



City of Hamilton

CITY COUNCIL ADDENDUM

21-001

Wednesday, January 20, 2021, 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

5. COMMUNICATIONS

5.21. Correspondence respecting the Notice of Zoning By-Law Amendment to Stoney Creek By-Law No. 3692-92 - 1400 Baseline Road, Stoney Creek (Ward 10) City Initiated Application CI-20-A:

*5.21.e. Mark & Marlene Victor

*5.21.f. Viv Saunders, Lakewood Beach Community Council

*5.21.g. Colleen Saunders

*5.21.h. Terylene McClelland

*5.21.i. Sherry Hayes & Dennis Facia

*5.21.j. Sharon Williams, Lakewood Beach Community

*5.21.k. Jessica De Stefano

Recommendation: Be received and referred to Item 6 of Planning Committee Report 21-001.

*5.31. Correspondence from the Ancaster Village Heritage Community respecting the rezoning and Official Plan amendments at 15 Church Street in Ancaster (PED20205).

Recommendation: Be received and referred to the consideration of Item 7 of Planning Committee 21-001.

*5.32. Correspondence from Sheryl Wickens-Perrie requesting that Council consider increasing the availability of washrooms which can be used by the public who wish to spend time outside safely.

Recommendation: Be received.

*5.33. Correspondence from the Honourable Doug Downey, Attorney General in response to the Mayor's letter respecting the proposed cannabis retail store at 11 Hatton Drive in Ancaster.

Recommendation: Be received.

6. COMMITTEE REPORTS

*6.8. STAFF REPORTS

*6.8.a. City of Hamilton Transfer Stations and Community Recycling Centres Contract Update ((PW20068(d))/LS20039(c)) (City Wide)

Discussion of the Private & Confidential Appendix "A" to Report PW20068(d))/LS20039(c) would be pursuant to the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City.

(Please refer to Item 10.2 for the confidential Appendix)

8. NOTICES OF MOTIONS

*8.1. Physician Recruitment Program Contract Extensions – Program Coordinator and Practice Advisor and Physician Recruitment Coordinator

10. PRIVATE AND CONFIDENTIAL

*10.2. Appendix "A" Report PW20068(d))/LS20039(c), respecting City of Hamilton Transfer Stations and Community Recycling Centres Contract Update

Discussion of the Private & Confidential Appendix "A" to Report PW20068(d))/LS20039(c) is pursuant to the City's Procedural By-law 18-270, and Section 239(2), Sub-sections (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the City. (Please refer to Item 6.8 (a) for the public report)

Pilon, Janet

Subject: Council Meeting - January 20, 2021

From: Mark Victor
Sent: January 18, 2021 8:37 AM
To: DL - Council Only <dlcouncilonly@hamilton.ca>; clerk@hamilton.ca
Subject: Council Meeting - January 20, 2021

Dear Honourable Mayor & Council:

Are you an elected representative that believes your constituents have a basic right to meaningful Notifications of development applications in the neighbourhoods that you serve?

If you've answered this question Yes, then item 6 on Planning Committee Report 21-001 should give you pause.

These applications are ones where the City of Hamilton, a public body, is the applicant. The standard Duty of Care should not be lower than other development applications received from other persons or public bodies. We are making this written submission as concerned residents of Ward 10 and concerned citizens / Hamiltonians.

Since the Planning Committee meeting held on January 12th, 2020, we've been able to determine that the processes did **not** provide the Public with the ability to materially participate (as measured by what residents have come to expect; nor as each of your constituents have been provided by you historically).

As you know, there are various steps/notifications during the planning process which are either legislation or supported by Council in order to meet the requirements &/or intent of the municipal and provincial guidelines. (For ease of reading, we haven't inserted the specific sections)

Step 1 - After receiving an application: A Notice of Complete Application is mailed to residents within 120 ms of the subject land; normally within 1 month but no later than 15 days after deeming the application complete as per Act. ***No such notice was mailed out.***

Step 2 - Within a certain number of days of deeming an application complete, the applicant is to post a Public Notice board on the subject land. ***No such board was/has been posted.***

Step 3 - Prior to deeming an application complete, the applicant is to provide a Public Consultation Strategy which mandates a Community Consultation Meeting has to be conducted. Lack of skill set to conduct a Community Consultation meeting is no excuse. The City's PC Strategy is contained in our Official Plan. There are no exceptions (plan attached for your convenience). ***No such Community Consultation meeting has occurred; hence we believe a Public Consultation Strategy was not submitted.***

Step 4 - While development applications are being reviewed by Staff, the details of any applications are posted on the city's website ... open data for the "nerdy" residents. Presently, ***no details have been posted on the city's Development Applications Mapping Tool*** in regards to the Official Plan amendment application nor the

Zoning By-Law amendment application. (As an aside, the Staff Report is also completely silent on when these applications were received, when they were deemed complete, etc.)

Step 5 - Prior to the statutory Public Meeting, notice of said meeting is to be provided to the Public (Planning Act states 20 days, our UHOP reduced that down to 17 days). Even though one notice was published in the Hamilton Spectator on December 18th, the Notice of the Public Meeting was only posted in our local Stoney Creeks News' December 24th edition, Page 15 of 16. The intent of providing this notice is so that the public can ask questions of the planner, view the public record planning file, etc. Yet in this case, the notice was published in the local community newspaper only 19 days prior to the statutory public meeting. More significantly though, it was published in tandem with the scheduled holiday closure of the City until January 4th, 2021. **Meaningful notice was not provided!**

(As an aside, we have been advised that the posting of that Public Meeting notice is deemed to also conform to Step 1 in that in the opinion of the City, it acts as a Notice of Complete Application for City Initiated development applications. This appears to be a practice that does not conform to planning regs & principles. Oddly too, the planner in the Notice is different than the planner who wrote the Staff Report & presented. We know of residents who are still waiting for return calls in response to voice mails left for the planner in the Public Notice)

Step 6 - The statutory Public Meeting.

(a) An amended Motion to **approve** the applications was provided to the Chair **prior to the statutory Public meeting**. Councillor Pearson moved an amended Motion that read: "That the public submissions regarding this matter were received and considered by the Committee in **approving** the application"

The amended motion was read, is visually available in the public record as a highlighted section in the Road Map for the Chair, and was moved by Clr Pearson prior to the Committee Members deliberations/questions on the Staff Recommendation. All of these actions made a mockery of the spirit & intent of 'public participation in the planning process' and made it quite clear the vote to approve was pre-determined before the statutory Public meeting.

(b) New information regarding the eventual disbursement of any sales proceeds came to light. This new information conflicted with the Staff Report.

(c) The Staff Report is silent on whether or not a direct mail out to landowners within 120ms was sent. Usually, this information is part of a Staff Report & contains further details on how many landowners were notified, how many phoned/wrote in, etc. We have reason to believe a mail out was not done and the only "notice" to the public was the postings in newspaper.

(d) Similarly, the Staff Report is silent on a Public Notice Board on the subject land. We have reason to believe members of the Planning Committee assumed a sign was posted in keeping with standard processes.

(e) Indirectly, during the meeting one member of the community provided oral submissions. Councillor Brenda Johnson is a resident of the Fifty Road Neighbourhood. She voiced her concerns in regards to the lack of public notification and the pre-determined outcome of the Recommendation in Planning Committee Report 21-001 that is before Council.

(f) The Staff Report makes references to 'modellings' conducted by Staff on potential builds. Neither the Report or Presentation includes visuals of those modellings (aka Conceptual Site Plans). None of that

information has been shared with the public to help them form an opinion &/or to provide the public with adequate information on the subject matter.

Whether at this juncture you are of the opinion the OPA/ZBA is or isn't a good use of the land, that decision by Council should be put on hold & not be voted upon during the Jan 20th meeting. We are of the very strong opinion that the Applicant/City has not provided the Public with meaningful community engagement that follows procedures (both in spirit and in conformity with planning principles).

Hence, we are requesting that Council does **not** support the recommendation contained in the report and that as a governing body, further direction be provided on Public Participation & Notifications for this OPA and ZBA application.

Respectfully,

Mark & Marlene Victor

P.S. We wish to be provided with any Notice of Decisions in regards to CI-20-A applications for 1400 Baseline Road, Stoney Creek Ontario, Ward 10

Pilon, Janet

Subject: Council Meeting - January 20, 2021

From: Lakewood Beach Community Council

Sent: January 17, 2021 12:15 PM

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

Subject: Council Meeting - January 20, 2021

Dear Honourable Mayor & Council:

Are you an elected representative that believes your constituents have a basic right to meaningful Notifications of development applications in the neighbourhoods that you serve?

If you've answered this question Yes, then item 6 on Planning Committee Report 21-001 should give you pause.

These applications are ones where the City of Hamilton, a public body, is the applicant. The standard Duty of Care should not be lower than other development applications received from other persons or public bodies. We are making this written submission as concerned residents of Ward 10 and concerned citizens / Hamiltonians.

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been shared with the public to help them form an opinion &/or to provide the public with adequate information on the subject matter.

Whether at this juncture you are of the opinion the OPA/ZBA is or isn't a good use of the land, that decision by Council should be put on hold & not be voted upon during the Jan 20th meeting. We are of the very strong opinion that the Applicant/City has not provided the Public with meaningful community engagement that follows procedures (both in spirit and in conformity with planning principles)

Hence, we are requesting that Council does **not** support the recommendation contained in the report and that as a governing body, further direction be provided on Public Participation & Notifications for this OPA and ZBA application.

Respectfully,

Viv Saunders
Lakewood Beach Community Council

P.S. We wish to be provided with any Notice of Decisions in regards to CI-20-A applications for 1400 Baseline Road, Stoney Creek Ontario, Ward 10



Hamilton

PUBLIC CONSULTATION STRATEGY GUIDELINES

PURPOSE AND OBJECTIVE:

The purpose of this document is to provide a guideline for preparing a Public Consultation Strategy as part of a complete application for an Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision. This document will continue to recognize that Public Participation Policy which allows the proponent to hold a Community Consultation meeting before submission of an application; however, the applicant will be required to hold a public meeting either prior to submission of a complete application and submit the required information noted below or submit a Public Consultation Strategy as set out below.

Public Consultation Strategies shall be required for the following applications:

- Official Plan Amendments
- Zoning By-law Amendments
- Draft Plan of Subdivision

Public Consultation Strategies may be requested, if deemed appropriate by the Manager of Development Planning, Heritage and Urban Design, for all other planning applications.

All consultation shall follow the guidelines contained in this document. Failure to adhere to the guidelines may result in a submitted application being deemed incomplete.

The goal of a Public Consultation Strategy is to ensure that the public is informed of proposals in their community and provide a forum of which to obtain information and voice their support/objection. A record of the comments and views from the public shall be recorded and become part of the planning report.

REQUIREMENTS:

Public Consultation Strategies must include the following:

	Explanation
Target audience of the consultation	<i>Who will be informed of the consultation and how. Demonstrate an understanding of the demographics in the neighbourhood.</i>

<p>Consultation efforts made before the application was submitted</p>	<p><i>Evidence of the consultation efforts made prior to application, including recorded outcomes.</i></p>
<p>List the stakeholders and how they are impacted</p>	<p><i>List the public, businesses BIAs, agencies, neighbourhood associations, and any other parties that would be impacted as a result of the application and how.</i></p>
<p>Tools to be used to consult/engage the public</p>	<p><i>Given the rapidly changing technology and social media environment, in addition to considering traditional consultation methods such as a meeting, the applicant may present alternative options for connecting with the community/different demographics and stakeholder groups. These alternative methods shall be detailed in the strategy.</i></p> <p><i>The strategy shall include how the consultation is advertised (i.e. how residents/stakeholders are directed to social media or events/public meetings). The public must be notified on the engagement a minimum of 10 days prior.</i></p> <p><i>Consideration must be given to access and equity (AODA requirements).</i></p>
<p>Timing of consultation</p>	<p><i>Consultation efforts must commence: 30 days from date of application for routine ZBA. This timeframe shall apply to consents and site plans, if required.</i></p> <p><i>60 days from date of application for complex ZBA, OPA and/or Plan of Subdivision.</i></p> <p><i>If a meeting/event is proposed the consultation strategy must include a date, time and location.</i></p> <p><i>If other consultation methods are proposed (other than a meeting/event), the strategy must specify the date of commencement and duration of the consultation effort.</i></p>

Method to receive and document comments	<i>Public input must be documented. A record of public comments and recorded views of named persons referenced shall be submitted.</i> <i>If in person consultation occurs, comment cards/forms shall be made available for those in attendance at the meeting as well as online commenting options.</i>
Proposed participants in consultation and their role	<i>Applicant/Agent, consultants, City Staff (at the request of the applicant), agencies, Councillors, etc.</i>
Requested City resources	<i>Are any City resources required for this consultation to occur?</i>
Expected/Potential Issues	<i>Identify potential issues for the community relating to the application and potential responses/solutions.</i>

Additional Submission Requirements if a public meeting/event is proposed:

- A. Individual invitations to attend the meeting must be provided to the City’s Manager of Development Planning, Heritage and Design, the Ward Councillor, and all property owners, Neighbourhood Associations and Business Improvement Area Associations, identified stakeholders, within 120 m of the subject property unless an alternative radius is agreed to by the City and applicant. Input may be solicited from the Ward Councillor. These invitations must be sent a minimum of 10 days prior to the meeting.
- B. The following items shall be required to be submitted to the City as part of community consultation for an application within 14 days of a consultation meeting:
 - 1. An address list of people/organizations invited to the meeting;
 - 2. A copy of the materials presented at the meeting;
 - 3. Sign in sheet of meeting participants;
 - 4. Minutes of the meeting;
 - 5. A copy of all written comments received;
 - 6. A written summary of all of the comments received verbally and in writing; and,
 - 7. A description of any modifications made to the proposal as a result of the meeting.

Pilon, Janet

Subject: Council Meeting January 20, 2021

From: COLLEEN SAUNDERS

Sent: January 18, 2021 1:42 PM

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

Subject: Council Meeting January 20, 2021

Dear Council Members,

I would like to reiterate the concerns voiced by members of the Lakewood Beach Community Council regarding planning for the area of Fifty Point and Baseline Road, Stoney Creek. Any decision by Council should be put on hold & not be voted upon during the Jan 20th meeting. I am of the very strong opinion that the Applicant/City has not provided the Public with meaningful community engagement that follows procedures (both in spirit and in conformity) with planning principles. It will be a vote in favour or in opposition to the City of Hamilton's Strategic Plan priorities on Community Engagement & Participation. [Our Commitment to Our Community | City of Hamilton, Ontario, Canada](#)

I am requesting that Council does **not** support the recommendation contained in the report and that as a governing body, further direction be provided on Public Participation & Notifications for this OPA and ZBA application.

Respectfully,

Colleen Saunders

Pilon, Janet

Subject: Council Meeting - January 20, 2021

From: TMcClelland

Sent: January 19, 2021 4:42 AM

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

Subject: Re: Council Meeting - January 20, 2021

Dear Honourable Mayor & Council:

Further to my previous letters & regarding item 6 on Planning Committee Report 21-001 (January 20, 2021)
I am making this written submission as a concerned resident of Ward 10 and a concerned citizen & Hamiltonian!

I am in agreement & support of our LBCC Representatives that we are of the very strong opinion that the Applicant/City has not provided the Public with meaningful community engagement that follows procedures (both in spirit and in conformity with planning principles)

The only notice re proposal for re-zoning, that I saw was posted in the Stoney Creek Newspaper. The notice was with no real details, visual outlines or plans given to residents to get an idea of what development is exactly being proposed with this request for re-zoning for our Lakeside to Grimsby area?

With the lack of details given, it leaves one to question why are we the local residents of the area & Hamilton being kept in the dark?

Also why is this being pushed through to a Council vote so quickly without giving & disclosing full details informing the public & effected residents?

The vote & decision by Council should be put on hold & not be voted upon during the Jan 20th meeting.
Responsible due diligence needs to be recognized & honoured!

I too, am requesting that Council does **not** support the recommendation contained in the report and that as a governing body, further direction be provided on Public Participation & Notifications for this OPA and ZBA application.

Respectfully,
Terylene McClelland

P.S. I wish to be provided with any Notice of Decisions in regards to CI-20-A applications for 1400 Baseline Road, Stoney Creek Ontario, Ward 10

Pilon, Janet

Subject: January 20th, 2021 Council Meeting Agenda Item 6 - Planning Committee Report 21-001

From: Sherry Hayes

Sent: January 18, 2021 8:15 PM

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

Subject: January 20th, 2021 Council Meeting Agenda Item 6 - Planning Committee Report 21-001

FOR INCLUSION

Dear Mayor & Council Members,

As a follow up to our previous letter (regarding 1400 Baseline Road, Stoney Creek/Winona) that we submitted to the city clerk to be included in the Planning Committee meeting of January 12th, we continue to be baffled by council and the constant approval for over-intensified developments in the lakeside area of Stoney Creek/Winona. It appears that, no matter the degree of local opposition to this continual onslaught of intensification to this one small area of this city, the Planning Committee and ultimately full council will vote to approve these developments. It does not appear that there are any other wards in this city that are experiencing this unbelievable uptick in development of residential buildings specifically designed with miniscule square footage that surely does not promote full family living such as what directly surrounds these developments. 1400 Baseline Road in Winona is no exception to this unjust situation. Please refer to Item 6 - Planning Committee Report 21-001

To that, we draw attention to the City of Hamilton's **Strategic Plan priorities on Community Engagement & Participation** and the information noted from within that plan, in particular, the highlighted portions noted below:

Our Strategic Plan Priorities

Our seven priorities are a result of the nearly 55,000 resident conversations that took place as part of the Our Future Hamilton: Communities in Conversation initiative that asked one simple question, "What is your vision for the future of Hamilton?" and 3,200 internal staff conversations around what was important to us as an organization.

By adopting the Our Future Hamilton priorities, and adding a seventh priority focused on supporting our employees, the City illustrated its commitment to the achievement of the community vision, Our Future Hamilton.

Community Engagement and Participation

Our Future Hamilton, the 25-year community vision, defines "Community Engagement and Participation" as a collaborative place where:

Citizens are consulted and involved in making the decisions that impact them.

The desired outcome of the City of Hamilton's Strategic Plan, under the Community Engagement and Participation Priority is... "Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community."

This means the City contributes to achieving the community vision by providing both customer service and community enrichment services that promote civic engagement and civic pride. By removing barriers, information about government operations and municipal services is more readily available and easier to access, resulting in a greater understanding of municipal government and empowering residents to become more involved in decision-making processes that affect them and their community.

The Strategic Plan has four focus areas that support Community Engagement and Participation, in addition to everyday municipal services. **The focus areas are:** (In particular)

Trust & Confidence in City Government

Given this information and the Strategic Plan Priorities, should this community not expect to have the respect of being fully involved in the continual development applications and changes that consume this area well BEFORE any development is considered or approved? We continue to be opposed to this over-intensification and are definitely opposed to this Planning Committee report 21-001. Once again, we are requesting that Council does **NOT** support the recommendation contained in the Planning Committee Report 21-001 report and that as a governing body, there will be **further direction provided on Public Participation & Notifications** for this OPA and ZBA application. Further, we would like to receive any and all decision notices for CI-20-A applications regarding 1400 Baseline Road, in Ward 10, Stoney Creek.

Respectfully,

Sherry Hayes & Dennis Facia, Stoney Creek, ON

Pilon, Janet

Subject: Notice of Jan 20, 2021 Meeting Agenda. Ward 10 vote 1400 Baseline Rd.

From: Sharon Williams

Sent: January 17, 2021 4:52 PM

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

Subject: Notice of Jan 20, 2021 Meeting Agenda.

Strategic Plan priorities on Community Engagement & Participation.

I am so disappointed and concerned about the lack of Community involvement but even worse complete disregard for our input and disapproval of plans when our Community Lake Board submit the concerns of residents repeatedly. I strongly object any further moves forward on City Planning objectives without following the correct format and notices and review by and for the residents.

There should not be legal vote on this matter on Jan 20th 2021 prior to the proper notification on community planning steps as laid out in the City's Requirements on this matter.

Please consider this a No vote from me

Very concerned Resident

Sharon Williams

Lakewood Beach Community

Pilon, Janet

Subject: Council meeting for January 20, 2021

From: Jessica De Stefano

Sent: January 19, 2021 11:42 AM

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

Subject: Council meeting for January 20, 2021

Dear Honourable Mayor and Council,

I would like to put in my vote of opposition for CI-20-A applications for [1400 Baseline Road, Stoney Creek Ontario](#), Ward 10. I understand the reasoning of development, but there needs to be some sort of compromise. Instead of high/over-intensification, could it not be changed to something more fitting of the area and current residents? This and surrounding areas are developing in ways that don't suit what is currently existing.

In conclusion, I am opposed to the application and voting for high/over-intensification CI-20-A applications for [1400 Baseline Road, Stoney Creek Ontario](#), Ward 10.

The vote and decision by Council should be put on hold and not voted on during the January 20th, 2021 meeting until the residents in the area and surrounding areas are provided with more information and options/explanation of the different levels of intensifications and how they will impact the community.

Thank you,

Jessica De Stefano



20 Rousseaux Street, Ancaster L9G 2W5

Mayor and Members of Council

January 13, 2021

We bring to your attention and ask you take immediate steps to remedy a serious breakdown in governance at the City that strikes at the heart of trust and confidence.

The matter relates to rezoning and Official Plan amendments at 15 Church Street in Ancaster (PED20205).

This letter deals solely with the process, not the merits of the application.

We ask Council to withhold approval of bylaw/official plan recommendations by the Planning Committee pending a full review as they are based on a Staff Report we believe may have material errors and omissions.

We realize all members of the Planning Committee sit on Council. I ask that you step back from that role, and consider the ramifications of admitting documents with obvious errors to a statutory decision making process.

LPAT: Further, we recognize appealing to LPAT is the usual solution. Is it fair to put the cost and effort of LPAT on the backs of citizens when one of the reasons for an appeal is errors in a City document? No one can predict LPAT, but it seems to us a decision based on a Staff Report with material errors in it is unlikely to be upheld.

The Entire Process Rests on Staff Reports: City Councillors are seldom subject matter experts in the items that come before them. Decisions are made almost exclusively on recommendations that come from staff, and these documents are usually provided only days before a meeting. They have to be accepted at face value. Citizens rely even more on staff reports as the maze of Bylaws, Official Plans, and Secondary Plans is very complex. Again, it is a matter of days from seeing a Staff Report and a meeting.

There is no meaningful public input to planning decisions with the procedures used, and that places even more emphasis on valid information and assumptions in staff reports

It is a basic principle reports must be accurate, complete, balanced, transparent. We regret to say this particular report seems to miss these standards.

The Issues

Errors of Fact: We will not set these out in detail but the errors are material:

- **Assumption 15 Church is in the Community Node in UHOP. It is not—it is residential.** All UHOP says is the downtown cores of the former municipalities are in Community Nodes.
- **Assumption that 15 Church is Mixed Use—Pedestrian. That describes full commercial areas. 15 Church is ER Residential.**
- **Assumption 15 Church is in the Community Node of the Ancaster Secondary Plan. It is not**
- **Assumption 15 Church is in the Village Core in the Secondary Plan. It is not.**

These are not opinions. They are facts, taken directly from applicable legislation. See [Appendix B](#)

Omission: Further, there is an omission concerning permitted light commercial uses in the Wilson Street Secondary Plan designation being sought. A section (2.7.8.3) dealing with implications of Residential 3 was partly redacted and only some of it included in the report. 8 sections or sub sections relating to commercial use were not included. See [Appendix A](#).

Unless a reader sought out the wording deep in the Secondary Plan it is unlikely they would connect town homes and commercial use. I am sure most citizens thought they were responding to a plan to put town homes in the neighbourhood, nothing more. That is not so.

Staff Aware This is a Sensitive Issue: We know Staff is well aware of resident sensitivity to commercial use at this location. This flows from a 2008 attempt to allow a commercial use. The City opposed the application. The OMB found in favour of the City. A review of that decision might be helpful.

The lack of full disclosure in the report is problematic and we believe will lead to a loss at LPAT for the City. It would be prudent to stop the approval process now.

Result is it Looks Like a Minor Issue—It is Not: The overall impression left in the verbiage on the policies that flow from these assumptions is it is a minor issue to allow Low Density Residential 3. The subject land is already in the Community Node and Village Core so rezoning to allow a use from the Community Node is a minor issue. **That is a very misleading impression to leave for users of the report.**

A Correct Set of Facts: The set of facts that should be set out initially in this Report are:

- Low Density Residential 1 with ER single home zoning;
- not in the Community Node;
- not in the Village Core;
- no Residential 3 or commercial in any residential area to date;
- staff disclosure that Residential 3 permits some commercial uses;
- Intensification targets for residential have been met

If it was this set of facts that underly the Report the discussion on moving it to Residential 3 could have a very different tone. Neighbourhoods all along Wilson St would be alerted uses permitted only on Wilson may come around the corner into their neighbourhood in the future.

Who Knew? We suggest many people with knowledge of the matter and professional knowledge of the Planning process knew or should have known this was a flawed report. For whatever reason, they chose not to point this out to the Planning Committee. We find this deeply disappointing,

Transparency? In our view transparency requires full and prominent disclosures. Key disclosures were omitted from the Report:

- that approval would move commercial uses into a heritage residential area and this would be a precedent.
- The possibility a different owner before construction could take advantage of this in a different way than 6 townhomes should have been included
- Full disclosure that an OMB decision prohibited this change in 2008 is material and should be included. The facts around 15 Church and applicable City legislation have not changed.

Balance: The Staff Report has no discussion about advantages of denying the applications and leaving the subject lands as ER, Residential 1. One sentence, that it will remain ER, is it. Staff Reports should be balanced regardless of the views of authors and both sides of a decision must be included.

Delegation: I was permitted 5 minutes for a virtual delegation on January 12. I regret I failed to communicate the gravity of this situation, and hope that this more fulsome explanation will do that.

Our opinion should not be taken at face value, but we expected Planning Committee would refer the matter to senior staff to see if concerns are valid. Instead, the process moved on.

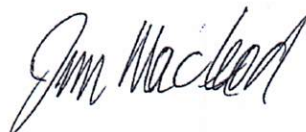
Table Bylaw Amendments: We are now asking Council to exercise the due diligence we believe the Planning Committee could have exercised. This means to table consideration of the bylaw and Official Plan amendments for 15 Church pending review of the Staff Report the recommendation is based on.

Fresh Eyes: We believe an independant consultant should review this Staff Report for accuracy and completeness.

We believe a corrected Staff Report could be different enough that the process to date may be invalidated. We realize this would cause issues, but we cannot see any way to move forward with decisions and preserve public trust in the City without a fresh process.

If any further information is needed I am willing to assist in any way possible.

Sincerely



Jim MacLeod

APPENDIX A—LETTER TO HAMILTON COUNCIL JANUARY 13

b) In addition to Section E.3.4 – Low Density Residential of Volume 1, for lands designated Low Density Residential 3 on Map B.2.8-1 - Ancaster Wilson Street Secondary Plan: Land Use Plan, the following policies shall apply:

1. i) In addition to Policy E.3.4.3 of Volume 1, all forms of townhouses and low-rise *multiple dwellings* shall be permitted.
2. ii) Notwithstanding Policy E.3.4.4 of Volume 1, the *net residential density* range shall be 20 - 60 units per hectare.
3. *iii) In addition to Policy E.3.4.3 of Volume 1, small scale commercial uses shall be permitted, including business and professional offices, medical office uses or clinics, day nursery, artist studios, funeral homes, and personal services.
4. *iv) Notwithstanding Policy 2.8.7.3 b)iii) of this Plan, prohibited uses include retail, financial establishments, restaurants, motor vehicle service stations, and gas bars.
5. *v) In accordance with Policy 2.8.7.3 b)iii) of this Plan, commercial uses shall be subject to the following:

*1. Permitted uses shall be located in stand-alone commercial or mixed use buildings;

*2. Residential units are encouraged on upper floors as part of any proposed *development or redevelopment*;

*3. For mixed use buildings, commercial uses shall be located on the first floor only;

*4. Parking shall be accommodated on site or through shared parking lots, where feasible;

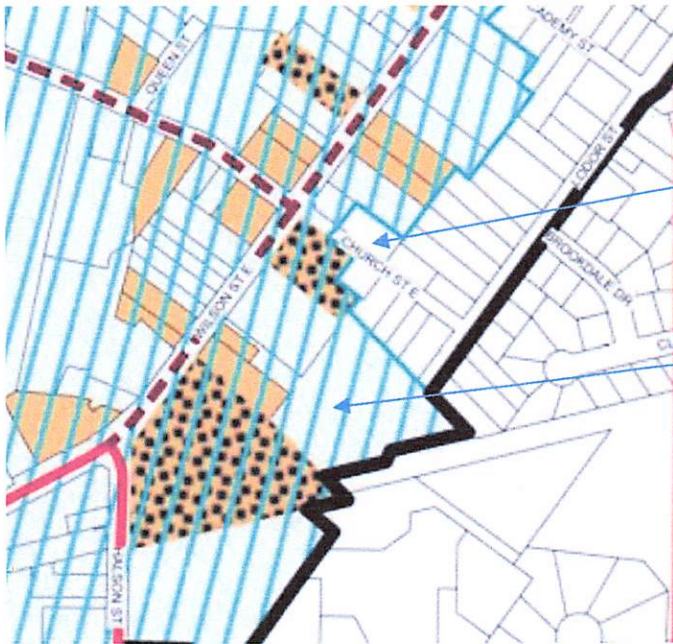
*5. New stand-alone commercial buildings shall be subject to the following provisions:

*a. Commercial uses shall not exceed a total gross floor area of 500 square metres; and,

vi) New *development or redevelopment* shall ensure the height, massing, scale, and arrangement of the buildings and structures are *compatible* with the abutting uses.

*REDACTED FROM WILSON STREET SECONDARY PLAN BEFORE INSERTING IN STAFF REPORT

**APPENDIX B—Letter to Hamilton City Council January 13
Official Plan/Bylaw for Subject Property and Adjoining Area**



Subject Property 15 Church Not In Community Node. Zoned ER. Low Density Residential 1 Official Plan

Cross Hatch shows Community Node—Official Plan. Zoned C5a in adjacent areas. Report states Subject Property in this zone



Shaded Area shows Village Core—Official Plan. Zoned C5a. Report States subject property is in this zone

Subject Property 15 Church Not In Village Core. Zoned ER, Low Density Residential 1 Official Plan

Pilon, Janet

Subject: Availability of public washrooms

From: Sheryl Wickens-Perrie

Sent: January 16, 2021 6:39 PM

To: clerk@hamilton.ca

Subject: Availability of public washrooms

To the Mayor and all members of City Council :

On Saturday afternoon my husband and I drove to Bayfront Park. During the lockdown periods in our community we have done this as we find viewing our waterfront from our car is a calming experience. We along with others sitting in their cars, appreciate watching the families walking their dogs. It is a safe thing to do and as you have encouraged our citizens to get outside to exercise in a careful manner you should have no objection to this activity.

We normally go to this area on a week day as we are retired, but Saturday was bright and sunny. The parking lots at Bayfront Park were full which was no surprise to us. What was a shock is this: I had an urgent need to use a washroom. They were closed. We then drove quickly to the Williams restaurant area. Although there were at least twenty people lined up to use the skating rink, the public washrooms there were also closed. A kind gentleman told me that there was a single washroom open at the front of Williams restaurant.

In view of every inside washroom being closed down in many areas in Hamilton, please consider increasing the availability of washrooms which can be used by the public who wish to spend time outside safely. With all the people around our waterfront on Saturday it is not possible that I was the only person needing a washroom.

Sheryl Wickens-Perrie

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Télééc.: 416-326-4007



Our Reference #: M-2020-15725

January 18, 2021

His Worship Fred Eisenberger
Mayor
City of Hamilton
71 Main Street West, Second Floor
Hamilton, ON
L8P 4Y5

Email: mayor@hamilton.ca

Dear Mayor Eisenberger:

Thank you for your letter respecting the application for a proposed cannabis retail store at 11 Hatton Drive in Ancaster (City of Hamilton's file # C20-025).

As you are aware, the Alcohol and Gaming Commission of Ontario (AGCO) is the independent provincial regulator authorized to grant cannabis retail operator licences (ROL) and retail store authorizations (RSA). The AGCO exercises its regulatory functions independently and as such, makes its decisions without interference of the government.

The AGCO accepts and reviews comments as part of the public notice process before determining if the location is appropriate and in the public interest as defined in the *Cannabis Licence Act, 2018*'s regulation, including protecting public health and safety, protecting youth and restricting their access to cannabis, and preventing illicit activities in relation to cannabis.

As previously noted, we appreciate your sharing the Hamilton City Council's concerns as we continue to monitor the evolution of cannabis legalization in the province.

Thank you again for writing.


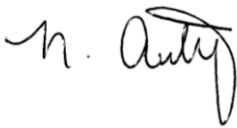
Sincerely,

A handwritten signature in black ink that reads "Doug Downey".

Doug Downey
Attorney General



INFORMATION REPORT

TO:	Mayor and Members City Council
COMMITTEE DATE:	January 20, 2021
SUBJECT/REPORT NO:	City of Hamilton Transfer Stations and Community Recycling Centres Contract Update ((PW20068(d))/LS20039(c)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Stephen Chisholm, Legal Services (90) 546-2424 Ext. 3663
SUBMITTED BY: SIGNATURE:	Craig Murdoch Director, Environmental Services Public Works Department 
SUBMITTED BY: SIGNATURE:	Nicole Auty City Solicitor, Legal and Risk Management Services Corporate Services Department 

Discussion of Appendix "A" of this report in Closed Session is subject to the following requirement(s) of the City of Hamilton's Procedural By-law and the *Ontario Municipal Act, 2001*:

- 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 City.

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

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

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

COUNCIL DIRECTION

Not Applicable

INFORMATION

The purpose of Information Report PW20068(d)/LS20039(c) is to inform Council on the status of negotiations and the resumption of work by Waste Connections of Canada (WCC).

The Parties agreed that WCC will return to the site in order to resume work on the contract, while at the same time moving forward with efforts to resolve the past dispute. WCC staff will be gradually returning equipment and personnel to the work sites this weekend and will be resuming their work under the Contract on Monday, January 25, 2021.

The City of Hamilton and WCC participated in mediation earlier this month, which did not result in a resolution of the dispute that triggered the temporary change in contractors in October. Details on the mediation and next steps in the process to seek a resolution are set out in Confidential Appendix "A" attached to Information Report PW20068(d)/LS20039(c).

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to PW20068(d)/LS20039(c) - City of Hamilton Transfer Stations and Community Recycling Centres Contract Update

CITY OF HAMILTON

NOTICE OF MOTION

Council: January 20, 2021

MOVED BY COUNCILLOR T. WHITEHEAD.....

Physician Recruitment Program Contract Extensions – Program Coordinator and Practice Advisor and Physician Recruitment Coordinator

WHEREAS, the Director, Physician Recruitment announced their retirement as of November 22, 2019 and subsequently extended their contract to provide consulting services and to facilitate the training of the temporary Physician Recruitment Program Coordinator and Practice Advisor;

WHEREAS, the Physician Recruitment Coordinator was on maternity/parental leave starting mid-December 2019;

WHEREAS, a temporary Physician Recruitment Program Coordinator and Practice Advisor was hired for a one-year term effective March 1, 2020 to February 28, 2021 to backfill the Physician Recruitment Coordinator’s maternity/parental leave;

WHEREAS, the terms of the Physician Recruitment Coordinator contract were previously agreed upon between that position and the Director, Physician Recruitment;

WHEREAS, the Director, Physician Recruitment did not renew the Physician Recruitment Coordinator’s contract (to enable them to return to work following their parental leave) prior to their retirement, although they were directed to do so by the Working Group of the Physician Recruitment & Retention Steering Committee;

WHEREAS, the Physician Recruitment Coordinator returned from parental leave, on January 4, 2021, without a contract;

WHEREAS, in the absence of a Director, Physician Recruitment, the Physician Recruitment & Retention Steering Committee, to which the Director, Physician Recruitment reports, can enter into an employment contract with program staff;

WHEREAS, the COVID-19 pandemic prevented the Physician Recruitment & Retention Steering Committee from further exploring the best way to fill the Director, Physician Recruitment position in 2020;

WHEREAS, the Physician Recruitment & Retention Steering Committee is currently considering restructuring the Physician Recruitment Program, which may involve the elimination of the position of Director, Physician Recruitment; and,

WHEREAS, there is a need to renew the contracts for both the Physician Recruitment Program Coordinator and Practice Advisor and the Physician Recruitment Coordinator positions for a short period to enable the Physician Recruitment & Retention Steering Committee to consider the potential restructuring of the Physician Recruitment program and the continuation or elimination of the position of Director, Physician Recruitment.

THEREFORE, BE IT RESOLVED:

- (a) That the current Physician Recruitment Program Coordinator and Practice Advisor's contract be extended from March 1, 2021 to provide a continuation of services to the Physician Recruitment program, with the following changes:
 - (i) That the Physician Recruitment Program Coordinator and Practice Advisor report to the Working Group of the Physician Recruitment & Retention Steering Committee;
 - (ii) That the contract continue on a month-to-month basis until such a time as the ongoing structure of the Physician Recruitment program has obtained the necessary approvals; and
 - (iii) That the contract may be terminated by either party with three-weeks' notice.

- (b) That the Physician Recruitment Coordinator's contract, which expired April 15, 2020, be renewed effective January 4, 2021 to provide a continuation of services to the Physician Recruitment program, with the following changes:
 - (i) That the Physician Recruitment Coordinator report to the Working Group of the Physician Recruitment & Retention Steering Committee;
 - (ii) That the contract continue on a month-to-month basis until such a time as the ongoing structure of the Physician Recruitment program has obtained the necessary approvals; and
 - (iii) That the contract may be terminated by either party with three-weeks' notice.