of ICIP Transit debt approved but not yet issued (\$83.6 M @ 5% for 15-year term)	-\$8,055,294
Annual debt service charges on City Municipal debt in respect of West Harbour debt approved but not yet issued (\$2.9 M @ 5% for 15-year term)	-\$282,283
Annual debt service charges on City Municipal debt in respect of Housing 10-year Strategy debt approved but not yet issued (\$10.0 M @ 1.75% for 20-year term)	-\$596,912
Annual debt service charges on CityHousing Hamilton debt approved but not yet issued and guaranteed by City of Hamilton (\$59.3 M @ 5% for 30-year term)	-\$3,856,250
Annual debt service charges on Municipal and Development Charges debt approved but not yet issued - 2020 Tax and Rate Supported Budget (\$107.7 M @ 5% for 15-year term)	-\$10,373,174
Annual debt service charges on Municipal and Tax Supported Development Charges debt approved but not yet issued - Police Station 40 (\$8 M @ 5% for 15-year term)	-\$770,738
Annual debt service charges in 2020 resulting from 2018 debenture issue of \$110.82 M	-\$10,587,004
Annual debt service charges on debentures discharged in 2018 and 2019	\$4,707,558
Adjustment for annual debt service charges on outstanding CityHousing Hamilton mortgages and City of Hamilton Tangible Capital Leases	\$36,094
Updated 2020 Annual Repayment Limit - a calculation by the Treasurer representing an estimate of the maximum amount available to commit to annual debt service charges	\$202,221,385
Debenture amount at 5% interest rate for 15-year term (amortizer) corresponding to the annual debt service charges of \$201,221,385	\$2,088,609,171

Note: Anomalies due to rounding

**City Enrichment Fund
Requiring Advance Payments in 2021**

Agency	Advance Payment Schedule for 2021	#of Payments (advance)	2020 Approved Annual Budget	2021 Advance Payment Amount (Monthly)	2021 Advance Payment Amount (5 Payments)
Art Gallery of Hamilton	1st of each month	5	\$1,000,000.00	\$83,333.33	\$416,666.67
Theatre Aquarius	1st of each month	5	\$265,302.00	\$22,108.50	\$110,542.50
Hamilton Philhamonic Orchestra	1st of each month	5	\$175,099.00	\$14,591.58	\$72,957.92
Brott Music Festival	1st of each month	5	\$182,800.00	\$15,233.33	\$76,166.67
Total			\$1,623,201.00	\$135,266.75	\$676,333.75



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 20-011

1:30 p.m.
Thursday, December 10, 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: Councillors C. Collins and J. Farr

Regrets: Councillor T. Whitehead – Personal

THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 20-011 AND RESPECTFULLY RECOMMENDS:

1. Appointment of the Chair and Vice-Chair (Item 7.1)

- (i) That Councillor Nann be appointed Chair of the Emergency and Community Services Committee for 2021; and
- (ii) That Councillor Clark be appointed Vice-Chair of the Emergency and Community Services Committee for 2021.

2. 2021 Budget Submission - Housing and Homelessness Advisory Committee (HSC20059) (City Wide) (Item 10.1)

That the Housing and Homelessness Advisory Committee 2021 base budget submission attached as Appendix “A” to Emergency & Community Services Committee Report 20-011 in the amount of \$1,000 be approved and referred to the 2021 budget process for consideration.

3. 2021 Budget Submission – Seniors Advisory Committee (HUR20011) (City Wide) (Item 10.2)

That the Seniors Advisory Committee 2021 base budget submission in the amount of \$2500.00 be approved and forwarded to the 2021 budget process (Healthy and Safe Communities).

**4. City of Hamilton Veterans Committee 2021 Budget Submission (PED20216)
(City Wide) (Item 10.3)**

That the Hamilton Veterans Committee (Veterans Committee) 2021 base budget submission, attached as Appendix "B" to Emergency & Community Services Committee Report 20-011 in the amount of \$43 K, be approved and referred to the 2021 Budget process for consideration.

5. Subsidy Transfer to Indwell's Affordable Housing Project at 225 East Avenue North (HSC19060 (a)) (Ward 3) (Item 10.4)

- (a) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to enter into, execute and administer an agreement with Indwell Community Homes "Indwell" to provide rent supplements for their affordable housing project at 225 East Avenue North in accordance with the terms and conditions contained in the Term Sheet attached as Appendix "C" to Emergency & Community Services Committee Report 20-011, in a form satisfactory to the City Solicitor;
- (b) That \$111,700 associated with the former St. Matthew's House Part VII-Housing Services Act social housing subsidy be transferred from the Hamilton Housing Allowance to a rent supplement for Indwell's affordable housing project at 225 East Avenue North, effective January 1, 2021;
- (c) That \$34,278 in Part VII-Housing Services Act social housing subsidy associated with the 18 units relinquished as part of CityHousing Hamilton's Roxborough development be transferred to Indwell's affordable housing project at 225 East Avenue North, effective January 1, 2021;
- (d) That \$134,097 in Part VII-Housing Services Act social housing subsidy associated with the 75 units CityHousing Hamilton is relinquishing as its reduction in targets at Vanier Towers be transferred to Indwell's affordable housing project at 225 East Avenue North, effective January 1, 2021; and,
- (e) That the value of the rent supplements provided to Indwell's affordable housing project at 225 East Avenue North be increased annually by the Ontario Rental Increase Guideline established each year by the Province on Ontario.

**6. Kiwanis Homes Down Payment Assistance Pilot Program (HSC20032(a))
(City Wide) (Item 10.5)**

That the General Manager of the Healthy and Safe Communities Department or his designate be authorized to enter into an agreement with Hamilton East Kiwanis Non-Profit Homes Inc. (Kiwanis) and any agreements and ancillary documentation required to deliver and administer the Kiwanis Homes Down Payment Assistance Pilot Program in a form satisfactory to the City Solicitor and content satisfactory the General Manager of the Healthy and Safe Communities

Department in accordance with the Terms and Conditions set out in Appendix “D” to Emergency & Community Services Committee Report 20-011, with all program administration carried out by Kiwanis or a third party retained by Kiwanis and consented to by the City, funded by a \$1.065 M investment including administration fees from the Down Payment Assistance Program Reserve (#112254) revolving loan fund.

7. Service Manager Consents for CityHousing Hamilton’s Development Reset (HSC20055) (Wards 2 and 4) (Item 10.6)

- (a) That Service Manager consent be provided for CityHousing Hamilton affordable housing projects at 55 Queenston Rd. Phase 1 and 106-104 Bay St. N. (Bay-Cannon Phase 1), as described in Appendix “E” to Emergency & Community Services Committee Report 20-011 proceed;
- (b) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to enter into, execute and administer an operating agreement with CityHousing Hamilton for their affordable housing project at 55 Queenston Rd. - Phase 1 to reflect the use of up to \$13.09 M from the Sold Units Reserve in accordance with the terms and conditions contained in the Term Sheet attached as Appendix “F” to Emergency & Community Services Committee Report 20-011, in a form satisfactory to the City Solicitor;
- (c) That the General Manager of the Healthy and Safe Communities Department be authorized and directed to enter into, execute and administer an operating agreement with CityHousing Hamilton for their affordable housing project at 106-104 Bay St. N. - Phase 1 to reflect the use of up to \$2.1 M from the proceeds of the sale of a portion of the Jamesville property in accordance with the terms and conditions contained in the Term Sheet attached as Appendix “G” to Emergency & Community Services Committee Report 20-011, in a form satisfactory to the City Solicitor; and,
- (d) That Housing Services Division staff be directed to bring a report to Emergency and Community Services Committee by the end of Q2 of 2021 outlining the operating requirements for these projects and identify any additional funding required or re-allocation of existing funding from the City of Hamilton for CityHousing Hamilton’s affordable housing projects at 106-104 Bay S. N. Phase 1 and 55 Queenston Rd. Phase 1.

8. Impact of Provincial Rent Freeze on Social Housing Providers (HSC20060) (City Wide) (Item 10.7)

That Report HSC20060, respecting Impact of Provincial Rent Freeze on Social Housing Providers, be received.

**9. Women's Emergency Shelter Request for Proposals (RFP) 2020
(HSC20062) (City Wide) (Added Item 10.9)**

That Report HSC20062, respecting Women's Emergency Shelter Request for Proposals (RFP) 2020, be received.

10. Expanding Housing and Support Services for Women, Non-Binary, and Transgender Community Sub-Committee Report 20-003 (Added Item 10.10)

(i) Women's Shelter and Support Investment Options (HSC20061)

- (a) That annual funding up to \$950,000 from the Net Levy to support the operating costs of the Good Shepherd Centre's Emergency Shelter proposal and increase the investment in the Municipally-funded Portable Housing Benefit Program for women, trans-feminine, trans-masculine and non-binary adults from Hamilton's By-Name List, be approved to be referred to the 2021 Operating Budget for consideration; and,
- (b) That, in the event the proposed Good Shepherd Emergency Shelter project does not proceed, annual funding of up to \$950,000 from the Net Levy to support the operating costs of Mission Services' Emergency Shelter proposal and increase the investment in the Municipally-funded Portable Housing Benefit Program for women, trans-feminine, trans-masculine and non-binary adults from Hamilton's By-Name List, be approved to be referred to the 2021 Operating Budget for consideration.

11. 430 Cumberland Avenue (Added Item 11.1)

WHEREAS, 430 Cumberland Avenue is a building owned and operated by CityHousing Hamilton (CHH), with 152 units providing housing for families, singles and seniors on eight tenant floors;

WHEREAS, it is a priority of CHH to provide safe and secure environments for the tenants to live;

WHEREAS, the repair and maintenance of buildings and properties is an ongoing challenge given the age of CHH buildings;

WHEREAS, the current chain link fence that runs across the back of the property has access holes and presents a risk to individuals given the proximity to the train tracks; and

WHEREAS, with the current hall configuration and the placement of cameras, there is not a clear line of sight from the end to end of the hall corridors.

THEREFORE, BE IT RESOLVED:

- (a) That \$95,000 be allocated from the Ward 3 Special Capital Re-Investment Reserve Account (108053) to build a 2.1-metre-high security fence along the back of the property at 430 Cumberland Avenue. The fence will be approximately 71 metres in length and is priced to be built out of concrete or alternative (i.e. PVC or aluminum);
- (b) That \$25,000 be allocated from the Ward 3 Special Capital Re-Investment Reserve Account (108052) to upgrade the security surveillance system at 430 Cumberland Avenue through the purchase of new 16 security cameras, adding two cameras on each floor; and
- (c) that the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents in relation to funding the erection of a security fence at and the purchase of 16 new security cameras for 430 Cumberland Avenue, with such terms and conditions in a form satisfactory to the City Solicitor.

12. Investing in Canada Infrastructure Program – COVID-19 Resilience Infrastructure Stream for Long-Term Care Homes Funding Intake (Added Item 11.2)

WHEREAS, on November 23, 2020, the Ministry of Long-Term Care advised Long-Term Care Home Licensees that a new Investing in Canada Infrastructure Program (ICIP) COVID-19 Resilience Infrastructure Stream will be providing up to \$100 million in combined federal-provincial one-time funding to support COVID-19 resilience infrastructure projects;

WHEREAS, not-for-profit long-term care homes will be eligible for 80 per cent cost-share from the Federal government and 20 per cent from the Province; and

WHEREAS, the funding is to support long-term care homes with targeted improvements directly linked to new COVID-19 measures to reinforce safe physical distancing and retrofitting projects;

THEREFORE, IT BE RESOLVED:

That staff be directed to submit for consideration to the Ministry of Long-Term Care in accordance with the terms and conditions associated with the Investing in Canada Infrastructure Program, COVID-19 Resilience Infrastructure Stream by December 18, 2020 for the intention of HVAC Improvements to Macassa Lodge and Wentworth Lodge for the requested funding amount of \$2,459,950 for projects with a total project cost of \$2,684,950.

13. “Rent Ready” Program (Added Item 11.3)

WHEREAS, the Housing Stability Benefit (HSB) Levy Budget has been underutilized as a result of various provincial and federal income supports and eviction prevention strategies during the initial phases of the COVID-19 pandemic;

WHEREAS, the factors such as the moratorium on evictions and reduced dependency on rental arrears during COVID-19 are not expected to continue throughout 2021;

WHEREAS, there is a forecasted 2020 year-end favourable surplus of approximately \$1.0M in the Housing Services Division of the Healthy and Safe Community Department;

WHEREAS, it is suspected that the impact of these factors will be realized in 2021; and

WHEREAS, the HSB surplus from 2020 would prevent a potential deficit in 2021.

THEREFORE, BE IT RESOLVED:

That up to a maximum of \$1M, be funded from the Tax Stabilization Reserve for use in 2021 by the Housing Services Division and to be allocated equally to the Housing Rent Bank and rapid repair of Social Housing units.

14. Mitigating Financial Impacts of the Provincial Rent Freeze on Social Housing Providers (Added Item 11.4)

WHEREAS, the *Helping Tenants and Small Businesses Act, 2020* received Royal Assent on October 1, 2020;

WHEREAS, The Act amends the *Residential Tenancies Act, 2006 (RTA)* and Sections of the *Housing Services Act (HSA)* to freeze residential rent increases in 2021;

WHEREAS, the rent freeze may be beneficial to residential tenants who require relief from increasing rental costs during the Covid-19 Pandemic;

WHEREAS, Social Housing providers face ongoing challenges relating capital repairs backlogs and increased costs due to the pandemic which are already straining their budgets; and

WHEREAS, the rent freeze is estimated to result in \$1.68 M of reduced revenue in 2021 and \$18,25 M of reduced revenue over 10 years for Hamilton’s Social Housing Providers;

THEREFORE BE IT RESOLVED:

That the Mayor, on behalf of City Council, write to the Minister of Municipal Affairs and Housing requesting:

- (a) Provincial funding for Hamilton's Social Housing Providers to mitigate the negative financial impact of the provincial rent freeze in place from January 1, 2021 to December 31, 2021; and
- (b) The Province to introduce regulations to address the long-term impact of lost revenue by allowing Social Housing Providers to recoup the lost revenue funding in subsequent years.

15. East Hamilton Food Bank (Added Item 11.5)

WHEREAS City Council supported the establishment and ongoing operation of a new East Hamilton Food Bank (opened April 2019) located at 625 Greenhill Avenue;

WHEREAS the East Hamilton Food Bank is to be operated out of the expanded Dominic Agostino (Riverdale) Recreation Centre as part of a Community Hub that includes an Early Years Centre, affordable housing for seniors provided by City Housing Hamilton and the existing recreation centre;

WHEREAS the expansion of the recreation centre has been delayed through the City's Capital Budget process, with an anticipated completion date of 2023-2024;

WHEREAS the temporary commercial space for the East Hamilton Food Bank will be required beyond the existing lease that expires January 2022;

WHEREAS Mission Services of Hamilton will continue to provide operational support to the volunteer residents who operate the East Hamilton Food Bank; and

WHEREAS Council's financial support of the East Hamilton Food Bank operation was via the Ward 5 Area Rating account instead of the Unallocated Reserve.

THEREFORE BE IT RESOLVED:

- (a) That three additional years of funding for the East Hamilton Food Bank at an estimated cost of \$90,000 per year be provided on an annual basis, to be funded from the Ward 5 Area Rating Account instead of the Unallocated Reserve;
- (b) That any remaining funds be returned to the Ward 5 Area Rating Reserve Account after the East Hamilton Food Bank relocates to the Dominic Agostino Recreation Centre; and

- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents in relation to funding the East Hamilton Food Bank, including returning to the Ward 5 Area Rating Reserve any funds remaining after the East Hamilton Food Bank relocates to the Dominic Agostino Recreation Centre, with such terms and conditions in a form satisfactory to the City Solicitor.

16. Appointments to the Hamilton Veterans Committee (Item 14.1)

That the recommendation respecting Appointments to the Hamilton Veterans Committee, be released publicly following approval by Council.

17. Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton (HSC20051) (Ward 8) – Appendix ‘A’ (Added Item 10.11)

That Appendix “A” to Report HSC20051, respecting Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton, be received.

For further disposition of this matter, see Item 19.

18. Integrated Housing System Staffing (HSC20054) (City Wide) (Item 14.2)

That the recommendations in Report HSC20054, respecting Integrated Housing System Staffing, be approved and remain confidential.

19. Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton (HSC20051) (Ward 8) (Added Item 14.3)

- (a) That Hamilton 60 Caledon Avenue Municipal Housing Project Facilities By-Law, attached as Appendix “A” to Report HSC20051, be approved; and,
- (b) That Report HSC20051, excluding Appendix “A”, remain confidential and not be released as a public document until the real estate transaction is completed.

For further disposition of this matter, see Item 17.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

5. COMMUNICATIONS (Items 5.2 - 5.3)

- 5.2. Correspondence from Phil Graham, Assistant Deputy Minister, Early Years and Child Care Division, Ministry of Education, respecting 2021 Child Care Funding Approach

Recommendation: To be Received

- 5.3. Correspondence from Irene Laurie, President of the Board, First Unitarian Church, respecting endorsement of City Hall Protestors

Recommendation: To be Received

10. DISCUSSION ITEMS (Item 10.8-10.11)

- 10.8. Women's Shelter and Support Investment Options (HSC20061) (City Wide) (Outstanding Business List Item) – **WITHDRAWN**
- 10.9. Women's Emergency Shelter Request for Proposals (RFP) 2020 (HSC20062) (City Wide)
- 10.10. Expanding Housing and Support Services for Women, Non-Binary and Transgender Community Sub-Committee Report 20-003 (December 4, 2020)
- 10.11. Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton (HSC20051) (Ward 8) - Appendix "A"

Note: Confidential Report HSC20051, respecting Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton, is listed under Item 14.3 on this agenda.

As Item 10.11 is part of Item 14.3, discussion of Item 10.11 will be deferred until after Closed Session.

12. NOTICES OF MOTION (Items 12.1 - 12.4)

- 12.1. 430 Cumberland Avenue
- 12.2. Investing in Canada Infrastructure Program – COVID-19 Resilience Infrastructure Stream for Long-Term Care Homes Funding Intake
- 12.3. "Rent Ready" Program
- 12.4. Mitigating Financial Impacts of the Provincial Rent Freeze on Social Housing Providers

14. PRIVATE AND CONFIDENTIAL (Item 14.3)

- 14.3. Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton (HSC20051) (Ward 8)

Pursuant to Section 8.1, Sub-section (c) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-section (c) of

the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City purposes.

Note: The Public Appendix "A" to the Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton Report, is listed under Item 10.11 on this agenda.

Councillor Farr requested that he, be permitted to address the Committee immediately following the Approval of the Agenda, respecting Item 2.

That the agenda for the December 10, 2020 Emergency and Community Services Committee meeting be 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) November 19, 2020 (Item 4.1)

The Minutes of the November 19, 2020 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

The following Communications, were received:

- (a) Correspondence from James Curtis-Welsh, respecting Concern Regarding RCFs (Item 5.1)
- (b) Correspondence from Phil Graham, Assistant Deputy Minister, Early Years and Child Care Division, Ministry of Education, respecting 2021 Child Care Funding Approach (Item 5.2)
- (c) Correspondence from Irene Laurie, President of the Board, First Unitarian Church, respecting endorsement of City Hall Protestors (Item 5.3)

(e) NOTICES OF MOTION (Item 12)

(i) 430 Cumberland Avenue (Added Item 12.1)

The Rules of Order were waived to allow for the introduction of a motion respecting 430 Cumberland Avenue.

For further disposition of this matter, refer to Item 11.

(ii) Investing in Canada Infrastructure Program – COVID-19 Resilience Infrastructure Stream for Long-Term Care Homes Funding Intake (Added Item 12.2)

The Rules of Order were waived to allow for the introduction of a motion respecting Investing in Canada Infrastructure Program – COVID-19 Resilience Infrastructure Stream for Long-Term Care Homes Funding Intake.

For further disposition of this matter, refer to Item 12.

(iii) “Rent Ready” Program (Added Item 12.3)

The Rules of Order were waived to allow for the introduction of a motion respecting “Rent Ready” Program.

For further disposition of this matter, refer to Item 13.

(iv) Mitigating Financial Impacts of the Provincial Rent Freeze on Social Housing Providers (Added Item 12.4)

The Rules of Order were waived to allow for the introduction of a motion respecting Mitigating Financial Impacts of the Provincial Rent Freeze on Social Housing Providers.

For further disposition of this matter, refer to Item 14.

(iv) East Hamilton Food Bank (Added Item 12.5)

The Rules of Order were waived to allow for the introduction of a motion respecting East Hamilton Food Bank.

For further disposition of this matter, refer to Item 15.

(f) GENERAL INFORMATION AND OTHER BUSINESS (Item 14)

(i) Mitigation of Effects of Reno-viction

Staff were directed to review reno-victions in Hamilton and report back to the Emergency and Community Services Committee by the end of March 2021 with information about what other jurisdictions have done to reduce the problem and what the City of Hamilton can do to mitigate the number of people who are affected by this practice.

(g) PRIVATE AND CONFIDENTIAL (Item 14)

The Emergency and Community Services Committee determined that it was not necessary to move into Closed Session respecting Item 14.1.

(i) Appointments to the Hamilton Veterans Committee (Item 14.1)

For disposition of this matter, refer to Item 16.

The Emergency and Community Services Committee moved into Closed Session respecting Items 14.2 and 4.3, pursuant to Section 8.1, Sub-sections (b) and (c) of the City's Procedural By-law 18-270, as amended, and Section 239(2), Sub-sections (b) and (c) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; and a proposed or pending acquisition or disposition of land for City purposes.

(ii) Integrated Housing System Staffing (HSC20054) (City Wide) (Item 14.2)

For disposition of this matter, refer to Item 18.

(iii) Municipal Housing Project Facilities By-Law West Hamilton Mountain, Hamilton (HSC20051) (Ward 8) (Added Item 14.3)

For disposition of this matter, refer to Item 19.

(h) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee adjourned at 3:34 p.m.

Respectfully submitted,

Councillor E. Pauls
Chair, Emergency and Community Services
Committee

Tamara Bates
Legislative Coordinator
Office of the City Clerk

CITY OF HAMILTON

2021

ADVISORY COMMITTEES

BUDGET SUBMISSION FORM

Housing and Homelessness Advisory Committee

PART A: General Information

ADVISORY COMMITTEE MEMBERS:

Eileen Campbell	Violetta Nikolskava
Morgan Stanek	Lance Dingman
Mary-Ellen Crechiola	Leisha Dawson
Julia Verbitsky	Shaun Jamieson
Rhonda Mayer	Alexandra Djagba Oli
Michael Power	Tony Manganiello
Thomas Mobley	Michael Slusarenko
Sandy Leyland	

MANDATE:

Communicate and work to address the needs of citizens within the community for whom barriers exist to accessing safe, suitable, and affordable housing, including the supports needed to enable citizens to obtain and retain their homes, and;

Support the City of Hamilton’s 10-year Housing and Homelessness Action Plan by providing information, advice, and recommendations to the Emergency & Community Services Committee regarding the Action Plan’s successful and meaningful implementation.

PART B: Strategic Planning

STRATEGIC OBJECTIVES:

The following objectives have been established for the HHAC to facilitate its efforts in achieving the mandate.

1. Assist with the coordination and implementation of Council approved recommendations, including the City of Hamilton’s 10-year Housing and Homelessness Action Plan.
2. Ensure that recommendations regarding issues relating to people who are experiencing homelessness or who may be at risk of becoming homeless are brought forward to Council in a timely manner.
3. Devise and recommend to Council innovative and preventative measures to assist in addressing homelessness within the community;

4. Identify emerging trends, potential gaps and best practices in emergency housing needs.
5. Provide Council and staff with information, advice, and recommendations about residential landlord and tenant issues and policies that would improve the overall well-being of tenants in Hamilton and support landlords in the provision of safe, quality, and affordable rental units.
6. Identify housing-related supports available in the community and facilitate relationship-building between community partners, citizens and government to ensure that people have the individualized supports needed to help them obtain and retain housing.
7. Regularly update Council about homelessness and affordable housing issues through the discussion and analysis that takes place at HHAC.
8. Respond to requests and direction from staff and Council.
9. Collaborate and cooperate with other City of Hamilton committees and community groups doing work around issues that impact homelessness and affordable housing to stay apprised of relevant initiatives and contribute information and advice as needed.

ALIGNMENT WITH CORPORATE GOALS:

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	X	2) Economic Prosperity & Growth	
3) Healthy & Safe Communities	X	4) Clean & Green	
5) Built Environment & Infrastructure		6) Culture & Diversity	
7) Our People & Performance			

PART C: Budget Request

INCIDENTAL COSTS:

Meeting costs – meeting room, refreshments, photocopying, printing, parking, transportation	\$1,000
SUB TOTAL	\$1,000

SPECIAL EVENT/PROJECT COSTS:

N/A	\$0
SUB TOTAL	\$0

TOTAL COSTS	\$1,000
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Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)	\$0
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TOTAL 2021 BUDGET REQUEST (net of reserve funding)	\$1,000
PREVIOUS YEAR (2020) APPROVED BUDGET (2020 Request \$1,000)	\$1,000

CERTIFICATION:

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

Representative's Name: _____

Signature: _____

Date: _____

Telephone # : _____

CITY OF HAMILTON

2021

ADVISORY COMMITTEES

BUDGET SUBMISSION FORM

Hamilton Veterans Committee

PART A: General Information

ADVISORY COMMITTEE MEMBERS:

Ed Sculthorpe (Chair)	Steve Waldron
Don Jackson, (Vice-Chair)	Dave Steckham
Michael Rehill	
Dave Baldry	Councillor Lloyd Ferguson (alt)
Robert Fyfe	Councillor Brenda Johnson

MANDATE:

Reporting to Council, the Hamilton Veterans Committee oversees the planning and delivery of military remembrance and commemoration activities on behalf of the City of Hamilton. When directed by Council, the Committee provides input on projects and issues that are of concern to Hamilton Veterans.

PART B: Strategic Planning

STRATEGIC OBJECTIVES:

Goals and objectives:

Act as a liaison for the veterans of the City of Hamilton on all matters that fall within Council's jurisdiction.

Coordinate Decoration Day, Remembrance Day Parades, community engagement pieces and Memorial Services in multiple wards.

Maximize the engagement of youth in the act of Remembrance through projects and events.

How will they be achieved:

Coordinate the remembrances for significant anniversaries such as Decoration Day, Remembrance Day, Garrison Parade and including but not limited to parades and memorial services.

Administer all other matters directly relating to or of concern to Hamilton Veterans that fall within Council's jurisdiction. Provide written letters of support for Veterans causes when requested and deemed appropriate.

Veteran's Committee advises on the use and care of cenotaphs in partnership with Heritage Resource Management.

Present opportunities for the engagement of youths in acts of Remembrance in the City of Hamilton through events and community projects

Who will benefit:

All citizens of the City of Hamilton as well as local veterans and active forces. Upward of 2,000 people attend the Remembrance Day services and parades coordinated by the Veterans Committee.

All residents of Hamilton will have the opportunity to show respect for Veterans service to our country.

The Youth of Hamilton will be given the opportunity to be engaged with Acts of Remembrance outside of the classroom setting through hands-on and digital platforms.

ALIGNMENT WITH CORPORATE GOALS:

Please check off which Council approved Strategic Commitments your Advisory Committee supports			
1) Community Engagement & Participation	X	2) Economic Prosperity & Growth	
3) Healthy & Safe Communities	X	4) Clean & Green	
5) Built Environment & Infrastructure		6) Culture & Diversity	X
7) Our People & Performance			

PART C: Budget Request

INCIDENTAL COSTS:

Meeting Costs:	
- postage, printing, parking	
- 7 general meetings, 4 event planning meetings & 1 meeting with all Veteran Organizations within the City of Hamilton	
- Name tags & arms bands	\$600.00
SUB TOTAL	\$600.00

SPECIAL EVENT/PROJECT COSTS:

Ceremonies/Services:	
- Hamilton (Gore Park Cenotaph), 2 ceremonies and parades	\$34 K
- Community Ceremonies (Ancaster, Glanbrook, Dundas, Stoney Creek, Waterdown)	\$2,200
- Dieppe Veteran's Memorial Service	\$2,500
- Decoration Day	\$3,000
- Communications & Marketing	\$700

SUB TOTAL	\$ 43 K
TOTAL COSTS	\$ 43 K
Funding from Advisory Committee Reserve (only available to Advisory Committees with reserve balances)	\$
TOTAL 2021 BUDGET REQUEST (net of reserve funding)	\$ 43 K
PREVIOUS YEAR (2020) APPROVED BUDGET (2020 Request \$)	\$ 43 K

CERTIFICATION:

Please note that this document is a request for a Budget from the City of Hamilton Operating budget. The submission of this document does not guarantee the requested budget amount. Please have a representative sign and date the document below.

Representative's Name: **Ed Sculthorpe**

Signature:



Date:

October 27, 2020

Telephone # :

905-546-2424 ext 4122

Term Sheet for Rent Supplement Agreement

225 East Avenue North

Landlord: Indwell Community Homes ("Indwell")

Rent Supplement Conditions

1. The Rent Supplements will be subject to the recipient entering into a rent supplement agreement ("RSA") containing such terms and conditions as set out within this term sheet.
2. The agreement shall have a duration of 20 years.
3. The rent supplement assistance shall be provided to households selected from the centralized waiting list (Access to Housing) maintained by the City of Hamilton.
4. The RSA and rent supplement assistance will only apply to the 95 units at 225 East Avenue North and that they cannot be applied to any other Indwell premises unless the General Manager, Healthy and Safe Communities Department ("GM"), in his sole discretion consents, and under such other terms and conditions as the GM and City Solicitor in their sole discretion require.
5. Rent will be calculated using the portable housing benefit calculations as determined by the City of Hamilton.
6. Indwell will be responsible for determining eligibility for assistance of tenants, calculating rent and collecting the tenant portion in the manner as determined by the GM in his sole discretion.
7. Indwell will provide reports to the City of Hamilton in a form and content satisfactory to the GM.
8. Assignment of the RSA will not be permitted unless the GM, in his sole discretion, consents and only in the following circumstances: (a) the property is sold to another provider of "non-profit housing" who enters into an assignment agreement with the City and Indwell agreeing to be subject to all of the terms and conditions of the RSA for the remainder of the term of those agreements and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate.
9. At all times during the term of the RSA the rents for 95 units covered by rent supplements will at no time be above 60% AMR for 50 of the units and 100% AMR for 45 units which may be adjusted prior to by the GM in his sole discretion when the final construction and operating budgets are produced.

10. Units subject to the RSA may increase rents annually within a tenancy by the Provincial Guideline amount as specified annually by the Ontario Ministry of Municipal Affairs and Housing. Higher increases may be permitted at the sole discretion of the GM following submission of a business case justifying the increase.
11. Such additional terms and conditions as determined by the GM and required by the City Solicitor in their sole discretion.
12. The agreement will commence upon the first of the month in which the first tenant moves in.

Term Sheet for Agreement Between the City and Hamilton East Kiwanis Non-Profit Homes, Inc. for Funding, Management and Administration of the Kiwanis Down Payment Assistance Pilot Program

This Term Sheet summarizes the principal terms of a proposed agreements for the funding, management and administration of the Kiwanis Down Payment Assistance Pilot Program between the City and Hamilton East Kiwanis Non-Profit Homes Inc. ("Kiwanis").

- A. Kiwanis will ensure the following services are provided in the management and administration of the Kiwanis Down Payment Assistance Pilot Program (KDPAPP) and shared appreciation mortgages:
 1. The administrative services to be provided for the KDPAPP include managing the program application process, the sale of the Kiwanis units and mortgage registration, on-going management of the program, and management of the combined shared appreciation mortgage, to the satisfaction of the General Manager of the Healthy and Safe Communities Department or his designate in general accordance with historical City practices administering the Down Payment Assistance Program, and agreed to by the City, Kiwanis, and the Hamilton Community Foundation.
 2. In exchange for these services Kiwanis will be remunerated by the City as follows:
 - a. one-time single program set-up fee for all shared appreciation mortgages of \$5 K payable at the same time of the advance of the \$1 M of funding for down payment assistance;
 - b. an annual administration fee of 0.45% of the City's portion of the total of the shared appreciation mortgages value under administration based on the total value of the shared mortgages existing on January 1 and July 1 of each administration for the lesser period of 10 years or the date upon which all of the shared appreciation mortgages are paid, payable semi-annually;
 - c. commencing on date that is 11 years from the anniversary of the date the agreement between the City and Kiwanis takes effect, an annual administration fee of 0.15% of the City's portion of the total shared appreciation mortgages value under administration based on the total value of the shared appreciation mortgages existing on January 1 and July 1 of each administration year for the lesser period of 20 years or the date upon which all of the shared appreciation mortgages are paid, payable semi-annually.
 - d. The annual administration fees will be payable semi-annually, no later than 20 days after July 31 and December 31 of the administration year,

until the termination of the agreement or the repayment of the last mortgage, whichever comes first.

- e. The maximum amount of administration fees payable by the City to Kiwanis shall in no circumstances exceed \$65 K.

B. Funding & Security Terms

1. \$1 M will be provided to Kiwanis in a single advance once all agreements have been executed and the security has been registered for 24 months. These funds are to be used for the KDPAPP after which time any funds not used for the KDPAPP are to be returned to the City.
2. Kiwanis will provide security to the benefit of the City for the entirety of the funding provided by the City for down payment assistance through the KDPAPP for \$1 M. The City will release portions of the security provided by Kiwanis at 5, 10, and 15 years based on the value of the mortgages that have been paid out.
3. Kiwanis will hold the shared appreciation mortgages.

C. Agreement Terms

1. The agreement between the City and Kiwanis will remain in place for the earlier of 20 years from the date of the last mortgage registration or until the last mortgage is discharged.
2. Kiwanis may enter into separate agreements with a third party for the administration of the KDPAPP on terms and conditions approved by the General Manager of the Healthy and Safe Communities Department or his designate and consistent with the terms and conditions in this term sheet.
3. Kiwanis shall enter into a separate agreement with the Hamilton Community Foundation which requires that funds provided for the KDPAPP be used on the same terms and conditions as contained in this term sheet and shall not conflict this term sheet.
4. Kiwanis will indemnify the City in accordance with current City practice.
5. Kiwanis and all purchasers will be required to meet insurance requirements set by the City Risk Management Department.

D. Eligibility Criteria

1. Purchaser households are required to be over the age of 18, rent in Hamilton for at least the last 6 months, not currently own a home or property, be a legal resident of Canada, intend this home as their one and only residence, not be in a spousal relationship with a person that has any form of interest in ownership of

a property, and be pre-approved for a mortgage from a Canada Mortgage and Housing Corporation (CMHC) approved lender.

2. The maximum total annual household income of purchasers is the 60th income percentile of renters in Hamilton.
3. The maximum home price is \$400,000 or such greater amount as determined by the General Manager of the Healthy and Safe Communities Department or his designate from time to time.

E. Purchaser Selection

1. Purchaser households will be selected by Kiwanis in the following order of priority:
 - a. Tenants currently residing and paying market rent in a unit to be sold
 - b. Tenants paying market rent in another Kiwanis unit
 - c. Tenants paying market rent in other social housing units
 - d. Low-income purchasers in the broader community that meet all program requirements

F. Application and Purchase Process

1. Kiwanis will ensure purchasers will be provided education about homeownership and the home buying process, including financial aspects.
2. Purchasers will be required to have an independent home inspection completed by an accredited professional prior to finalizing the agreement of purchase and sale.

G. Purchaser Loan Conditions

1. Purchasers will be provided assistance in the form of a second shared appreciation repayable mortgage for up to 10 years in the maximum amount of 30% of the purchase price of the home, with 10% funded by each investor.
2. No regular interest will be payable, but at the time of discharge of the mortgages the purchasers shall repay the principal plus a total of 30% of the capital appreciation of the home commensurate with the portion of the purchase price funded by the shared appreciation mortgage. Mortgage prepayments of a minimum of \$500 are acceptable.
3. Regardless of when the Kiwanis and Hamilton Community Foundation funded portion of the shared appreciation mortgage is required to be paid out, the City

portion may continue up to a total of 20 years, at which point the loan will be forgiven. No portion of the City portion of the mortgage is forgivable prior to 20 years.

4. Purchasers must maintain insurance on the home, ensure taxes are paid, maintain the home according to property standards.
5. Terms regarding the administration of the Kiwanis Down Payment Assistance Pilot Program may be amended with the consent of the General Manager of the Healthy and Safe Communities Department or his designate to address unanticipated or extenuating circumstances.

H. Additional Provisions will address matters including, but not limited to:

1. Events of mortgage default
2. Mortgage postponement and discharge provisions
3. Confidentiality and MFIPPA
4. Documentation requirements
5. Monitoring requirements
6. Other terms and conditions as determined by the General Manager of the Healthy and Safe Communities Department or his designate and the City Solicitor.

Bay Cannon

Overview

CityHousing Hamilton's (CHH) is pursuing the development of the Bay-Cannon site for two phases of innovative downtown Hamilton infill, delivering deeply affordable, near-net zero, community-focused housing for families and singles/couples.

The development will be a 55 unit building of 35 1-bed and 20 3-bed units, which was informed by the findings of a market assessment along with a feasibility study. The first phase of Bay-Cannon is proposed to accommodate the transfer of 45 RGI units from the Jamesville site which is undergoing redevelopment, as well as include 10 additional moderately affordable market units, with the second phase unit allocation yet to be determined.

Background

106-104 Bay Street North (Bay-Cannon) was made available by the City of Hamilton through their Affordable Housing Land Disposition Strategy and was identified in Report 17021(b) for the relocation of 45 RGI units from Jamesville, as it is in proximity to Jamesville and ideally suited for a development that both incorporates this amount of RGI units as well as additional moderately affordable units.

The Jamesville redevelopment, as detailed in Report #17007(a) on September 25, 2018, summarizes the research and rationale for relocation of 45 RGI units. A Feasibility Study with Options Studies were underway from February 6, 2018. They provide physical and financial modelling that has informed the recommendations presented in this Report.

Through Report #18004, CHH's board approved the transfer of the 45 units from Jamesville as well as the creation of approximately 10 moderately affordable market rentals at 100% MMR. Outlining the design plan for this development.

With the original project costing completed in 2017, CHH prepared a review of the financial costs of their 5 new developments projects, which included a market survey of current affordable housing developments, professional quantity surveyor costing of schematic designs, internal and industry analysis based on the current construction market in Report 17021(c).

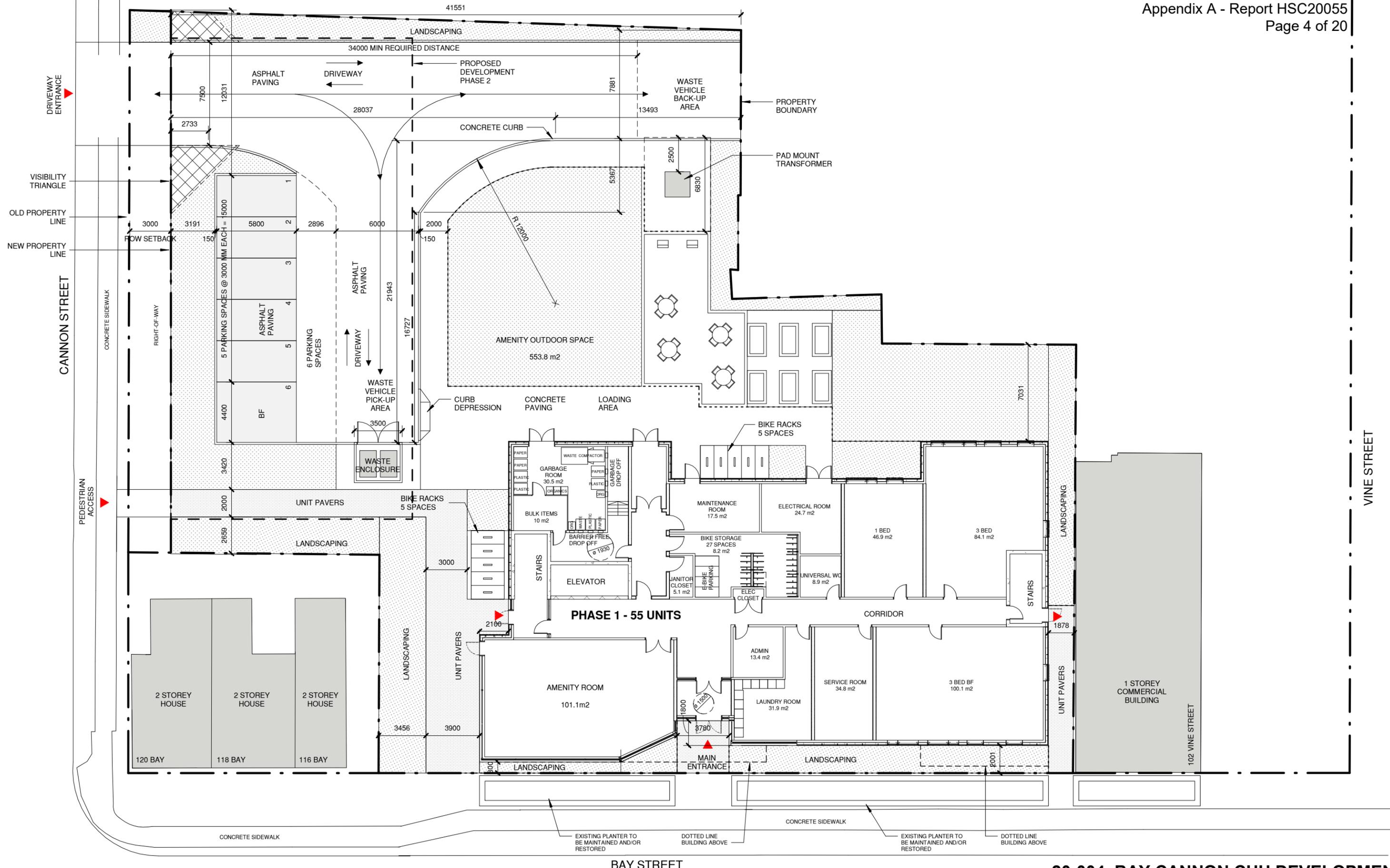
Major increases in construction costs have resulted in market escalation that substantially deviated from the norm, driving project cost increases. To further account for the volatility in the market, the variability inherent in a costing exercise, and future potential escalations, additional contingency and escalation were included which have resulted in an estimated project cost of \$25,097,200. CHH staff recommended and the Board has approved they proceed with Bay-Cannon Phase 1.

Development Summary

Unit Configuration	55 Units (35-1bd, 20-3bd)
RGI Units	45 RGI units transfer from Jamesville
Project Cost	\$25,097,200
Previous Related Reports 	17007, 17021, 17021(b), 17021(c), 18004

Proforma - Project Costs Based on QS and Budget with Escalation

	Bay-Cannon
Project Cost	25,097,200
Per Unit Cost	456,313
Identified Sources of Funds:	
Poverty Reduction Funds	3,500,000
Development Charges	515,388
Block Funding	2,669,700
Transfer from Jamesville	2,100,000
Sold Unit Funds	
Total Funding	8,785,088
Debt:	
Debt required	16,312,112
Maximum Serviceable Debt	6,200,000
Shortfall	- - 10,112,112.
Approved Debt Per Report 17021(b) Appendix A	8,533,000
Max Serviceable Debt (S) Requested Report 17021(c)	0
Potential Funding – Plan A	
Expected CMHC funding (20%)	5,019,440
Jamesville Development Funds	5,092,672
	-



BAY STREET

20-004 BAY CANNON CHH DEVELOPMENT

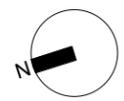
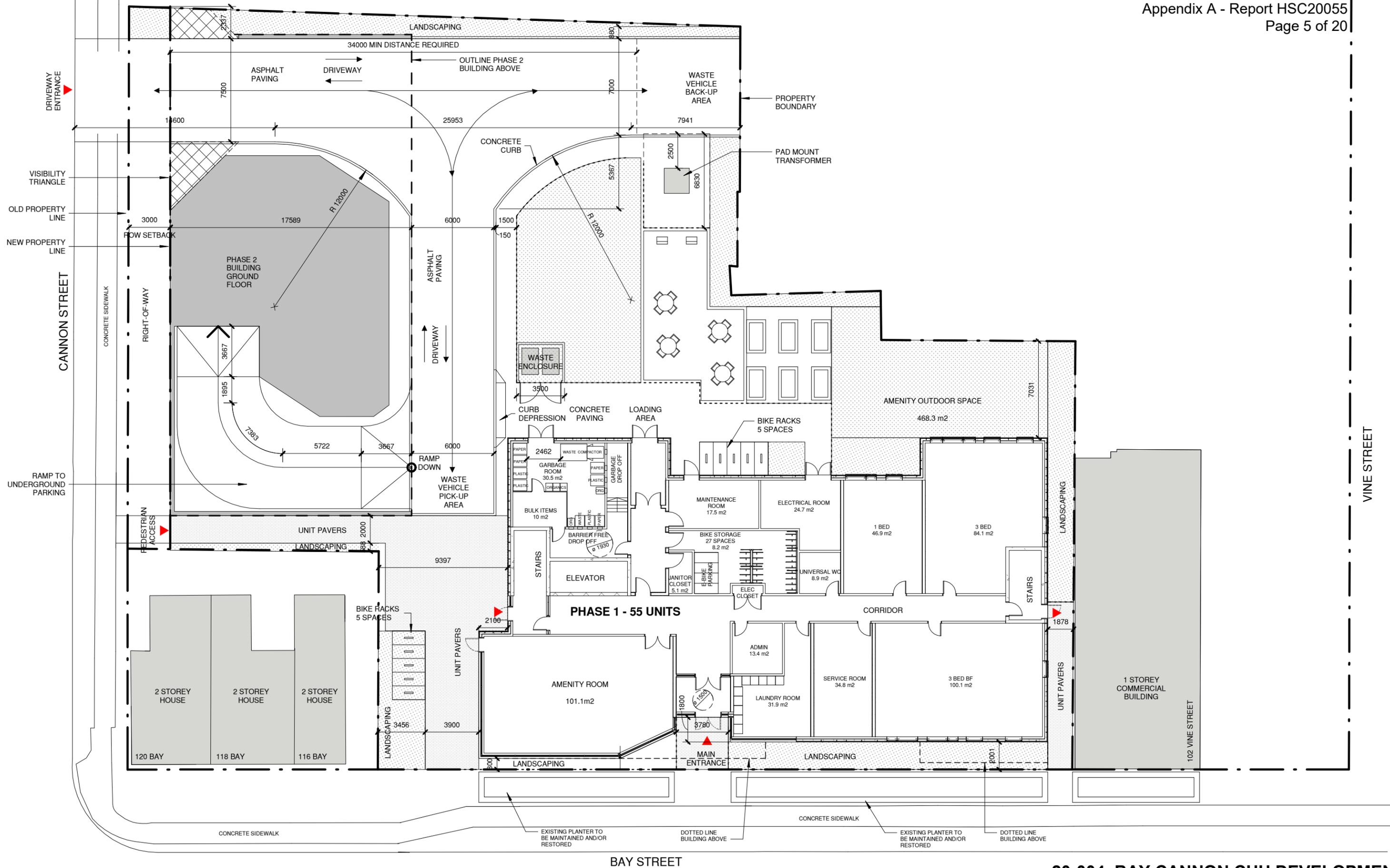
DRP PRESENTATION - SITE PLAN GROUND FLOOR PHASE 1

Scale 1 : 250

OCTOBER 23, 2020

SK-14





Queenston

Overview

CityHousing Hamilton’s (CHH) is pursuing the development of 55 Queenston, which is envisioned as a two-phase project which will contribute to neighbourhood renewal through an integrated mixed-income and mixed-use development.

The first phase of the development will be a 40 unit mid-rise residential apartment complex with 25 1-bed and 15- 3 beds. To ensure low operating and asset renewal costs, along with enhanced tenant comfort, the building will exceed energy standards set out by the building code and include comprehensive accessibility measures built in from the start.

Background

CHH is revitalizing their current portfolio through the sale of single and semi-detached units and reinvesting into better quality and more financially sustainable housing. In July 2017, CHH was approached about the opportunity for purchasing the former City Motor Hotel site at 55 Queenston Rd as an affordable housing development.

With the site’s ideal location for CHH to rebuild sold units due to its excellent transit connectivity, its continuation of social housing in the East End, as well as the fair market value of the land, CHH requested authorization to enter into negotiations with the City of Hamilton to purchase the property in Report 17022. In December 2017, a motion went to GIC regarding the sale of the property.

The project costs were estimated in 2017 as part of Report 17021(b) and reviewed in 2020 as part of CHH development reset study in Report 17021(c). Due to the major increases in construction as well as the volatility in the market due to COVID 19, additional contingency and escalation were included which have resulted in an estimated project cost of \$21,613,546. With this increase in project costs, CHH recommended that they proceed with Bay-Cannon Phase 1 due to their viability and ability to accommodate a second phase on site.

Development Summary

Unit Configuration	40 Units (25 1bd, 15-3bd)
RGI Units	40 Units from Sold Unit
Project Cost	\$21,613,546
Previous Related Reports	17021, 17021(b), 17021(c), 17022, 17040

Proforma - Project Costs Based on QS and Budget with Escalation

	Queenston
Project Cost	21,613,546
Per Unit Cost	540,339
Identified Sources of Funds:	
Poverty Reduction Funds	-
Development Charges	-
Block Funding	-
Transfer from Jamesville	-
Sold Unit Funds	13,090,837
Total Funding	13,090,837
Debt:	
Debt required	8,522,709
Maximum Serviceable Debt	4,200,000
Shortfall	- 4,322,709
Approved Debt Per Report 17021(b) Appendix A	-
Max Serviceable Debt (S) Requested Report 17021(c)	4,200,000
Potential Funding – Plan A	
Expected CMHC funding (20%)	4,322,709
Expected CMHC funding- Jamesville	-

Term Sheet for Community Housing Operating Agreement

55 Queenston Rd.

Landlord: CityHousing Hamilton ("CHH")

Operating Agreement ("OA") Terms and Conditions

1. Funds are used for costs related to the remediation of the site, planning, and construction of the above-mentioned affordable housing project.
2. The agreement commences the date it is signed.
3. The General Manager of Healthy and Safe Communities must be informed of changes to construction timelines.
4. Permission shall be required from the City of Hamilton, as Service Manager, to encumber this property.
5. Permission shall be required from the City of Hamilton, as Service Manager, to sell or otherwise dispose of this property.
6. The agreement shall have a duration of 40 years.
7. A minimum of 40 rent-geared-to-income (RGI) units will be provided in this building.
8. Tenants receiving RGI subsidy shall be entitled to the same access and use of all building amenities.
9. Households moving into rent-geared-to-income units will be selected from the centralized waiting list (Access to Housing) maintained by the City of Hamilton.
10. CHH shall be responsible for calculating and collecting rent.
11. CHH will provide reports to the City in a manner outlined by the City regarding compliance with RGI targets in a form and content satisfactory to the GM in his sole discretion.
12. Assignment of the OA will not be permitted unless the GM, in his sole discretion, consents and only in the following circumstances: (a) the property is sold to another provider of "non-profit housing" who enters into an assignment agreement with the City and Indwell agreeing to be subject to all of the terms and conditions of the RSA for the remainder of the term of those agreements and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate.

13. Maximum rents shall be no more than 100% Median Market Rent for the CMHC Zone in which the building is located.
14. Units subject to this agreement may increase rents annually within a tenancy by the Provincial Guideline amount as specified annually by the Ontario Ministry of Municipal Affairs and Housing. Higher increases, if allowed by Ontario law, may be permitted at the sole discretion of the GM following submission of a business case justifying the increase.
15. Such additional terms and conditions as determined by the General Manager of Healthy and Safe Communities and required by the City Solicitor in their sole discretion.

Term Sheet for Community Housing Operating Agreement

106-105 Bay St. N.

Landlord: CityHousing Hamilton ("CHH")

Operating Agreement ("OA") Terms and Conditions

1. Funds are used for costs related to the remediation of the site, planning, and construction of the above-mentioned affordable housing project.
2. The agreement commences the date it is signed.
3. The General Manager of Healthy and Safe Communities must be informed of changes to construction and occupancy timelines.
4. Permission shall be required from the City of Hamilton, as Service Manager, to encumber this property.
5. Permission shall be required from the City of Hamilton, as Service Manager, to sell or otherwise dispose of this property.
6. The agreement shall have a duration of 40 years.
7. A minimum of 45 rent-geared-to-income (RGI) units will be provided in this building.
8. Tenants receiving RGI subsidy shall be entitled to the same access and use of all building amenities.
9. Households moving into rent-geared-to-income units will be selected from the centralized waiting list (Access to Housing) maintained by the City of Hamilton.
10. CHH shall be responsible for calculating and collecting rent.
11. CHH will provide reports to the City in a manner outlined by the City regarding compliance with RGI targets in a form and content satisfactory to the GM in his sole discretion.
12. Assignment of the OA will not be permitted unless the GM, in his sole discretion, consents and only in the following circumstances: (a) the property is sold to another provider of "non-profit housing" who enters into an assignment agreement with the City and Indwell agreeing to be subject to all of the terms and conditions of the RSA for the remainder of the term of those agreements and such other terms and conditions as the GM and City Solicitor in their sole discretion deem appropriate.

13. Maximum rents shall be no more than 100% Median Market Rent for the CMHC Zone in which the building is located.
14. Units subject to this agreement may increase rents annually within a tenancy by the Provincial Guideline amount as specified annually by the Ontario Ministry of Municipal Affairs and Housing. Higher increases, if allowed by Ontario law, may be permitted at the sole discretion of the GM following submission of a business case justifying the increase.
15. Such additional terms and conditions as determined by the General Manager of Healthy and Safe Communities and required by the City Solicitor in their sole discretion.



SPECIAL GENERAL ISSUES COMMITTEE REPORT 20-024

9:30 a.m.

Monday, December 14, 2020

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

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

Absent: Councillors S. Merulla and L. Ferguson – Personal
Councillor E. Pauls – Other City Business

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 20-024, AND RESPECTFULLY RECOMMENDS:

**1. GRIDS 2 and Municipal Comprehensive Review - Public Consultation
Round 2 and Work Plan Update (PED17010(g)) (City Wide) (Item 6.1)**

That Report PED17010(g), respecting the GRIDS 2 and Municipal Comprehensive Review - Public Consultation Round 2 and Work Plan Update, be received.

**2. GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment
and Technical Background Reports (PED17010(h)) (City Wide) (Item 8.1)**

- (a) That the revised and updated GRIDS 2 10 Directions to Guide Development, attached as Appendix "A" to Report 20-024, be approved;
- (b) That the direction to collapse and consolidate the Municipal Comprehensive Review (MCR) process to guide and direct growth for the 2021 to 2051 time period into one process, be approved;
- (c) That the following draft GRIDS 2 / Municipal Comprehensive Review reports, be received:

- (i) City of Hamilton Land Needs Assessment to 2051 – Technical Working Paper – Draft Summary of Results, prepared by Lorius and Associates, attached as Appendix “B” to Report PED17010(h);
 - (ii) Residential Intensification Market Demand Study prepared by Lorius and Associates, attached as Appendix “C” to Report PED17010(h);
 - (iii) Residential Intensification Supply Update, attached as Appendix “D” to Report PED17010(h); and,
 - (iv) Designated Greenfield Area Density Analysis, attached as Appendix “E” to Report PED17010(h); and,
- (d) That staff be authorized and directed to commence public and stakeholder consultation on the draft Reports identified in Recommendation (c) above, and report back to the General Issues Committee on the results of those consultations with any changes or revisions to the draft reports, prior to final approval of the Land Needs Assessment and related reports.

3. Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans - Urban Boundary Expansion (LS16029(b)/PED16248(b)) (City Wide) (Item 13.1)

- (a) That the direction provided to staff in Closed Session, regarding Report LS16029(b)/PED16248(b), respecting an Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans - Urban Boundary Expansion, be approved; and,
- (b) That Report LS16029(b)/PED16248(b), respecting an Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans - Urban Boundary Expansion, remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

4. COMMUNICATIONS

4.1. Written Submissions respecting Item 8.1 - Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports

4.1.c. Maurice Stevens, Castangrey 5 Corp. and Castangrey 7 Corp.

4.1.d. John S. Doherty, Gowling WLG (Canada) LLP, on behalf of 1507565 Ontario Limited, otherwise known as the Frisina Group

4.1.e. Denise Baker, WeirFoulds LLP, on behalf of the Twenty Road East Landowners' Group (the "TRE Group")

5. DELEGATION REQUESTS

5.1. Requests to speak respecting Item 6.1 - Report PED17010(g), GRIDS 2 and Municipal Comprehensive Review - Public Consultation Round 2 and Work Plan Update

5.1.a. Maria Gatzios, Gatzios Planning, on behalf of the Twenty Road East Landowners Group

5.2. Requests to speak respecting Item 8.1 - Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports

5.2.a. John Corbett, Corbett Land Strategies Inc., on behalf of the Upper West Side Landowners Group

5.2.b. Drew Spoelstra, Ontario Federation of Agriculture

5.2.c. Lynda Lukasik, Environment Hamilton

5.2.d. Don McLean

- 5.2.e. Maria Gatzios, Gatzios Planning, on behalf of the Twenty Road East Landowners Group
- 5.2.f. Mark Noskiewicz and David Falletta, Goodmans LLP and Bousfields Inc., on behalf of the Elfrida Landowners Group
- 5.2.g. Sergio Manchia and Matt Johnston, Urban Solutions Planning and Land Development Consultants Inc., on behalf of Effort Trust
- 5.2.h. Paul Lowes, SGL Planning and Design Inc.
- 5.2.i. Jonathan Minnes, Gowling WLG (Canada) LLP

8. STAFF PRESENTATIONS

- 8.1 Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports

Staff have requested that they be able provide their presentation for Item 8.1, prior to hearing the delegates, as the presentation may address some of the delegates questions and concerns.

The agenda for the December 14, 2020 Special General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor B. Johnson declared an interest to Item 13.1, respecting Report LS16029(b)/PED16248(b) - Update and Instructions regarding Ontario Municipal Board (now Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans - Urban Boundary Expansion, as her Administrative Assistant's family is involved in the appeal.

(c) COMMUNICATION ITEMS (4)

Communication Items 4.1.a to 4.1.e, respecting Item 8.1 – Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review – Land Needs Assessment and Technical Background Reports, were received and referred to the consideration of Item 8.1:

- (i) Joel Farber, Fogler Rubinoff LLP, on behalf of the Upper West Side Land Owners Group Inc., Spallaci & Sons Limited, 2112443 Ontario Ltd., Twenty Roads Developments Inc., Sullstar Twenty Limited, Lynmount Developments Inc., 909940 Ontario Ltd., and Liv Developments Ltd. (collectively, the "UWS Landowners") (Item 4.1.a.)
- (ii) Sherry Hayes and Debbie Martin (Item 4.1.b.)
- (iii) Maurice Stevens, Castangrey 5 Corp. and Castangrey 7 Corp. (Item 4.1.c.)
- (iv) John S. Doherty, Gowling WLG (Canada) LLP, on behalf of 1507565 Ontario Limited, otherwise known as the Frisina Group (Item 4.1.d.)
- (v) Denise Baker, WeirFoulds LLP, on behalf of the Twenty Road East Landowners' Group (the "TRE Group") (Item 4.1.e.)

(d) DELEGATION REQUESTS (Item 5)

The following Delegation Requests were approved to appear before the General Issues Committee on December 14, 2020:

- (i) Requests to speak respecting Item 6.1 - Report PED17010(g), GRIDS 2 and Municipal Comprehensive Review - Public Consultation Round 2 and Work Plan Update (Item 5.1)
 - (1) Maria Gatzios, Gatzios Planning, on behalf of the Twenty Road East Landowners Group (Item 5.1.a.)
- (ii) Requests to speak respecting Item 8.1 - Report PED17010 - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports (Item 5.2)
 - (1) John Corbett, Corbett Land Strategies Inc., on behalf of the Upper West Side Landowners Group (5.2.a.)
 - (2) Drew Spoelstra, Ontario Federation of Agriculture (Item 5.2.b.)
 - (3) Lynda Lukasik, Environment Hamilton (Item 5.2.c.)
 - (4) Don McLean (Item 5.2.d.)
 - (5) Maria Gatzios, Gatzios Planning, on behalf of the Twenty Road East Landowners Group (Item 5.1.e.)

- (6) Mark Noskiewicz and David Falletta, Goodmans LLP and Bousfields Inc., on behalf of the Elfrida Landowners Group (Item 5.1.f.)
- (7) Sergio Manchia and Matt Johnston, Urban Solutions Planning and Land Development Consultants Inc., on behalf of Effort Trust (Item 5.2.g.)
- (8) Paul Lowes, SGL Planning and Design Inc. (Item 5.2.h.)
- (9) Jonathan Minnes, Gowling WLG (Canada) LLP (Item 5.2.i.)

(e) DELEGATIONS (Item 7)

- (i) Maria Gatzios, Gatzios Planning, on behalf of the Twenty Road East Landowners Group, respecting Item 6.1 - Report PED17010(g), GRIDS 2 and Municipal Comprehensive Review - Public Consultation Round 2 and Work Plan Update (Item 7.1.a.)**

The presentation from Maria Gatzios, Gatzios Planning, on behalf of the Twenty Road East Landowners Group, respecting Item 6.1 - Report PED17010(g), GRIDS 2 and Municipal Comprehensive Review - Public Consultation Round 2 and Work Plan Update, was received.

- (ii) Requests to speak respecting Item 8.1 - Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports (Item 7.2)**

The presentations from the following delegates, respecting Item 8.1 - Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports, were received:

- (1) John Corbett, Corbett Land Strategies Inc., on behalf of the Upper West Side Landowners Group (Item 7.2.a.)
- (2) Drew Spoelstra, Ontario Federation of Agriculture (Item 7.2.b.)
- (3) Lynda Lukasik, Environment Hamilton (Item 7.1.c.)
- (4) Don McLean (Item 7.1.d.)
- (5) Maria Gatzios, Gatzios Planning, on behalf of the Twenty Road East Landowners Group (Item 7.2.e.)

- (6) Mark Noskiewicz and David Falletta, Goodmans LLP and Bousfields Inc., on behalf of the Elfrida Landowners Group (Item 7.2.f.)
- (7) Sergio Manchia and Matt Johnston, Urban Solutions Planning and Land Development Consultants Inc., on behalf of Effort Trust (Item 7.2.g.)
- (8) Paul Lowes, SGL Planning and Design Inc. (Item 7.2.h.)
- (9) Jonathan Minnes, Gowling WLG (Canada) LLP (Item 7.2.i.)

(f) STAFF PRESENTATIONS (Item 8)

(i) GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports (PED17010(h)) (City Wide) (Item 8.1)

Heather Travis, Senior Project Manager; and, Antony Lorus, of Lorus & Associates, provided the PowerPoint presentation respecting Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports.

The presentation respecting Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports, was received.

Committee recessed for one half hour until 12:45 p.m.

Consideration of Report PED17010(h) - GRIDS 2 and Municipal Comprehensive Review - Land Needs Assessment and Technical Background Reports, was DEFERRED until after Committee reconvenes in Open Session.

(g) PRIVATE & CONFIDENTIAL (Item 13)

Committee moved into Closed Session respecting Item 13.1, Closed Session respecting Item 13.1, 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.

(h) ADJOURNMENT (Item 10)

There being no further business, the special General Issues Committee adjourned at 4:06 p.m.

Respectfully submitted,

Deputy Mayor Brad Clark
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

GRIDS 10 Directions – proposed revisions incorporating Our Future Hamilton themes and stakeholder / public comments:

Bold – additions / modifications by staff, stakeholders and public

~~Strikethrough~~ – deletions by staff, stakeholders and public

- 1. Plan for climate change mitigation and adaptation, and reduce greenhouse gas emissions.**
- Encourage a compatible mix of uses in neighbourhoods, **including a range of housing types and affordabilities**, that provide opportunities to live, work, **learn, shop** and play, **promoting a healthy, safe and complete community**.
- Concentrate new development **and infrastructure** within existing built-up areas and within ~~the a firm~~ urban boundary **through intensification and adaptive re-use**.
- Protect rural areas for a viable rural economy, agricultural resources, environmentally sensitive recreation and the enjoyment of the rural landscape.
- Design neighbourhoods to improve access to community life **for all, regardless of age, ethnicity, race, gender, ability, income and spirituality**.
- Retain and **intensify existing employment land**, attract jobs in Hamilton’s strength areas and targeted new sectors, **and support access to education and training for all residents**.
- Expand transportation options **through the development of complete streets** that encourage travel by foot, bike and transit, and enhance efficient inter-regional transportation connections.
- Maximize the use of existing buildings, infrastructure, and vacant or abandoned land.
- Protect ecological systems **and the natural environment, reduce waste**, improve air, land and water quality, **and encourage the use of green infrastructure**.
- 10. Maintain and create attractive public and private spaces and respect the unique character of existing buildings, neighbourhoods and ~~settlements~~ communities, protect cultural heritage resources, and support arts and culture as an important part of community identity.**

Alignment with Our Future Hamilton and Strategic Plan priorities:

Strategic Priority	Reflected in GRIDS Directions?
Community Engagement & Participation <i>Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.</i>	Yes, #5, with modifications to address inclusiveness and accessibility in neighbourhood design.
Economic Prosperity & Growth <i>Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.</i>	Yes, #3, #4, #6, and #8, with modifications to #6 to address intensifying existing employment lands and supporting education for all.
Healthy & Safe Communities <i>Hamilton is a safe and supportive city where people are active, healthy and have a high quality of life.</i>	Yes, #1, #2, #3, #4, #5, #7, #9, and #10, with modification to #2 to address affordable housing and healthy and safe community.
Clean & Green <i>Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.</i>	Yes, #1, #2, #3, #4, #7, #8, #9, with modification to #9 to address waste reduction.
Built Environment & Infrastructure <i>Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.</i>	Yes, #2, #3, #6, #7, #8, #10 with modification to #7 to include complete streets.
Culture & Diversity <i>Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.</i>	Yes, #5, #10, with modification to #10 to add arts and culture.

Additional revisions resulting from stakeholder and public comments:

Direction #1:

- Separate climate change mitigation and adaptation and reduction of greenhouse gas emissions as separate goal and move to #1

Direction #2:

- Add reference to provision of affordable housing and opportunities to ‘learn’

Direction #3:

- Remove reference to “firm” urban boundary
- Add “infrastructure” and “through intensification and adaptive re-use”

Direction #5:

- Add reference to ‘spirituality’

Direction #6:

- Add ‘access’ to education

Direction #10:

- Add ‘protection of cultural heritage resources’

CITY OF HAMILTON

MOTION

Council: December 16, 2020

MOVED BY COUNCILLOR N. NANN.....

SECONDED BY COUNCILLOR

Appointment to the Greater Bay Area Sub-Committee

That Councillor Wilson be appointed to the Greater Bay Area Sub-Committee, for the balance of the 2018 to 2022 term of Council.

CITY OF HAMILTON

MOTION

Council: December 16, 2020

MOVED BY COUNCILLOR M. WILSON.....

SECONDED BY COUNCILLOR

Appointment to the Committee Against Racism

That Councillor Nann be appointed to the Committee Against Racism, for the balance of the 2018 to 2022 term of Council.

CITY OF HAMILTON

MOTION

Council: December 16, 2020

MOVED BY COUNCILLOR C. COLLINS.....

SECONDED BY MAYOR / COUNCILLOR

Amendments to sub-sections (d) and (e) to Item 4 of the Emergency & Community Services Committee Report 19-007, respecting Report HSC19034 – Affordable Housing Demonstration Project, which was approved by Council on June 26, 2019

WHEREAS, it is forecast that the permits pertaining to the Affordable Housing Demonstration Project will not be pulled until July 1, 2021 at the earliest; and,

WHEREAS, this amendment will align the cash flow with commencement of the Project, while assisting to mitigate the City's 2021 Levy pressure;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (d) to Item 4 of the General Issues Committee Report 19-007, respecting Report HSC19034 – Affordable Housing Demonstration Project, be amended by deleting the year “2021” and replacing it with the year “**2022**”, to read as follows:
 - (d) That the additional annual operating impact, estimated at \$400,000, related to CityHousing Hamilton's Roxborough housing units be included in the City's ~~2021~~ **2022** operating budget;
- (b) That sub-section (e) to Item 4 of the General Issues Committee Report 19-007, respecting Report HSC19034 – Affordable Housing Demonstration Project, be deleted in its entirety and replaced with the following in lieu thereof:
 - ~~(e) That an annual operating budget enhancement of \$2.09 M be included in the City's 2021 operating budget for the Housing Services Division to fund the cost of development charges loan/grant programs to be offered through the Roxborough Community Improvement Plan Area, estimated at \$10.47 M over 5 years;~~
 - (e) That, beginning in 2021, an operating budget enhancement be included in the Housing Services Division's operating budget, to fund the cost of development charges loan/grant programs to be**

offered through the Roxborough Community Improvement Plan Area, estimated at \$10.47 M over a 6-year period, as follows:

(i)	2021	\$1,047,000
(i)	2022 to 2025	\$2,094,000
(iii)	2026	\$1,047,000

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

4. Affordable Housing Demonstration Project (HSC19034) (Ward 4) (Item 10.1)

- (a) That Report HSC19034 respecting the proposed Roxborough demonstration project be received;
- (b) That Council, in its capacity as Service Manager under the Housing Services Act, 2011, approve the request of CityHousing Hamilton (CHH) for the following:
 - (i) The transfer of 18 (eighteen) existing Rent Gear to Income subsidies to a separate Housing Provider selected by the Housing Services Division to offer new units to households on the centralized waitlist;
 - (ii) The sale of an approximate 7-acre portion of the Lang-Hayes-Reid lands;
 - (iii) The relocation and transition plan to accommodate the residents during the redevelopment of the Lang-Hayes-Reid lands;
- (c) That staff be directed to bring forward the recommended draft program description to the Roxborough Community Improvement Plan Area (CIPA), as contained in Appendix A to Report 19-007, to the Planning Committee for a statutory public meeting in accordance with Section 17 (15) (d) of the *Planning Act*,
- (d) That the additional annual operating impact, estimated at \$400,000, related to CityHousing Hamilton s Roxborough housing units be included in the City's **2022** operating budget;
- (e) ***That, beginning in 2021, an operating budget enhancement be included in the Housing Services Division's operating budget, to fund the cost of development charges loan/grant programs, to be offered through the Roxborough Community Improvement Plan Area, estimated at \$10.47 M over a 6-year period, as follows:***

(i)	2021	\$1,047,000
(i)	2022 to 2025	\$2,094,000

(iii) 2026

\$1,047,000

- (f) That the General Manager of Finance and Corporate Services be directed to establish a Roxborough Community Improvement Plan Area Reserve; and,
- (g) That any unspent funds budgeted through the annual operating budget for the cost of development charges loan/grant programs to be offered through the Roxborough Community Improvement Plan Area (CIPA), be allocated to the Roxborough CIPA Reserve at the end of each year.

CITY OF HAMILTON

MOTION

Council: December 16, 2020

MOVED BY COUNCILLOR J. P. DANKO.....

SECONDED BY MAYOR / COUNCILLOR.....

Amendments to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program

WHEREAS, Transit staff have been advised by the Ministry of Transportation Ontario that one of the projects, PRESTO Device Refresh at a cost of \$5M, in the Investing in Canada Infrastructure Program (ICIP) submission is not eligible for funding; and,

WHEREAS, the Transit Division has received a payment arrangement from the Province of Ontario for the PRESTO equipment being installed by November 27, 2020 for an estimated cost of \$4,500,000, inclusive of non-recoverable taxes, and are required to make four equal payments of \$1,125,000, which are required in 2021 (December 31, 2020, March 31, 2021, June 30, 2021 and September 30, 2021).

THEREFORE BE IT RESOLVED:

- (a) That Appendix “A” to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program (attached hereto), which was approved by Council on October 9, 2019, be **amended** by deleting the current funding strategy for the PRESTO Device Refresh and replacing it with the following:

Total 2020 Gross Amount: ~~\$5,000,000~~ to **\$4,500,000**
 Federal Contribution: ~~\$2,000,000 (40%)~~ to **\$0**
 Provincial Contribution: ~~\$1,666,500 (33.33%)~~ to **\$0**
 City Debt **Reserves (110023)** Contribution: ~~\$1,333,500 (26.67%)~~ to **\$4,500,000**

- (b) That sub-section (a) to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program, be **amended**:
- (i) by adding the words “**as amended**”;
 - (ii) by adding the words “**as per the Ministry of Transportation Ontario’s approval**”;

- (iii) by deleting the dollar amount of \$374,684,401 and replacing it with the dollar amount of **\$370,984,500**;
- (iv) by deleting the dollar amount of \$510,911,000 and replacing it with the dollar amount of **\$505,911,000**;
- (v) by deleting the words “submission for consideration by the Ministry of Transportation Ontario”; and
- (vi) by adding the words “**and as the Province of Ontario’s approval of the City of Hamilton’s contribution to the PRESTO Device Refresh in the amount of \$4,500,000, inclusive of non-recoverable taxes**”, to read as follows:
 - (a) That the projects listed in Appendix “A”, **as amended**, attached to Report 19-019, be approved **as per the Ministry of Transportation Ontario’s approval** of the City of Hamilton’s projects ~~submission for consideration by the Ministry of Transportation Ontario~~ for the requested funding amount of ~~\$374,684,401~~ **\$370,984,500** for projects with a total project cost of ~~\$510,911,000~~ **\$505,911,000**, in accordance with the terms and conditions associated with the Investing in Canada Infrastructure Program (ICIP), Public Transit Stream; **and as the Province of Ontario’s approval of the City of Hamilton’s contribution to the PRESTO Device Refresh in the amount of \$4,500,000, inclusive of non-recoverable taxes**;
- (c) That sub-sections (b), (d), (i), (j), (k), (l) and (m), be amended by adding the words “**as amended**” after the words “Appendix “A””;
- (d) That sub-section (k) be further amended by deleting the dollar amounts of \$83,611,200 and replacing it with the dollar amount of **\$82,277,000**; and, by deleting the dollar amount of \$48,410,200 and replacing it with the dollar amount of **\$47,067,000**, to read as follows:
 - (k) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms and placement of all debenture issue(s), and/or private placement debenture issue(s), in either a public or private market and/or bank loan agreements and debenture issue(s) and/or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed ~~\$83,611,200~~ **\$82,277,000** Canadian currency for capital projects for Investing in Canada Infrastructure Program, Public Transit Stream as attached in Appendix “A”, **as amended**, to Report 19-019, which includes ~~\$48,410,200~~ **\$47,067,000** in Tax Supported municipal debt and \$35,210,000 in Tax Supported Development Charges municipal debt;
- (e) That sub-section (l) be further amended by adding the words “**and any agreements related to PRESTO Device Refresh**”, to read as follows:

- (l) That the Mayor and City Clerk be authorized and directed to enter into and/or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents required for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A" , **as amended**, to Report 19-019 **and any agreements related to PRESTO Device Refresh** including those required to secure and confirm the terms and issuance of any required debenture issue(s), with content acceptable to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor; and,

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

1. Investing in Canada Infrastructure Program – Public Transit Stream Grant Program (PW19083/FCS18048(a)) (City Wide) (Item 9.1)

- (a) That the projects listed in Appendix "A" , **as amended**, attached to Report 19-019, be approved **as per the Ministry of Transportation Ontario's approval** of the City of Hamilton's projects for the requested funding amount of **\$370,984,500** for projects with a total project cost of **\$505,911,000**, in accordance with the terms and conditions associated with the Investing in Canada Infrastructure Program (ICIP), Public Transit Stream; **and as the Province of Ontario's approval of the City of Hamilton's contribution to the PRESTO Device Refresh in the amount of \$4,500,000, inclusive of non-recoverable taxes;**
- (b) That Investing in Canada Infrastructure Program, Public Transit Stream Project Financing Strategy, as detailed in Appendix "A" , **as amended**, attached to Report 19-019, be approved;
- (c) That the Mayor and Clerk be authorized and directed to execute all necessary documentation, including Funding Agreements to receive funding under Investing in Canada Infrastructure Program, Public Transit Stream with content satisfactory to the General Manager of Public Works and in a form satisfactory to the City Solicitor;
- (d) That staff be authorized and directed to tender and implement projects contained in Appendix "A" , **as amended**, attached to Report 19-019 upon execution of a Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario to Receive Funding Investing in Canada Infrastructure Program, Public Transit Stream;
- (e) That the Director of Transit be authorized and directed to submit future project amendments that may be required to Infrastructure Canada and the

Province of Ontario provided that such amendments are acceptable to the General Manager of Public Works and that no amendment shall result in the City's maximum funding share being exceeded;

- (f) That the operating budget and staffing full time equivalent (FTE) impacts related to approved ICIP projects, as shown in Appendix "B" attached to Report 19-019, be incorporated in the Tax Supported Operating Budget for the appropriate fiscal year;
- (g) That where required to give effect and authorize the signing of a Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario, to receive funding under Investing in Canada Infrastructure Program, Public Transit Stream, Legal staff be directed to prepare a By-law in the form satisfactory to the City Solicitor for consideration by Council;
- (h) That where required to give effect and authorize the signing of amendments to the Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario, to receive funding under Investing in Canada Infrastructure Program, Public Transit Stream, Legal staff be directed to prepare By-law(s) in the form satisfactory to the City Solicitor for consideration by Council;
- (i) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into and execute any necessary agreements including any agreements with Infrastructure Ontario's Loan Program to secure the capital funding required for capital projects for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A, **as amended**," to Report 19-019;
- (j) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into and execute any necessary agreements to engage the services of all required persons, agencies and companies to negotiate and confirm the terms and issuance of all necessary debenture issue(s) including, but not limited to, external legal counsel, fiscal agents and financial professionals, to secure the capital funding required capital projects for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A", **as amended**, to Report 19-019;
- (k) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms and placement of all debenture issue(s), and/or private placement debenture issue(s), in either a public or private market and/or bank loan agreements and debenture issue(s) and/or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed **\$82,277,000** Canadian currency for capital projects for Investing in Canada Infrastructure Program, Public Transit Stream as

attached in Appendix "A", **as amended**, to Report 19-019, which includes **\$47,067,000** in Tax Supported municipal debt and \$35,210,000 in Tax Supported Development Charges municipal debt;

- (l) That the Mayor and City Clerk be authorized and directed to enter into and/or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents required for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A" , **as amended**, to Report 19-019 **and any agreements related to PRESTO Device Refresh** including those required to secure and confirm the terms and issuance of any required debenture issue(s), with content acceptable to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor; and,
- (m) That staff be directed to prepare all necessary By-Law(s) to authorize and implement Investing in Canada Infrastructure Program, Public Transit Stream Projects, as attached in Appendix "A", **as amended**, to Report 19-019 including those By-laws necessary to negotiate, place and secure all required capital funding.

City of Hamilton ICIP - Transit Stream Project Submission

Project Description	Notes									Cost Sharing Breakdown		
		2020 (000's)	2021 (000's)	2022 (000's)	2023 (000's)	2024 (000's)	2025 (000's)	2026 (000's)	Total (000's)	Federal 40%	Provincial 33.33%	City 26.67%
1. Maintenance & Storage Facility	1,2	\$ 120,000.0	\$ 140,000.0						\$ 260,000.0	\$ 104,000.0	\$ 86,658.0	\$ 69,342.0
2. Replacement Fleet	3	\$ 13,528.0	\$ 30,324.0	\$ 17,784.0	\$ 12,688.0	\$ 12,163.0	\$ 12,045.0	\$ 15,545.0	\$ 114,077.0	\$ 45,630.8	\$ 38,021.9	\$ 30,424.3
3. Expansion Fleet (10 Year Strategy)	1,3	\$ 10,400.0	\$ 11,424.0	\$ 11,653.0	\$ 12,735.0	\$ 12,990.0	\$ 14,132.0	\$ -	\$ 73,334.0	\$ 29,333.6	\$ 24,442.2	\$ 19,558.2
4. A-Line Priority Bus Corridor	2	\$ -	\$ 2,000.0	\$ 2,000.0	\$ 2,000.0	\$ 2,500.0	\$ -	\$ -	\$ 8,500.0	\$ 3,400.0	\$ 2,833.0	\$ 2,267.0
5. Birch Avenue Bridge/Road Works	2	\$ -	\$ -	\$ 31,000.0	\$ -	\$ -	\$ -	\$ -	\$ 31,000.0	\$ 12,400.0	\$ 10,332.3	\$ 8,267.7
6. Presto Device Refresh (removed) (DENIED BY MTO)	2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7. CAD/AVL Replacement	2	\$ -	\$ 6,250.0	\$ 2,750.0	\$ -	\$ -	\$ -	\$ -	\$ 9,000.0	\$ 3,600.0	\$ 2,999.7	\$ 2,400.3
8. Active Transportation Connections	3	\$ 900.0	\$ 1,200.0	\$ 900.0	\$ 1,500.0	\$ 3,000.0	\$ 2,500.0	\$ -	\$ 10,000.0	\$ 4,000.0	\$ 3,333.0	\$ 2,667.0
Total (000's):		\$ 144,828.0	\$ 191,198.0	\$ 66,087.0	\$ 28,923.0	\$ 30,653.0	\$ 28,677.0	\$ 15,545.0	\$ 505,911.0	\$ 202,364.4	\$ 168,620.1	\$ 134,926.5

City of Hamilton ICIP - Transit Stream Project Submission - MTO Denied / Alternative Funding

6. Presto Device Refresh (amended)	3	\$ 4,500.0							\$ 4,500.0	\$ -	\$ -	\$ 4,500.0
Total (000's):		\$ 149,328.0	\$ 191,198.0	\$ 66,087.0	\$ 28,923.0	\$ 30,653.0	\$ 28,677.0	\$ 15,545.0	\$ 510,411.0	\$ 202,364.4	\$ 168,620.1	\$ 139,426.5

Notes:

1: City Share of Total Project Cost will be financed from tax supported DC Debt.

2: City Share of Total Project Cost will be financed from tax supported debt.

3: City Share of Total Project Cost will be financed from City Transit Vehicle and DC Reserves

Financing Strategy		2020 (000's)	2021 (000's)	2022 (000's)	2023 (000's)	2024 (000's)	2025 (000's)	2026 (000's)	Total (000's)
Federal Share		\$ 57,931.2	\$ 76,479.2	\$ 26,434.8	\$ 11,569.2	\$ 12,261.2	\$ 11,470.8	\$ 6,218.0	\$ 202,364.4
Provincial Share		\$ 48,271.2	\$ 63,726.3	\$ 22,026.8	\$ 9,640.0	\$ 10,216.6	\$ 9,558.0	\$ 5,181.1	\$ 168,620.0
City Share		\$ 43,125.6	\$ 50,992.5	\$ 17,625.4	\$ 7,713.8	\$ 8,175.2	\$ 7,648.2	\$ 4,145.9	\$ 139,426.6
Total		\$ 149,328.0	\$ 191,198.0	\$ 66,087.0	\$ 28,923.0	\$ 30,653.0	\$ 28,677.0	\$ 15,545.0	\$ 510,411.0
City Share Funding Details:									
Reserves									
2. Replacement Fleet	110030	\$ 3,607.9	\$ 8,087.4	\$ 4,743.0	\$ 3,383.9	\$ 3,243.9	\$ 3,212.4	\$ 4,145.9	\$ 30,424.4
3. Expansion Fleet (10 Year Strategy)	110030	\$ 1,932.7	\$ 2,122.8	\$ 2,166.9	\$ 2,368.4	\$ 2,414.4	\$ 2,626.0	\$ -	\$ 13,631.2
6. Presto Device Refresh (amended)	110023	\$ 4,500.0							\$ 4,500.0
8. Active Transportation Connections	110030	\$ 240.0	\$ 320.0	\$ 240.0	\$ 400.1	\$ 800.1	\$ 666.8	\$ -	\$ 2,667.0
		\$ 10,280.6	\$ 10,530.2	\$ 7,149.9	\$ 6,152.4	\$ 6,458.4	\$ 6,505.2	\$ 4,145.9	\$ 51,222.6
DC Reserves									
Dev Charges - Non Res TCA Expansion Fleet	110311	\$ 311.0	\$ 342.0	\$ 348.0	\$ 380.0	\$ 388.0	\$ 423.0	\$ -	\$ 2,192.0
Dev Charges - Res TCA Expansion Fleet	110310	\$ 530.0	\$ 582.0	\$ 593.0	\$ 648.0	\$ 662.0	\$ 720.0	\$ -	\$ 3,735.0
		\$ 841.0	\$ 924.0	\$ 941.0	\$ 1,028.0	\$ 1,050.0	\$ 1,143.0	\$ -	\$ 5,927.0
Tax Supported DC Debt Financing									
Dev Charges - Non Res DEBT: Maintenance and Storage Facility (note 4)	110311	\$ 5,631.0	\$ 7,571.0						\$ 13,202.0
Dev Charges - Res DEBT: Maintenance and Storage Facility (note 4)	110310	\$ 9,117.0	\$ 12,891.0						\$ 22,008.0
		\$ 14,748.0	\$ 20,462.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,210.0
Tax Supported Debt Financing									
1. Maintenance & Storage Facility		\$ 17,256.0	\$ 16,876.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 34,132.0
4. A-Line Priority Bus Corridor		\$ -	\$ 533.4	\$ 533.4	\$ 533.4	\$ 666.8	\$ -	\$ -	\$ 2,267.0
5. Birch Avenue Bridge/Road Works		\$ -	\$ -	\$ 8,267.7	\$ -	\$ -	\$ -	\$ -	\$ 8,267.7
6. Presto Device Refresh (removed)		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7. CAD/AVL Replacement		\$ -	\$ 1,666.9	\$ 733.4	\$ -	\$ -	\$ -	\$ -	\$ 2,400.3
		\$ 17,256.0	\$ 19,076.3	\$ 9,534.5	\$ 533.4	\$ 666.8	\$ -	\$ -	\$ 47,067.0
Total		\$ 43,125.6	\$ 50,992.5	\$ 17,625.4	\$ 7,713.8	\$ 8,175.2	\$ 7,648.2	\$ 4,145.9	\$ 139,426.6
Debt Financing Tax Impacts, subject to Council Approval in Future Budgets									
New Debt Charges		\$ 1,835.0	\$ 1,653.0	\$ 823.0	\$ 45.0	\$ 56.0	\$ -	\$ -	\$ 4,412.0
Tax Impact of New Debt Charges		0.21%	0.19%	0.09%	0.01%	0.01%	0.00%	0.00%	
Operating Budget Tax Impacts, subject to Council Approval in Future Budgets									
FTE Operating Budget Impact		35.0	39.0	60.0	38.0	41.0	41.0	-	254.0
\$ Operating Budget Impact		\$ 1,938.0	\$ 3,483.0	\$ 10,022.0	\$ 3,256.0	\$ 3,577.0	\$ 3,649.0	\$ -	\$ 25,925.0
Tax Impact of OIC		0.22%	0.40%	1.15%	0.37%	0.41%	0.42%	0.00%	
TOTAL TAX IMPACT \$		\$ 3,773.0	\$ 5,136.0	\$ 10,845.0	\$ 3,301.0	\$ 3,633.0	\$ 3,649.0	\$ -	
TOTAL TAX IMPACT %		0.43%	0.59%	1.25%	0.38%	0.42%	0.42%	0.00%	

Note 4: Debt charges for Tax Supported DC Debt will be funded from DC Reserves and have no impact on the tax operating budget

Note: Anomalies due to rounding.

CITY OF HAMILTON MOTION

Council: December 16, 2020

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY MAYOR / COUNCILLOR.....

COVID-19 Recreation User Fee Financial Relief

WHEREAS, the COVID-19 Pandemic and associated Ontario response framework safety measures has affected access to municipal recreation facilities and recreation programs;

WHEREAS, recreation program access is grounded in the values of dignity and respect, health and wellness, social inclusion and quality of life at every experience;

WHEREAS, the recreation user fee guiding principles include accountability, community benefit, equitable, fair, affordable and financial responsibility; and

WHEREAS, the City relies on user fees as a source of revenue to support the delivery of municipal services, including recreation services;

THEREFORE, BE IT RESOLVED:

- (a) That all Recreation User fees be frozen at 2020 levels for 2021, with the loss in budgeted revenues in 2021 of an estimated \$289,000, to be funded from the establishment of a COVID-19 Recreation User Fee Financial Relief Program; and,
- (b) That staff be directed to include in the 2021 Tax Supported Budget, a COVID-19 Recreation User Fee Financial Relief Program, with a \$0 net levy impact, to be fully funded through Federal/Provincial COVID-19 Safe Restart Funding.

CITY OF HAMILTON

MOTION

Council: December 16, 2020

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY MAYOR/COUNCILLOR.....

Amendment to Item 9.2 of the November 11, 2020 Council Minutes, respecting Report PW20068(b) - City of Hamilton Transfer Stations and Community Recycling Centres Contract Update

WHEREAS, staff have advised that they inadvertently left one of the report numbers off of the joint report between Legal Services and the Public Works Department;

THEREFORE, BE IT RESOLVED:

That Item 9.2 of the November 11, 2020 Council Minutes, respecting Report PW20068(b) - City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, be amended by adding the report number "**LS20039(a)**" to all references to Report PW20068(b) throughout those minutes, to read as follows:

9.2 City of Hamilton Transfer Stations and Community Recycling Centres Contract Update (**LS20039(a)**/PW20068(b)) (City Wide); and,

9.2 City of Hamilton Transfer Stations and Community Recycling Centres Contract Update (**LS20039(a)**/PW20068(b)) (City Wide)

(Ferguson/Clark)

- (a) That the direction provided to staff in Closed Session respecting Report **LS20039(a)**/PW20068(b), the City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, be approved; and,
- (b) That Report **LS20039(a)** PW20068(b), respecting the City of Hamilton Transfer Stations and Community Recycling Centres Contract Update, remain confidential.

Authority: Item 7, Economic Development
and Planning Committee
Report 10-005 (PED10051)
CM: March 10, 2010
Ward: 11

Bill No. 252

CITY OF HAMILTON

BY-LAW NO. 20-

To Establish City of Hamilton Land Described as Block 186 on Plan 62M-992 as Part of Provident Way

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Block 186 on Plan 62M-992, is established as a public highway, forming part of Provident Way.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 7, Economic Development
and Planning Committee
Report 10-005 (PED10051)
CM: March 10, 2010
Ward: 11

Bill No. 253

CITY OF HAMILTON

BY-LAW NO. 20-

To Establish City of Hamilton Land Described as Block 189 on Plan 62M-992 as Part of Rosebury Way

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Block 189 on Plan 62M-992, is established as a public highway, forming part of Rosebury Way.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 21, Committee of the Whole
Report 01-029 (CS01083)
CM: September 18, 2001
Ward: 9

Bill No. 254

CITY OF HAMILTON
BY-LAW NO. 20-

**To Establish City of Hamilton Land
Described as Parts 1, 4, 7, and 10 on Plan 62R-21280
as Part of Skinner Road**

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

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

1. The land, owned by and located in the City of Hamilton, described as Parts 1, 4, 7, and 10, on Plan 62R-21280 are established as a public highway, forming part of Skinner Road.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 2, General Issues Committee
Report 20-020 (FCS20073)
CM: December 16, 2020
Ward: City Wide
Bill No. 255

CITY OF HAMILTON

BY-LAW NO. 20-

A By-law to Establish the 2021 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton

WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS pursuant to sections 8, 9 and 10 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the *Municipal Act, 2001*;

AND WHEREAS the City of Hamilton wishes to establish and maintain in one by-law a list of all of its water and wastewater/storm services and activities and the use of property subject to fees or charges, as well as the amount of each fee or charge;

AND WHEREAS on the 25th day of November, 2020, the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 20-020 and authorized the 2021 water and wastewater/storm fees and charges set out herein;

AND WHEREAS notice of the 2021 water and wastewater/storm fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton's Public Notice Policy By-law No. 07-351.

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

1. The water and wastewater/storm fees and charges identified under the headings of Daily Water & Wastewater/Storm Fixed Charges, Metered Water Consumption Charges, Wastewater/Storm Treatment Charges, and Non-Metered Annual Water and Wastewater/Storm Rate on Schedule "A" attached hereto, shall be imposed by the City of Hamilton for those services, activities and use of property provided by the City of Hamilton.
2. The water and wastewater/storm fees and charges identified as the "2021 Approved Fee or Charge" on Schedule "B" attached hereto, shall be imposed by

the City of Hamilton for those services, activities and use of property provided by the City of Hamilton and identified as the "Service Offered" on the said Schedule "B".

3. (1) The fees and charges approved and imposed under section 2 are subject to any adjustment authorized by a statute, regulation or by-law in respect of the calculation or administration of a fee or charge, such adjustment to be effective as provided for in such statute, regulation or by-law.
- (2) Despite sections 1 and 2, any fee or charge:
 - (a) authorized by a by-law that comes into effect on the same or a later date than this By-law; or
 - (b) included in a valid agreement entered into by the City of Hamilton and one or more other parties,shall be the approved and imposed fee or charge for the service, activity or use of property specified.
4. The water and wastewater fees and charges listed in Schedules "A" and "B" attached hereto are subject to the Harmonized Sales Tax (H.S.T.), where applicable.
5. The fees and charges imposed by this by-law are due and payable:
 - (a) at the time of the transaction for which the fee or charge is imposed; or
 - (b) if subsection 5(a) is not applicable, upon the due date specified in any invoice issued by the City of Hamilton or by any other body acting on behalf of the City of Hamilton to any person in connection with a fee or charge imposed by this By-law.
6. Late payment charges shall be added to all unpaid fees and charges as follows:
 - (a) for the fees and charges set out in Schedule "A" and Schedule "B" attached hereto, when billed by a third party on behalf of the City of Hamilton, a rate of 1.5% per month calculated daily on any overdue amount, or such other rate as is approved by Council;
 - (b) for the fees and charges set out in Schedule "A" and Schedule "B" attached hereto, when billed by the City of Hamilton, the current prime rate plus 2%, adjusted quarterly, on any overdue amount, or such other rate as is approved by Council.

7. All unpaid fees or charges imposed by this By-law on a person are a debt due to the City of Hamilton and the City of Hamilton may take such action as it considers necessary and as permitted by law to collect the debt.
8. Where all or part of a fee or charge imposed by this By-law relates to fees and charges for the supply of a public utility, as defined in the *Municipal Act, 2001*, and remains unpaid, such fee or charge may be added to the tax roll for the property to which the public utility was supplied, and collected in like manner as municipal taxes.
9. Where all or part of a fee or charge imposed by this By-law relates to fees and charges other than those set out in section 8 of this By-law, and remains unpaid, such fee or charge may be added to the tax roll for the property for which all of the owners are responsible for payment of the fee or charge, and collected in like manner as municipal taxes.
10. Each provision of this By-law, including Schedules “A” and “B”, continues in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2021 until amended, repealed or replaced.
11. In the event of any conflict between the provisions of this By-law and the provisions of By-law No. R84-026, being the Waterworks By-law for the City of Hamilton, the provisions of By-law No. R84-026 shall prevail.
12. In the event of any conflict between the provisions of this By-law and the provisions of By-law No. 06-026, being The Sewer and Drain By-law for the City of Hamilton, the provisions of By-law No. 06-026 shall prevail.
13. In the event of any conflict between the provisions of this By-law and the provisions of By-law No. 03-272, being The Sanitary Surcharge and Wastewater Abatement By-law for the City of Hamilton, the provisions of By-law No. 03-272 shall prevail.
14. Should any part of this By-law, including any part of Schedule “A” and/or Schedule “B” attached hereto, be determined by a court of competent jurisdiction to be invalid or of no force, it is the stated intention of Council that such invalid part of this By-law shall be severable from this By-law and that the remainder of this By-law, including the remainder of Schedule “A” and/or “B”, as applicable, shall continue to operate and be in force.
15. Schedules “A” and “B” are attached to and form part of this By-law.
16. This By-law may be referred to as the “Water and Wastewater/Storm Fees and Charges By-law”.

17. By-law No. 19-291, being a by-law to establish the 2020 Water and Wastewater/Storm Fees and Charges for Services, Activities and Use of Property Provided by the City of Hamilton, is repealed upon the coming into force of this By-law.
18. This By-law comes into force on January 1, 2021.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

SCHEDULE "A" TO BY-LAW 20-255

**CITY OF HAMILTON
2020 WATER AND WASTEWATER/STORM FEES AND CHARGES
Effective January 1, 2021**

A) Daily Water & Wastewater/Storm Fixed Charges*

The fixed daily charge is not related to the direct costs of consumption and are not dependent upon or related to the amount of consumption incurred. The fixed charges are intended to offset the fixed costs of maintaining the City's water, wastewater and storm systems.

Meter Size	Water Rate	Wastewater/ Storm Rate
15 mm	\$0.38	\$0.42
16 mm	\$0.38	\$0.42
20 mm	\$0.38	\$0.42
21 mm	\$0.38	\$0.42
25 mm	\$0.95	\$1.05
38 mm	\$1.90	\$2.10
50 mm	\$3.04	\$3.36
75 mm	\$6.08	\$6.72
100 mm	\$9.50	\$10.50
150 mm	\$19.00	\$21.00
200 mm	\$30.40	\$33.60
250 mm	\$43.70	\$48.30
300 mm	\$64.60	\$71.40

B) Metered Water Consumption Charges*

Water Consumption shall be charged on a per cubic metre basis at the rates indicated in the table below. The total monthly Water Consumption charge is the sum of usage in all blocks at the rate for each block.

		Residential Meter Size <25mm	Residential Meter Size =>25mm and Commercial, Institutional & Industrial
Consumption Block	Monthly Water Consumption (m ³)		
1	0-10	0.85	1.70
2	>10	1.70	1.70

C) Wastewater/Storm Treatment Charges*

Wastewater/Storm Treatment Charges are based on metered water consumption and the cost of wastewater collection and treatment, and stormwater management. Charges are on a per cubic metre basis at the rates indicated in the table below. The total monthly Wastewater/Storm Treatment Charge is the sum of usage in all blocks at the rate for each block.

		Residential Meter Size <25mm	Residential Meter Size =>25mm and Commercial, Institutional & Industrial
Treatment Block	Monthly Water Consumption (m ³)	Rate (\$/m ³)	Rate (\$/m ³)
1	0-10	0.91	1.82
2	>10	1.82	1.82

D) Non-Metered Annual Water And Wastewater/Storm Rate*

Flat Rate Water Customers Annual Rate: \$620.50

Flat Rate Wastewater/Storm Customers Annual Rate: \$664.30

Combined Flat Rate Water & Wastewater/Storm Customers Annual Rate: \$1,284.80

* Fees do not include HST which will be added where applicable.

SCHEDULE "B" TO BY-LAW NO. 20-255

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS
 Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES

Service Offered	2021 Approved Fee or Charge
WATER DISTRIBUTION	
<u>Water Meter Permit Fees</u>	
Note: Charged for first-time meter installations. Includes supply and installation of water meter and remote reading device by City and related inspection. Approval by the Supervisor of Meter Operations and Cross Connection is required for new water installations of alternative meter types not shown below.	
16mm Displacement	\$359.70
20mm Displacement	\$404.60
21 mm Displacement	\$404.60
25mm Displacement	\$559.40
38mm Displacement	\$905.08
50mm Displacement	\$1,218.80
50mm Compound	\$3,316.40
100mm Compound	\$5,304.84
150mm Compound	\$11,495.85
150mm Fire Service Compound	\$14,215.97
200mm Fire Service Compound	\$19,450.06
250mm Fire Service Compound	\$25,297.11
Radio Remote Read Equipment Installation	\$217.59
<u>Water Meter Removal Fee (all meter sizes)</u>	
Note: Cost to remove a meter prior to the building being demolished and/or the water service being decommissioned or abandoned. Failure to have the meter removed prior to the building being demolished will incur a meter replacement cost charge. Does not include a turn water off fee, which is required and charged separately.	
16mm Displacement	\$116.19
20mm Displacement	\$116.19
21mm Displacement	\$116.19
25mm Displacement	\$116.19
38mm - 250mm Meters (cost depends on size, labour and meter location)	Cost + 10% overhead
<u>Water Meter Inspection Services</u>	
Note: Cost for customer requested service relating to meter investigation.	
Inspection - Regular Hours	\$119.44
Inspection - After Hours	\$156.77

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES, CONTINUED

Service Offered	2021 Approved Fee or Charge
<u>Turning Water Off or On:</u>	
Note: Turning water off at curb to enable customers to perform internal plumbing repairs or a private water service repair or replacement, then turning water back on.	
Turning water off and on - Regular Hours - 2 visits	\$127.40
Turning water off and on - After Hours/Emergency - 2 visits	\$214.30
Turning water off and on during the same visit - 1/2 hour maximum (Regular Hours)	\$85.54
Turning water off and on during the same visit - 1/2 hour maximum (After Hours)	\$117.12
Turning water off - Non-Compliance - 1/2 hour maximum (Regular Hours)	\$85.54
Turning water on - Non-Compliance - 1/2 hour maximum (Regular Hours)	\$85.54
 <u>Hydrant Flow Test / Water Quality Flushing</u>	 \$109.31
Note: Cost to operate a City Fire Hydrant(s) for a maximum of 1 hour total labour.	
 <u>Hydrant/Road Adapter Fees</u>	
Note: Costs to install or remove water meter and backflow prevention device. When moving a hydrant/road adapter from one site to another for the same customer, both removal and installation fees apply. This service requires a usage deposit and a damage deposit.	
Usage Cost (Metered Hauled Water Rate/m ³)	\$2.55
Connection/Disconnection Fee - Regular Hours (fee for both services)	\$151.14
Connection/Disconnection Fee - After Hours/Emergency (fee for both services)	\$285.53
Usage Deposit	\$300.00
Security/Damage Deposit	\$6,000.00
Hydrant/road adapter rental fee for initial seven days	\$82.56
Per diem hydrant/road adapter rental fee after initial seven days	\$6.13
 <u>Replacement Cost for Lost or Broken Water Meter and Attachments :</u>	
Note: Cost to replace a meter that has been lost, stolen or damaged. Includes meter, installation and administrative costs.	
15mm Displacement	\$284.45
16mm Displacement	\$284.45
20mm Displacement	\$342.24
21mm Displacement	\$342.24
25mm Displacement	\$407.74
38mm Displacement	\$1,082.62
50mm Turbine	\$1,401.13
50mm Displacement	\$1,596.50
50mm Compound	\$2,069.60
50mm Strainer	\$454.61
100mm Turbine	\$7,212.18

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES, CONTINUED

Service Offered	2021 Approved Fee or Charge
100mm Compound	\$5,273.63
100mm Fire Service Turbine	\$8,855.57
100mm Fire Service Compound	\$10,555.28
100mm Magnetic Flow Meter	\$9,855.25
100mm Fire Rated Magnetic Flow Meter	\$10,290.10
100mm Strainer	\$910.34
150mm Turbine	\$6,970.78
150mm Compound	\$9,525.73
150mm Fire Service Turbine	\$10,968.91
150mm Fire Service Compound	\$13,949.23
150mm Magnetic Flow Meter	\$11,006.20
150mm Fire Rated Magnetic Flow Meter	\$12,170.80
150mm Strainer	\$1,447.69
200mm Turbine	\$7,150.30
200mm Compound	\$10,812.26
200mm Fire Service Turbine	\$14,454.48
200mm Fire Service Compound	\$19,466.10
200mm Magnetic Flow Meter	\$13,177.47
200mm Fire Rated Magnetic Flow Meter	\$14,395.02
200mm Strainer	\$2,107.80
250mm Turbine	\$12,946.04
250mm Magnetic Flow Meter	\$13,969.71
250mm Fire Rated Magnetic Flow Meter	\$16,225.00
250mm Fire Service Turbine	\$21,296.60
250mm Fire Service Compound	\$25,704.87
250mm Strainer	\$3,533.73
 <u>Testing Water Meters</u>	
Note: Cost to have a water meter tested for accuracy. If the meter tests within the accuracy standards as set out by AWWA then the property owner is responsible for the cost of the test and the replacement cost of the water meter; otherwise cost borne by the City. Fee includes removal of existing meter and installation of replacement meter.	
15mm & 16mm Diameter	\$314.56
16-25mm Diameter - Test where meter has been removed from service within prior 90 days	\$195.79
20mm Diameter	\$364.89
25mm Diameter	\$443.85
38mm Diameter	\$914.18
50mm Diameter	\$1,542.08
100mm plus diameter (in Situ testing)	\$930.42
 <u>Water Quality/Quantity Service Calls</u>	
Note: Cost for a service call to investigate a water quality/quantity complaint and the issue resides on private property. No charge for water quality/quantity complaints related to issues originating from the City's distribution system. Missed appointments will be billed the corresponding service call rate.	
Service Call - Regular Hours - Maximum 1 hour total labour	\$85.57
Service Call - After Hours/Emergency - Maximum 1 hour total labour	\$149.93
 <u>Hydrant Repair, Replace or Relocate</u>	
Note: Cost to repair, replace or relocate a City fire hydrant. Fee includes labour, materials and equipment.	
	Cost + 33% overhead
 <u>Watermain Shutdown</u>	
Note: Cost associated with isolating a watermain to facilitate third party work	
Watermain Shutdown/Recharge - Regular Hours	\$133.06
Watermain Shutdown/Recharge - After Hours/Emergency	\$239.68

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

A: WATERWORKS BY-LAW R84-026 FEES AND CHARGES, CONTINUED

Service Offered	2021 Approved Fee or Charge
<u>Private Water Filling Station Permit Fees</u> Annual Renewal	\$408.16
<u>Water Haulage Fees</u> Water Haulage Permit Fee	\$57.82
Note: Annual license fee to utilize the City's Public Water Filling Stations. Account review	\$87.91
Note: Costs charged for administrative services to provide customer account information for personal or taxation purposes	
<u>Construction Water:</u> Note: Charge for unmetered water used for construction prior to meter installation. Paid at the time of submitting building permit payment. Single Residential (per lot or townhouse)	\$103.70
<u>Water Inspection Services</u> Note: Cost associated with various permit and inspection services related to water services for properties	
Private Water Service Repair/Replacement Inspection - Regular Hours	\$95.80
Private Water Service Repair/Replacement Inspection - After Hours/Emergency	\$163.01
Water Service Abandonment Inspection - Regular Hours	\$85.57
Water Service Abandonment Inspection - After Hours/Emergency	\$152.77
Water Service Inspection for Demolition - Regular Hours	\$85.57
Water Service Inspection for Demolition - After Hours/Emergency	\$152.77
Missed or Cancelled Inspection	\$61.82
Upsize Public Portion Water Service from 20mm to 25mm Note: Charge for upsizing a public portion water service from 20mm to 25mm when a public portion water service replacement is already being completed by the City	\$156.55
<u>General Administration Fees:</u> General administrative requests (per hour)	\$69.76
NSF Fee	\$36.10
Permit cancellation administration fee	\$41.29
Permit renewal fee	\$41.29
Lead water service replacement loan application fee	\$51.92
Monthly Manual Meter Read Fee	\$3.00
Water Shut-off Administration fee	\$22.60
Water Shut-off Notice on Door	\$31.92
AMI Consumption History Fee	\$12.79
Miscellaneous Water Distribution System Repair Note: Cost for the City to repair damage to the water distribution system caused by a third party. Costs include labour, parts, materials, equipment and permanent restoration	Cost plus 33% overhead
<u>Additional Labour Charges:</u> Note: Fees in this Schedule allow for a maximum one hour of total labour. An additional labour charge for all services/calls that exceed that allotted labour time will be charged as follows:	
1/2 Hour Additional Labour - Regular Hours	\$23.76
1/2 Hour Additional Labour - After Hours/Emergency	\$35.62
Costs are for a single Water Distribution Operator in minimum increments of 30 minutes	

Note:

- "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
- "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
- "Emergency" means any occurrence where staff and/or equipment must be re-deployed from previously assigned task(s) to respond to a time-sensitive request for services/call made under this By-law.
- Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

B: SEWER AND DRAIN BY-LAW 06-026 FEES AND CHARGES

Service Offered	2021 Approved Fee or Charge*
COLLECTION SYSTEM INSPECTION & MAINTENANCE	
<u>Private Sewer Lateral Permit and Visual Inspection Fees</u>	
a) Regular Hours inspection	\$99.15
b) After Hours/Emergency inspection	\$212.33
Main Sewer inspection	Cost plus 33% overhead
Missed or Cancelled Sewer Lateral Inspection Fee	\$70.86
<u>Sewer Related Service Calls</u>	
Note: Cost for a service call to investigate a sewer related complaint and the issue resides on private property. No charge for sewer complaints related to issue originating from the City's sewer system. Missed appointments will be billed the corresponding service call rate.	
Service Call - Regular Hours	\$88.15
Service Call - After Hours/Emergency	\$179.33
<u>Sewer Lateral Cleaning and Investigation Fees</u>	
Note: The City's reimbursement of contractor expenses will be no greater than the amounts set out below, less the City's administration fee. Equipment supply purchases and equipment rental costs are not eligible for reimbursement by the City.	
Complete Sewer Lateral Investigation - Regular Hours	\$414.03
Complete Sewer Lateral Investigation - After Hours	\$457.33
Partial Sewer Lateral Cleaning - Regular Hours	\$135.30
Partial Sewer Lateral Cleaning - After Hours	\$189.43
Abandoned Sewer Lateral Investigation - Regular Hours	\$216.49
Abandoned Sewer Lateral Investigation - After Hours	\$270.61
<u>Miscellaneous Wastewater Collection System Repair</u>	
Note: Cost for the City to repair damage to the wastewater collection system caused by a third party. Costs include labour, parts, materials, equipment and permanent restoration.	
Cost + 33% overhead	
<u>Additional Labour Charges</u>	
Note: Fees for Private Sewer Lateral Permit and Visual Inspection and Sewer Related Service allow for maximum one hour of total labour. An addition labour charge for services/calls that exceed that allotted labour time will be charged as follows:	
1/2 Hour Additional Labour - Regular Hours	\$22.79
1/2 Hour Additional Labour - After Hours/Emergency	\$34.20

Note:

1. "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
2. "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
3. "Emergency" means any occurrence where staff and/or equipment must be re-deployed from previously assigned task(s) to respond to a time-sensitive request for services/call made under this By-law.
4. "Partial Sewer Lateral Cleaning" means services to relieve blockage(s) in the Sewer Lateral in order to temporarily reinstate sewer service

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

5. "Complete Sewer Lateral Investigation" means services to complete a thorough cleaning and closed circuit television inspection of the Sewer Lateral.
6. "Abandoned Sewer Lateral Investigator" means services related to an unsuccessful attempt to access the Sewer Lateral for cleaning.
7. Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

C: LABORATORY SERVICES FEES AND CHARGES

Service Offered	2021 Approved Fee or Charge
LABORATORY SERVICES	
<u>Inorganic Tests:</u>	
Solids	
Total Suspended Solids (TSS)	\$21.70
TSS plus Volatile Suspended Solids (VSS)	\$21.70
Total Solids (TS)	\$19.10
TS plus Volatile Solids (VS)	\$20.10
Total Dissolved Solids	\$32.00
Skalar	
Total Cyanide	\$36.90
Phenolics	\$33.00
Total Kjeldhal Nitrogen (TKN)	\$31.40
Ammonia	\$34.60
Dissolved Organic Carbon	\$37.00
Total Organic Carbon	\$37.00
Reactive Silica	\$30.00
Ion Chromatography Scan (IC Scan)	\$50.40
PC Titrate	
pH	\$16.50
Alkalinity	\$16.40
Conductivity	\$16.40
Fluoride	\$24.80
Turbidity	\$26.40
UV Transmittance	\$25.30
Color Apparent	\$22.90
Color True	\$22.90
O Phosphate	\$26.70
Chemical Oxygen Demand (COD)	\$37.90
Biochemical Oxygen Demand (BOD)	\$37.70
Volatile Acid	\$37.30
<u>Microbiology Tests:</u>	
Total Coliform/E coli - Presence/Absence	\$26.30
Total Coliform/E coli - MPN	\$28.70
EC - MPN	\$28.70
Heterotrophic Plate Count	\$26.90
Micro Examination	\$143.90
Microcystin	\$515.00

NOTE: (1) Rush service may be subject to a surcharge, that will vary depending on the analysis and turnaround requirements.

(2) Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

C: LABORATORY SERVICES FEES AND CHARGES, CONTINUED

Service Offered	2021 Approved Fee or Charge
Metals Tests:	
Inductively Coupled Plasma (ICP)	
ICP Optical Emission Spectrometry Scan (ICP OES) (Wastewater)	\$60.30
Total Phosphorous	\$27.70
Total Dissolved Phosphorous	\$27.70
Inductively Coupled Plasma Mass Spectrometry (ICP MS)	
ICP MS Scan	\$60.30
Atomic Absorption Spectrometry (AA)	
Mercury	\$45.70
Organics	
Caffeine	\$130.90
Additional Fees	
Weekend surcharge	\$100.00

Note: (1) Rush service may be subject to a surcharge, that will vary depending on the analysis and turnaround requirements

(2) Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS
 Division: WATERWORKS, WASTEWATER & STORM

D: SEWER USE BY-LAW 14-090 FEES AND CHARGES

Service Offered	2021 Approved Fee or Charge
To Regulate the Discharge of any Matter into the Sanitary, Combined, and Storm Sewer Systems.	
Annual permit to discharge hauled sewage	\$329.00
<u>Discharge fees for hauled sewage generated:</u>	
Inside the City - Compliant	
Note: Cost per truck full of sewage containing materials within Sewer Use By-law limits	
up to 1000 imperial gallons (4.54 m3) or any part thereof	\$51.15
greater than 1000 (4.54 m3) but less than or equal to 3500 imperial gallons (15.9m3)	\$51.15
greater than 3500 (15.9 m3) but less than or equal to 5000 imperial gallons (22.7 m3)	\$102.30
greater than 5000 (22.7 m3) but less than or equal to 8000 Imperial gallons (36.3 m3)	\$153.45
greater than 8000 (36.3 m3) but less than or equal to 10000 imperial gallons (45.43 m3)	\$204.60
Inside the City - Non-Compliant	
Note: Cost per truck full of sewage containing materials that exceed one or more Sewer Use By-law limits	
up to 1000 imperial gallons (4.54 m3) or any part thereof	\$51.15
greater than 1000 (4.54 m3) but less than or equal to 3500 imperial gallons (15.9m3)	\$102.30
greater than 3500 (15.9 m3) but less than or equal to 5000 imperial gallons (22.7 m3)	\$153.45
greater than 5000 (22.7 m3) but less than or equal to 8000 imperial gallons (36.3 m3)	\$255.75
greater than 8000 (36.3 m3) but less than or equal to 10000 imperial gallons (45.43 m3)	\$306.90

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

D: SEWER USE BY-LAW 14-090 FEES AND CHARGES, CONTINUED

Service Offered	2021 Approved Fee or Charge
<u>Holding Tank for a Recreational Vehicle</u>	
Discharge fee for holding tank of a recreational vehicle	\$8.50
<u>Overstrength Discharge Fees (charge per kg)</u>	
Biochemical oxygen demand	\$0.80
Total suspended solids	\$0.64
Total phosphorus	\$1.89
Total kjeldahl nitrogen	\$1.02
Oil and grease (animal/vegetable)	\$0.45
Surcharge Discharge Fee (charge per m ³)	\$1.82
<u>Application Fees for Sewer Discharge Permits</u>	
Application Fee (all permit types)	\$641.93
Wastewater Characterization deposit (optional)	\$500.00
Amendment Fee (all permit types)	\$301.38
<u>Administrative Fees for Sewer Discharge Permits</u> (charges per quarter*)	
Overstrength Discharge Permit	\$435.00
Surcharge Discharge Permit	\$435.00
Compliance Discharge Permit	\$1,071.00
Chlorides Discharge Permit	\$435.00
Conditional Discharge Permit	\$1,071.00
Information Requests	\$153.88
<u>Wastewater Sampling Fees</u>	
Wastewater Sampling Vehicle Fee (per km)	\$1.23
Wastewater Sampling Equipment Fee (per day)	\$39.68
Wastewater Sampling Technician Fee (per hour) Mon - Fri	\$50.64
Wastewater Sampling Technician Fee (per hour) Sat	\$75.96
Wastewater Sampling Technician Fee (per hour) Sun	\$101.28

*multiple permit holders pay the higher administrative fee (for example, if the permit holder has both an Overstrength Discharge Permit and a Compliance Program Permit, they will pay \$1,071.00 per quarter).

Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: Public Works

Division: WATERWORKS, WASTEWATER & STORM

E: SANITARY SURCHARGE AND WASTEWATER ABATEMENT BY-LAW 03-272 FEES AND CHARGES

Service Offered	2021 Approved Fee or Charge
Application Processing Fee (section 10)	\$381.99 plus full cost recovery for peer review, if required by Director
Annual Administration Fee (where annual Abatement exceeds \$500 - sub-section 22 (b))	\$760.21

Note: Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES

Effective January 1, 2021

Department: PUBLIC WORKS

Division: WATERWORKS, WASTEWATER & STORM

F: BACKFLOW PREVENTION BY-LAW 10-103 FEES AND CHARGES

Service Offered	2021 Approved Fee or Charge
BACKFLOW PREVENTION PROGRAM	
Annual Fee (in accordance with Section 4.2 of the Backflow Prevention By-law)	\$139.88 per year to be paid by person listed on Authorized Functions List
Test Report receipt and processing (per submission)	\$64.26 with submission of each Test Report to the City of Hamilton
Cross Connection Survey Form - receipt and processing	\$166.24 with submission of each Cross Connection Survey Form to the City of Hamilton
Backflow Prevention Device Inspection - Regular Hours	\$145.95
Backflow Prevention Device Inspection - After Hours	\$206.90

Note:

1. "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
2. "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
3. Fees do not include HST which will be added where applicable.

WATER AND WASTEWATER FEES AND CHARGES
Effective January 1, 2021

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

G: PRIVATE FIRE LINE RATES

Service Offered		2021 Approved Fee or Charge
Size of Connection		
mm	inches	
25	1	\$3.73
38	1.5	\$8.58
50	2	\$14.92
75	3	\$33.57
100	4	\$59.68
150	6	\$134.28
200	8	\$238.72
250	10	\$238.72
300	12	\$238.72

Note:

1. Fees do not include HST which will be added where applicable.

2. The service shall consist of permanent unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow protection devices.

WATER AND WASTEWATER FEES AND CHARGES
Effective January 1, 2021

Department: PUBLIC WORKS
Division: WATERWORKS, WASTEWATER & STORM

H: OTHER

Service Offered	2021 Approved Fee or Charge
Environmental Records Search PRISM Reports related to soil contamination	\$163.00
Environmental Assessments and Master Plans Reports	\$16.02
Additional fee per page of Report	\$0.10

Fees do not include HST which will be added where applicable.

Authority: Item 2, General Issues Committee
Report 20-020 (FCS20073)
CM: December 16, 2020
Ward: City Wide

Bill No. 256

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend the Sanitary Surcharge and Wastewater Abatement By-law No. 03-272 and Implement the 2021 Fees and Charges

WHEREAS on September 24, 2003, the Council of the City of Hamilton passed By-law No. 03-272, known and referred to as “The Sanitary Surcharge and Wastewater Abatement By-law”;

AND WHEREAS pursuant to sections 8, 9 and 10 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act 2001* or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the *Municipal Act, 2001*;

AND WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality’s property, including property under its control;

AND WHEREAS on the 25th day of November, 2020 the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 20-020 and authorized the 2021 fees and charges set out herein;

AND WHEREAS notice of the 2021 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton’s Public Notice Policy By-law No. 07-351;

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

1. Schedule “A” to By-law No. 03-272 is deleted and replaced with the new Schedule “A” attached to this by-law.
2. Schedule “B” to By-law No. 03-272 is deleted and replaced with the new Schedule “B” attached to this by-law.

3. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2021 until amended, repealed or replaced.
4. This by-law comes into force on January 1, 2021.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

SCHEDULE “A”

Wastewater/Storm Fees and Charges

I. Metered Water Customers

The Wastewater/Storm Fees and Charges consist of a daily wastewater/storm fixed charge and a wastewater/storm treatment charge.

A) Daily Wastewater/Storm Fixed Charge

The daily wastewater/storm fixed charge is not related to the direct costs of consumption and are not dependent upon or related to the amount of consumption incurred. The fixed charges are intended to offset the fixed costs of maintaining the City’s wastewater/storm sewage systems.

Meter Size	Wastewater/Storm Rate
15mm	\$ 0.42
16 mm	\$ 0.42
20 mm	\$ 0.42
21 mm	\$ 0.42
25 mm	\$ 1.05
38 mm	\$ 2.10
50 mm	\$ 3.36
75 mm	\$ 6.72
100 mm	\$10.50
150 mm	\$21.00
200 mm	\$33.60
250 mm	\$48.30
300 mm	\$71.40

Schedule "A" continued

B) Wastewater/Storm Treatment Charges

Wastewater/storm treatment charges are based on metered water consumption and the cost of wastewater collection and treatment, and stormwater management. Charges are on a per cubic meter basis at the rates indicated in the table below. The total monthly wastewater/storm treatment charge is the sum of usage in all blocks at the rate for each block:

		Residential Meter Size <25mm	Residential Meter Size =>25mm and Commercial, Institutional & Industrial
Consumption Block	Monthly Water Consumption (m³)	Rate (\$/m3)	Rate (\$/m3)
1	0-10	0.91	1.82
2	>10	1.82	1.82

II. Non-Metered Water Customers

The non-metered annual wastewater/storm rate is \$664.30 per annum, plus applicable taxes,

Note: The non-metered annual water rate for water supplied by the City of Hamilton is \$620.50 per annum, plus applicable taxes, for a combined total non-metered water and wastewater/storm annual rate of \$1,284.80 per annum, plus applicable taxes.

SCHEDULE "B"

Wastewater Abatement Program

1. (a) Application Processing Fee (Section 10) \$381.99 plus applicable taxes and full cost recovery for peer review, if required by Director
- (b) Annual Administration Fee (where annual Abatement exceeds \$500.00 -sub-section 22(b)) \$760.21 plus applicable taxes

2. In determining whether a Consumer appears to qualify for an Abatement under section 10 of this By-law, the Abatement shall be calculated in accordance with the following formula, based on data from the calendar year prior to the year of application for the Abatement:

A = annual volume (m³) of water supplied to the property from the potable water supply

B = annual volume of water that was sourced from the potable water supply and diverted from the City's sanitary sewage works (if B is less than 25% of A, the Consumer is not eligible for the Abatement; if B is greater than 75% of A, insert a value equal to 75% of A)

C = annual wastewater discharged to the City's sanitary sewer and combined sewer system (C = A – B) or C = actual measured value using sewer flow monitoring if required by the Director

D = infiltration and inflow add back (D = C x 133%: add back adjustment of 33% to the volumetric charge so that all ratepayers continue to pay an equal portion of the treatment costs associated with inflow and infiltration)

E% = wastewater Abatement in percentage

Step 1: A – B = C; or C = actual measured value using sewer flow monitoring if required by the Director

Step 2: D = C x 133%

Step 3: E% = $\frac{A - D}{A} \times 100$

Schedule "B" continued

3. If an Abatement is authorized for a Consumer in accordance with this By-law, the Abatement will be applied quarterly each year in accordance with the following formula:

F = actual volume (m³) of potable water supplied to the property by the City during the previous quarter

G = volume (m³) of water eligible for the Abatement during the previous quarter

H = wastewater/storm treatment charge (see Schedule "A" to this By-law)

\$I = dollar amount of Abatement for the billing period

Step 4: $F \times E\% = G$

Step 5: $G \times H = \$I$

Authority: Item 2, General Issues Committee
Report 20-020 (FCS20073)
CM: December 16, 2020
Ward: City Wide

Bill No. 257

**CITY OF HAMILTON
BY-LAW NO. 20-**

**To Amend the Waterworks By-law No. R84-026
and Implement the 2021 Fees and Charges**

WHEREAS pursuant to sections 8, 9 and 10 of the *Municipal Act, 2001*, a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act, and respecting services that the municipality considers necessary or desirable for the public, including the provision of public utilities such as water and sewage, as defined in the *Municipal Act, 2001*;

AND WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001* authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 25th day of November, 2020, the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 20-020 and authorized the 2021 fees and charges set out herein;

AND WHEREAS notice of the 2021 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton's Public Notice Policy By-law No. 07-351.

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

1. Schedule "A" to By-law No. R84-026 is deleted and replaced with the new Schedule "A" attached to this by-law.
2. Schedule "C" to By-law No. R84-026 is deleted and replaced with the new Schedule "C" attached to this by-law.
3. Schedule "E" to By-law No. R84-026 is deleted and replaced with the new Schedule "E" attached to this by-law.
4. Schedule "G" to By-law No. R84-026 is deleted and replaced with the new Schedule "G" attached to this by-law.

To Amend the Waterworks By-law No. R84-026
and Implement the 2021 Fees and Charges

Page 2 of 15

5. Schedule "H" to By-law No. R84-026 is deleted and replaced with the new Schedule "H" attached to this by-law.
6. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2021 until amended, repealed or replaced.
7. This by-law comes into force on January 1, 2021.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

SCHEDULE "A"

NON-METERED WATER RATES
EFFECTIVE JANUARY 1, 2021*

The non-metered annual water rate for water supplied by the City of Hamilton is:

\$620.50 per annum.

Note: The non-metered annual wastewater/storm rate is \$664.30 per annum, for a combined total non-metered water and wastewater/storm annual rate of \$1,284.80 per annum.

*Fees above do not include HST which will be added where applicable.

SCHEDULE "C"

MISCELLANEOUS RATES FOR WATER
EFFECTIVE JANUARY 1, 2021*

(Referred to in sub-sections 12(6), (7) and (8))

1. **Travelling Shows and Other Temporary Occasions**

Applicants for travelling shows or applicants for other temporary occasions shall pay a deposit of Six Thousand, Three Hundred Dollars (\$6,300.00), which consists of:

- (a) Three Hundred Dollars (\$300.00) as a usage deposit (to be applied to the cost of temporary connection/ disconnection, the per diem rental cost for the fire hydrant adapter and the amount due for water used); and
- (b) Six Thousand Dollars (\$6,000.00) as a damage deposit (refundable upon return to the City of the fire hydrant adapter, less any damages incurred).

The fee for connecting and disconnecting the water service and for the fire hydrant adapter rental are set forth in Section 7 of Schedule "E" to this By-law and are in addition to the applicable metered water rate set out in Schedule "G" to this By-law.

2. **Public Water Filling Stations**

- (a) The rate payable by water users for water supplied to tank trucks at the Public Water Filling Stations is \$2.55 per cubic metre or part thereof. The Public Water Filling Stations are located at:
 - (i) Cormorant Road, Ancaster
 - (ii) Dartnall Road, Hamilton.
- (b) Annual Water Haulage License Fee \$57.82

3. **Private Water Filling Stations**

New Water Haulage customers be required to use the water stations and that no new private water connections be approved for new or existing

Water Haulers; only water stations provided by the City of Hamilton are to be used to fill tank trucks.

The annual permit fee for both existing Private Water Filling Stations and new Private Water Filling Stations approved by the General Manager of Public Works is \$408.16 and is payable by the Owner of the Private Water Filling Station within one month of the notification by the City.

4. Areas Outside the City of Hamilton

The rate for water supplied to municipalities for the Owner or Occupant of any lands outside the City of Hamilton is the applicable metered water rates set forth in Schedule "G" to this By-law, plus such other surcharge and rate of return as may be specifically defined in the agreement between the City and the municipality, Owner or Occupant of the lands outside the City of Hamilton.

* Fees above do not include HST which will be added where applicable.

SCHEDULE "E"

TABLE OF FEES FOR VARIOUS SERVICES*
EFFECTIVE JANUARY 1, 2021

1. Permit fees associated with the supply and installation of water meter and remote reading device, inspection and the turning on of the water, as referred to in clause 4(1)(b) of By-law R84-026, as amended.

Size of Water Meter	Fee
16 mm displacement	\$ 359.70
20 mm displacement	\$ 404.60
21 mm displacement	\$ 404.60
25 mm displacement	\$ 559.40
38 mm displacement	\$ 905.08
50 mm displacement	\$ 1,218.80
50 mm compound	\$ 3,316.40
100 mm compound	\$ 5,304.84
150 mm compound	\$11,495.85
150 mm fire service compound	\$14,215.97
200 mm fire service compound	\$19,450.06
250 mm fire service compound	\$25,297.11
Radio Remote Read Equipment Installation	\$ 217.59

Approval by the Supervisor of Meter Operations and Cross Connection is required for new water installations of alternative meter types not shown above.

2. Water Meter Removal Fee

Size of Water Meter	Fee
16 mm displacement	\$116.19

20 mm displacement	\$116.19
21 mm displacement	\$116.19
25 mm displacement	\$116.19
38mm – 250 mm (cost depends on size, labour, and meter location)	Cost + 10% overhead

3. Water Meter Inspection Services
 - (a) Inspection – Regular Hours \$119.44
 - (b) Inspection – After Hours \$156.77

4. Upsize Water Service Connection from 20mm to 25mm \$156.55
Note: Charge for upsizing the water service connection (public portion) when water service connection replacement is already being completed by the City.

5. Turning Water Off or On
Note: Turning water off at the curb to enable a property owner to complete internal plumbing repairs, or a private water service repair or replacement, and then turning the water back on.
 - (a) For turning water off and on (Regular Hours) – 2 visits \$127.40
 - (b) For turning water off and on (After Hours/Emergency) – 2 visits \$214.30
 - (c) For turning water off and on during the same visit – ½ hour maximum (Regular Hours) \$85.54
 - (d) For turning water off and on during the same visit – ½ hour maximum (After Hours) \$117.12
 - (e) For turning water off (non-compliance) - ½ hour maximum (Regular Hours) \$85.54
 - (f) For turning water on (non-compliance) - ½ hour maximum (Regular Hours) \$85.54

6. Hydrant flow test / Water Quality Flushing \$109.31
Note: Cost to operate a City Fire Hydrant(s) for a maximum of 1 hour total labour

7. For temporary connections and disconnections (hydrant\road adapter fees):**
Note: Costs to install or remove water meter and backflow prevention device. When moving a hydrant\road adapter from one site to another for the same customer, both removal and installation fees apply. This service requires a usage deposit and a damage deposit.

To Amend the Waterworks By-law No. R84-026
and Implement the 2021 Fees and Charges

Usage cost (metered water rate) plus connection/disconnection fee

- (a) Connection/Disconnection Fee – Regular Hours \$151.14/visit
- (b) Connection/Disconnection Fee – After Hours/Emergency \$285.53/visit
- (c) Hydrant/road adapter rental (for initial 7 days) \$82.56
- (d) Per diem charge for fire hydrant adapter rental (after initial 7 days) \$6.13/day

8. Replacement Cost for Lost or Broken Water Meter and Attachments

Size of Meter	Cost
15 mm displacement	\$ 284.45
16 mm displacement	\$ 284.45
20 mm displacement	\$ 342.24
21 mm displacement	\$ 342.24
25 mm displacement	\$ 407.74
38 mm displacement	\$ 1,082.62
50 mm turbine	\$1,401.13
50 mm displacement	\$1,596.50
50 mm compound	\$2,069.60
50 mm strainer	\$454.61
100 mm turbine	\$7,212.18
100 mm compound	\$5,273.63
100 mm fire service turbine	\$8,855.57
100 mm fire service compound	\$10,555.28
100 mm magnetic flow meter	\$9,855.25
100 mm fire rated magnetic flow meter	\$10,290.10
100 mm strainer	\$910.34

To Amend the Waterworks By-law No. R84-026
and Implement the 2021 Fees and Charges

150 mm turbine	\$6,970.78
150 mm compound	\$9,525.73
150 mm fire service turbine	\$10,968.91
150 mm fire service compound	\$13,949.23
150 mm magnetic flow meter	\$11,006.20
150 mm fire rated magnetic flow meter	\$12,170.80
150 mm strainer	\$1,447.69
200 mm turbine	\$7,150.30
200 mm compound	\$10,812.26
200 mm fire service turbine	\$14,454.48
200 mm fire service compound	\$19,466.10
200 mm magnetic flow meter	\$13,177.47
200 mm fire rated magnetic flow meter	\$14,395.02
200 mm strainer	\$2,107.80
250 mm turbine	\$12,946.04
250 mm magnetic flow meter	\$13,969.71
250 mm fire rated magnetic flow meter	\$16,225.00
250 mm fire service turbine	\$21,296.60
250 mm fire service compound	\$25,704.87
250 mm strainer	\$3,533.73

9. Testing water meters, referred to in Section 9 of this By-law

15 and 16 mm diameter	\$ 314.56
16 – 25 mm diameter (where removed from	\$ 195.79

service within prior 90 days)	
20 mm diameter	\$ 364.89
25 mm diameter	\$ 443.85
38 mm diameter	\$ 914.18
50 mm diameter	\$1,542.08
100 mm plus diameter (in situ testing)	\$ 930.42

10. Water Quality/Quantity Service Calls

Note: Cost for a service call to investigate a water quality/quantity complaint and the issue resides on private property. No charge for water quality/quantity complaints related to issues originating from the City's distribution system. Missed appointments will be billed the corresponding service call rate.

- (a) Service Call – Regular Hours – Maximum 1 hour total labour \$ 85.57
- (b) Service Call – After Hours/Emergency – Maximum 1 hour total labour \$149.93

11. Hydrant Repair, Replace or Relocate

Note: cost to repair, replace or relocate a City fire hydrant.
Fee includes labour, materials and equipment.

cost plus 33%
overhead

12. Watermain Shutdown

Note: Cost associated with isolating a watermain to facilitate third party work.

- (a) Watermain Shutdown/Recharge – Regular Hours \$133.06
- (b) Watermain Shutdown/Recharge – After Hours/Emergency \$239.68

13. Construction Water fees:

Note: Charge for unmetered water used for construction prior to meter installation. Paid at the time of submitting building permit payment.

- Single residential (per lot or townhouse) \$103.70

14. Water Inspection Services:

Note: Cost associated with various permit and inspection services related to water services for properties.

- (a) Private Water Service Repair/Replacement Inspection
– Regular Hours \$95.80
- (b) Private Water Service Repair/Replacement Inspection

	– After Hours/Emergency	\$163.01
	(c) Water Service Abandonment Inspection – Regular Hours	\$ 85.57
	(d) Water Service Abandonment Inspection – After Hours/Emergency	\$152.77
	(e) Water Service Inspection for Demolition – Regular Hours	\$85.57
	(f) Water Service Inspection for Demolition – After Hours/Emergency	\$152.77
	(g) Missed or Cancelled Inspection	\$61.82
15.	General Administration Fees:	
	Account Review	\$ 87.91
	General Administrative Request (per hour)	\$ 69.76
	NSF Fee	\$ 36.10
	Permit Cancellation Administration Fee	\$ 41.29
	Permit Renewal Fee	\$ 41.29
	Lead Water Service Replacement Loan Application Fee	\$ 51.92
	Monthly AMI Manual Meter Read Fee	\$ 3.00
	Water Shut Off	\$ 22.60
	Water Shut-off – Notice on Door	\$ 31.92
	AMI Consumption History Fee	\$ 12.79
16.	Miscellaneous Water Distribution System Repair	cost plus 33%
	<u>Note:</u> Cost for the City to repair damage to the water distribution system caused by a third party. Costs include labour, parts, materials, equipment and permanent restoration.	overhead
17.	Additional Labour Charges:	
	Fees in this Schedule “E” allow for maximum one hour of total labour unless otherwise specified. An additional labour charge for all services/calls that exceed that allotted labour time will be charged as follows:	
	½ Hour Additional Labour – Regular Hours	\$23.76
	½ Hour Additional Labour – After Hours/Emergency	\$35.62

Costs are for a single Water Distribution Operator in minimum increments of 30 minutes.

Notes to Schedule “E”:

- * Fees do not include HST which will be added where applicable.
- ** This service requires a \$6,300.00 deposit (\$300.00 usage deposit and \$6,000.00 damage deposit).

“Regular Hours” means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.

“After Hours” means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.

"Emergency" means any occurrence where staff and/or equipment must be re-deployed from previously assigned task(s) to respond to a time-sensitive request for services/call made under this By-law.

SCHEDULE "G"

METERED WATER RATES

EFFECTIVE JANUARY 1, 2021

The metered water rates consist of a daily water fixed charge and a metered water consumption charge.

A) **Daily Water Fixed Charge**

The daily water fixed charge is not related to the direct costs of consumption and are not dependent upon or related to the amount of consumption incurred. The fixed charges are intended to offset the fixed costs of maintaining the Waterworks.

Meter Size	Water Rate
15mm	\$ 0.38
16 mm	\$ 0.38
20 mm	\$ 0.38
21 mm	\$ 0.38
25 mm	\$ 0.95
38 mm	\$ 1.90
50 mm	\$ 3.04
75 mm	\$ 6.08
100 mm	\$ 9.50
150 mm	\$19.00
200 mm	\$30.40
250 mm	\$43.70
300 mm	\$64.60

B) Metered Water Consumption Charges

Water consumption shall be charged on a per cubic metre basis at the rates indicated in the table below. The total monthly metered water consumption charge is the sum of usage in all blocks at the rate for each block:

		Residential Meter Size <25mm	Residential Meter Size =>25mm and Commercial, Institutional & Industrial
Consumption Block	Monthly Water Consumption (m³)	Rate (\$/m3)	Rate (\$/m3)
1	0-10	0.85	1.70
2	>10	1.70	1.70

Note to Schedule “G”:

Wastewater/storm fees and charges are as set out in By-law No. 03-272 and in the Water and Wastewater/Storm Fees and Charges By-law.

Fees do not include HST which will be added where applicable.

SCHEDULE “H”

PRIVATE UNMETERED FIRE LINE FEES

EFFECTIVE JANUARY 1, 2021

(referred to in Section 11(4))

Size of Connection		Monthly Fees or Charges
mm	inches	
25	1	\$ 3.73
38	1.5	\$ 8.58
50	2	\$ 14.92
75	3	\$ 33.57
100	4	\$ 59.68
150	6	\$134.28
200	8	\$238.72
250	10	\$238.72
300	12	\$238.72

Note:

1. Fees do not include HST which will be added where applicable.
2. The service shall consist of permanent unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow protection devices.

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2021 Fees and Charges

WHEREAS on February 15, 2006, the Council of the City of Hamilton passed By-law No. 06-026, known and referred to as “The Sewer and Drain By-law”, which by-law came into force on March 1, 2006;

AND WHEREAS sections 9, 10 and 391 of the *Municipal Act, 2001*, authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality’s property, including property under its control;

AND WHEREAS on the 25th day of November, 2020, the Council of the City of Hamilton approved Item 2 of General Issues Committee Report 20-020 and authorized the 2021 fees and charges set out herein;

AND WHEREAS notice of the 2021 fees and charges set out herein has been given in accordance with the provisions of the City of Hamilton’s Public Notice Policy By-law No. 07-351;

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

1. Schedule “A” to By-law No. 06-026 is deleted and replaced with the new Schedule “A” attached to this by-law.
2. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2021 until amended, repealed or replaced.
3. This by-law comes into force on January 1, 2021.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

SCHEDULE "A"

SCHEDULE OF FEES AND CHARGES
Effective January 1, 2021

1. The following fees are payable for the sewer permit, which fees include a visual inspection of a Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion, or both, to confirm the Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion, or both, have been installed or repaired to the City of Hamilton specifications and in accordance with a sewer permit:

(a)	Regular Hours inspection	\$99.15
(b)	After Hours/Emergency inspection	\$212.33

2. In addition to the fee described in section 1 of this Schedule "A", the following sewer permit fee is payable for a CCTV inspection of a Main Sewer where determined by the General Manager of Public Works to be necessary to confirm that a Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion, or both, have been installed or repaired to the City of Hamilton specifications and in accordance with a sewer permit:

Main Sewer inspection	Cost plus 33% overhead
-----------------------	------------------------

3. Sewer-related service calls on private property
Note: Cost for service call to investigate a sewer related complaint where the issue is determined to be on private property. No charge for sewer complaints related to issue originating from the City's sewer system. Missed appointments will be billed the corresponding service call rate.

(a)	Service Call - Regular Hours	\$88.15
(b)	Service Call - After Hours/Emergency	\$179.33

4. Missed or Cancelled Inspection Fee \$70.86

5. Sewer Lateral Cleaning and Investigation Fees:

(a)	Complete Sewer Lateral Investigation – Regular Hours	\$414.03
(b)	Complete Sewer Lateral Investigation – After Hours	\$457.33

(c)	Partial Sewer Lateral Cleaning – Regular Hours	\$135.30
(d)	Partial Sewer Lateral Cleaning – After Hours	\$189.43
(e)	Abandoned Sewer Lateral Investigation- Regular Hours	\$216.49
(f)	Abandoned Sewer Lateral Investigation – After Hours	\$270.61
6.	Miscellaneous Wastewater Collection System repair – for damage caused by a third party	Cost + 33% overhead
7.	Additional Labour Charges: Fees in Section 1 and 3 of this Schedule A allow for maximum one hour of total labour. An additional labour charge for all services/calls that exceed that allotted labour time will be charged as follows:	
	½ hour additional labour – Wastewater Collection – Regular Hours	\$22.79
	½ hour additional labour – Wastewater Collection – After Hours/Emergency	\$34.20

Notes to Schedule “A”:

1. Fees do not include HST which will be added where applicable.
2. "Regular Hours" means any working day, 7:00 a.m. - 4:30 p.m. Monday to Friday, excluding weekends, statutory and other public holidays or any other day on which the City has elected to be closed for business.
3. "After Hours" means outside Regular Hours Monday to Friday, a Saturday, Sunday, statutory and other public holiday or any other day on which the City has elected to be closed for business.
4. "Emergency" means any occurrence where staff and/or equipment must be re-deployed from previously assigned task(s) to respond to a time-sensitive request for services/call made under this By-law.
5. "Partial Sewer Lateral Cleaning" means services to relieve blockage(s) in the Sewer Lateral in order to temporarily reinstate sewer service.
6. "Complete Sewer Lateral Investigation" means services to complete a thorough cleaning and closed circuit television inspection of the Sewer Lateral.
7. "Abandoned Sewer Lateral Investigation" means services related to an unsuccessful attempt to access the Sewer Lateral for cleaning.

Authority: Item 8, Planning Committee
Report 20-015 (PED20210)
CM: December 16, 2020
Ward: City Wide
Bill No.

CITY OF HAMILTON
BY LAW NO. 20-
To Amend By-law No. 15-058,
A By-law Respecting Building Permits and Related Matters

WHEREAS Council of the City of Hamilton desires to amend By-law No. 15-058, the Building By-law, to change Building Permit Fees;

AND WHEREAS public notice has been given and a public meeting held as required for this By-law, in addition to other public consultation;

AND WHEREAS section 7 of the *Building Code Act, 1992* authorizes Council of the City of Hamilton to pass by-laws concerning the issuance of permits and related matters;

AND WHEREAS sections 8, 9, and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular, paragraphs 3, 5, 6 and 8 of subsection 10(2) authorize by-laws respecting the financial management of the municipality, the economic, social, and environmental well-being of the municipality, the health, safety and well-being of persons and the protection of persons and property;

AND WHEREAS section 391 of the *Municipal Act, 2001* authorizes the City of Hamilton to pass by-laws to impose fees or charges on persons for services provided done by or on behalf of the City of Hamilton;

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

1. That subsection 4.3 of By-law No. 15-058 be deleted and replaced with the following subsection:

“4.3 In addition to the requirements of subsections 4.1 and 4.2 above, every demolition permit application shall:

(a) include, when subsection 1.2.2 of Division C of the Building Code applies, details of the structural design characteristics of the building and the method and proposed time schedule of the demolition;

(b) provide written confirmation from the relevant authorities that arrangements have been made with the authorities for the termination

and capping of all the water, sewer, gas, electric, telephone or other utilities and services connected to the property; and

(c) include a completed Demolition Application Checklist.

2. The following paragraph is to be added to By-law No. 15-058:

“5.1(5) Permit applications submitted through the ePLANS online service at eplans.hamilton.ca shall conform to this By-law and to the “File Naming Standards Guide” and “Submission Standards Guide” found at www.hamilton.ca/eplans.”

3. The following paragraph is to be added to By-law No. 15-058:

“7.2(4) A request for deferral of revocation is subject to an additional 5% refund reduction in accordance with Subsection 1(e) of Schedule “B” when a permit is subsequently revoked.”

4. Schedule “A” of By-law No. 15-058 is deleted and replaced with Schedule “A” attached to and forming part of this By-law.

5. Schedule “C” of By-law No. 15-058 is deleted and replaced with Schedule “C” attached to and forming part of this By-law.

6. This By-law comes into force on January 1, 2021.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

**SCHEDULE “A” TO BUILDING BY-LAW NO. 15-058
RESPECTING CLASSES OF PERMITS AND FEES**

PERMIT FEES

1. Permit fees shall be calculated based on the formula given below, unless otherwise specified in this schedule:

$$\text{Permit Fee} = \text{SI} \times \text{A}$$

Where SI = Service Index for the applicable Classification under Section 3 below of the work proposed, and A = floor area in m² of work involved.

2. (a) Permit fees shall be rounded off to the nearest full dollar.
- (b) Where the permit fee is in excess of \$50,000 an applicant may elect to pay 55% of the full permit fee at the time of building permit application and the balance at the time of permit issuance.
- (c) Fees noted in this Schedule are subject to Harmonized Sales Tax (H.S.T.) where applicable.

CLASSES OF PERMITS AND FEES

3. Permit fees shall be calculated using the following table:

TABLE 1 – CLASSES OF PERMITS AND FEES

Minimum Fee	
Minimum fee for processing and issuance of permits, except where specifically noted otherwise in this By-law	\$259
Group A (Assembly Occupancies)	Service Index (SI) \$/m ² unless otherwise indicated
All Recreation Facilities, Elementary Schools, Daycare Facilities, Libraries, Places of Worship, Restaurants, Theatres, Arenas, Gymnasiums, Indoor Pools, Secondary Schools and all other Group A Buildings	\$24.18
Portable Classrooms	\$386 (flat fee)
Shell only	\$20.99
Finishing only	\$5.49
Non-Residential – Outdoor Patio	\$194 (flat fee)

Group B (Institutional Occupancies)	Service Index (SI) \$/m ² unless otherwise indicated
Institutional, Hospitals, Medical Care Facilities, Nursing Homes, and other Group B Buildings	\$28.90
Shell only	\$23.12
Finishing only	\$6.39
Group C (Residential Occupancies)	Service Index (SI) \$/m ² unless otherwise indicated
Single Family Dwelling, semi, duplex, row house, townhouse	\$16.28
Apartment buildings	\$16.28
Hotels, Motels	\$21.53
Group D (Business and Personal Services)	Service Index (SI) \$/m ² unless otherwise indicated
Office Buildings (up to 10 storeys) (Shell only)	\$16.25
Office Buildings (up to 10 storeys) (Finishing only)	\$5.20
Office Buildings (up to 10 storeys) (Finished)	\$21.45
Office Buildings (more than 10 storeys) (Shell only)	\$19.65
Office Buildings (more than 10 storeys) (Finishing only)	\$5.52
Office Buildings (more than 10 storeys) (Finished)	\$25.16
Group E (Mercantile)	Service Index (SI) \$/m ² unless otherwise indicated
Retail (Shell only)	\$13.33
Retail (Finishing only)	\$4.50
Retail (Finished)	\$17.84
Group F (Industrial)	Service Index (SI) \$/m ² unless otherwise indicated
Industrial (Shell only)	\$8.08
Industrial (Finishing only)	\$4.42
Industrial (Finished)	\$12.52

Group F (Industrial) (continued)	Service Index (SI) \$/m ² unless otherwise indicated
Parking Garages	\$7.38
Gas Stations	\$13.46
Subsurface Works (in addition to the regular permit fee)	Flat Fee Unless otherwise indicated
Foundation Permits	
Residential under Part 9 of Division B of the Building Code	\$402
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (up to 1200 m ²)	\$1,000
Residential/Commercial/Industrial/Institutional under Part 3 of Division B of the Building Code (greater than 1200 m ²)	\$3,002
Excavation and Shoring	\$11.10 per linear metre
New water service (low density residential only)	\$166
New water service when included with a complete building permit application for a new building (low density residential only)	\$149
New sewer service (low density residential only)	\$166
New sewer service when included with a complete building permit application for a new building (low density residential only)	\$149
Designated Structures	Flat Fee
Communication Tower, Crane Runway, Retaining Wall, Silos	\$465
Exterior Storage Tanks – Above and below ground (except for fire fighting water reservoirs)	\$465
Pedestrian Bridge/Walkway	\$465
Satellite Dish (face area equal to or greater than 5 m ²)	\$465
Outdoor Public Spa	\$952
Outdoor Public Swimming Pool	\$1,885

Fire Protection Systems (stand alone – excludes relocation of components for existing system)	Service Index (SI) \$/m ² unless otherwise indicated
Electromagnetic Locks/Electric Strikes	\$220 each (maximum \$659)
Fire Alarm System	\$386 (flat fee)
Emergency Lighting/Exit Signs	\$386 (flat fee)
Sprinkler System	\$0.64
Standpipe System	\$386 (flat fee)
Combined Sprinkler and Standpipe System	\$0.64 (minimum \$386)
Mechanical Systems (stand alone)	Flat Fee
Commercial Cooking Exhaust System	\$386
Demolition (complete or partial building – not issued under Demolition Control By-law)	Service Index (SI) \$/m ² unless otherwise indicated
Residential – single/two family dwelling and townhouses	\$0.48
Accessory structures to a residential use or partial demolition of a single/two family dwelling and townhouses	\$0.48 (\$166 minimum)
Non-residential and multi residential	\$0.48 (\$412 minimum)
Plumbing Devices (stand alone)	Flat Fee
Backflow Preventer	
For first premise or zone device	\$259
For each additional premise or zone device	\$166
Backwater Valve	\$259
Grease/Oil Interceptor	\$259

Renewable (Green) Energy Systems	Flat Fee
Geothermal System for a Single/Two Family Dwelling	\$465
Geothermal System for all other Buildings	\$623
Solar Collector for a Single/Two Family Dwelling	\$259
Solar Collector for all other Buildings	\$465
Wind Turbine	\$465
Sewage Systems	Flat Fee
To construct a sewage system pursuant to the provisions of the Act	\$899
To construct a Class 5 sewage systems or to repair a sewage system pursuant to the provisions of the Act	\$550
Sewage System Maintenance Inspection Program	\$252
Signs	Flat Fee
Ground Sign with a sign area of less than or equal to 2.5 m ²	\$231
Ground Sign with a sign area of greater than 2.5 m ² and up to 4.0 m ²	\$407
Ground Sign with a sign area greater than 4.0 m ²	\$815
Awning, Canopy, Marquee, Parapet, Projecting and Wall Signs	\$407
Billboard	\$815
Other Classifications (not previously listed)	Service Index (SI) \$/m² unless otherwise indicated
Accessory structures, garage, storage shed, new basement, cold cellar, unenclosed canopies, air supported structures	\$5.84
Farm Buildings	\$2.99
Greenhouses	\$1.79 (Maximum \$5,883)

Other Classifications (not previously listed) (continued)	Service Index (SI) \$/m ² unless otherwise indicated
Tents	\$1.94 (Maximum \$412)
Temporary Structures	
Sales Offices	\$15.91
Construction Trailers	\$12.59
Stages	\$259 (flat fee)
Other Structures (intended to be used for less than 6 months)	\$259 (flat fee)
Residential greenhouses, deck, balcony, open porch, exterior stair, ramp, open carport	\$4.76
Alterations/partitioning/renovations to existing finished areas (where no building systems are being installed or altered), relocation/moving permits, finishing a basement in a single family dwelling	\$3.60
Exterior barrier free access in existing single and two family dwellings	\$0.00
Re-roofing without any structural changes (except for buildings containing less than 4 dwelling units or townhouses)	\$0.31
Administrative Fees	Flat Fee
Additional Plan Review (Resubmission) Where a non-compliant resubmission is submitted above and beyond the first resubmission	\$166 (per hour of review time)
Additional Permit Fee (Revision) Where an applicant makes a material change to a plan, specification, document, or other information, following the issuance of a building permit (includes first hour of review time)	\$166
For each additional hour, or part thereof, of review time	\$166
Alternative Solution Application for an Alternative Solution under Section 2.1, of Division C, of the Building Code (up to 4 hours review time)	\$601
For each additional hour, or part thereof, of review time	\$166
Applicable Law Review Review and consultation for Applicable Law requirements	\$254

Administrative Fees (continued)	Flat Fee
Building Code Compliance Letters Written requests for information concerning a building's compliance with the current Building Code	\$166 (per hour of review time)
Change of Use Permit Change of use Permit with no construction	\$259
Conditional Permit Fee Review and approval of Conditional Permit Agreements/Undertakings	10% of permit fee (minimum \$1,083, maximum \$3,792)
Fire Watch/Fire Plan Review and approval of Fire Watch/Fire Plans during construction	\$542
Limiting Distance Agreements For Review and approval of Limiting Distance Agreements under the Ontario Building Code	\$586
Occupancy Permit of an Unfinished Building Occupancy inspection prior to completion as per Subsection 1.3.3 of Division C of the Building Code	\$166 (per unit)
Permit or Application Extensions Extension of a building permit or permit application where no revisions are required	\$166
Pre-Consultation Building Code preliminary design consultation/review for proposed designs prior to a complete permit application being submitted	\$166 (per hour of review time)
Premature/Additional Inspections Where an inspection request is premature and the inspector must re-attend the site to complete the necessary inspection, or an additional inspection is requested or required	\$220 (per inspection)
Stock Plans Review of stock plans for new single family dwellings in a Plan of Subdivision prior to a complete permit application being submitted	\$421
Suspended Permit Where an inspection is requested for a Permit that has been suspended	\$220 (per inspection)

Administrative Fees (continued)	Flat Fee
Transfer of Permit Where ownership changes on a property and there are no other changes to the project or the professional services required.	\$166

4. Where no new floor area is created, or where materials, systems or equipment regulated by the Building Code render it impossible to determine the permit fee on the basis of the classifications noted in this Schedule, the permit fee payable shall be 1% of the prescribed value as determined by the Chief Building Official under Subsection 6.1 of this By-law, subject to a minimum fee as per Section 3 of this Schedule.
5. The total fees under this Schedule and Schedule "C" shall be paid prior to the issuance of a permit.

6. INTERPRETATION

In addition to referring to the Act and the Building Code in determining the fees under this By-law, the Chief Building Official may have regard to the following explanatory notes as may be needed in the calculation of permit fees:

- (a) Floor area of the proposed work is to be measured to the outer face of exterior walls and to the centre line of party walls or demising walls (but excluding residential garages);
- (b) In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work (e.g. tenant space);
- (c) Mechanical penthouses and floors, mezzanines, lofts, habitable attics and interior balconies are to be included in all floor area calculations;
- (d) Except for interconnected floor spaces, no deduction is made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, and similar openings);
- (e) Unfinished basements for single family dwellings, semis, duplexes and townhouses are not included in the floor area;
- (f) Attached garages and fireplaces are included in the permit fee for individual dwelling units;
- (g) Where interior alterations and renovations require relocation of sprinkler heads or fire alarm components, no additional charge is applicable;

- (h) Corridors, lobbies, washrooms, lounges, and similar areas are to be included and classified according to the major classification for the floor area on which they are located;
- (i) The occupancy categories in the Schedule correspond with the major occupancy classifications in the Building Code. For mixed occupancy floor areas, the Service Index for each of the applicable occupancy categories shall be used and the floor area associated with the major occupancy;
- (j) For Rack Storage use apply the square footage charge for industrial for the building;
- (k) A temporary building is considered to be a building that will be erected for not more than one year; and,
- (l) Where a change of use permit is subject to a fee based on floor area, “floor area” shall mean the total floor space of all storeys subject to the change of use.

SCHEDULE “C”

Percentage Increase in Applicable Permit Fees for Work Commenced or Completed Without Permit

1. An additional fee is required to be paid as set out below when work is commenced without the required permit. The Schedule “C” fees are intended to cover the additional costs associated with the additional administrative and regulatory actions of the City made necessary by the commencement of work without the required permit. The additional fee is calculated as a percentage increase in the permit fee prescribed in Schedule “A”, as follows:

<u>Work Commenced/Completed Prior to Permit Issuance</u>	<u>Applicable Increase in Permit Fee</u>
(a) Footings/Foundations commenced	25%
(b) Structural Framing commenced	50%
(c) Structural Framing completed	75%
(d) Building is completed	100%
(e) Any other work requiring the issuance of a building permit:	
(i) if 25% of the scope of work is completed	25%
(ii) if 50% of the scope of work is completed	50%
(iii) if 75% of the scope of work is completed	75%
(iv) if 100% of the scope of work is completed	100%
(f) Demolition or partial demolition has commenced	100%

Authority: Item 11, Planning Committee
Report 20-015 (PED20214)
CM: December 16, 2020
Ward: City Wide
Bill No. 260

CITY OF HAMILTON
BY-LAW NO. 20-

To Amend City of Hamilton By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties

WHEREAS Council enacted a By-law to Establish a System of Administrative Penalties, being By-law No. 17-225; and

WHEREAS this By-law amends By-law No 17-225;

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

1. The amendments in this By-law include any necessary grammatical, numbering and lettering changes.
2. Schedule A of By-law No17-225 is amended by adding Items 11-15 to Table 23 titled Public Nuisance By-law No. 20-077.

ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 3 SET PENALTY
11	20-077	5	Cause (create, permit) light to shine from the Cultivation of cannabis to cause a Nuisance	\$400.00
12	20-077	6	Owner (occupier) of land shine light from the Cultivation of cannabis to cause a Nuisance	\$400.00
13	20-077	8	Cause (create, permit) odour from the Cultivation of cannabis to cause a Nuisance	\$400.00
14	20-077	9	Owner (occupier) permit odour from land from the cultivation of cannabis to cause a Nuisance	\$400.00
15	20-077	21	Obstruct officer	\$400.00

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 2, Planning Committee
Report: 20-014 (PED20187)
CM: November 25, 2020
Ward: 9

Bill No. 261

CITY OF HAMILTON

BY-LAW NO. 20-

To Adopt:

**Official Plan Amendment No. 141 to the
Urban Hamilton Official Plan**

Respecting:

**56 Highland Road West
(Stoney Creek)**

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

1. Amendment No. 141 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Urban Hamilton Official Plan Amendment No. 141

The following text, together with Appendix “A” – Volume 2, Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. 141 to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan to permit the development of forty-six (46) block townhouse and maisonette dwellings on the subject lands.

2.0 Location:

The lands affected by this Amendment are known municipally as 56 Highland Road West, in the former City of Stoney Creek.

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development will be compatible and complementary with the existing and planned development in the immediate area.
- Adequate servicing and transportation capacity is available for the proposed uses.
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Actual Changes:

4.1 Volume 2 – Secondary Plans

Maps

4.1.1 Map

- a. That Volume 2, Map B.7.6-1 – West Mountain Area (Heritage Green) Secondary Plan – Land Use Plan be amended by redesignating the subject lands from “Low Density Residential 2b” to “Low Density Residential 3c”, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

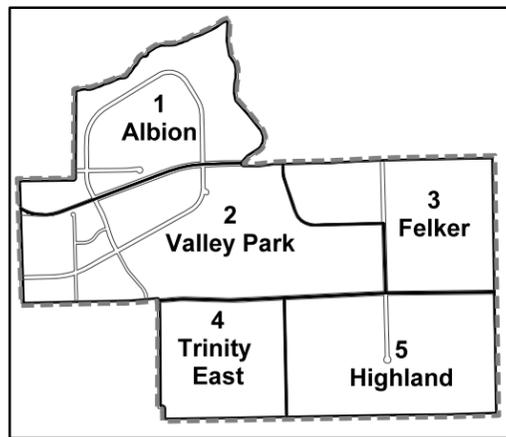
An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 20-261 passed on the 16th day of December, 2020.

**The
City of Hamilton**

F. Eisenberger
MAYOR

A. Holland
CITY CLERK



Appendix A
APPROVED Amendment No. 141
 to the Urban Hamilton Official Plan

Lands to be redesignated from "Low Density Residential 2b" to "Low Density Residential 3c"
 (56 Highland Road West, Stoney Creek)

Date: November 17, 2020	Revised By: TV/NB	Reference File No.: OPA-U-141(S)
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UHOPA NO. 69 APPEALS - PL171450

★
 237 Upper Centennial Parkway
 Appellant # 14

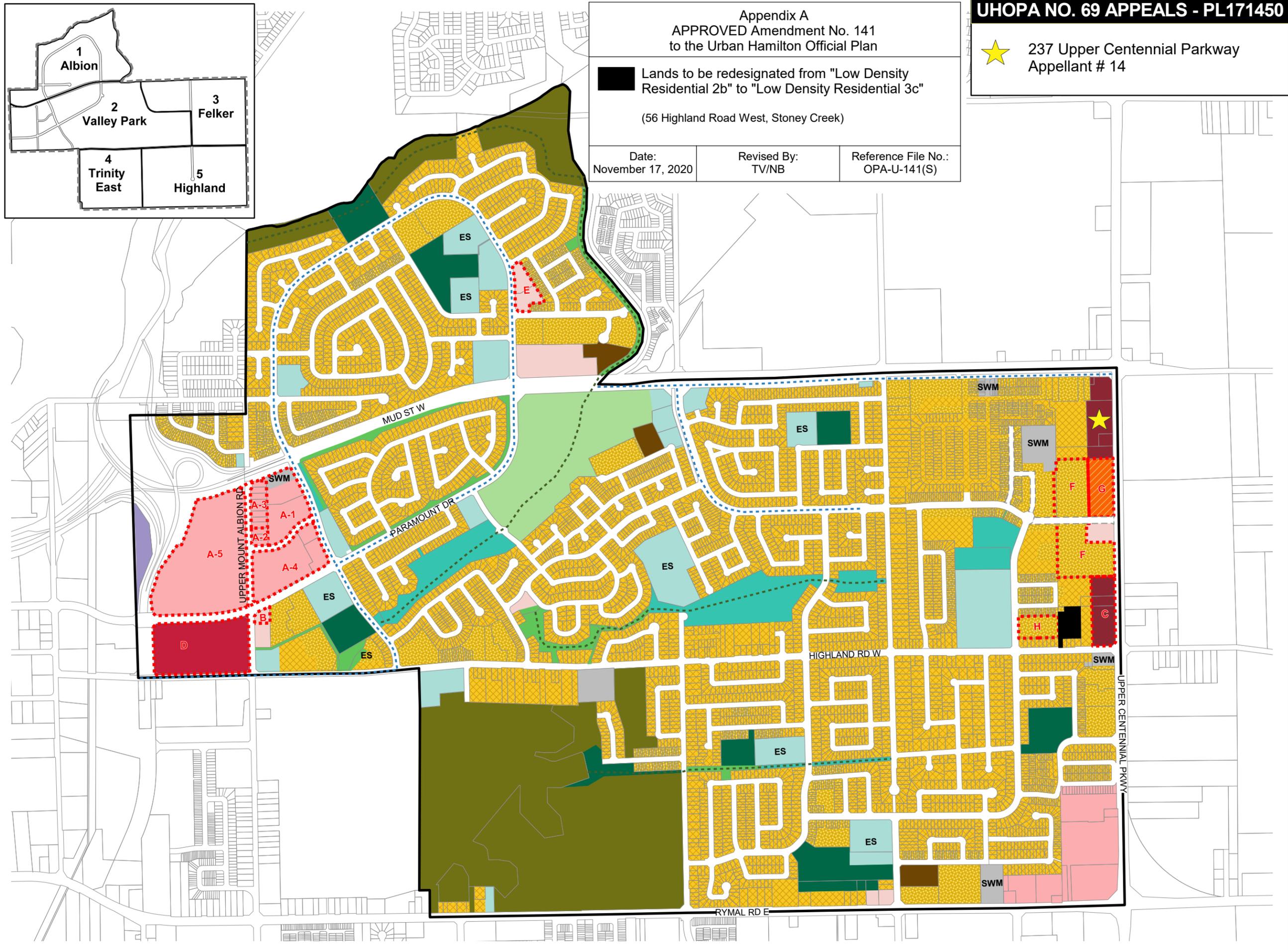
- Legend**
- Residential Designations**
- Low Density Residential 2b
 - Low Density Residential 3c
 - Medium Density Residential 3
 - High Density Residential 1
- Commercial and Mixed Use Designations**
- Local Commercial
 - Mixed Use - Medium Density
 - District Commercial
 - Arterial Commercial
- Parks and Open Space Designations**
- Neighbourhood Park
 - Community Park
 - City Wide Park
 - General Open Space
 - Natural Open Space
- Other Designations**
- Institutional
 - ES** Elementary School
 - Employment
 - Utility
 - SWM** Storm Water Management
- Other Features**
- Area or Site Specific Area
 - On Street Bikeway
 - Off Street Bikeway / Walkway
 - Proposed Roads
 - Secondary Plan Boundary

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

Urban Hamilton Official Plan
West Mountain Area
(Heritage Green)
Secondary Plan
 Land Use Plan
 Map B.7.6-1



Date: March 20, 2020
 PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
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Authority: Item 2, Planning Committee
Report 20-014 (PED20187)
CM: November 25, 2020
Ward: 9

Bill No. 262

CITY OF HAMILTON

BY-LAW NO. 20-

To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 56 Highland Road West, Stoney Creek

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

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

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

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 2 of Report 20-014 of the Planning Committee at its meeting held on the 25th day of November, 2020, which recommended that Zoning By-law No. 3692-92, 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. 141.

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

1. That Map No. 16 of Schedule “A”, appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended is as follows:
 - a. by changing the zoning from the Neighbourhood Development “ND” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding (Block 1); and,
 - b. by changing the zoning from the Single Residential “R2” Zone to the Multiple Residential “RM3-68(H)” Zone, Modified, Holding (Block 2);

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

2. That Subsection 6.10.7, "Special Exemptions" of Section 6.10, Multiple Residential "RM3" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "RM3-68(H)", as follows:

"RM3-68(H)" 56 Highland Road West, Schedule "A" Map No. 16

Notwithstanding the definition of "Dwelling – Maisonette" of Part 2 – Definitions, a "Dwelling – Maisonette" means back-to-back street townhouse dwellings or back-to-back townhouse dwellings containing not more than ten dwelling units within a building which may front on either a public street, a private common element condominium road or both.

Notwithstanding the definition of "Dwelling – Street Townhouse" of Part 2 – Definitions, a "Dwelling – Street Townhouse" means a building containing not less than three and not more than ten dwelling units where each unit is located on a separate lot with frontage on a public street, a private common element condominium road or both and is separated from each adjoining unit by a common or party wall or walls above grade for a minimum height of one storey above grade. Such common or party wall may enclose a heated or unheated part of the dwelling unit or private garage or a combination thereof.

Notwithstanding the definition of "Dwelling – Townhouse" of Part 2 – Definitions, a "Dwelling – Townhouse" means a building containing not less than three and not more than ten dwelling units with each unit separated by a common or party wall or walls, with a separate outside entrance to each unit and which may front on either a public street, a private common element condominium road or both.

Notwithstanding the definition of "Lot", "Street" and "Highway" of "Part 2 – Definitions" and Section 4.6, for the purposes of this By-law, a private common element condominium road shall be deemed a street and that landscaping and visitor parking for the dwelling units fronting onto the private common element condominium road are permitted within the private common element condominium road.

In addition to the provisions/regulations of this By-law, prior to the registration of a plan of subdivision, individual property boundaries of dwelling units created by registration of a condominium plan or created by Part Lot Control, 20 maisonette dwelling units and 26 street townhouse dwelling units, shall be permitted on one parcel of land.

Notwithstanding Subsections 4.16.1 (a) and (b), mechanical and unitary equipment may be located within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum

setback of 0.5 metres from a side lot line and is screened from the street by an enclosure or landscaping; and, within a required side yard or required rear yard provided such equipment has a minimum setback of 0.5 metres from the side lot line or rear lot line.

Notwithstanding Subsection 6.10.3, or any other regulation of this by-law to the contrary, the following regulations shall apply to street townhouses and maisonettes where each dwelling unit is on a separate lot:

(a) Minimum Lot Area

Interior Unit:	150 square metres for street townhouse and 80 square metres for maisonette.
End Unit:	175 square metres for street townhouse and 95 square metres for maisonette.
Corner Unit:	200 square metres for street townhouse and 110 square metres for maisonette.

(b) Minimum Lot Frontage

Interior Unit:	6 metres
End Unit:	7.2 metres
Corner Unit:	7.5 metres

(c) Minimum Front Yard 4.5 metres except 6.0 metres to a garage.

(d) Minimum Side Yard

(i) Interior Unit: 0 metres

(ii) End Unit:

Street Townhouses:	1.2 metres, except: <ol style="list-style-type: none">0.0 metres for the side yard related to the common side lot line;2.33 metres for the street townhouse unit from the east side lot line adjacent to the lands known as 135 Upper Centennial Parkway; and,
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3. 2.95 metres for the street townhouse unit from the south side lot line adjacent to the lands known as 20 and 36 Highland Road West.
- Maisonettes: 1.5 metres, except 0.0 metres for the side yard related to the common side lot line.
- (iii) Corner Unit: 1.5 metres, except 0.0 metres for the side yard related to the common side lot line.
- (f) Minimum Rear Yard 6.0 metres for street townhouses and 0.0 metres for maisonettes.
- (h) Minimum Distance Between Buildings on the Same Lot Shall not apply.
- (i) Maximum Density Shall not apply.
- (j) Maximum Building Height 3 Storeys and 11 metres.
- (k) Maximum Lot Coverage Shall not apply.
- (l) Minimum Privacy Area 36 square metres for each street townhouse unit and 4.0 square metres for each maisonette unit which may include porches, decks, balconies and verandahs.
- (m) Minimum Landscaped Open Space
1. 30 percent of the lot area for each street townhouse unit and 10 percent of the lot area for each maisonette unit.
 2. A minimum 1.5 metre wide landscaped strip shall be provided between the lot line abutting another Residential Zone and a private street, except where there are private streets, driveways or sidewalks.

3. A minimum 1.8 metre high solid fence shall be provided along the lot lines abutting another Residential Zone, except where there are private streets, driveways or sidewalks.

Notwithstanding Subsections 6.1.8 (c) and 6.10.5 (a) and (d), the following regulations shall apply:

- a) Minimum Number of Parking Spaces
2 parking spaces and 0.4 visitor parking spaces per dwelling unit. Tandem parking is permitted for non-visitor parking spaces.
- d) No parking space shall be provided closer than 1.5 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot.

Subsections 4.13.1, 6.1.12, and 6.10.4 shall not apply.

Notwithstanding the provision of Section 3.8 “Holding Zones”, on those lands zoned “RM3-68(H)” by this By-law, the Holding (H) symbol may be removed and thereby give effect to the “RM3-68” Zone provisions, upon completion of the following:

- (a) The owner demonstrating that the existing sanitary sewer on Lormont Boulevard at Picardy Drive can be adequately upsized to provide sufficient capacity to meet City standards and to share in the upgrade costs for development greater than 30 dwelling units, to the satisfaction of the Senior Director, Growth Management.
 - (b) City Council may remove the ‘H’ symbol and thereby give effect to the “RM3-68” (Multiple Residential) Zone, as amended by the special requirements of this By-law, by enactment of an amending By-law once the above condition has been fulfilled.
3. 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 Multiple Residential “RM3” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
 4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAC-16-057



This is Schedule "A" to By-law No. 20-
Passed the day of, 2020

Mayor

Clerk

Schedule "A"
Map forming Part of
By-law No. 20-_____
to Amend By-law No. 3692-92

Subject Property
56 Highland Road West

-  Block 1 - Change in Zoning from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-68(H)" Zone, Modified, Holding
-  Block 2 - Change in Zoning from the Single Residential "R2" Zone to the Multiple Residential "RM3-68(H)" Zone, Modified, Holding

Scale: N.T.S	File Name/Number: ZA-16-057/JHOPA-16-021/25T-201608	 Hamilton
Date: October 8, 2020	Planner/Technician: TV/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

Authority: Item 3, Planning Committee
Report: 20-014 (PED20027)
CM: November 25, 2020
Ward: 11

Bill No. 263

CITY OF HAMILTON

BY-LAW NO. 20-

To Adopt:

**Official Plan Amendment No. 25 to the
Rural Hamilton Official Plan**

Respecting:

**2121 and 2187 Regional Road 56
(former Township of Glanbrook)**

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

1. Amendment No. 25 to the Rural Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Rural Hamilton Official Plan Amendment No. 25

The following text, together with Appendix “A” – Volume 3, Appendix A – Site Specific Area Key Map, attached hereto, constitutes Official Plan Amendment No. 25 to the Rural Hamilton Official Plan.

1.0 **Purpose and Effect:**

The purpose and effect of this Amendment is to establish a Rural Site Specific Area to permit the extension of “lake-based” municipal water services and a connection to municipal wastewater services outside of the *urban area* boundary to service two properties, north of Binbrook Village.

2.0 **Location:**

The lands affected by this Amendment are known municipally as 2121 and 2187 Regional Road 56, in the former Township of Glanbrook.

3.0 **Basis:**

The basis for permitting this Amendment is to facilitate the extension of, and connection to, lake-based municipal water and wastewater services outside of the *urban area*, as per Council direction.

4.0 **Actual Changes:**

4.1 **Volume 3 – Special Policy Areas and Site Specific Areas**

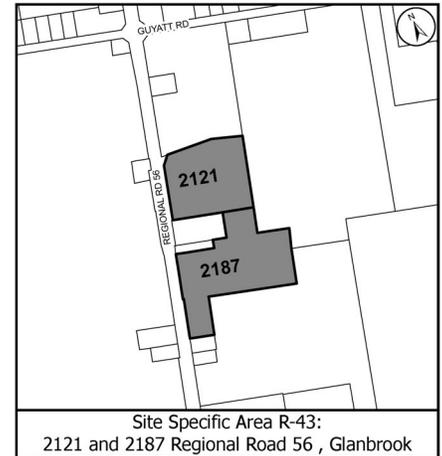
Text

4.1.1 Chapter B – Rural Site Specific Areas

- a. That Volume 3: Chapter B – Rural Site Specific Areas be amended by adding a new Site Specific Area, as follows:

“R-43 Lands Located at 2121 and 2187 Regional Road 56, former Township of Glanbrook

Notwithstanding Policy C.5.3.1 of Volume 1, for lands located at 2121 and 2187 Regional Road 56, extension of and connection to lake-based municipal water and wastewater services shall be permitted.”



Schedules and Appendices

4.1.2 Appendix

- a. That Volume 3, Appendix A – Site Specific Area Key Map be amended by identifying the subject lands as Site Specific Area R-43, as shown on Appendix “A”, attached to this Amendment.

5.0 Implementation:

An implementing Sewer and Water Permit will give effect to the servicing extension/connections on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 20-263 passed on the 16th of December, 2020.

**The
City of Hamilton**

F. Eisenberger
Mayor

A. Holland
City Clerk

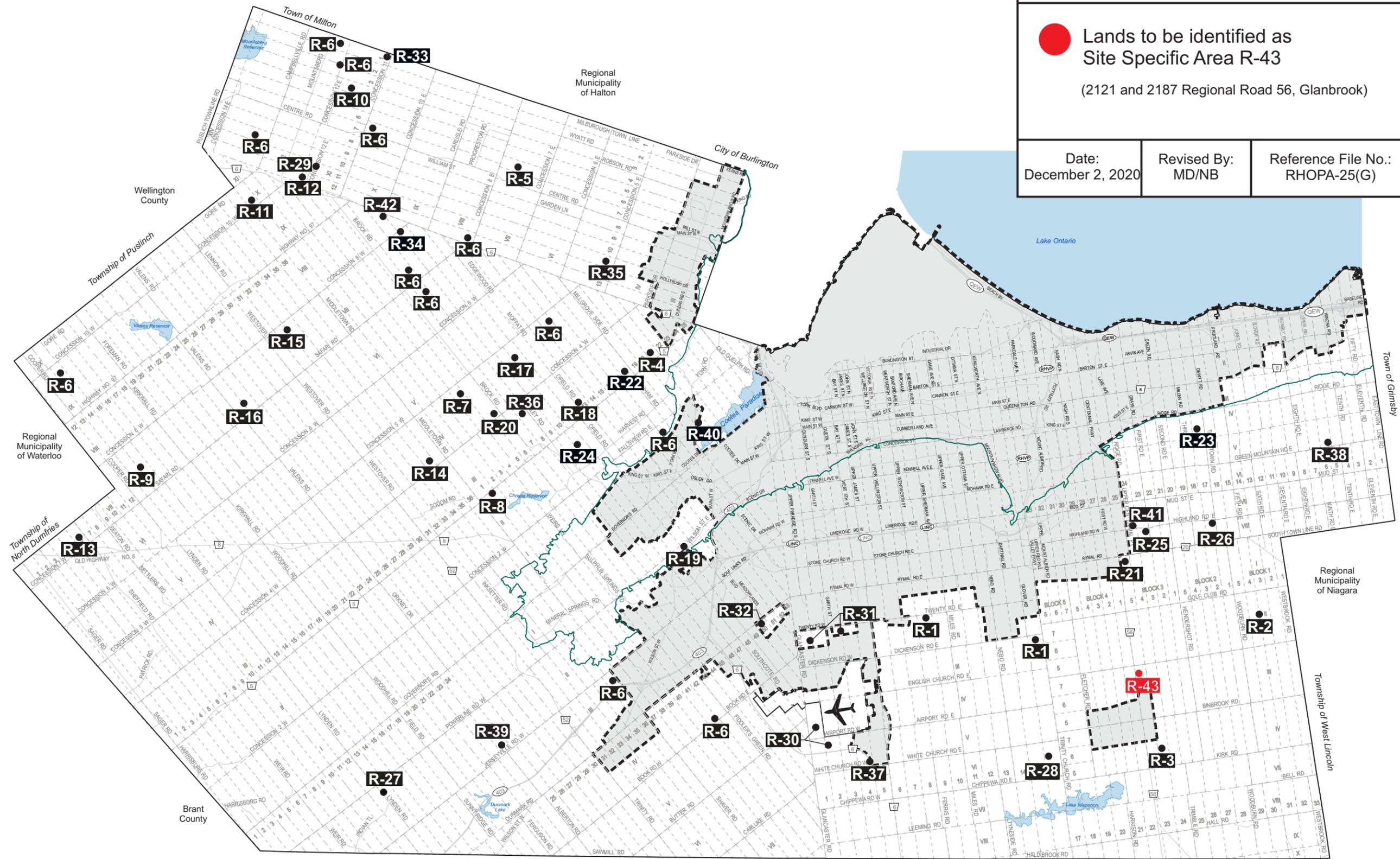
Appendix B
 APPROVED Amendment No. 25
 to the Rural Hamilton Official Plan

 Lands to be identified as
 Site Specific Area R-43
 (2121 and 2187 Regional Road 56, Glanbrook)

Date:
 December 2, 2020

Revised By:
 MD/NB

Reference File No.:
 RHOPA-25(G)



- Legend**
-  Site Specific Areas (SSA)
 - R-** Refers to Rural Site Specific Area #, Volume 3, Chapter B
- Other Features**
-  Urban Area
 -  John C. Munro Hamilton International Airport
 -  Niagara Escarpment
 -  Urban Boundary
 -  Municipal Boundary

Council Adoption: September 27, 2006
 Ministerial Approval: December 24, 2008
 Effective Date: March 7, 2012

**Rural Hamilton Official Plan
 Volume 3: Appendix A
 Site Specific Key Map**

Not To Scale
 Date: June 27, 2019


PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
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 OF SURVEY

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 264

CITY OF HAMILTON

BY-LAW NO. 20-

Respecting Removal of Part Lot Control

Block 155, Registered Plan No. 62M-1251 "Laguna Village", municipally known as 315 Dalglish Trail, Glanbrook

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

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

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

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

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 216 residential parcels for townhouse and back to back maisonette dwellings, shown as Parts 1 to 216, inclusive and Parts 220 to 445 inclusive, along with servicing and utility easements shown as Parts 217 to 445 inclusive and to establish the common elements of the condominium corporation, shown as Parts 217 to 219 inclusive, on deposited Reference Plan 62R-21560, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Block 155, Registered Plan No. 62M-1251, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 16th day of December 2022.

PASSED this 16^h day of December 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 11

Bill No. 265

CITY OF HAMILTON

BY-LAW NO. 20-

Respecting Removal of Part Lot Control

Lots 7, 8 and 9 of Registered Plan No. 62M-1233 known as “Binbrook Heights Addition – Phase 1” (Parts 7 and 8 of Registered Plan 62R-20437), municipally known as 6, 10 and 14 Daw Avenue

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

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

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

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

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

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating two (2) easements shown as Parts 7 and 8 on deposited Reference Plan 62R-20437, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 7, 8 and 9 of Registered Plan No. 62M-1233, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 16th day of December, 2022.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

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

1. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section “D” (Glanbrook) thereof the following item, namely;

Pinnacle Court	Westbound	Rosebury Way
Rosebury Way	Northbound	Provident Way
Fairey Crescent	Westbound	Provident Way
Freedom Crescent	Eastbound	Provident Way

And by adding to Section “F” (Stoney Creek) thereof the following items, namely;

Soho Street	Westbound	Upper Red Hill Valley Parkway
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 9, Public Works Committee
Report 07-016 (PW07153)
CM: December 12, 2007
Ward: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11,
12, 13, 14, 15

Bill No. 267

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

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

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "E" (Hamilton) thereof the following items, namely:

Concession Street	Upper Gage Avenue	120m east of East 43rd Street	40
Concession Street	Belvidere Avenue	Upper Sherman Avenue	40

And by adding to section "E" (Hamilton) thereof the following items, namely;

Concession Street	Belvidere Avenue	120 metres east of East 43 rd Street	40
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And by removing from section "G" (Former Regional Roads) thereof the following items, namely;

Highway 8	Brock Rd.	750 m west of Middleton Rd.	60
Highway 8	750 m west of Middletown Rd.	400 m west of Middletown Rd.	70
Highway 20	East Regional	First Road East	80

	Boundary		
Highway 20	First Road East	Highland Road	60
Concession Street	East 16th Street	Upper Wentworth Street	40

And by adding to section “G” (Former Regional Roads) thereof the following items, namely;

Highway 8	Brock Road	Middleton Road	60
Highway 8	Middletown Road	Highway 5 West	70
Highway 20	Highland Road	A point 300 metres west of Tapleystown Road	60
Highway 20	A point 300 metres west of Tapleystown Road	East Regional Boundary	70

2. Schedule 3 (Flashing School Zones – Reduced Speed Limit) of By-law No. 01-215, as amended, is hereby further amended by removing from Section “B” (Dundas) thereof the following items, namely:

Governor’s	from 18m west of Old Governor’s (East Leg) to 79m east of Old Governor’s Road (West Leg)	40	8:25 a.m. to 9:25 a.m. 3:10 p.m. to 4:10 p.m.
Governor’s	Moss to 75m east of Huntingwood	40	7:50a.m. to 9:10a.m. 10:59a.m. to 1:45p.m. 2:45p.m. to 4:00p.m.

And by adding to section “B” (Dundas) thereof the following items, namely

Governor’s Road	18m west of Old Governor’s Road (east intersection) to a point 79m east of Old Governor’s Road (west intersection)	50	9:00 a.m. to 9:45 a.m. 3:40 p.m. to 4:20 p.m.
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Governor's Road	Moss Boulevard to a point 75 metres east of Huntingwood Avenue	40	7:55 a.m. to 9:25 a.m. 10:55 a.m. to 1:45 p.m. 2:25 p.m. to 4:10 p.m.
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And by removing from section "C" (Flamborough) thereof the following items, namely

Centre Road	480m south of Concession 5 to 560m southerly	50 km/h	8:15 a.m. – 8:50 a.m. 11:40 a.m. – 12:30 p.m. 3:00 p.m. – 3:35 p.m.
Concession 5 West	350 m west of Millgrove Side Road to Millgrove Side Road	40km/h	8:15 a.m to 9:00 a.m 2:50 p.m to 3:55 p.m
Millgrove Side Road	390m north of Hwy 5 to Hwy 5	40	7:50 a.m to 8:35 a.m 2:35 p.m to 3:35 p.m
Parkside Drive	150 m west of Braeheid Avenue to Cole Street	40km/h	7:35 a.m. to 9:05 a.m. 2:20 p.m. to 3:55 p.m.
Skinner	Burke to 150m east of McKnight	40	8:25 a.m. to 9:10 a.m.
10th Concession East	Centre Road to a point 400 metres north of Centre Road	40	8:30 a.m.to 9:15 a.m. 3:10 p.m. to 3:50 p.m.

And by adding to section "C" (Flamborough) thereof the following items, namely

Concession 5 West	350 metres west of Millgrove Side Road to Millgrove Side Road	40	8:15 a.m. to 9:00 a.m. 2:55 p.m. to 3:35 p.m.
Millgrove Side Road	390 metres north of Highway 5 to Highway 5	40	7:50 a.m. to 8:35 a.m. 2:35 p.m. to 3:35 p.m.
Parkside Drive	150 metres west of Braeheid Avenue to Cole Street	40	7:35 a.m. to 9:20 a.m. 2:20 p.m. to 3:55 p.m.
Centre Road	480 metres south of	50	8:15 a.m. to 9:00 a.m.

	Concession 5 to a point 560m southerly		11:20 a.m. to 12:30 p.m. 2:55 p.m. to 3:35 p.m.
10th Concession East	Centre Road to a point 400 metres north of Centre Road	40	8:30 a.m.to 9:15 a.m. 3:10 p.m. to 3:50 p.m.

And by removing from section “D” (Glanbrook) thereof the following items, namely

Airport	Marion to 340m westerly	40	8:00 AM to 8:45 AM 10:30 AM to 11:25 AM 12:50 PM to 1:45 PM 2:50 PM to 3:20 PM
Highway No. 56	from 361m north of Cemetery to 115m south of Guyatt	50	8:00 AM to 9:00 AM 2:35 PM to 3:35 PM
White Church Road	300 metres west of Nebo Road to a point 150 metres east of Nebo Road	50	7:50 AM to 8:35 AM 2:50 PM to 3:30 PM

And by adding to section “D” (Glanbrook) thereof the following items, namely

Airport Road	Marion Street to a point 340 metres westerly	40	8:00 a.m. to 8:45 a.m. 10:00 a.m. to 11:00 a.m. 12:20 p.m. to 1:20 p.m. 2:40 p.m. to 3:20 p.m.
Regional Road No. 56	361 metres north of Cemetery Road to a point 115 metres south of Guyatt Road	50	8:20 a.m. to 9:05 a.m. 3:00 p.m. to 3:40 p.m.
White Church Road	300 metres west of Nebo Road to a point 150 metres east of Nebo Road	50	7:50 a.m.to 8:35 a.m. 2:50 p.m. to 3:30 p.m.
Fletcher Road	Rymal Road to a point 40 metres south of Blue Mountain Drive	40	8:30 a.m.to 9:40 a.m. 11:45 a.m.to 12:55 p.m. 3:15 p.m. to 4:20 p.m.

And by removing from section “E” (Hamilton) thereof the following items, namely

Aberdeen Avenue	Chedoke Avenue to Queen Street	40	8:00 a.m. to 9:25 a.m. 11:45 a.m. to 12:25 p.m. 2:40 p.m. to 4:00 p.m.
Bay Street South	Robinson Street to Main Street	40 km/h	8:15 a.m. to 9:00 a.m. 12:55 p.m. to 1:50 p.m. 3:05 p.m. to 3:55 p.m.
Cannon St.	Park Row N. to 60m E. of Frederick Ave.	40	8:30 a.m. to 9:15 am. 1:00 p.m. to 1:55 p.m. 3:20 p.m. to 3:50 p.m.
Cannon St.	Rosslyn Ave. to 50m east of East Bend Ave.	40	8:30 am to 9:00 am 11:45 am to 12:45 pm 3:30 pm to 3:45 pm
Cannon St.	Connaught Ave. to 110m west of Lottridge St.	40	8:20 am to 8:50 am 2:40 pm to 2:55 pm
Cannon Street	Railway Street to Queen Street	40	8:10 a.m to 8:50 a.m 3:10 p.m to 3:40 p.m
Cannon Street East	Cathcart Street to Catharine Street North	40	8:10 a.m. to 9:05a.m. 12:40 p.m. to 1:55 p.m. 2:50 p.m. to 3:40 p.m.
Charlton	from 50m west of Aurora to 107m east of Catharine	40	8:20 a.m. to 4:00 p.m.
Fennell Avenue West	Garth Street to 170 metres West of Auchmar Road	40	8:10 a.m. to 8:50 a.m. 3:20 p.m. to 3:40 p.m.
Fennell Avenue	Upper James Street to East 7th Street	40km/h	8:30 a.m. to 9:10 a.m. 10:30 a.m. to 11:10 a.m. 1:10 p.m. to 1:50 p.m. 3:15 p.m. to 3:45 p.m
Garth	140m south of Rymal to 450m south of Rymal	40	8:30 a.m. to 9:15 a.m. 3:30 p.m. to 4:00 p.m.
Garth Street	Braemar Place to Bendamere Avenue	40	8:10 a.m. to 8:50 a.m. 3:20 p.m. to 3:40 p.m.

Inverness	Wavell to Belvidere	40	8:20 a.m. to 9:15 a.m. 11:30 a.m. to 12:55 p.m. 3:15 p.m. to 3:55 p.m.
King St. E.	Rosslyn Avenue to Kenilworth Avenue	40	8:00 a.m. to 9:15 a.m. 11:25 a.m. to 1:00 p.m. 2:55 p.m. to 4:00 p.m.
King Street East	West Avenue to a point 30m east of Emerald Street North	40	8:15 a.m. to 9:00 a.m. 10:15 a.m. to 11:20 a.m. 12:35 p.m. to 1:40 p.m. 2:50 p.m. to 3:35 p.m.
King Street East	50m west of Gage Avenue North to 38m west of Spadina Avenue	40	8:20 a.m. to 10:35 a.m. 11:20 a.m. to 1:55 p.m. 2:45 p.m. to 3:30 p.m.
Longwood Rd.	100m S. of King St. W. To 43m N. of Main St. W.	40	8:10a.m. to 8:55a.m. 11:15a.m. to 12:30p.m. 2:50 p.m. to 3:20p.m.
Main	40m east of Park Row to 30m west of Tuxedo	40	8:20 a.m. to 9:05 a.m. 11:30 a.m. to 12:35 p.m. 3:00 p.m. to 3:30 p.m.
Main St. West	Cootes Drive/Leland Street to A point 83 m west of Macklin Street	50	8:05a.m. to 9:20 a.m. 11:00a.m. to 1:00p.m. 2:30 p.m. to 4:00 p.m.
Mohawk Road West	160 metres west of Magnolia Drive to 130 metres west of West 5th Street	40	7:45 a.m. to 9:00 a.m. 11:00 a.m. to 2:00 p.m. 2:45 p.m. to 4:00 p.m.
Main Street East	Edgemont Street North Rosslyn Avenue North	40	8:00 a.m. to 9:15 a.m. 11:25 a.m. to 1:00 p.m. 2:55 p.m. to 4:00 p.m.
Mohawk Road East	66 m east of Upper Wentworth Street to East 27th Street	40	8:15 a.m. to 9:00 a.m. 11:15 a.m. to 12:10 p.m. 2:50 p.m. to 3:20 p.m.
Main Street West	Osler Drive to Cootes Drive/Leland Street	40	8:15 a.m. to 8:55a.m. 3:20 p.m. to 4:00 p.m.
Mount Albion Rd.	150 m north of	40	8:00 a.m. to 9:05 a.m.

	Albright Rd. to 150 m south of Albright Rd.		11:25 a.m. to 12:45 p.m. 3:00 p.m. to 3:45 p.m.
Paradise Rd.	64m S. of King St. W. To Bond St.	40	8:10a.m. to 8:55a.m. 11:15a.m. to 12:30p.m. 2:50 p.m. to 3:20p.m.
Parkdale Avenue	Melvin Avenue to King Street	40	7:50a.m. to 9:05a.m. 11:10a.m. to 1:45p.m. 2:50 p.m. to 3:55p.m.
Queenston Road	Isabel Avenue to Delena Avenue	40	7:50a.m. to 9:05a.m. 11:10a.m. to 1:45p.m. 2:50 p.m. to 3:55p.m.
Upper Paradise	75m north of Meadowbank to Skyview	40	7:50 a.m. to 8:35 a.m. 9:45am to 1:45p.m. 2:50p.m. to 3:20 p.m.
Upper Paradise Road	60 metres south of Lunner Avenue to 50 metres north of Buckingham Drive	40	7:45 a.m. to 9:00 a.m. 11:00 a.m. to 2:00 p.m. 2:45 p.m. to 4:00 p.m.
Up. Sherman	Macassa to 80m north of Cameo	40	8:15 a.m. to 9:00 a.m. 11:50 p.m. to 1:05 p.m. 3:10 p.m. to 3:40 p.m.
Wentworth	Bristol to Cannon	40	8:00 a.m. to 9:15 a.m. 11:10 a.m. to 12:05p.m. 2:20 p.m. to 3:20 p.m.
West 5th	Mohawk to 100m south of Tyrone	40	8:25 a.m. to 9:10 a.m. 3:25 p.m. to 3:55 p.m.
Wilson St.	30m W. of Mary St. to 25m E. of Cathcart St.	40	8:15 a.m. to 9:15a.m. 3:00 p.m. to 3:30 p.m.
York Boulevard (Westbound)	Queen Street to Oxford Street	40	8:10 a.m. to 8:50 a.m. 3:10 p.m. to 3:40 p.m.

And by adding to section "E" (Hamilton) thereof the following items, namely

Aberdeen Avenue	Chedoke Avenue to Queen Street	40	8:00 a.m. to 9:25 a.m. 11:45 a.m. to 12:25 p.m. 2:50 p.m. to 4:00 p.m.
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Barton Street East	Kinrade Avenue to Barnesdale Avenue North	40	7:45 a.m. to 9:00 a.m. 11:20 a.m. to 12:35 p.m. 2:45 p.m. to 3:35 p.m.
Bay Street South	Robinson Street to Main Street	40	8:10 a.m. to 9:00 a.m. 12:30 p.m. to 1:30 p.m. 2:50 p.m. to 3:35 p.m.
Cannon Street East	Park Row North to a point 60 metres east of Frederick Avenue	40	8:20 a.m. to 9:15 a.m. 12:50 p.m. to 1:50 p.m. 3:10 p.m. to 3:50 p.m.
Cannon Street East	Rosslyn Avenue to a point 50 metres east of East Bend Avenue	40	8:30 a.m. to 9:25 a.m. 3:20 p.m. to 4:00 p.m.
Cannon Street East	Connaught Avenue to a point 110 metres west of Lottridge Street	40	8:00 a.m. to 10:35 a.m. 11:35 a.m. to 1:55 p.m. 2:35 p.m. to 3:40 p.m.
Cannon Street West	Railway Street to Queen Street	40	8:05 a.m. to 9:05 a.m. 1:00 p.m. to 2:00 p.m. 3:00 p.m. to 3:40 p.m.
Cannon Street East	Cathcart Street to Catharine Street North	40	8:10 a.m. to 9:05 a.m. 12:40 p.m. to 1:55 p.m. 2:50 p.m. to 3:40 p.m.
Fennell Avenue West	Garth Street to a point 170 metres east of Auchmar Road	40	8:00 a.m. to 10:00 a.m. 3:20 p.m. to 5:15 p.m.
Fennell Avenue East	Upper James Street to East 7th Street	40	8:10 a.m. to 9:10 a.m. 10:30 a.m. to 11:10 a.m. 1:10 p.m. to 1:50 p.m. 2:55 p.m. to 3:45 p.m.
Garth Street	140 metres south of Rymal Road to a point 450 metres south of Rymal Road	40	8:40 a.m. to 9:25 a.m. 3:20 p.m. to 4:00 p.m.
Garth Street	Braemar Place to Bendamere Avenue	40	8:00 a.m. to 10:00 a.m. 3:20 p.m. to 5:15 p.m.

Inverness Avenue East	Wavell Avenue to Belvidere Avenue	40	8:05 a.m. to 9:05 a.m. 12:40 p.m. to 1:40 p.m. 2:50 p.m. to 3:50 p.m.
King Street East	Rosslyn Avenue to Kenilworth Avenue	40	8:00 a.m. to 9:15 a.m. 11:25 a.m. to 1:00 p.m. 2:55 p.m. to 4:00 p.m.
King Street East	West Avenue to a point 30m east of Emerald Street North	40	8:15 a.m. to 9:00 a.m. 10:15 a.m. to 11:20 a.m. 12:35 p.m. to 1:40 p.m. 2:50 p.m. to 3:35 p.m.
King Street East	50m west of Gage Avenue North to a point 38 metres west of Spadina Avenue	40	7:40 a.m. to 10:35 a.m. 11:20 a.m. to 1:55 p.m. 2:40 p.m. to 3:40 p.m.
Longwood Road	100 metres south of King Street West to a point 43 metres north of Main Street West	40	7:45 a.m. to 9:00 a.m. 11:00 a.m. to 1:00 p.m. 2:25 p.m. to 3:35 p.m.
Main Street East	40 metres east of Park Row to a point 30 metres west of Tuxedo Avenue	40	8:00 a.m. to 9:15 a.m. 11:25 a.m. to 1:00 p.m. 2:55 p.m. to 4:00 p.m.
Main Street East	West Avenue to 46 metres east of Emerald Street North	40	8:15 a.m. to 9:00 a.m. 10:15 a.m. to 11:20 a.m. 12:35 p.m. to 1:40 p.m. 2:50 p.m. to 3:35 p.m.
Main Street East	Edgemont Street North to Rosslyn Avenue North	40	8:00 a.m. to 9:15 a.m. 11:25 a.m. to 1:00 p.m. 2:55 p.m. to 4:00 p.m.
Main Street West	Cootes Drive to a point 83 metres west of Macklin Street	50	7:45 a.m. to 9:00 a.m. 11:00 a.m. to 1:00 p.m. 2:25 p.m. to 3:35 p.m.
Mohawk Road East	66 metres east of Upper Wentworth Street to East 27 th Street	40	7:45 a.m. to 8:40 a.m. 11:15 a.m. to 12:10 p.m. 2:35 p.m. to 3:30 p.m.
Mohawk Road	160 metres west of	40	7:35 a.m. to 9:00 a.m.

West	Magnolia Drive to a point 130 metres west of West 5th Street		11:10 a.m. to 2:00 p.m. 2:40 p.m. to 4:00 p.m.
Paradise Road	64 metres south of King Street West to Bond Street	40	7:45 a.m. to 9:00 a.m. 11:00 a.m. to 1:00 p.m. 2:25 p.m. to 3:35 p.m.
Parkdale Avenue	Melvin Avenue to King Street	40	7:50 a.m. to 9:05 a.m. 11:10 a.m. to 1:45 p.m. 2:45 p.m. to 3:55 p.m.
Queenston Road	Isabel Avenue to Delena Avenue	40	7:50 a.m. to 9:05 a.m. 11:10 a.m. to 1:45 p.m. 2:45 p.m. to 3:55 p.m.
Sherman Avenue North	Barton Street East to Somerset Avenue	40	7:45 a.m. to 9:00 a.m. 11:20 a.m. to 12:35 p.m. 2:45 p.m. to 3:35 p.m.
Upper Paradise Road	75 metres north of Meadowbank Drive to Skyview Drive	40	7:50 a.m. to 8:35 a.m. 9:30 a.m. to 1:40 p.m. 2:40 p.m. to 3:20 p.m.
Upper Paradise Road	60 metres south of Lunner Avenue to 50 metres north of Buckingham Drive	40	7:35 a.m. to 9:00 a.m. 11:10 a.m. to 2:00 p.m. 2:40 p.m. to 4:00 p.m.
Upper Sherman Avenue	Macassa Avenue to a point 80 metres north of Cameo Avenue	40	7:50 a.m. to 8:45 a.m. 12:20 p.m. to 1:20 p.m. 2:40 p.m. to 3:20 p.m.
Wentworth Street North	Bristol Street to Cannon Street East	40	7:35 a.m. to 8:55 a.m. 11:00 a.m. to 12:05 p.m. 2:20 p.m. to 3:05 p.m.
West 5 th Street	Mohawk Road West to a point 100 metres south of Tyrone Drive	40	8:05 a.m. to 9:00 a.m. 3:05 p.m. to 4:05 p.m.
Wilson Street	30 metres west of Mary Street to a point 25 metres east of Cathcart Street	40	8:10 a.m. to 9:05 a.m. 12:40 p.m. to 1:55 p.m. 2:50 p.m. to 3:40 p.m.
York Boulevard	Queen Street to	40	8:05 a.m. to 9:05 a.m.

(Westbound) Oxford Street 1:00 p.m. to 2:00 p.m.
3:00 p.m. to 3:40 p.m.

And by removing from section "F" (Stoney Creek) thereof the following items, namely

Barton	from 35m west of Hilton to 63m east of Green	40	8:20 a.m. to 9:20 a.m. 2:55 p.m. to 3:55 p.m.
Barton	365m west of Lewis to 150m east of Lewis	40	7:30 a.m. to 8:15 a.m.
Barton St	Fifty to Winona	40	8:35 a.m. to 9:20 a.m. 3:20 p.m. to 4:00 p.m.
Dewitt	from 45m north of Highway No. 8 to 50m south of Cresthaven	40	8:00 a.m. to 9:00 a.m. 10:40 a.m. to 12:30 p.m. 2:05 p.m. to 3:05 p.m.
Dewitt	From 33m north of Cresthaven to 59m north of Dupont	40	8:10 a.m. to 9:10 a.m. 11:20 a.m. to 1:15 p.m. 2:45 p.m. to 3:45 p.m.
King Street	Highway 8 Green Road	40	8:25 a.m. to 9:10 a.m. 11:30 a.m. to 12:55 p.m. 3:10 p.m. to 3:40 p.m.
Gray	Hwy 8 to Passmore	40	7:45 a.m. to 8:30 a.m. 11:00 a.m. to 1:45 p.m. 2:45 p.m. to 3:15 p.m.
Highway 8	30m E. of Green Rd. To 34m W. of King St.	50	8:25a.m. to 9:10a.m. 11:30a.m. to 12:50p.m. 3:20 p.m. to 3:50p.m.
Highway 8	300m east of Glover Rd. To 150m west of Glover Rd.	50	8:30a.m. to 9:15a.m. 3:30 p.m. to 4:00p.m.
Highway 8	300m east of Glover Road to 150m west of Glover Road	50	8:30 a.m. to 9:15 a.m. 3:30 p.m. to 4:00 p.m.
Paramount	Benwood to 125m east of Upper Mount	40	7:40a.m. to 8:25a.m. 12:10a.m. to 1:05p.m.

	Albion		2:30p.m. to 4:00p.m.
Tapelytown Rd.	150m east of 3rd E. to Tapelytown Rd.	50	8:20 am to 9:10 am 3:30 pm to 3:45 pm

And by adding to section “F” (Stoney Creek) thereof the following items, namely;

Barton Street	35 metres west of Hilton Drive to a point 63 metres east of Green Road	40	8:25 a.m. to 9:25 a.m. 3:05 p.m. to 3:55 p.m.
Barton Street	365 metres west of Lewis Road to a point 150 metres east of Lewis Road	40	7:45 a.m. to 9:10 a.m. 2:40 p.m. to 4:00 p.m.
Barton Street	Fifty Road to Winona Road	40	7:50 a.m. to 9:25 a.m. 3:15 p.m. to 4:00 p.m.
Dewitt Road	45 metres north of Highway 8 to a point 50 metres south of Cresthaven Drive	40	7:30 a.m. to 9:00 a.m. 10:35 a.m. to 12:40 p.m. 2:00 p.m. to 3:55 p.m.
Dewitt Road	33 metres north of Cresthaven Drive to 59 metres north of Dupont Street	40	7:30 a.m. to 9:00 a.m. 10:35 a.m. to 12:40 p.m. 2:00 p.m. to 3:55 p.m.
King Street East	Highway 8 Green Road	40	8:15 a.m. to 9:15 a.m. 11:30 a.m. to 12:55 p.m. 3:10 p.m. to 3:55 p.m.
Gray Road	Highway 8 to Passmore Street	40	7:30 a.m. to 8:15 a.m. 11:00 a.m. to 1:45 p.m. 2:20 p.m. to 3:00 p.m.
Highway 8	30 metres east of Green Road to a point 34 metres west of King Street East	50	8:15 a.m. to 9:15 a.m. 11:30 a.m. to 12:55 p.m. 3:10 p.m. to 3:55 p.m.
Highway 8	300 metres east of Glover Road to a point 150 metres west of	50	8:40 a.m. to 9:25 a.m. 10:30 a.m. to 11:30 a.m. 1:10 p.m. to 2:10 p.m.

	Glover Road		3:20 p.m. to 4:00 p.m.
Paramount Drive	Benwood Court to 125 metres east of Upper Mount Albion Road	40	7:40 a.m. to 8:25 a.m. 12:00 p.m. to 1:00 p.m. 2:20 p.m. to 3:00 p.m.
Rymal Road East	Upper Red Hill Valley Parkway to 270 metres east of Dakota Boulevard	50	7:30 a.m. to 8:15 a.m. 11:00 a.m. to 1:25 p.m. 2:25 p.m. to 2:55 p.m.

3. Schedule 9 (No Right Turn on Red) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" (Stoney Creek) thereof the following item, namely:

Highland Road West	Westbound	Upper Red Hill Valley Parkway	Anytime
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4. Schedule 18 (Bike Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "C" (Flamborough) thereof the following item, namely:

Mallard Trail	Dundas Street East to Humphrey Street	North curb lane	Anytime	Westbound
Mallard Trail	Dundas Street East to Humphrey Street	South curb lane	Anytime	Eastbound

And by adding to section "E" (Hamilton) thereof the following items, namely;

Claremont Access	Hunter Street East to Gateview Drive	North curb lane	Anytime	Westbound
Claremont Access	Hunter Street East to Gateview Drive	2 nd lane from north curb lane	Anytime	Eastbound

5. Schedule 34 (Designated Community Safety Zones) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "A" (Ancaster) thereof the following item, namely:

Glancaster Road	Rymal Road West and Book Road	Anytime
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And by adding to section "A" (Ancaster) thereof the following items, namely;

Glancaster Road	Rymal Road West and Book Road East	Anytime
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And by removing from section "E" (Hamilton) thereof the following items, namely;

Gage Avenue	Lawrence Road to Main Street East	Anytime
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And by adding to section "E" (Hamilton) thereof the following items, namely;

Gage Avenue South	Lawrence Road to Main Street East	Anytime
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6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 10, Public Works Committee
Report 20-012 (PW20079)
CM: December 16, 2020
Ward: 3

Bill No. 268

CITY OF HAMILTON

BY-LAW NO. 20-

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

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

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

1. Schedule 34 (Designated Community Safety Zones) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" (Hamilton) thereof the following items, namely:

Barton Street East	Ferguson Avenue North to East Avenue North	Anytime
Wellington Street North	Simcoe Street to Robert Street	Anytime
Victoria Avenue North	Robert Street to Shaw Street	Anytime
Birge Street	Wellington Street North to Victoria Avenue	Anytime

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 4, Public Works Committee
Report 20-012
(PED20134/PW20050)
CM: December 16, 2020
Ward: City Wide
Bill No. 269

CITY OF HAMILTON
BY-LAW NO. 20-

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

WHEREAS Ontario Regulation 389/19 regarding a pilot project for electric kick-scooters, prohibits the operation of electric kick-scooters unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS Council deems it necessary to amend the Traffic By-law to permit electric kick-scooters (“E-Scooters”) in Hamilton;

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

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. The following definition shall be included in By-law 01-215:

“E-Scooter” means a vehicle that has,

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the e-scooter and one at the rear,
- (b) a platform for standing between the two wheels,
- (c) a steering handlebar that acts directly on the steerable wheel, and
- (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour

3. The heading for Part 4 – Pedestrians, Bicyclists and Animals shall be repealed and replaced with:

Part 4 – PEDESTRIANS, BICYCLISTS, E-SCOOTERS AND ANIMALS

4. Subsection 21 (1) shall be amended to add “E-Scooter,” after the word coaster.
5. The subheading **“E-SCOOTERS”** shall be added after subsection 46 (4) and before the subheading “BICYCLES LANES”.
6. The following rules regarding E-Scooters shall be added under the new subheading “E-SCOOTERS”:
E-SCOOTERS

- 46.1 (1) No person shall ride an E-Scooter on a roadway unless the E-Scooter is in a bicycle lane or is ridden as close as practicable to the right hand curb or edge of the roadway, except while overtaking or passing another vehicle proceeding in the same direction, or while preparing for a left turn at an intersection or into a private road or driveway.
- (2) No person shall ride or push an E-Scooter along a roadway abreast of another E-Scooter or bicycle.
- (3) No person riding an E-Scooter on a roadway shall carry any package or article or act in such a way as to prevent that person from maintaining one hand on the handlebars at all times, including while signaling for a turn or stop and in any case, no person shall fail to maintain control of an E-Scooter.
- (4) No person shall cause an obstruction to pedestrian and/or vehicular traffic by parking an E-Scooter on a roadway or sidewalk.
- (5) No person under the age of 16 years shall operate an E-Scooter.
- (6) Every person under the age of 18 years old shall wear a helmet that complies with the Highway Traffic Act when operating an E-Scooter.
- (7) No person operating an E-Scooter shall carry any other person thereon.
- (8) No person operating an E-Scooter shall tow another person, vehicle or device.
- (9) No person operating an E-Scooter shall attach themselves to another E-Scooter, vehicle or device for the purpose of being drawn or towed.
- (10) No person operating an E-Scooter shall operate it in any position other than while standing at all times.
- (11) No person shall carry cargo on an E-Scooter.
- (12) The operator of an E-Scooter shall keep a safe distance from pedestrians and other users of the roadway, shoulder, bicycle lane, trail, path, walkway, or multi-use pathway trail at all times and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is sufficient space for the pedestrian or bicycle and the E-Scooter to pass.

- (13) No person shall operate an E-Scooter on a trail, or in a park, or multi-use pathway at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter.
 - (14) Every owner or operator of an E-Scooter shall ensure that the E-Scooter is equipped with a bell or horn, which shall be kept in good order and sounded whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.
 - (15) When operated at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, every operator of an E-Scooter shall carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear. The lamps may be attached to the E-Scooter or may be carried or worn by the operator on his or her person.
 - (16) No person shall operate, or cause to be operated, or use an E-Scooter on a highway with a legal speed limit greater than 50 kilometers per hour, unless within a bicycle lane.
 - (17) No person shall operate or use an E-Scooter in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.
7. Subsection 47 (2), shall be amended to add “and E-Scooters” after the words “...set aside for the exclusive use of cyclists...”.
 8. Subsection 47 (5) shall be amended to add “and E-Scooters” at the end of the sentence.
 9. Subsection 47 (8) shall be amended to add “and E-Scooters” at the end of the sentence.
 10. Subsection 48 (1) shall be amended by adding “and E-Scooter” after the words “motor assisted bicycles”.
 11. Subsection 53 (1) shall be repealed and replaced with the following:
 53. (1) Notwithstanding any other provisions this By-law, no person shall ride a bicycle or E-Scooter, upon, along or across any highway or part of a highway described in Schedule 26.
 12. In all other respects, By-01-215 is confirmed; and,
 13. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 4, Public Works Committee
Report 20-012 (PED20134/PW20050)
CM: December 16, 2020
Ward: City Wide
Bill No. 270

**CITY OF HAMILTON
BY-LAW NO. 20-**

A By-law to Regulate the Use of Commercial E-Scooters in Hamilton

WHEREAS Ontario Regulation 389/19 regarding a pilot project for electric kick-scooters (“E-Scooters”), prohibits the operation of electric kick-scooters unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS on December 16, 2020, Council passed a by-law permitting E-Scooters on a Highway within the City of Hamilton;

AND WHEREAS the City is currently seeking proposals for a Commercial E-Scooter operator(s) to run an E-Scooter sharing program in the City of Hamilton;

AND WHEREAS other municipalities have experienced problems regarding commercial E-Scooters being “dumped” in a municipality prior to regulations being in place and E-Scooters being left on sidewalks, boulevards, parks and other areas that cause health and safety concerns as well as nuisance issues for residents;

AND WHEREAS the City considers it desirable and necessary to enact a by-law to prohibit the operation of all Commercial E-Scooters in Hamilton until a Commercial E-Scooter operator has been selected by the City’s procurement process and rules have been implemented regarding the provision and use of Commercial E-Scooters;

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

DEFINITIONS

“**City**” means the City of Hamilton;

“**Commercial E-Scooter**” means an E-Scooter that is owned by a corporation or individual that allows other individuals or corporations to use the E-Scooter on a temporary membership basis or fee per use basis or any other commercial arrangement, including free trials, between the parties for the use of the E-scooter;

“**Director**” means the Director of Licensing and By-law Services, or his or her designate;

“**E-Scooter**” means a vehicle that has,

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the e-scooter and one at the rear,
- (b) a platform for standing between the two wheels,
- (c) a steering handlebar that acts directly on the steerable wheel, and

- (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour.

“**Officer**” means a Police Officer, a Municipal Law Enforcement Officer, or any staff of the City whose duties include those provided for or assigned under this By-law;

“**Highway**” means a highway as defined in the *Highway Traffic Act*, R.S.O. 1990, c. H.8;

“**Person**” includes an individual or corporation;

“**Police Officer**” includes an officer of the Hamilton Police Service;

PROHIBITIONS

1. No Person shall provide or cause to be provided Commercial E-Scooters anywhere in the City, unless specifically authorized by the corporation of the City of Hamilton by way of permit, licence or contract with the corporation of the City of Hamilton.

EXEMPTIONS

2. For greater clarity, this By-law does not apply to personal E-Scooters that are being used by individuals in the City, in accordance with the relevant by-laws and legislation for personal use on a Highway.

ADMINISTRATION AND ENFORCEMENT

3. The Director is responsible for administration and enforcement of this By-law and may appoint delegates or assign duties to City staff under this By-law.
4. City staff who carry out any action under this By-law are deemed to be Officers for the purposes of this By-law, in the absence of evidence to the contrary.
5. Officers may, at any reasonable time, enter and inspect property that is subject to this By-law for the purposes of determining compliance with this By-law.
6. For the purposes of an inspection under section 5, Officers may,
 - a) require the production for inspection of documents or things relevant to the inspection;
 - b) inspect and remove documents or things relevant to the inspection for the purposes of making copies or extracts;
 - c) require information from any person concerning a matter related to the inspection; and
 - d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

7. Where any Person contravenes any provision of this By-law, an Officer may direct such Person, verbally or in writing, to comply with this By-law. Every Person so directed shall comply with such direction without delay.
8. Any Commercial E-Scooter found in the City, may be removed immediately by an Officer without notice or compensation.
9. Any Officer is authorized to pick up or remove, without notice, any Commercial E-Scooter that is found in the City in contravention of this By-law and the owner shall pay for any associated expenses incurred by the City.
10. Any Commercial E-Scooter removed as provided for in section 9 shall be stored by the City or an independent contractor for a period of not less than 28 days. During this period, the Commercial E-Scooter owner or his/her agent may redeem the Commercial E-Scooter after completing a signed acknowledgment and release on the prescribed form and after making payment satisfactory to the City of the amounts as outlined in the City's User Fee and Charges Bylaw. Such costs or expenses may be recovered in accordance with section 391 of the *Municipal Act*, S.O. 2001, c.25 as may be amended from time to time.
11. The Director is further authorized to charge a fee as outlined in the City's User Fee and Charges Bylaw to reflect the administrative and enforcement costs of the removal, whether or not the Commercial E-Scooter is returned.

OFFENCES AND PENALTIES

12. Every person, other than a corporation, who contravenes any provision of this By-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$10,000 for a first offence; and not more than \$25,000 for any subsequent conviction.
13. Every corporation which contravenes any provision of this By-law, is guilty of an offence and on conviction is liable, for every day or part thereof upon which such offence occurs or continues, to a fine of not more than \$50,000 for a first offence and not more than \$100,000 for any subsequent conviction.
14. Without limiting any other section of this By-law, every Person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a penalty as set out in the *Provincial Offences Act*, R.S.O. 1990, C. P. 33.
15. The court in which the conviction has been entered and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted and such order shall be in addition to any other penalty imposed on the person convicted.
16. If any person is in contravention of any provision of this By-law, and the contravention has not been corrected, the contravention of the provision shall be

deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected.

CONFLICT

17. In the event of a conflict between any provision of this By-law and any applicable Act or regulation, the provision that is the most restrictive prevails.

SEVERABILITY

18. Should any section of this By-law be declared by a Court of competent jurisdiction to be ultra vires or illegal for any reason, the remaining parts shall nevertheless remain valid and binding, and shall be read as if the offending section or part had been struck out.

SHORT TITLE

19. This By-law may be referred to as a By-law to Regulate Commercial E-Scooters in Hamilton.

EFFECTIVE DATE

20. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule "A"

Service or Activity Provided	Fee
Administrative and Enforcement cost of the removal of an Unlawful Commercial E-Scooter	\$246.01
Storage Charge of an Unlawful Commercial E-Scooter- per e-scooter/day	\$62.83
<i>*Note: Fees do not include HST which will be added where applicable</i>	

Authority: Item 4, Public Works Committee
Report 20-012 (PED20134/PW20050)
CM: December 16, 2020
Ward: City Wide
Bill No. 271

CITY OF HAMILTON
BY-LAW NO. 20-

A By-law to Amend By-law 01-219, To Manage and Regulate Municipal Parks and to Amend By-law 17-225, Being a By-law to Establish a System of Administrative Penalties

WHEREAS Ontario Regulation 389/19 regarding a pilot project for electric kick-scooters, prohibits the operation of electric kick-scooters unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS Council deems it necessary to amend the Parks By-law to explicitly prohibit electric kick-scooters (“E-Scooters”) in Hamilton parks except in designated areas and to provide regulations for their permitted use;

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

1. The amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. The following definition shall be included in By-law 01-219:

“E-Scooter” means a vehicle that has,

- (a) two wheels placed along the same longitudinal axis, one placed at the front of the e-scooter and one at the rear,
 - (b) a platform for standing between the two wheels,
 - (c) a steering handlebar that acts directly on the steerable wheel, and
 - (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour
3. The definition of “motorized recreational vehicle” in By-law 01-219 shall be repealed and replaced with the following:
 - (m) "motorized recreational vehicle" means a snowmobile, go-cart, trail bike, mini bike, all-terrain vehicle, or similar vehicle, or E-Scooter, or similar vehicle, propelled or driven by an internal combustion engine, battery, or other form of power, other than muscular power;

4. That subsection 30. (2) in By-law 01-219 be repealed and replaced with the following:

30. (2) Unless authorized by permit, and except as provided in section 34 with respect to bicycles or as provided in section 34.1 with respect to E-Scooters, no person shall while in any park, drive, operate, pull or ride any vehicle except on a roadway or public parking area.

5. The following rules regarding E-Scooters shall be added under the new subheading "E-Scooters" in By-law 01-219:

E-Scooters

- 34.1 (1) No person shall ride an E-Scooter in a park, unless in a designated area where City signs are posted to permit same.
- (2) No person shall operate, or cause to be operated, or use an E-Scooter in a park, or part thereof, where cycling, skateboarding or rollerblading is prohibited.
 - (3) No person shall ride or push an E-Scooter in a park abreast of another E-Scooter or bicycle.
 - (4) No person riding an E-Scooter in a park shall carry any package or article or act in such a way as to prevent that person from maintaining one hand on the handlebars at all times, including while signaling for a turn or stop and in any case, no person shall fail to maintain control of an E-Scooter.
 - (5) No person shall cause an obstruction to pedestrian and/or vehicular traffic by parking an E-Scooter in a path or trail.
 - (6) No person under the age of 16 years shall operate an E-Scooter.
 - (7) Every person under the age of 18 years old shall wear a helmet that complies with the Highway Traffic Act when operating an E-Scooter.
 - (8) No person operating an E-Scooter shall carry any other person thereon.
 - (9) No person operating an E-Scooter shall tow another person, vehicle or device.
 - (10) No person operating an E-Scooter shall attach themselves to another E-Scooter, vehicle or device for the purpose of being drawn or towed.

- (11) No person operating an E-Scooter shall operate it in any position other than while standing at all times.
- (12) The operator of an E-Scooter shall keep a safe distance from pedestrians and other users of the roadway, shoulder, bicycle lane, trail, path, walkway, or multi-use pathway trail at all times and shall give way to a pedestrian or bicycle by slowing or stopping, as necessary, where there is sufficient space for the pedestrian or bicycle and the E-Scooter to pass.
- (13) No person shall operate an E-Scooter on a trail, or in a park, or multi-use pathway at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter.
- (14) Every owner or operator of an E-Scooter shall ensure that the E-Scooter is equipped with a bell or horn, which shall be kept in good order and sounded whenever it is reasonably necessary to notify cyclists, pedestrians or others of its approach.
- (15) When operated at any time from one-half hour before sunset to one-half hour after sunrise and at any other time when, due to insufficient light or unfavourable atmospheric conditions, persons and vehicles are not clearly discernible at a distance of 150 metres or less, every operator of an E-Scooter shall carry a lighted lamp displaying a white or amber light at the front and a lighted lamp displaying a red light at the rear. The lamps may be attached to the E-Scooter or may be carried or worn by the operator on his or her person.
- (16) No person shall operate or use an E-Scooter in such a manner that it may harm, injure or damage, either directly or indirectly, any person or property.

6. Schedule A of By-law 17-225 is amended by adding the following to Table 12:
By-law No. 01-219 to Manage and Regulate Municipal Parks:

TABLE 12: BY-LAW NO. 01-219 TO MANAGE AND REGULATE MUNICIPAL PARKS				
ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 4 SET PENALTY
528	01-219	34.1 (1)	Operate E-Scooter where prohibited	\$100.00
529	01-219	34.1 (2)	Operate E-Scooter in a park where cycling, skateboarding or rollerblading is prohibited	\$100.00
530	01-219	34.1 (3)	Ride or push E-Scooter in a park abreast of another E-Scooter or Bicycle	\$75.00
531	01-219	34.1 (4)	Fail to Maintain Control of E-Scooter	\$100.00

ITEM	COLUMN 1 DESIGNATED BY- LAW & SECTION		COLUMN 2 SHORT FORM WORDING	COLUMN 4 SET PENALTY
532	01-219	34.1 (5)	Obstruct others with parked E-Scooter	\$75.00
533	01-219	34.1 (6)	Person under the age of 16 years operating an E-Scooter	\$75.00
534	01-219	34.1 (7)	Person under the age of 18 years old failing to wear a helmet that complies with the Highway Traffic Act	\$75.00
535	01-219	34.1 (8)	Operating an E-Scooter carrying any other person thereon	\$75.00
536	01-219	34.1 (9)	Operating an E-Scooter towing another person, vehicle or device	\$75.00
537	01-219	34.1 (10)	Operating an E-Scooter and attaching himself or herself to another E-Scooter (vehicle or device) for the purpose of being drawn (or towed)	\$75.00
538	01-219	34.1 (11)	Operating an E-Scooter in any position other than while standing at all times	\$75.00
539	01-219	34.1 (12)	Operator of an E-Scooter failing to keep a safe distance from pedestrians (and other users) at all times	\$75.00
		34.1 (12)	Operator of an E-Scooter failing to give way to a pedestrian (or bicycle) where there is insufficient space for the E-Scooter to pass	\$75.00
540	01-219	34.1 (13)	Operator of an E-Scooter driving at a speed that is markedly greater than the speed of the pedestrians who are proximate to the E-Scooter	\$75.00
541	01-219	34.1 (14)	Operator of an E-Scooter fail to ensure the E-Scooter is equipped with a bell (or horn) in good working order	\$75.00
542	01-219	34.1 (15)	Operator of an E-Scooter fail to carry (or attach) a lighted lamp at the front and rear	\$75.00
543	01-219	34.1 (16)	Operate (or use) an E-Scooter in such a manner that may (harm, injure or damage) any person (or property)	\$100.00

7. In all other respects, By-01-219 and By-law 17-225 are confirmed; and

8. The provisions of this By-law shall become effective on the date approved by City Council.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 14, Committee of the Whole
 Report 01-003 (FCS01007)
 CM: February 6, 2001
 Ward: 1,2,3,4,5,6

Bill No. 272

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	From	To	Adding/ Deleting
2 - Thru Hwys	E	Aberdeen Ave.	The westerly limit of Queen St.	The westerly end of the street	Deleting
2 - Thru Hwys	E	Aberdeen Avenue	Dundurn Street	Westerly limit	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 - No Parking	F	Wardrope Avenue	East	From King Street West to a point 15m south	Anytime	Deleting
8 - No Parking	F	Wardrope Avenue	East	King Street West to 50 metres south thereof	Anytime	Adding
8 - No Parking	F	Wardrope Avenue	East	50 metres south of King Street West to First Street South	2:00 a.m. to 7:00 a.m.	Adding

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 - Permit	E	Bold	North	from 13m east of Queen to 6m easterly	Anytime	Deleting
12 - Permit	E	Railway St.	West	45m north of Cannon St. to northerly end.	Anytime	Deleting
12 - Permit	E	Cambridge Avenue	South	82.7 metres east of Frederick Avenue to 6.6 metres east thereof	Anytime	Adding
12 - Permit	E	Maplewood Avenue	South	44.6 metres east of Balsam Avenue South to 16 metres east thereof	Anytime	Adding
12 - Permit	E	Railway Street	West	41 metres north of Cannon Street West to 78 metres north thereof	Anytime	Adding
12 - Permit	E	Railway Street	East	113 metres north of Cannon Street West to 24 metres north thereof	Anytime	Adding
12 - Permit	E	Tragina Avenue North	West	105.4 metres north of Roxborough Avenue to 6 metres north thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 - No Stopping	E	Mohawk	North	Moxley to 22.9m westerly	Anytime	Deleting
13 - No Stopping	E	Railway	East	Cannon to north end	Anytime	Deleting
13 - No Stopping	E	Railway	West	Cannon to 156 feet north	Anytime	Deleting
13 - No Stopping	E	Mohawk Road East	North	Moxley Drive to 25 metres west thereof	Anytime	Adding
13 - No Stopping	E	Railway Street	West	Cannon Street West to 41 metres north thereof	Anytime	Adding
13 - No Stopping	E	Railway Street	East	Cannon Street West to 113 metres north thereof	Anytime	Adding
13 - No Stopping	E	Railway Street	West	120 metres north of Cannon Street West to 31 metres north thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 - Wheelchair LZ	E	Cambridge	South	from 82.7m east of Frederick to 6.6m easterly	Anytime	Deleting

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

Page 3 of 3

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
20 - School Bus LZ	E	Albright Rd.	North	100m west of Harrisford St. to 55m westerly	7:00 a.m. to 6:00 p.m. Monday to Saturday	Deleting
20 - School Bus LZ	E	Albright Road	North	100 metres west of Harrisford Street to 75 metres west thereof	7:00 a.m. to 6:00 p.m. Monday to Saturday	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 16th day of December, 2020.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

Authority: Item 19, Emergency & Community
Services Committee Report 20-011
(HSC20051)
CM: December 16, 2020
Ward: 8

Bill No. 273

CITY OF HAMILTON

BY-LAW NO. 20-

Hamilton 60 Caledon Avenue Municipal Housing Project Facilities By-law

WHEREAS under section 110 of the *Municipal Act, 2001* the City may enter into agreements for the provision of municipal capital facilities;

AND WHEREAS under section 110 of the *Municipal Act, 2001* the City may provide financial or other assistance to any person who has entered into an agreement to provide municipal capital facilities;

AND WHEREAS Ontario Regulation 603/06 prescribes municipal housing project facilities as eligible municipal capital facilities;

AND WHEREAS Ontario Regulation 603/06 requires that the City enact a municipal housing facility by-law in order for the City to enter into municipal capital facility agreements for the provision of municipal housing project facilities;

AND WHEREAS Council for the City passed By-law No. 16-233, a municipal housing facilities by-law, on August 12, 2016;

AND WHEREAS By-law No. 16-233 provides that the City may enter into agreements for the provision of affordable housing as a Municipal Housing Project Facility and that the City may give or lend money to any person who has entered into an agreement to provide a Municipal Housing Project Facility;

AND WHEREAS subsection 110(5) of the *Municipal Act, 2001* requires that for each municipal capital facility agreement entered into by the City, Council must pass a by-law authorizing it to enter into a municipal capital facility agreement for the provision of a municipal capital facility;

AND WHEREAS Council approved item 5.1(d) on May 20, 2020 and thereby authorized the disposition of 60 Caledon Avenue with a contribution of value by the City in the form of a forgivable Vendor Take Back Mortgage to secure the construction and operation for a twenty-year term of a minimum of 30 affordable housing rental units comprising the Municipal Housing Project Facility owned and operated by Victoria Park Community Homes Inc. and Hamilton East Kiwanis Non-Profit Homes Inc., or by a business entity to be created by the foregoing entities, located at the property municipally known as 60 Caledon Avenue;

NOW THEREFORE Council enacts as follows:

1. In this by-law;

“Affordable Housing - Rental Housing Units” has the meaning ascribed to it in subsection 1(a) of By-law No. 16-233;

“Municipal Housing Project Facility” shall have the same meaning as “Municipal Housing Project Facility” in By-law No. 16-233 s. 1.;

“Property” means the property municipally known as 60 Caledon Avenue, in the City of Hamilton and more particularly described on Schedule “A”; and,

“Agreement” has the meaning ascribed to it in section 2 of this By-law.

2. The City is authorized to enter into an Agreement under section 110 of the *Municipal Act, 2001* with Victoria Park Community Homes Inc. and Hamilton East Kiwanis Non-Profit Homes Inc., or a business entity created by the foregoing, for the provision of a Municipal Housing Project Facility in the form of a minimum of 30 Affordable Housing – Rental Housing Units at the Premises which meet the requirements of By-law No. 16-233, subject to the terms and conditions provided for in item 5.1(d) approved by Council on May 20, 2020 (the “Agreement”). The General Manager of the Healthy and Safe Communities Department is authorized and directed to execute the Agreement and any ancillary documents thereto in a form satisfactory to the City Solicitor. The Agreement shall provide a forgivable loan in the amount of FIVE MILLION SEVENTY-THREE THOUSAND DOLLARS (\$5,073,000.00), provided the Premises are used as a Municipal Housing Project Facility for Affordable Housing - Rental Housing Units as defined in By-law No. 16-233.

3. This By-law shall remain in force until the earlier of:

- (a) the date Victoria Park Community Homes Inc. and Hamilton East Kiwanis Non-Profit Homes Inc., or a business entity created by the foregoing, ceases to own the Property without having transferred the Property and assigned the Agreement to a person approved by the City in accordance with the Agreement; OR
- (b) the date Victoria Park Community Homes Inc. and Hamilton East Kiwanis Non-Profit Homes Inc., or a business entity created by the foregoing ceases to provide a minimum of 30 Affordable Housing - Rental Housing Units in accordance with the requirements of By-law 16-233 and the Agreement; OR

- (c) the date the Agreement is terminated for any reason whatsoever or is in default of the Agreement; OR
 - (d) the date that is twenty years from the effective date of the Agreement.
4. This By-law may be referred to as the Hamilton 60 Caledon Avenue Municipal Housing Project Facilities By-law.
 5. This By-law comes into force on the day it is passed.
 6. The Affordable Housing - Rental Housing Units on the Property described in Schedule "A" to By-law 20-273 shall be added to the list of Municipal Housing Project Facilities.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule "A" to By-law 20-273 - Property Description

17467-1428 (LT)

PROPERTY DESCRIPTION:

Lot 14, Registrar's Compiled Plan 1469 and Part of Lot 13, on Register's Compiled Plan 1469, designated as Part 7 on plan 62R-6761; Except Part 1 on 62R-20611

OWNERS NAMES: Victoria Park Community Homes Inc. and Hamilton East Kiwanis Non-Profit Homes Inc., or a business entity created by the foregoing.

CITY OF HAMILTON

BY-LAW NO. 20-

To Confirm the Proceedings of City Council at its meeting held on December 16th, 2020.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 16th day of December 2020, in respect of each recommendation contained in

Mayor's Task Force on Economic Recovery Report 20-006 – November 26, 2020,
Special General Issues Committee Report 20-022 – November 30, 2020,
Board of Health Report 20-008 – December 7, 2020,
Public Works Committee Report 20-012 – December 7, 2020,
Planning Committee Report 20-015 – December 8, 2020,
General Issues Committee Report 20-023 – December 9, 2020,
Audit, Finance & Administration Committee Report 20-012 – December 10, 2020,
Emergency & Community Services Committee Report 20-011 – December 10,
2020,
and
General Issues Committee (GRIDS 2 and the Municipal Comprehensive Review)
Report 20-024 – December 14, 2020

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 16th day of December, 2020.

F. Eisenberger
Mayor

A. Holland
City Clerk