



## City of Hamilton

### CITY COUNCIL REVISED

21-012

Friday, July 9, 2021, 9:30 A.M.

Due to the COVID-19 and the Closure of City Hall (CC)

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

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#### Call to Order

#### 1. APPROVAL OF AGENDA

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

#### 2. DECLARATIONS OF INTEREST

#### 3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1. June 23, 2021

#### 4. COMMUNICATIONS

4.1. Correspondence from the Township of Huron-Kinloss requesting support for their resolution in support of domestic production of a COVID-19 vaccine.

Recommendation: Be received.

- 4.2. Correspondence from the Town of Fort Erie requesting support for their resolution requesting that the Federal Government consider prohibiting the ability to obtain a licence to grow cannabis if any of the owners including those owners within a corporation have ever been convicted of operating an illegal cannabis operation.
- Recommendation: Be received.
- 4.3. Correspondence from Grant Bivol, Clerk/Board Secretariat, Niagara Peninsula Conservation Authority respecting their resolution referring the transition actions listed in Report FA-41-21 (Revised) to their Governance Committee for consideration of next steps including discussions with municipal partners.
- Recommendation: Be received.
- 4.4. Correspondence from the Office of the Ontario Ombudsman respecting the complaints about the display of electronic vote results.
- Recommendation: Be received.
- 4.5. Correspondence from Gary Carr, Regional Chair, Halton Region requesting support for their resolution respecting the protection of Glen Abbey Lands.
- Recommendation: Be *supported*.
- 4.6. Correspondence from Stantec Consulting Ltd. respecting Imperial Oil Pipeline Relocation Project - Notice of Study Commencement.
- Recommendation: Be received and referred to the General Manager of Public Works for appropriate action.
- 4.7. Correspondence respecting the restructuring of Hamilton's Board of Health:
- 4.7.a. Chloe Tse Tse
- 4.7.b. Han Godin
- \*4.7.c. Natasha Johnson, MD, FAAP, FRCPC; Kassia Johnson, MD, FRCPC; Ruth Rodney, RN, PhD; Claire Bodkin, MD and co-signed by 203 individuals.
- Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.
- 4.8. Correspondence from the Township of West Lincoln requesting support for their resolution respecting Accessibility Issues for Seniors.
- Recommendation: Be received.

- 4.9. Correspondence from the Municipality of St. Charles requesting support for their resolution respecting Municipal Land Transfer Tax.
- Recommendation: Be received.
- 4.10. Correspondence from the Ministry of Municipal Affairs and Housing respecting Entering Step Two of the Roadmap to Reopen.
- Recommendation: Be received.
- \*4.11. Correspondence from the Municipality of Chatham-Kent requesting support for their resolution respecting the Induction of Coloured All-Stars into the Canadian Baseball Hall of Fame.
- Recommendation: Be received.
- \*4.12. Correspondence from York Region requesting support for their resolution advocating for immediate regulatory and legislative amendments to provide municipal Provincial Offences Courts with the flexibility to respond to the critical pressures described in York Region's Court Services Annual Report 2020.
- Recommendation: Be received.
- \*4.13. Correspondence respecting the Regulating of Off-Road Vehicles:
- \*4.13.a. N. Christine Morley and Ben Tagarelli
- \*4.13.b. Jeff Hazzard
- Recommendation: Be received and referred to the consideration of Item 10 of Planning Committee Report 21-011.
- \*4.14. Correspondence respecting the removal of the Sir John A. MacDonald Statue from Gore Park, Hamilton:
- \*4.14.a. Sarah Sheehan
- \*4.14.b. Katelyne Clark
- \*4.14.c. Randy Kay
- \*4.14.d. Mouna Bile on behalf of Together We Rise Together We Rise S'Elever Ensemble
- Recommendation: Be received and referred to the consideration of Item (f) of the Emergency and Community Services Committee Report 21-008.

\*4.15. Correspondence respecting Report PW21034 recommending the sale of part of the Sunset Cultural Garden at the corner of Bay Street North and Strachan Street West:

\*4.15.a. Cameron Kroetsch

\*4.15.b. Tanya Ritchie

\*4.15.c. James Honey

\*4.15.d. Jessica Glegg

Recommendation: Be received and referred to the consideration of Item 5.7 (a) Report PW21034, Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton.

## **5. COMMITTEE REPORTS**

5.1. General Issues Committee Report 21-014 - July 5, 2021

5.2. Planning Committee Report 21-011 - July 6, 2021

5.3. Board of Health Report 21-007 - July 7, 2021

5.4. Public Works Committee Report 21-010 - July 7, 2021

5.5. Audit, Finance and Administration Committee Report 21-011 - July 8, 2021

5.6. Emergency and Community Services Committee Report 21-008 - July 8, 2021

### **\*5.7. STAFF REPORTS**

\*5.7.a. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2)

(Referred to Council by the Public Works Committee at its meeting July 7, 2021)

## **6. MOTIONS**

6.1. Support for the Issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for West Avenue Cider House at Somerset Orchards

## **7. NOTICES OF MOTIONS**

## **8. STATEMENT BY MEMBERS (non-debatable)**

## **9. COUNCIL COMMUNICATION UPDATES**

9.1. June 18, 2021 to July 1, 2021

**10. PRIVATE AND CONFIDENTIAL**

10.1. Advisory Committee Update (FCS21072) (City Wide)

Pursuant to Section 9.1, Sub-section (b) of the City's Procedural By-law 21-021; and, Section 239(2), Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including City or a local board employees.

**11. BY-LAWS AND CONFIRMING BY-LAW**

11.1. 115

To Adopt Amendment No. 246 to the City of Hamilton Official Plan, Respecting 179, 181, 183, 185, 187 and 189 Catharine Street North Hamilton

Ward: 2

11.2. 116

To Amend Zoning By-law No. 6593 (Hamilton) as amended, Respecting Lands Located at 179, 181, 183, 185, 187 and 189 Catharine Street North, Hamilton  
ZAC-20-027

Ward: 2

\*11.3. 117

Respecting Removal of Part Lot Control, Blocks 609 to 621 within Registered Plan of Subdivision 62M-1266 "Waterdown Bay, Phase 3", 65-71 Westfield Crescent, 37-74 Great Falls Boulevard, 58-68 Skinner Road, 39-50 Kenesky Drive, 31-58 Westfield Crescent, and 4-30 Granite Ridge Trail

PLC-21-004

Ward: 15

\*11.4. 118

Respecting Removal of Part Lot Control, Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan of Subdivision 62M-1266, Municipally Known as 3, 5, 9, 11, 14-17, 20-23, 26-29, 33, 35, 39, 41, 45, 47 Mountain Heights Place, 4, 6, 10, 12, 15-18, 21-25, 27, 28, 30, 31, 33, 34, 36 Great Falls Boulevard, 143, 145, 149, 151, 155, 157, 166, 168, 172, 174, 178, 180, 184, 186, 190, 192, 196, 198 Agro Street, 6-9, 12-15, 18-21, 24-27, 75, 77, 80-83, 86-89, 92-95, 98-101 Westfield Crescent, 28, 30, 34, 36 Kenesky Drive

PLC-21-001

Ward: 15

\*11.5. 119

A By-law to Establish Certain 2021 User Fees and Charges for Services, Activities, or the Use of Property, and to Repeal By-law No. 20-168

Ward: City Wide

\*11.6. 120

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3140 and 3150 Binbrook Road (Glanbrook)

ZAC-19-039

25CDM-202002

Ward: 11

\*11.7. 121

Being a By-law to Regulate Off-Road Vehicles

Ward: City Wide

\*11.8. 122

To Amend By-law No. 17-225, being a By-law to Establish a System of Administrative Penalties

Table 27: By-law No. 21-121 Off Road Vehicle By-law

Ward: City Wide

11.9. 123

To Confirm the Proceedings of City Council

## 12. ADJOURNMENT



## CITY COUNCIL MINUTES 21-011

9:30 a.m.  
June 23, 2021  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

**Absent:** Councillor T. Whitehead – Leave of Absence

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

- 4.10 Correspondence from Viv Saunders respecting the Barton St EA - 2 rural lanes widening to 5 urbanized vehicle lanes.

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

- 4.11 Correspondence from the Honourable Doug Downey, Attorney General respecting an update on modernization initiatives and court recovery in Ontario's Provincial Offence Act (POA) courts.

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

- 4.12 Correspondence from Rose Janson and Family respecting the Urban Indigenous Strategy - time for meaningful action.

Recommendation: Be received.

## 7. NOTICES OF MOTION

- 7.1 Support for the Issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for Carlisle Cider Company

- 7.2 Peer Review of Land Needs Assessment Methodology

### CHANGE TO THE ORDER OF ITEMS:

Item 6.3 the motion respecting an Amendment to Item 1 of the General Issues Committee Report 20-011, respecting Report PED20125 - Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, which was approved by Council on August 21, 2020 has to be moved up to be dealt with prior to the General Issues Committee Report 21-013, as Item 14 within the report relates to this matter.

### (Pauls/Ferguson)

That the agenda for the June 23, 2021 meeting of Council be approved, ***as amended.***

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

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

<b>DECLARATIONS OF INTEREST</b>
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Councillor Wilson declared a conflict with Item 7 of Planning Committee Report 21-010 respecting Applications for Approval of a Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) for Lands Located at 15 Picardy Drive, Stoney Creek (PED21121) (Ward 9), as her spouse is employed by the Hamilton Community Foundation which has a business relationship with the applicant of this matter.

Councillor Farr declared a conflict with Item 5 of Emergency and Community Services Committee Report 21-007 respecting Macassa Lodge - Redevelopment Project Financing Plan (HSC20050(b)) (Ward 7), as a close family member was a resident of Macassa Lodge recently.

<b>APPROVAL OF MINUTES OF PREVIOUS MEETING</b>
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**3. June 9, 2021 (Item 3.1)**

**(Farr/Johnson)**

That the Minutes of the June 9, 2021 meeting of Council be approved, as presented.

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

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

<b>COMMUNICATIONS</b>
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**(Farr/Jackson)**

That Council Communications 4.1 to 4.12 be approved, as presented, as follows:

- 4.1. Correspondence from the Hamilton Police Services Board in response to the correspondence from the City of Hamilton with respect to Bill 148, *Doored But Not Ignored Act, 2019*.

Recommendation: Be received and referred to the Hamilton Cycling Committee for their information.

- 4.2. Correspondence from the Region of Peel respecting the Peel Agricultural Advisory Working Group Update 2019, 2020 and Related Initiatives.

Recommendation: Be received and referred to the Agricultural and Rural Affairs Advisory Committee for their information.

- 4.3. Correspondence from the Aboriginal Advisory Committee respecting the recent discovery made at Kamloops, B.C.

Recommendation: Be received.

- 4.4. Correspondence from Margaret Bennett respecting the Board of Health Governance Review.

Recommendation: Be received and referred to the consideration of Item 1 of Board of Health Report 21-006.

- 4.5. Correspondence from the City of St. Catherines requesting support for their resolution calling on the Ontario government to expand testing to all strains of Lyme Disease and improve the level of treatment and care for those diagnosed with this crippling disease.

Recommendation: Be endorsed.

- 4.6. Correspondence from the Ministry of Municipal Affairs and Housing respecting Entering Step One of the Roadmap to Reopen.

Recommendation: Be received.

- 4.7. Correspondence respecting Hamilton Light Rail Transit (LRT):

- (a) Graham McNally
- (b) Alex Weinberger
- (c) Tanya Ritchie
- (d) John Augstman

Recommendation: Be received and referred to the consideration of Item 15 of General Issues Committee Report 21-013.

- 4.8. Correspondence from Grand River Conservation Authority respecting *Conservation Authority Act* Changes - municipal appointments.

Recommendation: Be received.

- 4.9. Correspondence from Peter Julian, MP, seeking endorsement for Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 *Banning Symbols of Hate Act*.

Recommendation: Be endorsed.

- 4.10 Correspondence from Viv Saunders respecting the Barton St EA - 2 rural lanes widening to 5 urbanized vehicle lanes.

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

- 4.11 Correspondence from the Honourable Doug Downey, Attorney General respecting an update on modernization initiatives and court recovery in Ontario's Provincial Offence Act (POA) courts.

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

- 4.12 Correspondence from Rose Janson and Family respecting the Urban Indigenous Strategy - time for meaningful action.

Recommendation: Be received.

**Result: Motion on the Communication Items, CARRIED by a vote of 15 to 0, as follows:**

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

**(Farr/Jackson)**

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

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

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

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

**HAMILTON ENTERPRISES HOLDING CORPORATION SHAREHOLDER REPORT 21-001**

**(Farr/Jackson)**

That Hamilton Enterprises Holding Corporation Shareholder Report 21-001, being the meeting held on Thursday, June 10, 2021, be received and the recommendations contained therein be approved.

**Result: Motion on the Hamilton Enterprises Holding Corporation Shareholder Report 21-001, CARRIED by a vote of 15 to 0, as follows:**

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

**HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 21-001**

**(Farr/Ferguson)**

That Hamilton Utilities Corporation Shareholder Report 21-001, being the meeting held on Thursday, June 10, 2021, be received and the recommendations contained therein be approved.

**Result: Motion on the Hamilton Utilities Corporation Shareholder Report 21-001, CARRIED by a vote of 15 to 0, as follows:**

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

- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - 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 21-006**

**(Wilson/Pauls)**

That Board of Health Report 21-006, being the meeting held on Monday, June 14, 2021, be received and the recommendations contained therein be approved.

**Result: Motion on the Board of Health Report 21-006, CARRIED by a vote of 15 to 0, as follows:**

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

**PUBLIC WORKS COMMITTEE REPORT 21-009**

**(VanderBeek/Nann)**

That Public Works Committee Report 21-009, being the meeting held on Monday, June 14, 2021, be received and the recommendations contained therein be approved.

**Result: Motion on the Public Works Committee Report 21-009, CARRIED by a vote of 15 to 0, as follows:**

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

**PLANNING COMMITTEE REPORT 21-010**

**(Danko/Johnson)**

That Planning Committee Report 21-010, being the meeting held on Tuesday, June 15, 2021, be received and the recommendations contained therein be approved.

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

**7. Applications for Approval of a Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) for Lands Located at 15 Picardy Drive, Stoney Creek (PED21121) (Ward 9)**

**Result: Motion on Item 7 of the Planning Committee Report 21-010, CARRIED by a vote of 14 to 0, as follows:**

- CONFLICT - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - 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 Planning Committee Report 21-010, CARRIED by a vote of 15 to 0, as follows:**

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

<b>MOTIONS</b>
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**6.3 Amendment to Item 1 of the General Issues Committee Report 20-011, respecting Report PED20125 - Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, which was approved by Council on August 21, 2020**

**(Johnson/Jackson)**

WHEREAS, as part of the broader redevelopment of the property known as 3311 Homestead Drive, Mount Hope, a newly constructed office building consisting of approximately 7,000 square feet (approximately 650 square metres) is planned to occupy a portion of the property fronting on Airport Road West via a separate parcel (as outlined on Appendix “B” attached hereto), pending approval of a future consent application for a severance of 3311 Homestead Drive, to be submitted by 1804482 Ontario Limited (Michael Chiaravalle 50%, Rita Chiaravalle 50% - Sonoma Homes);

WHEREAS, upon successful completion of the severance of 3311 Homestead Drive, the severed parcel would become part of 8533 Airport Road West, Mount Hope;

WHEREAS, the new office building, and its future associated parcel is the only portion of the property and its planned development, which would be located within the boundary of the Mount Hope/Airport Gateway Community Improvement Project Area (CIPA) in which the Hamilton Tax Increment Grant Program (HTIGP) is permitted to apply;

WHEREAS, staff have put forward a report requesting approval of a Hamilton Tax Increment Grant Program Application, submitted by 1804482 Ontario Limited (Michael Chiaravalle 50%, Rita Chiaravalle 50%) for the portion of the property to be severed from 3311 Homestead Drive, Mount Hope, conditional upon approval of the severance application; and,

WHEREAS, the following amendments to Item 1 of the General Issues Committee Report 20-011, respecting Report PED20125 - Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, are required to properly facilitate the HTIGP grant;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (a) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be amended by adding the words ***“as outlined in Appendix “A” attached to Report PED20125”***, to read as follows:
  - (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, ***as outlined in Appendix “A” attached to Report PED20125***, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved; and,
- (b) That Appendix “A” to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be amended to reflect only to the portion of property that will remain as 3311 Homestead Drive, Mount Hope, after the successful completion of a severance (as outlined in Appendix “A” attached hereto);
- (c) That sub-section (a) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be further amended by adding the words ***“as amended”***, to read as follows:
  - (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, as outlined in Appendix “A” attached to Report PED20125, ***as amended***, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved; and,

- (d) That sub-section (a) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be further amended by adding the following conditions, to read as follows:
- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, as outlined in Appendix "A" attached to Report PED20125, as amended, for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved, in accordance with the terms and conditions of the ERASE Redevelopment Agreement and the following additional conditions:
- (i) ***the approval of the Grant shall not prejudice or fetter City Council's discretion with respect to any current or future Planning Act application regarding 3311 Homestead Drive, Mount Hope, including, but not limited to, a future consent application for a severance on the Property; and,***
- (ii) ***Only the tax increment generated based on the apportioned pre-development municipal taxes and actual post development taxes applicable to the future parcel generally depicted in Appendix "B" will be used to determine future Grant payments; and,***
- (e) That sub-section (b) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be deleted in its entirety and replaced with the following in lieu thereof:
- ~~(b) That the Mayor and City Clerk be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to effect Recommendation (a) of Report PED20125, in a form satisfactory to the City Solicitor;~~
- (b) ***That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together, with any ancillary documentation required, to give effect to the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant for 1804482 Ontario Limited, owner of the property at 3311 Homestead Drive, Mount Hope, at such time as the property has been severed, as generally depicted on Appendix "A", as amended, attached hereto, in a form satisfactory to the City Solicitor; and,***

- (f) That sub-section (c) to Report PED20125, respecting the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03, be amended by adding the words “**and all other conditions,**”, to read as follows:
- (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 Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, **and all other conditions,** are maintained.

Main Motion, As Amended, to read as follows:

1. **Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 3311 Homestead Drive, ERG18-03 (PED20125) (Ward 11) (Item 6.1)**
- (a) That the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application - ERG18-03, submitted by 1804482 Ontario Ltd. (Sonoma Homes), owner of the property at 3311 Homestead Drive, Mount Hope, **as outlined in Appendix “A” attached to Report PED20125, as amended,** for an ERASE Redevelopment Grant not to exceed \$91,681, the actual cost of the remediation over a maximum of one year, be authorized and approved, in accordance with the terms and conditions of the ERASE Redevelopment Agreement and the following additional conditions:
- (i) ***the approval of the Grant shall not prejudice or fetter City Council’s discretion with respect to any current or future Planning Act application regarding 3311 Homestead Drive, Mount Hope, including, but not limited to, a future consent application for a severance on the Property;***
- (ii) ***Only the tax increment generated based on the apportioned pre-development municipal taxes and actual post development taxes applicable to the future parcel generally depicted in Appendix “B” will be used to determine future Grant payments; and,***
- (b) ***That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together, with any ancillary documentation required, to give effect to the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant for 1804482 Ontario Limited, owner of the property at 3311 Homestead Drive, Mount Hope, at such time as the property has been severed, as generally depicted on Appendix “A”, as amended, attached hereto, 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 Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, **and all other conditions**, are maintained.

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

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

<b>GENERAL ISSUES COMMITTEE REPORT 21-013</b>
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**(Farr/Jackson)**

That General Issues Committee Report 21-013, being the meeting held on Wednesday, June 16, 2021, be received and the recommendations contained therein be approved.

At Council's request, Item 15 was voted on separately, as follows:

**15. Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (Item 11.1)**

- (a) That staff be directed to meet with Metrolinx, the Ministry of Transportation and other governmental entities, as required, to prepare a Memorandum of Understanding (MOU) for the Hamilton Light Rail Transit project, and report back to the General Issues Committee, as soon as possible, with a draft MOU;
- (b) That Scenario One, as outlined in Report CM21006 / PED21145 / PW21040 / FCS21068 (page 10), which anticipates a system-wide 8% ridership increase after the Hamilton Light Rail Transit (LRT) is operating and a reduction of 29 buses in the LRT area, which will result in a net operating and maintenance cost of \$6.4 million annually for the LRT, be approved;

- (c) That the downtown Hamilton CIPA development charge (DC) exemption of 40%, effective July 6, 2021, be considered through the September 2023 DC by-law review, which is estimated to result in an annual savings of \$8 million; and,
- (d) That the Hamilton Tax Increment Grant Program be eliminated in downtown Hamilton through the next incentive program review, which is estimated to result in additional estimated savings of \$0.917 million annually for the City.

**Result: Motion on Item 15 of the General Issues Committee Report 21-013, CARRIED by a vote of 9 to 6, as follows:**

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

At Council’s request, Item 12 was voted on separately, as follows:

**12. Potential for Major Event in 2024 (PED20071(c)) (City Wide) (Item 10.10)**

- (a) That the City of Hamilton enter into the agreements necessary to facilitate the hosting of the June 10 to 16, 2024 RBC Canadian Open, under terms and conditions substantially similar to those previously approved by Council, for the hosting of the June 5 to 11, 2023 RBC Canadian Open; and,
- (b) That the General Manager of the Planning and Economic Development Department be authorized, on behalf of the City of Hamilton, to approve and execute any required agreements and associated documents, for the hosting of the June 10 to 16, 2024 RBC Canadian Open, each in a form satisfactory to the City Solicitor.

**Result: Motion on Item 12 of the General Issues Committee Report 21-013, CARRIED by a vote of 11 to 4, as follows:**

- NO - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- NO - Ward 3 Councillor Nrinder Nann

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

At Council's request, Item 11 was voted on separately, as follows:

**11. Fair Payment of Musicians for City-Led Events Policy (PED21041(a)) (City Wide) (Item 10.9)**

- (a) That the Fair Payment of Musicians for City-Led Events Policy (Policy) outlined in Appendix "A" to Report PED21041(a), be approved; and,
- (b) That the Outstanding Business List item, City Guidelines and/or Policy Establishing a Practice of Payment for Musicians, be identified as completed and removed from the list.

**Result: Motion on Item 11 of the General Issues Committee Report 21-013, CARRIED by a vote of 14 to 1, as follows:**

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Chad Collins  
YES – Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
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 of the General Issues Committee Report 21-013, CARRIED by a vote of 15 to 0, as follows:**

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

<b>AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-010</b>
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**(Ferguson/Pearson)**

That Audit, Finance and Administration Committee Report 21-010, being the meeting held on Thursday, June 17, 2021, be received and the recommendations contained therein be approved.

**Result: Motion on the Audit, Finance and Administration Committee Report 21-010, CARRIED by a vote of 15 to 0, as follows:**

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- YES - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - 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 21-007****(Nann/Jackson)**

That Emergency and Community Services Committee Report 21-007, being the meeting held on Thursday, June 17, 2021, be received and the recommendations contained therein be approved.

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

**2. Hamilton's Community Safety and Well-Being Plan (HSC19032(b)) (City Wide) (Item 8.1)**

- (a) That Appendix "A" attached to Emergency and Community Services Committee Report 21-007 respecting Hamilton's Community Safety and Well-Being Plan be approved;
- (b) That the General Manager of Healthy and Safe Communities Department be authorized to increase the complement of the General Manager's Office by one full time permanent position Senior Project Manager beginning immediately to support implementation and maintain ongoing oversight of Hamilton's Community Safety and Well-Being Plan and that the annual cost of \$125,000 be funded in 2021 through in year department savings and that the full cost be included in the 2022 Tax Operating Budget; and,
- (c) That any additional requests for funding to support implementation of Hamilton's Community Safety and Well-Being Plan be referred to future budget processes.

**Result: Motion on Item 2 of the Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 15 to 0, as follows:**

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

At Council's request, Item 4 was voted on separately, as follows:

**4. Emergency Operating Funding for Hamilton Arena Partners (HSC21023) (Ward 6) (Item 10.1)**

That the General Manager, Healthy and Safe Communities Department or his designate, be authorized to provide emergency financial support to Hamilton Arena Partners (HAP) for the operations of the Mohawk 4Ice Centre as a result of facility closures due to the COVID-19 pandemic to an upset limit of \$500,000 in 2021, be funded from any available source jointly deemed appropriate by the General Manager of the Healthy and Safe Communities Department and the General Manager of the Finance and Corporate Services Department including, but not limited to, one or more of the following sources: Safe Restart Agreement - Municipal, COVID-19 Recovery Funding for Municipalities Program, COVID-19 Emergency Reserve, any other available provincial or federal funding, or in year program and/or department/corporate surplus.

**Result: Motion on Item 4 of the Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 13 to 2, as follows:**

NO - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
NO - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

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

**5. Macassa Lodge - Redevelopment Project Financing Plan (HSC20050(b)) (Ward 7) (Item 10.2)**

- (a) That funding for the Macassa Lodge Redevelopment Project, capital budget project # 6302141102, in the amount of \$27.8 M overall, be approved as follows:
- (i) That the following funding from the Ministry of Long-Term Care (MLTC) be applied to project #6302141102:

- (1) One-time funding of \$250,000 from the Planning Grant receivable upon signing the Development Agreement;
  - (2) One-time funding of \$1.03 M Development Grant receivable upon substantial completion; and,
  - (3) Construction Funding Subsidy of approximately \$174,000 per annum funded over the term of the loan, 25 years for a total of \$4.4M which will be applied against the repayment of the internal loan required to fund this capital Project;
- (ii) That the following funding sources from the City of Hamilton be approved:
- (1) \$7,270,000 from Development Charges; and,
  - (2) \$19,253,000 (including \$7.4 M interest from internal loan) from the Unallocated Capital Reserve #108020, to be repaid annually over 25-years;
- (b) That an annualized increase of \$896,300 to the Macassa Lodge 2023 Operating Budget be approved related to the annual repayments to the Unallocated Capital Reserve #108020 over a 25-year period;
- (c) That in addition to the signing authority granted in report HSC20050(a), the General Manager, Healthy and Safe Communities Department or his designate be authorized and directed to negotiate, enter into, execute and amend a Development Agreement and any ancillary documents and any service accountability agreement(s) required for funding on the project with Her Majesty the Queen in right of Ontario as represented by the Minister of Long-Term Care or such other party or agency as otherwise required, with such terms and conditions in a form satisfactory to the City Solicitor; and,
- (d) In accordance with By-Law 20-205, the City's Procurement Policy, staff be directed to proceed with the competitive procurement processes necessary for the completion of the Macassa Lodge Redevelopment Project and that the General Manager of Healthy and Safe Communities or his designate be authorized and directed to negotiate, enter into, execute and amend any agreements and documents necessary to award any resulting contracts with vendors, in a form satisfactory to the City Solicitor.

**Result: Motion on Item 5 of the Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 14 to 0, as follows:**

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

YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - 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 Emergency and Community Services Committee Report 21-007, CARRIED by a vote of 15 to 0, as follows:**

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

**(Farr/Merulla)**

That the Committee of the Whole Rise and Report.

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

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

YES - Ward 10 Councillor Maria Pearson

YES - Ward 9 Councillor Brad Clark

<b>MOTIONS - Continued</b>
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**6.1 Amendment to Item 6 of the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service**

**(Pearson/Johnson)**

WHEREAS, Council at its meeting of March 29, 2017, approved Item 6 of the Audit, Finance & Administration Committee Report 17-004, as amended, which authorized the City of Hamilton to provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park, in an amount not to exceed \$100,000, to be repaid in full over a period of ten years from the date of the loan advance;

WHEREAS, this loan agreement requires annual payments of \$10,000 to be made to the City of Hamilton;

WHEREAS, restrictions designed to prevent the spread of the COVID-19 virus continue to be in place limiting the gathering of large groups in public spaces;

WHEREAS, the Winona Peach Festival has determined that these restrictions will prevent them from holding the annual Winona Peach Festival Event in 2021;

WHEREAS, the Winona Peach Festival relies on the proceeds from the annual Winona Peach Festival Event to make the annual loan payment;

WHEREAS, at its meeting of May 27/28, 2020 a motion was approved (Item 6.3) that authorized and directed the Mayor and City Clerk to execute an amendment to the Loan Agreement, between the City of Hamilton and the Winona Peach Festival, for the funding of electrical upgrades at the City-owned Winona Park, to suspend the 2020 annual payment and extend the term of the Agreement for one year beyond the original date, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor; and,

WHEREAS, Item 6 of the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, needs to be amended to reflect both the 2020 approved resolution; and, the proposed amendment for 2021;

THEREFORE, BE IT RESOLVED:

- (a) That Sub-section (a) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by deleting the word “ten” and replacing it with the word “**twelve**”, to read as follows:

- (a) That the City of Hamilton provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park in an amount not to exceed \$100,000 to be repaid in full over a period of ~~ten~~ **twelve** years from the date of the loan advance;
- (b) That Appendix “C” to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be further amended to reflect the 2020 approved loan agreement extension as well as the 2021 loan agreement extension, as shown in Appendix “A” attached hereto;
- (c) That Sub-section (b) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by adding the word “**further**”, to read as follows:
  - (b) That the loan to the Winona Peach Festival be repaid with annual principal payments on the anniversary dates of the loan advance as reflected in the Loan Repayment Schedule, attached as Appendix “C”, as **further amended**, to Audit, Finance and Administration Report 17-004;
- (d) That Sub-section (e) to Item 6 to the Audit, Finance & Administration Committee Report 17-004, respecting Report FCS17037 – Winona Peach Festival Request for a Loan to Upgrade Electrical Service, be amended by adding the words “**and any ancillary documents**”, to read as follows:
  - (e) That the Mayor and Clerk be authorized to execute the loan agreement **and any ancillary documents** between the City of Hamilton and Winona Peach Festival, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor.

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

**6. Winona Peach Festival Request for a Loan to Upgrade Electrical Service (FCS17037) (Ward 11) (Outstanding Business List) (Item 8.3)**

- (a) That the City of Hamilton provide an interest free loan to the Winona Peach Festival to fund electrical upgrades at the City-owned Winona Park in an amount not to exceed \$100,000 to be repaid in full over a period of **twelve** years from the date of the loan advance;
- (b) That the loan to the Winona Peach Festival be repaid with annual principal payments on the anniversary dates of the loan advance as reflected in the Loan Repayment Schedule, attached as Appendix “C”, as **further amended**, to Audit, Finance and Administration Report 17-004;
- (c) That a Long-term Receivable account be established to record the Loan to Winona Peach Festival on the City’s books;

- (d) That any additional project expenses, such as Consulting, Project Management and Archaeological studies, if required, be borne by Winona Peach Festival;
- (e) That the Mayor and Clerk be authorized to execute the loan agreement **and any ancillary documents** between the City of Hamilton and Winona Peach Festival, in a form satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - Ward 2 Councillor Jason Farr  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Chad Collins  
YES – Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 8 Councillor John-Paul Danko  
YES - Mayor Fred Eisenberger  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - 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 2 of the General Issues Committee Report 19-023, respecting Report PED19108(b) – Commonwealth Games 2030**

**(Pauls/Eisenberger)**

WHEREAS, the Hamilton100 Committee with respect to the 2030 Commonwealth Games, was put on hold while a 2026 bid option was explored;

WHEREAS, the 2030 Commonwealth Games bid is again active and the 2026 bid discarded;

WHEREAS, the Hamilton100 Committee is to be renamed to the Games Operating Committee;

WHEREAS, the existing members of the Hamilton100 Committee are to be appointed to the Games Operating Committee;

WHEREAS, Councillor Partridge has submitted a request to resign from the Hamilton100 Committee; and

WHEREAS, the Mayor has submitted a request to be appointed to the Games Operating Committee;

THEREFORE, BE IT RESOLVED:

That Item 2 of the General Issues Committee Report 19-023, respecting Report PED19108(b) – Commonwealth Games 2030, be **amended**, to read as follows:

**2. Commonwealth Games 2030 (PED19108(b)) (City Wide) (Item 9.1)**

- (a) That, as it is Council's unfettered right and discretion to designate up to four elected officials to serve as the City's representative(s) on the **Games Operating Committee**, as per the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, up to four members of Council be appointed to the Committee;
- (b) That the Memorandum of Understanding between the City of Hamilton and the Hamilton100 Commonwealth Games Bid Corporation, respecting the 2030 Commonwealth Games Bid, be amended to allow Hamilton100 to prepare, organize, facilitate, coordinate and finance, in its entirety, a Hosting Proposal (Part 2), and to include up to four members of Council to serve as Committee members, in a form satisfactory to the General Manager of Finance and Corporate Services and City the Solicitor;
- (c) That, subject to Commonwealth Games Canada inviting Hamilton100 to prepare and submit a Hosting Proposal (Part 2), staff be directed to report back to General Issues Committee to seek support for the Hamilton100 Commonwealth Games Bid Corporation to proceed with the Hosting Proposal (Part 2), with that report to include any internal resources required to support the development of a Multi-Party Agreement; and,
- (d) That the following Councillors be appointed to participate on the **Games Operating Committee** with respect to the 2030 Commonwealth Games:
  - (i) Terry Whitehead;
  - (ii) **Mayor Fred Eisenberger**, and,
  - (iii) Esther Pauls.
- (e) That, through the review of a potential 2030 Commonwealth Hosting Proposal 2, staff be directed to provide a financial assessment of the proposal against the City's Master Plans and approved ten-year capital plan, with the objective of preserving city funding capacity for state of good repair for existing facilities, as well as future identified capital priorities and report back to the General Issues Committee;

- (f) That, prior to executing a Multi-Party Agreement for the 2030 Commonwealth Games, staff be directed to report back to the General Issues Committee regarding Governance, including, what level of government or agency will be the responsible party for procurement, project management, project delivery, project administration, security, etc. and will be ultimately financially accountable for both capital and operational decisions for the 2030 Commonwealth Games;
- (g) That, through the review of a potential Hosting Proposal 2 for the 2030 Commonwealth Games, staff be directed to report back to the General Issues Committee on how the City of Hamilton can be indemnified against any risks such as capital and operating budget overruns, games deficit, deficiencies in third party funding, and deficiencies in legacy funding;
- (h) That, prior to executing a Multi-Party Agreement for the 2030 Commonwealth Games, an independent peer review be undertaken of the financial model contained in the potential Hosting Proposal 2 to include, but not limited to, the games operations, the capital investment strategies and facility construction budgets as provided by Hamilton100 and report back to the General Issues Committee;
- (i) That Hamilton100 be requested to consider incorporating a legacy trust in the 2030 Commonwealth Hosting Proposal 2, funded through non-municipal proceeds, to provide for both capital and operating funding for program delivery and facility operations for a minimum period of ten years, post Commonwealth Games 2030;
- (j) That staff be directed to report back to the General Issues Committee on the potential implications of the municipal share of the 2030 Commonwealth Games bid being between \$250-\$375 million on the city's projected tax supported debt, including alignment with the City's Municipal Debt Policy; and,
- (k) That, through the review of a potential 2030 Commonwealth Games Hosting Proposal 2, staff be directed to report back to the General Issues Committee on the inclusion of the entertainment district facilities in the Commonwealth Games bid and any impacts or conflicts on the approved review of the entertainment district that is currently under way.

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

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

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

**6.4 Amendment to Item 3 of the Public Works Committee Report 19-014 respecting a Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13)**

**(VanderBeek/Nann)**

WHEREAS, on October 9, 2019, Council approved report PW19082, which authorized Lafarge Canada Inc. to construct an underground Tunnel under Concession 4 Road West, Flamborough in order to connect the Dundas North Quarry (ARA Licence # 5473) and Dundas South Quarry (ARA Licence #5473 and ARA Licence # 625711) during operations;

WHEREAS, on April 20, 2021, Lafarge Canada Inc. contacted the City of Hamilton to formally request an amendment to the location and size of the proposed underground tunnel under Concession Road 4 West, Flamborough, subject to the same conditions previously approved under report PW19082;

WHEREAS, based on production levels anticipated for the quarry, combined with extensive geotechnical work and design, it was determined that the final tunnel should be a twin single lane tunnel design to improve safety and productivity (as opposed to the initial conceptual design of a one-lane tunnel);

WHEREAS, the new design would include 2 single lane tunnels, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor; and,

WHEREAS, staff are supportive of the revised design for the new underground tunnel design which increases the safety and productivity of the tunnel without additional impacts to residents or public utilities;

THEREFORE, BE IT RESOLVED:

That Sub-section (a) to Item 3 of the Public Works Committee Report 19-014, respecting a Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13), be **amended** to revise Appendices "C", "D" and "E" (attached hereto) to alter the final tunnel to **a twin single lane tunnel design, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor**, as follows:

3. **Proposed Underground Tunnel under Concession Road 4 West, Flamborough (PW19082) (Ward 13) (Item 10.1)**
- (a) That the proposal from Lafarge Canada Inc. to build an underground tunnel under Concession Road 4 West, Flamborough, ("Subject Lands"), as shown on Appendix ~~Appendix~~ **Revised Appendices "C", "D" and "E", *altering the final tunnel to a twin single lane tunnel design, approximately 8m in height and 9.4m wide with an estimated 11.6m pillar in between, ranging from 21m below grade for the roof to 29m below grade for the floor,*** attached to Public Works Committee Report 19-014, be approved, subject to the following conditions:
- (i) That the applicant enters into an Easement Agreement with the City of Hamilton over the Subject Lands;
  - (ii) That the Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into an easement agreement over the Subject Lands on such terms and conditions deemed appropriate by the General Manager of Planning and Economic Development, and to the satisfaction of the General Manager of Public Works and the City Solicitor;
  - (iii) That the applicant submits all required structural engineering and design drawings prepared by a Professional Engineer and peer reviewed by a Professional Engineer to the satisfaction of the Director, Engineering Services;
  - (iv) That the applicant be fully responsible for the deposit of a stratified reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
  - (v) That the structure would remain under the ownership of the applicant, who is therefore responsible for renewal, rehabilitation and/or maintenance for all and/or any associated costs related to and including the structure at 100% owners expense;
  - (vi) That the applicant be compliant with the Ontario Structural Inspection Manual (OSIM) and provide a biannual inspection report to the satisfaction of the Manager, Asset Management Section;
  - (vii) That the applicant submit a Hydrogeological Brief conducted by a qualified Professional Engineer on the proposed tunnel project to the satisfaction of the Director, Hamilton Water;

- (viii) That the closure and sale of a portion of Moxley Road approved through report PW18082 be completed;
- (ix) That the Applicant apply for all required permits through the Building Division;
- (x) That the City Solicitor be authorized to complete the 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 considered reasonable;
- (xi) That the applicant enters into an Encroachment Agreement through the City's Corridor Management Section for the existing Conveyor Belt tunnel encroaching under Concession Road 4 West, Flamborough; and,
- (xii) That the Applicant fully reimburse the City for any out-of-pocket costs related to the underground tunnel project.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

**6.5 Support for the Issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for Carlisle Cider Company**

**(Partridge/Ferguson)**

WHEREAS Carlisle Cider Company is operating at 1453 Millborough Line, Carlisle, Ontario.

WHEREAS the Carlisle apple farm has been operating since 1904 and in 2020 opened the cider facility.

WHEREAS in addition to brewing apple cider, the business model has a retail, tourism and education component; and

WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO) requires written notice from the Council of the Municipality within which the applicant's site is located confirming that it has passed a resolution in support of the issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass"), for tastings.

THEREFORE, BE IT RESOLVED:

That the Council of the City of Hamilton confirms their support for the issuance of a Manufacturer's Limited Liquor Sales Licence ("By the Glass") for Carlisle Cider Company located at 1453 Millborough Line, Carlisle, Ontario.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

## **6.6 Peer Review of Land Needs Assessment Methodology**

### **(Clark/Eisenberger)**

WHEREAS the City commissioned land economist Antony Lorius Consulting to undertake the technical analysis for the land needs assessment for the City's GRIDS2 initiative;

WHEREAS the results of that analysis were presented to Council on March 31, 2021 in the report "City of Hamilton Land Needs Assessment to 2051 – Technical Working Paper" and "Residential Intensification Market Demand Study" as part of Report PED17010(i); and

WHEREAS Council will be considering the land needs assessment and recommended GRIDS2 growth scenario at a Special GIC meeting on October 25, 2021

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to retain a consultant with the appropriate expertise in land economics and planning to undertake a review of the approach and methodology utilized for the “City of Hamilton Land Needs Assessment to 2051 – Technical Working Paper” and “Residential Intensification Market Demand Study” to confirm that the approach and methodology meets the requirements of all applicable provincial policies and is an appropriate application of all applicable provincial policies with respect to determining the city’s land needs to 2051
- (b) That the consultant prepare a memorandum summarizing their findings and that staff include this memorandum as part of the GRIDS2 report back at the Special GIC meeting on October 25, 2021
- (c) That the cost for completing the review be charged to the Economic Development Investment Fund Reserve 112221

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

- YES - Ward 1 Councillor Maureen Wilson
- YES – Deputy Mayor - 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
- NO – Ward 6 Councillor Tom Jackson
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- NOT PRESENT - Ward 14 Councillor Terry Whitehead
- YES - Ward 13 Councillor Arlene VanderBeek
- YES - Ward 12 Councillor Lloyd Ferguson
- YES - Ward 11 Councillor Brenda Johnson
- YES - Ward 10 Councillor Maria Pearson
- YES - Ward 9 Councillor Brad Clark

<b>NOTICES OF MOTION</b>
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**7.1 Support for the Issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) for Carlisle Cider Company**

**(Partridge/Ferguson)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting Support for the Issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) for Carlisle Cider Company.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.5 for further disposition of this item.

## **7.2 Peer Review of Land Needs Assessment Methodology**

### **(Clark/Eisenberger)**

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Peer Review of Land Needs Assessment Methodology.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.6 for further disposition of this item.

<b>STATEMENTS BY MEMBERS</b>
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Members of Council used this opportunity to discuss matters of general interest.

<b>COUNCIL COMMUNICATION UPDATES</b>
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**(Jackson/Danko)**

That the listing of Council Communication Updates from June 4, 2021 to June 17, 2021, be received.

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

YES - Ward 1 Councillor Maureen Wilson  
 YES – Deputy Mayor - 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  
 YES - Ward 15 Councillor Judi Partridge  
 NOT PRESENT - Ward 14 Councillor Terry Whitehead  
 YES - Ward 13 Councillor Arlene VanderBeek  
 YES - Ward 12 Councillor Lloyd Ferguson  
 YES - Ward 11 Councillor Brenda Johnson  
 YES - Ward 10 Councillor Maria Pearson  
 YES - Ward 9 Councillor Brad Clark

<b>BY-LAWS AND CONFIRMING BY-LAW</b>
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**(Farr/Ferguson)**

That Bills No. 21-107 to No. 21-114 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:

- 107 To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
 Schedule 2 – Through Highways  
 Schedule 3 – Through Highways, NPA  
 Schedule 5 – Parking Meters  
 Schedule 8 – No Parking Zones  
 Schedule 13 – No Stopping Zones  
 Schedule 14 – Wheelchair Loading Zones  
 Ward: 2, 4, 5, 7, 10
- 108 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
 Schedule 2 – Speed Limits  
 Schedule 10 – No Left Turn  
 Schedule 13 – Designated Traffic Lanes

- Schedule 18 – Bicycle Lanes  
Ward: 1, 4, 10, 12, 13, 14
- 109 To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 5 – Stop Control  
Ward: 6, 9, 11, 13
- 110 To Establish City of Hamilton Land Described as Blocks 12 and 13 on Plan  
62M1256 as Part of Utter Place  
Ward: 9
- 111 To Rename a Portion of Mountain Brow Road to King Road from Granite Ridge  
Trail to King Road (Flamborough)  
Ward: 15
- 112 To Amend Zoning By-law No. 3851-86, Respecting Lands Located at 321 Hatt  
Street in the former Town of Dundas  
ZAR-20-036  
Ward: 13
- 113 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-  
Street Parking  
Schedule 6 – Tim Limit Parking  
Schedule 8 – No Parking Zones  
Schedule 10 – Alternate Side Parking (April-November)  
Schedule 12 – Permit Parking Zones  
Schedule 13 – No Stopping Zones  
Ward: 2, 3, 4, 7, 9, 13, 14, 15
- 114 To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

**(Pearson/Ferguson)**

That, there being no further business, City Council be adjourned at 12:04 p.m.

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

YES - Ward 1 Councillor Maureen Wilson  
YES – Deputy Mayor - 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  
YES - Ward 15 Councillor Judi Partridge  
NOT PRESENT - Ward 14 Councillor Terry Whitehead  
YES - Ward 13 Councillor Arlene VanderBeek  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Ward 11 Councillor Brenda Johnson  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 9 Councillor Brad Clark

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland  
City Clerk

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

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

Phone: (519) 395-3735

Fax: (519) 395-4107

E-mail: [info@huronkinloss.com](mailto:info@huronkinloss.com)

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](mailto:premier@ontario.ca)

June 18, 2021

Dear Honourable Doug Ford;

Re: Copy of Resolution #425

Motion No. 425

Moved by: Jeff Elliott   Seconded by: Jim Hanna

THAT the Township of Huron-Kinloss Committee of the Whole hereby supports the County of Perth in their recommendation to the Federal Government to support domestic production of a COVID-19 vaccine; and to encourage all levels of Government to engage and support domestic vaccine capacity AND directs staff to circulate as appropriate.

Sincerely,

Kelly Lush  
Deputy Clerk

c.c All Ontario Municipalities



## Community Services

### Legislative Services

June 22, 2021

File #120203

Sent via email: [Justin.trudeau@parl.gc.ca](mailto:Justin.trudeau@parl.gc.ca)

The Right Honourable Justin Trudeau,  
Prime Minister of Canada  
House of Commons  
Ottawa, ON K1A 0A6

Honourable and Dear Sir:

#### **Re: Licensing of Cannabis Operations – Previously Operating Illegally**

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of June 21, 2021 passed the following resolution:

**Whereas** there have been a number of illegal cannabis grow operations within the Town of Fort Erie, and

**Whereas** these illegal cannabis operations take significant municipal and regional manpower to control, and pose a significant threat to nearby communities, and

**Whereas** monetary fines and penalties do not restrict cannabis growers from future illegal cannabis activities on the lands, and do not appear to be enough of a deterrent, and

**Whereas** operating an illegal cannabis grow operation does not restrict the owners from applying for a legal licence to Health Canada through another responsible person, and

**Whereas** the licensed operators for the grow facilities may be producing for owners or owners within a corporation previously convicted of an offence;

#### **Now therefore be it resolved,**

**That:** The Federal Government look at prohibiting the ability to obtain a licence to grow cannabis if any of the owners including those owners within a corporation have ever been convicted of operating an illegal cannabis operation, and further

**That:** The Federal Government look at restricting lands previously operated for illegal cannabis use from obtaining a licence for a period of 5 years from the date of the offence, and further

.../2

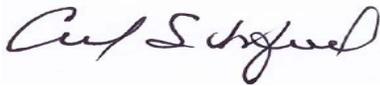
**That:** The Federal Government require that before submitting an application to the Minister for a licence for cultivation, a licence for processing or a licence for sale that authorizes the possession of cannabis, the person that intends to submit the application must first obtain a letter of compliance from the following authorities in the area in which the site referred to in the application is located:

- (a) the local government;
- (b) the local fire authority; and
- (c) the local police force or the Royal Canadian Mounted Police detachment that is responsible for providing policing services to that area, and further

**That:** A copy of this resolution be circulated to The Right Honourable Justin Trudeau, The Minister of Health Patty Hajdu, All members of Parliament, All municipalities, Niagara Regional Police, Royal Canadian Mounted Police and the Federation of Municipalities of Ontario for their support.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk

[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

c.c. The Honourable Patty Hajdu, Minister of Health (Canada) [Patty.Hajdu@parl.gc.ca](mailto:Patty.Hajdu@parl.gc.ca)  
All Members of Parliament (MP's)  
Ontario Municipalities  
Chief of Police, Bryan MacCulloch, Niagara Regional Police Service [deb.reid@niagarapolice.ca](mailto:deb.reid@niagarapolice.ca)  
Commissioner Brenda Lucki, RCMP [Brenda.Lucki@rcmp-grc.gc.ca](mailto:Brenda.Lucki@rcmp-grc.gc.ca)  
Federation of Canadian Municipalities



250 Thorold Road, 3<sup>rd</sup> Floor, Welland ON L3C 3W2  
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[www.npca.ca](http://www.npca.ca)

June 18, 2021

Andrea Holland  
City Clerk  
City of Hamilton  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, ON  
L8P 4Y5

**SENT ELECTRONICALLY**

Dear Ms. Holland,

Please be advised that the Board of Directors of the Niagara Peninsula Conservation Authority (NPCA) adopted the following resolution at its meeting of June 18, 2021:

*Moved by Ed Smith  
Seconded by William Steele*

1. **THAT** the Report No. FA-41-21 (Revised) RE: Conservation Authorities Act Phase 1 Regulations Guide with appended NPCA comments **BE RECEIVED**.
2. **THAT** the transition actions, as listed in the report, **BE REFERRED** to the Governance Committee for consideration of next steps including discussions with municipal partners.
3. **AND FURTHER THAT** the report **BE CIRCULATED** to municipalities within the NPCA's jurisdiction.

Accordingly, for your reference, please find the subject Report No. FA-41-21 attached hereto. Should you have any questions or concerns in respect of this matter, feel free to contact Chandra Sharma, NPCA CAO, at (905) 788-3135 or at [csharma@npca.ca](mailto:csharma@npca.ca).

Sincerely,

*Grant Bivol*

Grant Bivol  
NPCA Clerk / Board Secretariat

att.

**Report To: Board of Directors**

**Subject: Conservation Authorities Act Phase 1 Regulations Guide -  
NPCA Comments**

**Report No: FA-41-21 (Revised)**

**Date: June 18, 2021**

---

**Recommendation:**

1. **THAT** the Report No. FA-41-21 (Revised) RE: Conservation Authorities Act Phase 1 Regulations Guide with appended NPCA comments **BE RECEIVED**.
2. **THAT** the transition actions, as listed in the report, **BE REFERRED** to the Governance Committee for consideration of next steps including discussions with municipal partners.
3. **AND FURTHER THAT** the report **BE CIRCULATED** to municipalities within the NPCA's jurisdiction.

**Purpose:**

The purpose of this report is to update the Board on Niagara Peninsula Conservation Authority (NPCA) comments provided to the Province via Environmental Registry of Ontario. The report also provides a high-level overview of actions resulting from the proposed regulations.

**Background:**

The Ministry of Environment Conservation and Parks (MECP) has posted a consultation guide to the Environmental Registry on Thursday, May 13, 2021 "Ministry of the Environment, Conservation and Parks Regulatory Proposal Consultation Guide: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities". Phase 1 Regulations deal with Program and Services, Governance and Oversight as well Section 29 matters related to Conservation Authority (CA) lands. Section 28 regulations related to CA planning and permitting roles will be released in the coming months, and Phase 2 Regulations regarding the Municipal Levy will be released later in 2021.

Earlier this year, the Province established a working group of stakeholders to provide guidance in developing the proposed regulations. CA representatives on the working group have worked diligently to ensure that the regulations being developed by the Province can be efficiently implemented by the conservation authorities and stay true to the mandate of CA's to protect Ontario's watersheds.

## **Discussion:**

Staff attended information sessions scheduled by MECP and participated in discussions with Conservation Ontario. Conservation Ontario is also working with conservation authorities to prepare a direct submission to the government. NPCA staff comments are being submitted directly to the ERO with copy to municipal staff and attached as Appendix 1.

A high-level summary of required transition actions is provided below and will be integrated with the Governance Committee Work Plan. The transition period for completion of these actions has been extended to January 1, 2023. It should be noted that these actions are in addition to the governance related changes resulting from proclamation of governance provisions in February of 2021. Additionally, more actions are anticipated through Section 28 regulations and levy regulations.

- a) Create an inventory of all programs and services by December 31, 2021.
- b) Develop a Transition Plan to be submitted to the Province by the December 31, 2021.
- c) Develop a core Watershed-Based Resource Management Strategy.
- d) Develop a Strategy for all conservation authority owned or controlled lands and Land Management Plans for each property. (The NPCA is already in the process of launching this process in 2021.).
- e) Develop a Land Acquisition Strategy (LAS). (The NPCA LAS is near completion.)
- f) Enter into agreements for municipal funding of non-mandatory programs and services that require municipal levy by January 1, 2023.
- g) Oversee the formation and operation of a Public Advisory Board. (The NPCA already has a Public Advisory Committee. The Terms of Reference will need to be updated.)

## **Financial Implications:**

The proposed CA Act changes continue to create an extensive amount of workload and need for resources to ensure timely conformity of actions. Staff are currently working on a plan to address this need.

## **Related Reports and Appendices**

Appendix 1 - Letter to MECP Regarding Environmental Registry of Ontario Posting 019-2986 - Conservation Authorities Act Phase 1 Regulation Guide

## **Authored by:**

*Original Signed by:*

---

David Deluce, MCIP, RPP  
Senior Manager, Planning & Regulations

**Reviewed and Submitted by:**

*Original Signed by:*

---

Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2  
Telephone 905.788.3135 | Facsimile 905.788.1121 | [www.npca.ca](http://www.npca.ca)

June 15, 2021

Honourable Jeff Yurek  
Minister of the Environment, Conservation and Parks  
College Park, 5th Floor  
777 Bay Street  
Toronto, ON M7A 2J3

**RE: Response to Environmental Registry of Ontario Posting 019-2986 – Conservation Authorities Act Phase 1 Regulations Guide**

Dear Minister Yurek,

Thank you for the opportunity to provide input to the Ministry of the Environment, Conservation and Parks (MECP) Regulatory Proposal Consultation Guide on Phase 1 Regulations. The Niagara Peninsula Conservation Authority (NPCA) would like to thank the Ministry for involving Conservation Ontario and conservation authority (CA) representatives on the Provincial Working Group of stakeholders to provide guidance in developing the proposed regulations.

The NPCA appreciates the recognition of the critical role of CA's in addressing integrated watershed management and climate change through the provision of 'Core Watershed-based Resource Management Strategy (CWRMS)' This reconfirms the role CA's play in protecting Ontario's watersheds, provides a longer-term perspective, and offers a consistent eco-system based framework for categorizing the mandatory and non-mandatory programs and services for consultation with municipalities. The NPCA will continue to work with the Province through Conservation Ontario and the Provincial Working Group to ensure that the regulations being developed can be effectively implemented and contribute to our mandate to protect Ontario's watersheds.

The NPCA has reviewed the ERO posting and offers the following specific comments:

**PART ONE: PROGRAMS AND SERVICES DELIVERED BY CONSERVATION AUTHORITIES**

Transition Timelines: The NPCA appreciates the provision of the proposed overall transition period to January 1, 2023 by which all agreements for the use of municipal levy must be in place. The proposed deadline would bring the new proposed financial structure for CA's into practice for the authority and municipal fiscal year of 2023. It is also required that CA's must develop a transition plan by December 31<sup>st</sup> including an overall work plan and timeline to develop and enter into agreements with municipalities; an inventory of the authority's programs and services; and any other matters as prescribed in regulation.

The proposed timeframes for the transition period should enable time for the transition plans to be developed in consultation with municipalities and coordinated with the new municipal levy regulation proposed for Phase 2. The challenging timelines can only be met if the actual regulations (both Phase 1 and Phase 2) are enacted expeditiously.

Funding for Mandatory Programs: The mandatory programs that a conservation authority is to provide includes natural hazards, source water protection, managing conservation authority owned properties, and other services specific to certain conservation authorities. The government is also proposing additional services prescribed by regulation, including a core watershed resource management strategy (CWRMS) and Provincial Water Quality and Quantity Monitoring. The NPCA is encouraged to see the inclusion of these additional services, particularly the CWRMS. We will work with Conservation Ontario on a consistent approach to the CWRMS across Ontario watersheds.

Natural Hazard Programs: Given the limited resources and other critical priorities of our municipal partners, we request the province to consider their continued funding support of critical mandated programs. Additionally, supporting private landowners with restoration and stewardship services is crucial for the overall watershed health and natural hazard management. A majority of land within the Niagara watershed is under private ownership and stewardship must be supported to address future challenges such as climate change. The recent 50% cut to MNR funding for the natural hazards program makes ongoing effective implementation challenging.

Provincial Water Quality and Water Quantity Program: Both the Provincial Water Quality (PWQMN) and Water Quantity (PGMN) Monitoring Programs are examples of successful cost sharing programs between MECP and conservation authorities. These longstanding programs provide important trend data in support of effective water management. However, the existing Provincial Water Quality and Quantity Monitoring Programs coverage is incomplete and conservation authorities have expanded these networks to provide better coverage (more monitoring outside of the Provincial Networks) for their respective monitoring networks. We ask that the province consider these expanded water quality monitoring programs eligible for inclusion into the mandatory program.

Drinking Water Source Protection Program: The NPCA requests that funding support for mandatory programs and services for conservation authorities related to Source Protection Authority responsibilities under the *Clean Water Act* remain intact. It is our understanding that MECP will continue to provide funding if conservation authorities are required to exercise and perform the powers and duties of a drinking water source protection authority; and implement programs and services related to those responsibilities.

Inclusion of Passive Recreation and Nature Awareness/Education: Included in the mandatory services is the management and maintenance of conservation authority owned lands. However, this does not include the significant aspect of passive recreation, awareness and education critical to community well-being, an important service conservation authority lands offer to the residents of Niagara. Most NPCA properties have some component of passive recreation and nature education components. In many cases, trails are integrated into the property such that it would be problematic to separate the mandatory/non-mandatory components for budgeting purposes. This has the potential to create additional operational costs in tracking the separate funding streams and performing maintenance.

Asset Management and State of Good Repair: NPCA lands and their associated infrastructure (walking trails, safety features, washrooms, signage, etc.) provide important amenities for residents of our watersheds and beyond. Excluding the repair and maintenance of these assets may result in losing facilities or infrastructure due to an inability to maintain them and would be a significant loss for users as well as a health and safety risk. As such, we ask that the proposed provision of the management plan and resource inventory in the Consultation Guide also involve the preparation of an asset management plan to assess asset conditions, current and proposed

levels of service, asset management strategy, and a financing strategy to support the lifecycle management of assets.

The NPCA is pleased to share that our conservation authority is quite advanced in this area. An asset management program has already been deployed with appropriate technology. We will be working with Conservation Ontario to facilitate transfer of this approach to our sister conservation authorities.

Memorandums of Understanding: Non-mandatory programs and services will require conservation authorities to enter into a memorandum of understanding (MOU) with funding partners. At present, CA's also have MOU's and Service Level Agreements (SLA's) with lower tier municipalities on *Planning Act* matters and other fee-for-service programs offered to lower tier municipal partners. Clarity on these MOU timing/transition requirements needs to be understood to complete the required transition plans.

## **PART TWO: GOVERNANCE AND OVERSIGHT OF CONSERVATION AUTHORITIES**

Public Advisory Committee: The NPCA continues to consult and engage community stakeholders in all aspects of our work. The NPCA and several others CA's already have well-established watershed committees or public advisory committees with Board approved Terms of Reference included formally within the Administrative By-Laws of the respective authorities. In this regard, the NPCA would like to request that the Province address the resource needs related to governance and administration of public advisory committees. To be able to effectively deliver on a sound public engagement strategy through the public advisory committee, CA's need a minimum of two experienced full-time equivalents along with other technical experts and program costs. For transparent and adequate administration, CA's need to establish a secretariat for administration, record keeping, and management of projects. We request that these costs be identified as eligible under minimum levy.

## **PART THREE: OTHER REGULATORY MATTERS - Section 29 Minister's Regulation**

The NPCA supports the consolidation of the various individual CA regulations under Section 29 of the Act regarding public use of an authority's property. However, we believe that our Section 29 regulation can benefit from a comprehensive update. It is proposed that the Section 29 regulation be redesigned to better align with by-laws made under the *Municipal Act* related to the use of municipal property including parks, and the *Provincial Parks and Conservation Reserves Act, 2006* and its associated regulations, including O. Reg. 347/07: *Provincial Parks: General Provisions*.

We appreciate the opportunity to comment on this proposal and hope these comments are helpful. Any questions regarding this matter may be directed to the NPCA's Senior Manager of Planning and Regulations, David Deluce at 905-788-3135, ext. 224 or [ddeluce@npca.ca](mailto:ddeluce@npca.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Chandra", written over a horizontal line.

Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/Secretary-Treasurer  
Niagara Peninsula Conservation Authority

cc: Local Area CAO's  
Conservation Ontario

**BY EMAIL**

Andrea Holland  
City Clerk, City of Hamilton  
71 Main Street West  
Hamilton, ON, L8P 4Y5

June 23, 2021

Dear Ms. Holland:

**Re: Complaints about the display of electronic vote results**

I am writing further to our conversations about complaints received by the Ombudsman regarding vote results displayed to the public during electronic meetings held by the City of Hamilton (the “City”). Complainants told our Office that the results of a vote held by the City’s Board of Health during an electronic meeting on February 19, 2021, were not entirely visible to the public. Some complainants told us that vote results have also been partially obstructed during other meetings held by council or committees. Complainants told our Office that these votes were not observable by the public, contrary to the open meeting rules outlined in the *Municipal Act, 2001*<sup>1</sup> (the “Act”).

For the reasons set out below, our Office will not be reviewing this complaint further.

**Role of the Ontario Ombudsman**

Under the Act, all meetings of council, local boards, and committees of either must be open to the public, unless they fall within prescribed exceptions. Votes may only take place during a closed meeting if the meeting is properly closed, and the vote is for a procedural matter or to give directions to staff or officials.

As of January 1, 2008, the Act gives anyone the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.

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<sup>1</sup> SO 2001, c 25.

The Ombudsman is the closed meeting investigator for the City of Hamilton.

In investigating closed meeting complaints, we consider whether the open meeting requirements of the Act and the municipality's governing procedures have been observed.

Our Office has investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of many of the Ombudsman's previous decisions can be found in the digest: [www.ombudsman.on.ca/digest](http://www.ombudsman.on.ca/digest).

### Voting during electronic meetings

Due to the ongoing COVID-19 pandemic, we understand that the Board of Health has been meeting electronically. All meetings where members participate electronically are streamed live to the public.

The results of votes that take place during electronic meetings are displayed to the public using a meeting management software, E-scribe. An E-scribe vote display window indicates that a vote is in progress, shows the nature of the motion being voted on, and the mover and seconder of the motion. Once a vote has been taken, E-scribe displays the nature of the motion and whether it was carried. The E-scribe vote display window lists the names of all the members who voted 'yes' on the motion, followed by those who voted 'no'. If there are any members absent from the vote, their names are listed below the names of members who voted 'no'.

### Complaints received by the Ombudsman

Our Office received several complaints that during a vote held by the City's Board of Health on February 19, 2021, the names of the members who voted 'no' on a particular motion were not displayed to the public. While the names of the members who voted 'yes' on the motion were visible, the names of those who voted 'no' were cut off at the bottom of the E-scribe vote display window. As a result, the names of the members who voted 'no' were not made visible to the public during the meeting.

We spoke with you and the Legislative Coordinator for the City's Board of Health about the vote on February 19, 2021, and about the E-scribe vote display window generally.

## Steps taken by the City to resolve the E-scribe vote display window issue

During our discussions, you and the Legislative Coordinator acknowledged that some of the names of the board members who voted against a motion during the February 19 meeting were not visible to the public on the E-scribe vote display window. You both noted that the overall result of the vote – that it was carried 8-4 – was visible and that the result was also verbally announced by City staff during the meeting. Further, you noted that the vote would be recorded in the minutes, which are made public.

You explained that the vote results appear to be cut off at the bottom of the E-scribe vote display window when there is a lot of text included in that window. If there is too much text, then it cannot all be displayed simultaneously in the window and some text may be cut off.

You told our Office that the amount of text displayed depends on the nature of the motion and the number of members in a meeting. If the motion being voted on is long, and/or if there are many members participating in the meeting, then it is possible that some of the information will be cut off at the bottom. This was the case during the February 19, 2021, vote of the Board of Health.

You told our Office that you have raised the issue with the E-scribe software provider. Until the issue can be addressed through a software update, City staff have committed to scrolling through the vote results during electronic meetings to ensure that all results are displayed to the public.

## Conclusion

Under the circumstances, we will not be proceeding with a further review of these complaints. We encourage the City to continue monitoring the E-scribe vote display window and to take appropriate measures to ensure that the vote results are displayed in their entirety during a meeting. We ask that the City include this letter as correspondence at an upcoming meeting of council. We thank you for your co-operation with our Office during our review.

If you have any question about the content of this letter, please feel free to contact me at 416-586-3425.

Sincerely,



Emily Prosser  
Student-At-Law  
Office of the Ontario Ombudsman

Office of the Ombudsman of Ontario | Bureau de l'Ombudsman de l'Ontario  
483 Bay Street / 483, rue Bay  
Toronto ON, M5G 2C9  
Tel./Tél. : 416-586-3300 / 1- 800-263-1830 - Complaints Line | Ligne des plaintes  
Facsimile/Télécopieur : 416-586-3485 TTY/ATS: 1-866-411-4211  
[www.ombudsman.on.ca](http://www.ombudsman.on.ca)



**VIA EMAIL**

June 30, 2021

Office of the Regional Chair  
1151 Bronte Road  
Oakville ON L6M 3L1  
Fax: 905-825-8273

The Honourable Doug Ford, Premier of Ontario  
The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
The Honourable Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture  
Industries  
The Honourable Doug Downey, Attorney General

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Please be advised that at its meeting held Wednesday, June 16, 2021, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: Protection of Glen Abbey Lands**

WHEREAS the Glen Abbey lands have historically served an important role within the cultural fabric, local heritage and community in the Town of Oakville;

AND WHEREAS the Glen Abbey lands is home to a world-renowned golf course that has hosted the Canadian Open the greatest number of times in the country and is considered a local, Regional, Provincial and national treasure that should be protected for future generations;

AND WHEREAS the Glen Abbey Golf Course is a significant cultural heritage landscape and the Town of Oakville has designated the Glen Abbey Golf Course as a property of cultural heritage value or interest under the *Ontario Heritage Act* and contains an interconnected network of natural heritage features, including habitat for wildlife protected under the *Endangered Species Act, 2007*;

AND WHEREAS ClubLink Corporation ULC and ClubLink Holdings Limited (ClubLink) has applied for development approvals to permit 3,222 residential units and over 127,000 square feet of office commercial, retail commercial and market retail space on the Glen Abbey lands, which would result in the permanent loss of the significant cultural heritage landscape;

AND WHEREAS ClubLink's applications have been appealed by ClubLink to the Local Planning Appeal Tribunal, to be continued as the Ontario Land Tribunal, with a hearing scheduled to commence in August 2021;

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

905-825-6000 | Toll free: 1-866-442-5866

Page 2

AND WHEREAS considerable municipal resources have been dedicated to protecting the Glen Abbey cultural heritage landscape recognizing the importance of these lands to the Glen Abbey community, the Town, and broader Halton community as a whole;

AND WHEREAS the protection of the Glen Abbey cultural heritage landscape is supported at the Provincial level by Members of Provincial Parliament Stephen Crawford (Oakville) and Effie Triantafilopoulos (Oakville North-Burlington), and MPP Crawford has also presented a petition to the Legislature to explore various options to protect the lands, and also pledged to ensure that this important part of Oakville's cultural heritage is not paved over;

AND WHEREAS to date the Province has not taken steps to protect the Glen Abbey lands.

NOW THEREFORE BE IT RESOLVED:

THAT Regional Council request the Province to use all resources and tools at its disposal to protect the Glen Abbey cultural heritage landscape in recognition of the importance of these lands to the Town, the Region and its residents.

AND FURTHER THAT this resolution be circulated to Premier Doug Ford, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Lisa MacLeod, Minister of Heritage, Sport, Tourism and Culture Industries, the Honourable Doug Downey, Attorney General, the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville, the Association of Municipalities of Ontario, the leaders of the Provincial opposition parties, Halton's MPPs, and the Greater Golden Horseshoe municipalities.

We look forward to your reply to this important issue.

Sincerely,



Gary Carr  
Regional Chair

c: Andrea Horwath, MPP, Leader of the Opposition  
Steven Del Duca, Leader of the Ontario Liberal Party  
Mike Schreiner, MPP, Leader of the Ontario Green Party  
The Honourable Ted Arnott, MPP, Wellington-Halton Hills

The Honourable Jane McKenna, MPP, Burlington  
The Honourable Parm Gill, MPP, Milton  
Stephen Crawford, MPP, Oakville  
Effie Triantafilopoulos, MPP, Oakville North – Burlington  
Brian Rosborough, Association of Municipalities of Ontario  
City of Burlington, Kevin Arjoon  
Town of Halton Hills, Valerie Petryniak  
Town of Oakville, Vicki Tytaneck  
Town of Milton, Meghan Reid  
Nancy MacDonald, County of Northumberland  
Lynn Fawn, County of Peterborough  
John Kennedy, City of Peterborough  
Cathie Ritchie, City of Kawartha Lakes  
Gayle Jackson, City of Orillia  
Wendy Cooke, City of Barrie  
John Daly, County of Simcoe  
Michelle Dunne, County of Dufferin  
Donna Bryce, County of Wellington  
Kris Fletcher, Region of Waterloo  
Tanya Daniels, City of Brantford  
Heather Boyd, County of Brant  
Evelyn Eichenbaum, Haldimand County  
Ann-Marie Norio, Region of Niagara  
Andrea Holland, City of Hamilton  
Stephen O'Brien, City of Guelph  
Kathryn Lockyer, Region of Peel  
John Elvidge, City of Toronto  
Chris Raynor, Region of York  
Ralph Walton, Region of Durham



## The Regional Municipality of Halton

THE FOLLOWING RESOLUTION WAS APPROVED BY REGIONAL COUNCIL AT ITS MEETING HELD WEDNESDAY, JUNE 16, 2021

WHEREAS the Glen Abbey lands have historically served an important role within the cultural fabric, local heritage and community in the Town of Oakville;

AND WHEREAS the Glen Abbey lands is home to a world-renowned golf course that has hosted the Canadian Open the greatest number of times in the country and is considered a local, Regional, Provincial and national treasure that should be protected for future generations;

AND WHEREAS the Glen Abbey Golf Course is a significant cultural heritage landscape and the Town of Oakville has designated the Glen Abbey Golf Course as a property of cultural heritage value or interest under the *Ontario Heritage Act* and contains an interconnected network of natural heritage features, including habitat for wildlife protected under the *Endangered Species Act, 2007*;

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AND WHEREAS ClubLink's applications have been appealed by ClubLink to the Local Planning Appeal Tribunal, to be continued as the Ontario Land Tribunal, with a hearing scheduled to commence in August 2021;

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AND WHEREAS the protection of the Glen Abbey cultural heritage landscape is supported at the Provincial level by Members of Provincial Parliament Stephen Crawford (Oakville) and Effie Triantafilopoulos (Oakville North-Burlington), and MPP Crawford has also presented a petition to the Legislature to explore various options to protect the lands, and also pledged to ensure that this important part of Oakville's cultural heritage is not paved over;

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\* \* \* \* \*



Stantec Consulting Ltd.  
1-70 Southgate Drive, Guelph ON N1G 4P5

June 28, 2021

Andrea Holland  
City of Hamilton  
71 Main Street West, 1st Floor  
Hamilton ON L8P 4Y5  
clerk@hamilton.ca

Dear Andrea Holland,

**Reference: Imperial Oil Pipeline Relocation Project – Notice of Study Commencement**

Lafarge Canada will be mining their approved South Quarry Extension lands on the south side of Concession 4 West, Hamilton, ON and the existing 12" nominal pipe size (NPS) pipeline owned and operated by Imperial Oil will need to be relocated. The intent is to relocate the pipeline to either the north or south side of Concession 4 West on a new easement on lands owned by Lafarge Canada. The length of the pipeline will be determined by the final route chosen but will be approximately 2 km.

For more details on the location of the Project, please refer to the notice.

Imperial Oil has retained Stantec Consulting Ltd. (Stantec) to undertake an Environmental Study of the construction and operation of the Project. The Environmental Study will fulfill the requirements of the Ontario Energy Board's (OEB) "*Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7th Edition (2016)*".

It is anticipated that the Environmental Report for the study will be completed by late summer / early fall 2021, after which Imperial Oil will file an application for the Project to the OEB. The OEB's review and approval is required before the proposed Project can proceed. If approved, construction is currently anticipated to begin in spring 2022.

As an agency with jurisdiction or a potential interest in developments in the area of the Project, you are invited to provide or coordinate comments regarding the proposed Project. Specifically, Stantec is seeking information regarding planning principles or guidelines implemented by your agency that may affect routing, construction and/or operation of the proposed Project. Stantec is also seeking background environmental, socio-economic, and archaeological/cultural heritage information that may be useful in compiling the baseline inventory of the Study Area.

To support the quality of the assessment process, we also request that you provide us with information regarding other proposed developments within the Study Area. This information will be incorporated into the Environmental Study and related report as a component of the cumulative effect's assessment. Please contact us to discuss the most efficient way to obtain this information.

Engagement with Indigenous communities, landowners, government agencies, the public and other interested persons is an integral component of the environmental study process. As a result of the physical distancing requirements set out by the Province of Ontario due to COVID-19, an information session will not take place.

**Reference:** Imperial Oil Pipeline Relocation Project – Notice of Study Commencement

If you have questions or comments regarding the Imperial Oil Pipeline Relocation Project, please do not hesitate to contact the undersigned.

Yours truly,

**Stantec Consulting Ltd.**



**Emily Hartwig** B.Sc., EP  
Environmental Consultant, Assessment and Permitting  
Phone: (519) 780-8186  
IOLRelocation@stantec.com

Attachment: Notice of Study Commencement

c. Thomas Cao, Imperial Oil

# NOTICE OF STUDY COMMENCEMENT

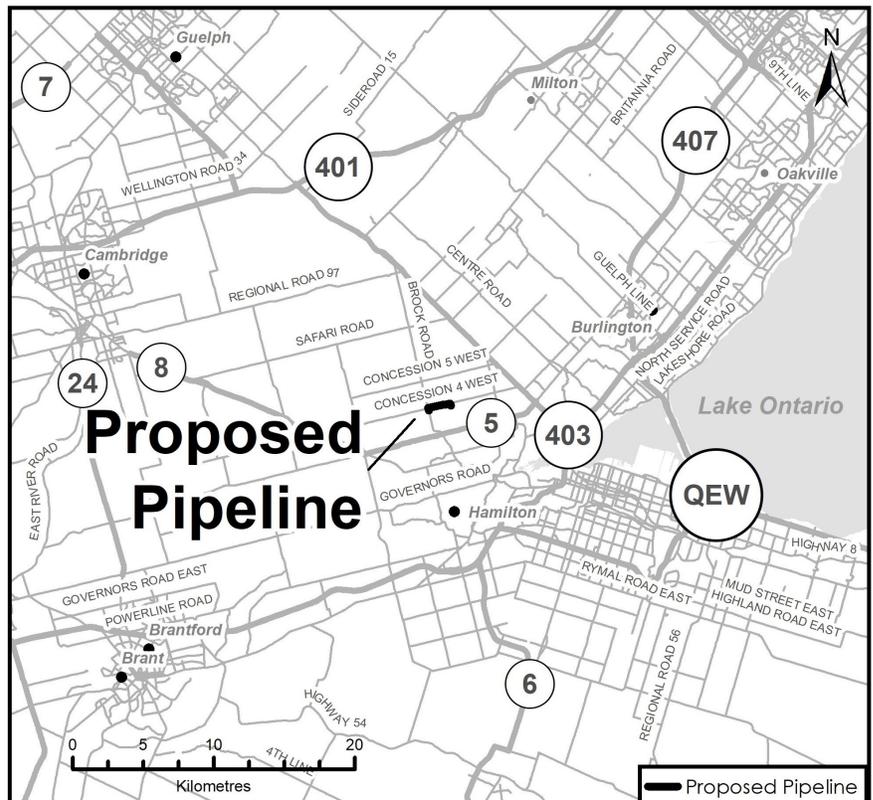
## IMPERIAL OIL - PIPELINE RELOCATION PROJECT

Lafarge Canada will be mining their approved South Quarry Extension lands on the south side of Concession 4 West, Hamilton, ON and the existing 12" nominal pipe size (NPS) pipeline owned and operated by Imperial Oil will need to be relocated.

The intent is to relocate the pipeline to either the north or the south side of Concession 4 West on a new easement on lands owned by Lafarge Canada. The length of the pipeline will be determined by the final route chosen but will be approximately 2 km.

### Environmental Study process

Imperial Oil has retained Stantec Consulting Ltd. (Stantec) to undertake an Environmental Study of the construction and operation of the Project. The Environmental Study will fulfill the requirements of the Ontario Energy Board's (OEB) "Environmental Guidelines for the Location, Construction, and Operation of Hydrocarbon Pipelines and Facilities in Ontario, 7th Edition (2016)". It is anticipated that the Environmental Report for the study will be completed in late Summer/early Fall 2021, after which Imperial Oil will file an application for the Project to the OEB. The OEB's review and approval is required before the proposed Project can proceed. If approved, construction is currently anticipated to begin in Spring 2022.



### Public consultation

Engagement with Indigenous communities, landowners, government agencies, the general public and other interested parties is an integral component of the environmental study process. As a result of the physical distancing requirements set out by the Province of Ontario due to COVID-19, no in-person Open House will take place.

Please send comments or questions regarding the Environmental Study or the proposed Imperial Oil Pipeline Relocation Project to:

**Telephone:** (519) 780-8186

**Email:** [IOLRelocation@stantec.com](mailto:IOLRelocation@stantec.com)

**Pilon, Janet**

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**From:** Chloe Tse Tse  
**Sent:** June 25, 2021 7:22 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** I just signed Hamilton Centre for Civic Inclusion's petition

Dear Clerk - City of Hamilton Clerk's Office,

Cc: City Council  
Cc: Dr. Richardson  
Cc: Members of Provincial Parliament

I am writing to you to support the local call to restructure Hamilton's Board of Health to include members of the public and health leaders from the following equity-seeking groups, including but not limited to; women, people with (in)visible disabilities, Indigenous peoples, low-income communities, Black and Racialized communities, 2SLGBTQ+ and newcomer communities.

In March you heard from a hand full of community members and health experts speaking to reforming the Board of Health. At that meeting, you voted to receive a Board of Health Report on governance reform on June 14th, 2021. We hope after receiving the report you will consider adopting changes as we have seen in Toronto and Ottawa. The Toronto and Ottawa Boards both have elected officials and community health experts.

By adopting this systemic change to the Board of Health we will ensure better health outcomes for residents particularly the most vulnerable.

Thank you for your time.

Sincerely,  
Chloe Tse Tse

**Pilon, Janet**

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**From:** Han Godin  
**Sent:** June 25, 2021 5:13 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** I support #HealthEquityHamOnt

Dear Clerk - City of Hamilton Clerk's Office,

Cc: City Council  
Cc: Dr. Richardson  
Cc: Members of Provincial Parliament

I am a concerned resident, residing in the City of Hamilton. I am writing to you to support the local call to restructure Hamilton's Board of Health to include members of the public and health leaders from the following equity-seeking groups, including but not limited to; women, people with (in)visible disabilities, Indigenous peoples, low-income communities, Black and Racialized communities, 2SLGBTQ+ and newcomer communities.

In March you heard from a hand full of community members and health experts speaking to reforming the Board of Health. At that meeting, you voted to receive a Board of Health Report on governance reform on June 14th, 2021. We hope after receiving the report you will consider adopting changes as we have seen in Toronto and Ottawa. The Toronto and Ottawa Boards both have elected officials and community health experts.

By adopting this systemic change to the Board of Health we will ensure better health outcomes for residents particularly the most vulnerable.

Thank you for your time.

Sincerely,  
Han Godin

### **The power to override, dismiss or neglect diverse, inclusive, health expertise during the biggest health crisis of our time is a power that we must all commit to change**

The COVID-19 pandemic has shown us all that urgent action is needed for structural change to effectively address the disproportionate health impacts experienced by racialized, Indigenous, 2SLGBTQ+ and marginalized communities, low-income workers, essential service providers, persons with disability and newcomer communities. The factual evidence of this disproportionate impact is well known.

Currently, Hamilton's Board of Health is entirely comprised of elected members of Council and lacks structural representation and analysis from local health experts, medical/post-secondary institutions, racialized, Indigenous communities, and environmental experts.

At the March 2021 Hamilton Board of Health meeting, several Doctors with medical and health expertise, of diverse identities and lived experience delegated, one after another, to the Hamilton Board of Health. They each highlighted, with urgency, the need to restructure the Board of Health in Hamilton, to harness the wealth of knowledge and expertise of health experts, and diverse community leaders within the very structure of our public health governance. At the meeting, there was an agreement for a report to be generated on Board of Health governance and to be presented to the Board in June, 2021.

The report generated and presented completely omitted any mention the delegations in March or any of the contributions or analyses of the many Doctors that presented. The Mayor, at the June meeting decided to comment on the delegations suggesting that the delegates were making "specific allegations" that are "not true" and that he "really take exceptions to accusation that they've missed the boat on some of these things".

Throughout the process, the Mayor conveyed that he did not understand the relationship between public health and hospitals, and the broader impacts of social determinants of health. The Medical Officer of Health also reported that they were not well versed in matters of health equity and was unable to share any knowledge of research on the value of community involvement in health governance. There currently exists a structure whereby knowledge and expertise are being restricted from having a direct impact on health outcomes for the most marginalized. The power to override, dismiss or neglect diverse, inclusive, health expertise during the biggest health crisis of our time is a power that we must all commit to change.

Videos:

Health Experts at March BOH

<https://drive.google.com/file/d/1QJNR7UGgUni2TR2fqL23pa916EturVOa/view?usp=sharing>

Mayor's Accusations Clip: <https://drive.google.com/file/d/1I-0xd6JV7WifvfoxRuAUMbm7znjuJLgl/view?usp=sharing>

Below are responses from individual delegates who felt compelled to respond to the Mayor's dismissive responses.

**We the undersigned ask that the Mayor formally apologize for his dismissive comments and take seriously the need for diverse, representative, inclusive, community health and medical expertise in health governance and leadership in Hamilton.**

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I am a pediatrician and Adolescent Medicine Specialist. I was not sent to delegate on behalf of my department or hospital, but rather felt compelled to do so as a Black woman raising two Black sons in the GTA and who has been working exclusively in the city of Hamilton for the past 15 years. During my delegation, I explained that I recognized the hard work and dedication of city council members. In fact, I have witnessed the dedication first-hand in another context as my father has been on city council in the West Island of Montreal where I grew up since I was a child. At the same time, I pointed out that public health policy is a specialty area that requires medical knowledge as well as knowledge about the history of racialized and other historically marginalized groups in order to develop plans that do not “unknowingly” have blind spots. While these blind spots may be unintentional, they cost lives – as we have seen with COVID. At the time that I delegated, I genuinely assumed the blind spots or omissions were due to lack of diversity and lack of public health knowledge with EDI specific focus on the part of the Board of Health. I am now struck by the insistence on wanting to have a blind spot that has been pointed out. This insistence – knowing that lives are at stake – is unconscionable. The mayor’s clinging tight to the status quo and subsequent allegations regarding “unfounded accusations” of the delegates is very worrisome. He is right that our concerns were serious. We expressed them in a tone commensurate with the gravity of the situation. The tone of each professional was respectful. The mayor’s suggestion that the delegations of the experienced professionals was accusatory is, in fact, what is dangerous here. Dismissing us as unprofessional people who made false claims and who generate a need for him to protect his staff plays right into dangerous stereotypes about Black people and other people of colour. Please see me for who I am – a qualified medical professional who is also a Black woman dealing with microaggressions on a regular basis. The fact that he did not recognize his statements as such further demonstrates the need for reform.

Dr. Raymond Givens in a New England Journal of Medicine article entitled “One of Us” described this phenomenon perfectly. “Most of us come from families that prepared us to navigate the narrow passage between Scylla and Charybdis. Members of a trainee selection committee express concern that a Black candidate’s reference letter describes him as “quiet.” Scylla. A statement from the first hospital that treated Dr. Moore suggests her self-advocacy may have “intimidated” her medical team. Charybdis. We all recognize the connection. We are allowed to speak of our anguish but not our anger. We can discuss racial bias, but only the “unconscious” or implicit variety.”

I will unabashedly continue to speak about both my pain and my anger as well as systemic racism. After all, there are lives depending on it.

Natasha Johnson, MD, FAAP, FRCPC

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I was born and raised in Hamilton. I take pride in saying that. I have worked all over the world and chose to live and practice medicine in Hamilton where I am a Developmental Paediatrician. I work to improve the health and wellbeing of children and their families in the Hamilton community. When I was invited to delegate to the Hamilton Board of Health I was nervous and excited about the opportunity to talk about how health/illness and wellness cross the boundaries of the city based health services and the hospital based health services. People are not healthy or unhealthy in one place and not the other.

In healthcare we are driven to improve outcomes for our patients. We participate in weekly academic exercises, review boards that dissect clinical cases that we have participated in and simulations that allow us to practice practical skills. We are pushed to strive for excellence because people's lives depend on our skills but not our egos. Healthcare evolves as we learn new ideas, listen to alternative ideas and respond to new data that is being collected.

On March 22, 2021 we brought a delegation of healthcare professionals (doctors & nurses) to speak with the Hamilton Board of Health (BOH) between us we had over 50 years of collective healthcare experience working in various areas of healthcare across the city. We brought our passions, lived experiences and knowledge to the BOH in the hopes that we could do our jobs along with the BOH - to improve the lives of the citizens of

Hamilton.

From the mayor's comments our collective enthusiasm for better health outcomes felt like, to the BOH, that we were:

- (making) pretty specific references to you know things that we (BOH) weren't getting right
- (making) some pretty serious charges around what we were missing in the broader community
- (ignoring) that our staff have moved heaven and earth to provide good outcomes throughout the city

It is unfortunate that our enthusiasm for change was obviously not met by the mayor's promise of:

"I am totally open to a good serious conversation about how we can prove outcomes in the broader community for our citizens and how we do that through public health".

The mayor's comments have created a narrative that criticism negates hard work, that years of healthcare education do not supersede politics and that healthcare improvements can wait on political processes. They can't. People are dying because we can't face the uncomfortable but necessary conversations about health reform and equity.

The mayor said he was:

"not adverse to having any information coming in that sheds light on all of the important issues that we're gonna have to be dealing with so I'm more than happy to do that and I would encourage anyone to bring specific information not accusation but specific information on how things are and outcomes in other communities that we can turn to"

After highschool in Hamilton, I did over 15 years of university education around the world learning about health and wellbeing and I brought that knowledge to my delegate speech. I spoke from this international and local knowledge base to "shed light on the important issues" that we have been dealing with for many years and will be dealing with into the future if we don't start now to make changes.

Do you want the surgeon who never received feedback to do your knee replacement or the one that listens, learns and constantly strives to improve their technique?

As a passionate, opinionated, dedicated, ethical, courageous physician I am going to speak to those ideas that science has proven will improve the health of the community in which I work and live, even if those ideas are uncomfortable for some to hear.

Kassia Johnson, MD, FRCPC

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My name is Dr. Ruth Rodney. I am an assistant professor at York University in the School of Nursing. I have been a registered nurse for 17 years. My expertise is the culmination of formal education, professional experience in Canada and abroad, and my lived experience as a racialized woman who is also the mother of a black son.

I cannot respond to the mayor's comments without speaking to the four recommendations in the report prepared for the June 14th meeting. Those recommendations foreshadowed the dismissive and erroneous remarks to our delegations by the mayor. The recommendations began by indicating the mayor would speak to the importance of equity, diversity, and inclusion to provincial bodies. It is ironic but not surprising that the mayor would frame a diverse group of health care professionals as accusatory and reduce the recommendations to a personal attack on him and his staff. Yet, we spoke to the importance of better inclusion on the board of health to improve health care outcomes and experiences for all Hamiltonians, which would ultimately benefit him and his staff.

The second recommendation called for ‘an external vendor’ to educate the board on governance. All boards evaluate their membership and identify gaps in skills that if recruited could improve the functioning and outputs of the board. Hamilton has numerous highly qualified health experts that can contribute expertise currently not on the board. I question how can ‘an external vendor’ compare to the medical expertise of 7 health care practitioners who also have governance and lived experience. Will their opinion only matter when it aligns with business as usual. We also provided two examples of major cities within Ontario, Toronto and Ottawa, that have restructured their board providing additional expertise. If the capital of Canada included health and community members on its board of health, why is Hamilton wavering?

In my delegation I spoke about the importance of having diverse representation on the board for racialized frontline workers. It would signal to racialized workers and Hamiltonians that there is a greater chance someone with first-hand knowledge of how race contributes to making healthcare in this city inequitable, inaccessible, and often intimidating are at the decision-making table. However, the third recommendation called for public health staff to engage with a sub-committee on EDI. If EDI is important for public health staff should the Board of Health not reflect it? The final recommendation demonstrated to me that this report was not created in good faith to consider or reflect on the delegates in March. Rather, it was an exercise in regurgitating information that was already known and maintains the status quo.

I am certain that the board of health, including the mayor has been trained on EDI and/or attended workshops to sensitize him on anti-oppression and anti-racism. Yet, the way he spoke about us, “You know there’s a long list of them quite frankly” further supports our call for board restructuring as sensitization training can never replace lived experience. It is baffling when the mayor as an elected official in a position of power rejects the recommendations from highly qualified health care professionals as, “pretty serious charges”, “some really specific accusations”, “certainly not respectful to the good staff” all while stating in the same breath that he is open to conversations on this issue. It is interesting how quickly the same healthcare workers who were called ‘heroes’ at the height of this pandemic are now being vilified by the mayor because we dared to step into a realm where we have not been before – but should be.

In closing, my delegation also spoke about my experience as a black nurse working throughout this city and highlighted an example of how nursing leadership resulted in over five thousand long term care residents avoiding more than thirty-nine thousand potential hospital days and over two thousand ER visits in a 2013 report. I provided this example to show nursing leadership can positively impact health outcomes and the link between public health and tertiary care – which directly answered a question the mayor had about the connection between hospital beds and public health. I also acknowledged the difficult decisions that council must often make but believed this was not one of them. Health care is constantly evolving and changing. Restructuring the board is not to erase, discredit, or make light of its successes, rather it is to further expand its impact for the betterment of the entire city.

Ruth Rodney, RN, PhD

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As a physician in Hamilton who understands that the social determinants of health are far more powerful in shaping health outcomes than anything I might offer in my clinical practice, I am compelled to advocate with community members to promote the health of all Hamiltonians. This includes advocating for changes that address the systemic racism that exists throughout public health and health systems in Canada, and Hamilton is no exception. And systemic problems require systemic solutions - like governance models that are designed to achieve health and racial equity.

As I said in my delegation, I was grateful for the opportunity to share my experiences of places where the governance model reflects the community it serves. I was disappointed and frustrated that we followed the process laid out by the city to delegate, in hopes of continuing to build our city together, and instead were

dismissed as making “accusations”. Furthermore, this is a classic tactic used by white people to dismiss the concerns of people of colour. Rather than listening and reflecting and learning, we take criticisms of systems as personal offences and consider our discomfort with receiving criticism as equal to or even more important than the safety of people of colour.

Interestingly the report prepared by Dr Richardson indicates that "Delegation at BOH continues to be an effective way for community members to share experiences and recommendations to inform public health planning." Based on our experiences, I would not characterise delegation as effective. Really it was just a disheartening experience that resulted in our character being attacked by the mayor. I also note that Dr. Richardson's report includes Ontario Health's Equity, Inclusion, Diversity and Anti-Racism Framework which states as 1 of 11 Areas of Action "Represent and Reflect Ontarians: Strive for all levels of the organization to reflect the communities served." This is exactly what we advocated for in our delegations - that the board of health reflect the community served.

I hope that fellow physicians and healthcare workers stand up for our collective right to advocate and have our voices heard and respected. I hope that the Mayor is accountable for his statement and its impact on us and also the personal and professional communities we are part of. And I hope that Hamilton Public Health, the City of Hamilton, healthcare professionals, and community members can work towards a governance model that advances Hamilton as a place where everyone can live a full, happy, healthy life.

Sincerely,

Claire Bodkin, MD

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Cosigned by,

- 1)Natasha Johnson, MD, FAAP, FRCPC
- 2)Kassia Johnson, MD, FRCPC
- 3)Ruth Rodney, RN, PhD
- 4)Claire Bodkin, MD
- 5)Ameil J. Joseph MSW, RSW, Ph.D.
- 6)Kojo Dampety B.Eng, MA
- 7)Tim O'Shea MD, FRCPC, MPH
- 8)Madeleine Verhovsek MD, FRCPC
- 9)Lyndon George, Health Equity Advocate
- 10)Sarah Jama, Executive Director, Disability Justice Network of Ontario (DJNO)
- 11)Mike Belmore Resident, Ward 2
- 12)Cameron Kroetsch, Community Advocate
- 13)Arianne Di Nardo, Herbalist, Ward 4
- 14)Sherly Kyorkis, Resident, Ward 7
- 15)Dr. Jennifer Tang
- 16)Ailidh Gray, Resident, Ward 3
- 17)Stacey Marjerrison, MD, MSc, FRCPC
- 18)April Kam, MD, MScPH, FRCPC
- 19)Laura Palumbo, Resident, Ward 2
- 20)Scott Hastie, Resident, Ward 1
- 21)Danielle Kaardal, MD
- 22)Derek Jenkins, Resident, Ward 3
- 23)Beatrice Copps, MD
- 24)Toni Adey
- 25)David Zorko, MD MSc FRCPC

- 26) Brian Henley
- 27) Sarah Khan, MD, MSc, FRCPC
- 28) Katelyn Limeback, NP-peds
- 29) Sara Alavian, MD
- 30) Andrea Madsen, RSW
- 31) Lyla Miklos, Resident, Ward 1
- 32) Don Holland, Resident Ward 1
- 33) Lynda Lukasik, PhD
- 34) James Diemert, Resident, Ward 3
- 35) Vilma Rossi, Resident, Ward 1
- 36) Alix MacLean, resident, ward 4
- 37) Denise Christopherson CEO YWCA Hamilton
- 38) Kat Butler, MD, MSc(A)
- 39) Jessica Bonilla-Dampney, Director, Sexual Assault Centre (Hamilton and Area)
- 40) Frances Murray, Ward 2
- 41) Barbara Howe Retired RN and Ward 1 resident
- 42) John David Neary MD FRCPC, Ward 2 resident
- 43) Emma Cole, Resident, Ward 14
- 44) Kristin Roe, MSW RSW
- 45) Maddie Brockbank BSW, MSW, PhD Student
- 46) Dr. Quinten Clarke, MD
- 47) Marcie Mcilveen
- 48) Nathalie Bouchard
- 49) Gita Wahi, MD, MSc, FRCPC
- 50) Rodrigo Narro Pérez, Resident, Ward 2
- 51) Jen Matthews MSW, RSW
- 52) Laura Buchner, Resident, Ward 4
- 53) Miriam Sager, Resident, Ward 1
- 54) Allyn Walsh MD CCFP FCFP Ward 1
- 55) Rae Jewett, PhD Candidate, Corktown
- 56) Anna D'Angela CCPA, MBA
- 57) Anabelle Ragsag, Resident, Ward 14
- 58) Jordan Carrier
- 59) Simon Oczkowski MD MHSc MSc
- 60) Mary Boulos
- 61) Rachel Weldrick, PhD, Resident, Ward 3
- 62) Craig Burley, LLB, Ward 1
- 63) Denzel Innis, Resident Ward 4
- 64) Krista Warnke, resident, ward 5
- 65) Cynthia Cupido, MD, FRCPC, MSc
- 66) Mark Anderson
- 67) Geraldine McMullen, Hamilton Resident
- 68) Jennifer Brasch, MD, FRCPC, FCPA resident, ward 15
- 69) Jada Fitzpatrick, MD
- 70) Kathleen Nolan, MD FRCPC
- 71) Michael Abraham, resident, ward 2
- 72) CA Klassen, Ward 2 resident
- 73) Darren Green President Hamilton Steelworkers Area Council resident Ward 4
- 74) Brittany Anne Howson-Jan, MD FRCPC
- 75) Rebecca Steckle, RN
- 76) Matthew LaRose, Ward 3 resident
- 77) Paul Mason, Resident, Ward 13

78)Aidan Porter, Ward 1  
79)William, Harper, MD  
80)Randy Coutts, Resident, Ward 2  
81)Sarah Kovacs Ward 2 resident  
82)Kristin Archer, Hamilton resident  
83)Susan Toth, LL.B.  
84)Laura Howden, ward 1 resident  
85)Sue Scharf Green  
86)Janet Lebeau  
87)Nadine Stewart  
88)Nadiya Goswami, MD FRCSC  
89)Lisa Yang, MD  
90)Giuliana Guarna, MD  
91)Ben Forestell, MD  
92)Lucia Giglia, MSc, MD, FRCPC  
93)Jackie Gruber  
94)Sarah Glen  
95)Cynthia Aldred MRT(R) Ward 9 resident  
96)Alex Norgaard, MD, FRCSC  
97)Yasaman Pazouki, MD, FRCSC  
98)J Mark Walton MD FRCSC  
99)Catherine Friedman MD  
100)Christina Grant MD, FRCPC  
101)Cait MacLennan Penman, Registered Midwife  
102)Kathleen Hughes, MD, CCFP  
103)Kate Hand, ward 2 resident  
104)River Holland-Valade BSW  
105)Neil Armstrong, Resident, Ward 1  
106)Nick Tsergas, RN  
107)Yasaman Pazouki, MD, FRCSC  
108)Adam George Palios  
109)Tony Janizewski, ward 2 resident  
110)Margaret Bennett, Stinson resident Ward 3  
111)Sara Gilliam, Hamilton  
112)Christine Brooks-Cappadocia, resident Ward 15  
113)Nancy Henderson, Resident, Ward 12  
114)Nathi Zamisa, Resident, Ward 8  
115)Ian Borsuk  
116)Flannery Dean  
117)Kelsea McCready, BSc, MA candidate, resident ward 7  
118)Kathy Davidson, Resident, Ward 7  
119)Liz Jackson, Ward 1  
120)Simón López, Ward 3  
121)Alicia De Jong. Resident. Ward 14  
122)Shraddha Mishra  
123)Amber Dean, Associate Professor, McMaster, and Resident Ward 4  
124)Sheldon Norton  
125)Will Rowe, MSW, Co-chair, Kyle's Place  
126)Agnes Kwiatkowski  
127)Maggie Cockburn, Ward 1  
128)Dan Jelly, Resident, Ward 1  
129)Amber Morrison

130)Deborah Briew -Simon  
131)Alice Cavanagh, MD/PhD Student, Ward 1  
132)Leigh Kirschner, Ward 2  
133)Dr.Robin Cameron, Ward 1 resident  
134)Lawrence Mbuagbaw, MD, MPH, PhD  
135)Erica Clarke, ward 5 resident  
136)Judith Bishop  
137)Michael F Hutchings, BAA, Ward 3  
138)Rohit Prasad, BSW  
139)Kim Selman, Ward 5 resident  
140)Hugh Tye, J.D., Ward 1 resident  
141)Tristan Paul  
142)Susan Wortman, Registered Psychotherapist, Resident of Ward 1  
143)Don McLean, Member of Hamilton Gallery of Distinction  
144)Roshney Kurian, Student and Resident Ward 12  
145)Lyanne Knott  
146)Sylvia Nickerson, PhD, ward 2 resident  
147)Howard Cole, Ward 12  
148)Hannah Uzelac, Ward 3 Resident  
149)Don Seymour. Wesley  
150)Sara Brown  
151)Marielle Tye, RSW  
152)Jamie Stuckless, Ward 1 Resident  
153)Dave Heidebrecht, Ward 2 resident  
154)Lisa Kabesh  
155)Matthew Griffin, Ward 9  
156)Bernice Downey PhD  
157)Julianne Burgess PhD Cand.  
158)Sarah Kleemola, Student Radiological Technologist, Ward 13  
159)Mary Duncan RN (R), ward 3  
160)Rudi Wallace, Ward 3 resident  
161)Wilf Ruland (P. Geo.)  
162)Danielle Williamson  
163)Shelley Tremain, Ph.D., BIOPOLITICAL PHILOSOPHY  
164)Graham Crawford  
165)Kelsey Sutcliffe, Ward 2  
166)Heather South, Ward 2 resident  
167)Marilyn Hunt, R.N., Ward 1  
168)Deanna Rylott, BA, BSW Student, Ward 1  
169)Catherine Woodley, M.A., M.Sc., Ward 13  
170)Virginia Megin, B.A., B.Ed, M.Ed.  
171)Shawnette Cronin  
172)Jennie Vengris, Ward 1 Resident  
173)Celeste Licorish  
174)Sue Markey  
175)Laura Katz  
176)Jennifer Bryan, MD, FRCP, University of Toronto  
177)Amanda McFarland, HBA Ward 7  
178)John O'Connor, Assoc. Professor, Family Medicine  
179)Anne Dlugosz, retired high school teacher  
180)Teresa Chan, MD, FRCPC, MHPE  
181)Ellie Vyver, MD, FRCPC

182)John Brewer. resident ward 3  
183)Terry Ellis, B.A resident ward 4  
184)Janice Webster, Ward 2 resident  
185)Angela Carol CYW BSW MD CCFP FCFP  
186)Patti McLeod, Ward 2  
187)Dr. Angela Carol CYW BSW MD CCFP FCFP Ward 2  
188)Amy Pellarin, Ward 2  
189)Ruth Frager  
190)Ron Ballentine, Ward 3 Resident and EH Board Member  
191)Maimuna S. Khan, BSW, RSW, MSW Candidate  
192)Kate Black, MA, BSW, RSW  
193)Emily Hart, resident Ward 9  
194)Diana Meskauskas  
195)Joanna Gale, small Business owner and resident ward 4  
196)Laura Babcock, Ward 6 resident  
197)Maureen McKeating, Ward 8 resident  
198)Afro Canadian Caribbean Association of Hamilton-Wentworth  
199)Brent Sobol, OCT and Ward 3 resident  
200)Christa Brighton, Resident Ward 4  
201)Sarah Prest, Ward 3 resident  
202)Janina Empringham Ward 14 resident  
203)Alex Zafer, Ward 2 resident

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June 29, 2021

Hon. Raymond Sung Joon Cho  
Ministry for Senior & Accessibility  
College Park  
5<sup>th</sup> Floor  
777 Bay Street  
Toronto, ON  
M5G 2C8

Dear Hon. Raymond Cho:

Re: Support for Town of Pelham Resolution - Accessibility Issues for Seniors

This is to confirm that at the June 28, 2021 Council Meeting the following resolution was adopted with respect to the above noted matter:

That, the resolution from the Town of Pelham passed at their regular meeting of May 17, 2021 which identifies access to essential services, through electronic means only, as an accessibility issue for seniors, be received and supported; and,

That, copy of this resolution be sent to Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff, the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario; and,

That, the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario, be requested to review, and take action if necessary, whether the changes of digitizing essential services are barring seniors and vulnerable populations from accessing essential services, and to advocate for seniors and vulnerable populations and their rights to access essential services.

If you have any questions or concerns regarding the above, do not hesitate to contact the undersigned.

Respectfully,



Joanne Scime

cc. Niagara Region  
Area Municipalities  
Niagara Age Friendly Network

Joint Accessibility Advisory Committee  
MP Dean Allison  
MPP Sam Oosterhoff

X:\cl-Clerks\Council\Council-2021\Letters\ Support Accessibility Issues for Seniors

May 19, 2021

Ann-Marie Norio, Regional Clerk  
Niagara Region  
1815 Sir Isaac Brock Way  
Thorold ON L2V 4T7  
[ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)

Attention: Ms. Norio,

**Item 14.1 Motion re: Accessibility Issues for Seniors**

Please be advised that at their regular meeting of May 17, 2021 Council of the Town of Pelham passed the following:

**WHEREAS the Town of Pelham's Senior Advisory Committee regularly meets to discuss ongoing issues affecting seniors;**

**AND WHEREAS the Senior Advisory Committee has identified access to essential services, through electronic means only, as an accessibility issue for seniors and vulnerable populations;**

**AND WHEREAS the Town of Pelham is committed to working with its Seniors Advisory Committee to ensure all seniors and vulnerable populations have access to all essential services by means other than digital, as a duty to accommodate accessibility;**

**NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Pelham requests the Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff support requesting the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario to review, and take action if necessary, whether the changes of digitizing essential services are barring seniors and vulnerable populations from accessing essential services, and to advocate for seniors and vulnerable populations and their rights to access essential services;**

**AND THAT Council for the Town of Pelham direct the Town Clerk to circulate and request the Niagara Region and its lower tier municipalities, Niagara Age Friendly Network, Joint Accessibility Advisory Committee, MP Dean Allison and MPP Sam Oosterhoff endorse and support this resolution;**

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**AND THAT Council for the Town of Pelham direct the Town Clerk to forward any and all received resolutions supporting this endeavour to the Honourable Raymond Cho, Minister of Seniors and Accessibility of Ontario for his information.**

If you require any further information, please contact the undersigned.

Yours very truly,



Holly Willford, BA  
Acting Town Clerk

cc. Local Area Municipalities



*La Corporation de la Municipalité de / The Corporation of the Municipality of*  
**ST. CHARLES**

C.P. / Box 70, 2 King Street East St.-Charles ON  
Tel: 705-867-2032 Fax: 705-867-5789

P0M 2W0  
[www.stcharlesontario.ca](http://www.stcharlesontario.ca)

**4.9**

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June 28, 2021

**VIA EMAIL TO:** [premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Doug Ford, M.P.P.  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Dear Premier Ford:

**Re: Resolution - Municipal Land Transfer Tax**

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At its Regular Meeting of Council held April 21, 2021, Council for the Corporation of the Municipality of St.-Charles passed the following Resolution:

**Resolution No.: 2021-94**

**Moved by: Councillor Monica Loftus**

**Seconded by: Councillor Richard Lemieux**

“WHEREAS Municipalities in Ontario have an infrastructure deficit of \$34 billion dollars;

AND WHEREAS there is extremely limited grant money being received by the provincial and federal governments;

WE THEREFORE ASK that Municipalities be allowed to have a charge applied to all land transfers within their boundaries and that this amount go directly to the Municipality.

**CARRIED”**

Your attention to this matter is greatly appreciated.



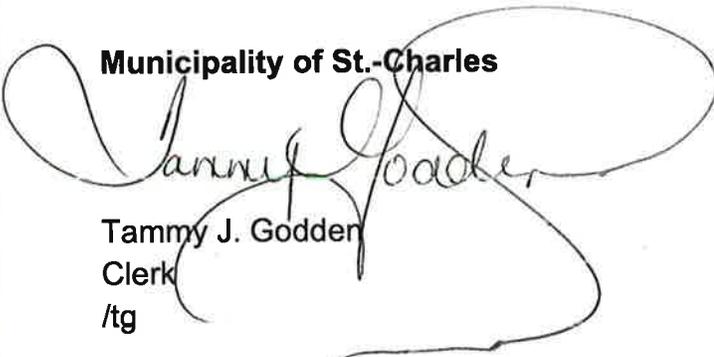
*La Corporation de la Municipalité de / The Corporation of the Municipality of*  
**ST. CHARLES**

C.P. / Box 70, 2 King Street East St.-Charles ON  
Tel: 705-867-2032 Fax: 705-867-5789

P0M 2W0  
[www.stcharlesontario.ca](http://www.stcharlesontario.ca)

Sincerely,

**Municipality of St.-Charles**

  
Tammy J. Godden  
Clerk  
/tg

CC: Right Honourable Justin Trudeau (Via Email To: [Justin.Trudeau@parl.gc.ca](mailto:Justin.Trudeau@parl.gc.ca))  
Minister of Municipal Affairs and Housing, Steve Clark (Via Email To:  
[Steve.Clark@pc.ola.org](mailto:Steve.Clark@pc.ola.org))  
Association of Municipalities of Ontario (Via Email To: [AMO@amo.on.ca](mailto:AMO@amo.on.ca))  
The Federation of Northern Ontario Municipalities (Via Email To:  
[Office@fonom.org](mailto:Office@fonom.org))  
Ontario Municipalities

**July 2, 2021****MEMORANDUM TO: Municipal Chief Administrative Officers and Clerks****SUBJECT: Entering Step Two of the Roadmap to Reopen**

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I am writing to you today to advise that at 12:01 a.m. on June 30, 2021, Ontario has moved into Step Two of the Roadmap to Reopen (the “Roadmap”), the Government of Ontario’s three-step plan to safely and cautiously reopen the province and gradually lift public health measures.

**Step Two of the Roadmap**

Step Two of the Roadmap focuses on the resumption of more outdoor activities and limited indoor services with small numbers of people where face coverings are worn, with other restrictions in place.

See below for an overview of Step Two of the Roadmap, which includes, but is not limited to, the following measures. Please refer to [Ontario Regulation 263/20](#) for precise requirements:

- Outdoor social gatherings and organized public events with up to 25 people;
- Indoor social gatherings and organized public events with up to 5 people;
- Outdoor meeting and event spaces limited to the number that can maintain a physical distance of at least two metres from every other person, and must not exceed 25 per cent capacity;
- Indoor meeting and event spaces closed, with exceptions for certain purposes, including for viewing for potential booking of a future event.
- Indoor religious services, rites, or ceremonies, including wedding services and funeral services permitted at up to 25 per cent capacity of the particular room;
- Essential and other select retail permitted at 50 per cent capacity;
- Non-essential retail permitted at 25 per cent capacity;
- Personal care services where face coverings can be worn at all times, and at 25 per cent capacity and other restrictions;
- Outdoor dining with up to 6 people per table, with exceptions for larger households and other restrictions;

- Outdoor fitness classes limited to the number of people who can maintain 3 metres of physical distance;
- Outdoor sports without contact or modified to avoid contact, with no specified limit on number of people or teams participating, with restrictions;
- Overnight camps for children operating in a manner consistent with the safety guidelines produced by the Office of the Chief Medical Officer of Health;
- Outdoor sport facilities with spectators permitted at 25 per cent capacity;
- Outdoor concert venues, theatres and cinemas, with spectators permitted at 25 per cent capacity;
- Outdoor horse racing and motor speedways, with spectators permitted at 25 per cent capacity;
- Outdoor fairs, rural exhibitions, festivals, permitted at 25 per cent capacity and with other restrictions

**Extension of Orders under the *Emergency Management and Civil Protection Act (EMCPA)* and the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020***

Of the five emergency orders currently in effect under the Emergency Management and Civil Protection Act (EMCPA) pursuant to [O. Reg. 25/21](#) of that Act, the following three orders will be extended until July 14, 2021:

	<b>Order in Council/Date Made</b>	<b>Current Revocation Date</b>
1.	Order in Council filed as <a href="#">O. Reg. 8/21</a> (Enforcement of COVID-19 Measures), made on January 12, 2021	July 14, 2021
2.	Order in Council filed as <a href="#">O. Reg. 55/21</a> (Compliance Orders for Retirement Homes), made on February 5, 2021	July 14, 2021
3	Order in Council filed as <a href="#">O. Reg. 305/21</a> (Regulated Health Professionals), made on April 21, 2021	July 14, 2021

Please note, the Lieutenant Governor in Council may further extend emergency orders under the EMCPA for up to 14 days at a time. For additional clarity, the following emergency orders under the EMCPA that are revoked on June 30, 2021:

	<b>Order in Council/Date Made</b>	<b>Current Revocation Date</b>
1.	Order in Council filed as <a href="#">O. Reg. 271/21</a> (Work Redeployment for Local Health Integration Networks and Ontario Health), made on April 9, 2021	June 30, 2021
2.	Order in Council filed as <a href="#">O. Reg. 272/21</a> (Transfer of Hospital Patients), made on April 9, 2021	June 30, 2021

In addition, orders made under the ROA will remain in force until July 19, 2021, with the possibility of further extension if approved by the Lieutenant Governor in Council. To

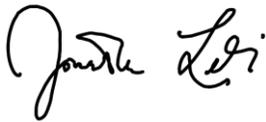
view the full list of orders in effect under the ROA, please visit [O. Reg. 458/20: "Extensions of Orders"](#) of that Act.

### **Enforcement of Orders**

As the province cautiously moves ahead into Step Two, police officers and other provincial offences officers continue to have the authority to disperse gatherings or organized public events that are not complying with gathering/event limits and can temporarily close premises where prohibited gatherings or organized public events are occurring and require individuals to vacate.

Thank you for your dedication and ongoing cooperative efforts to help keep our communities safe and healthy.

Yours truly,

A handwritten signature in black ink, appearing to read "Jonathan LeBlanc". The signature is written in a cursive style with a large initial 'J' and 'L'.

for Kate Manson-Smith  
Deputy Minister

June 29, 2021

Via Email: [scott@baseballhalloffame.ca](mailto:scott@baseballhalloffame.ca)

Scott Crawford, Director of Operation  
Canadian Baseball Hall of Fame & Museum  
PO Box 1838, 386 Church St. S.  
St. Marys, ON N4X 1C2

**Re: Support for the Induction of the Coloured All-Stars into the  
Canadian Baseball Hall of Fame**

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on June 14, 2021 passed the following resolution:

**“Whereas The Chatham Coloured All-Stars first formed in 1932, with majority of the players being from North Buxton, Chatham and Windsor areas;**

**And Whereas they began competing in the Chatham City League in 1932;**

**And Whereas they broke colour barriers being the first black team to win a major championship competing for and winning the Ontario Baseball Amateur Association’s Intermediate B Championship on October 24, 1934;**

**And Whereas the team was honoured by both the Chatham Sports Hall of Fame and the Ontario Baseball Hall of Fame;**

**And Whereas in 2001 and 2002, the Toronto Blue Jays wore replica Chatham Coloured All-Stars uniforms in honour of the team when Major League Baseball honoured the Negro Leagues.**

**Be it therefore resolved that the Municipality of Chatham-Kent endorse this resolution to support the induction of the Coloured All-Stars into the Canadian Baseball Hall of Fame”.**

If you have any questions or comments, please contact Judy Smith at [ckclerk@chatham-kent.ca](mailto:ckclerk@chatham-kent.ca)

Sincerely,



Judy Smith, CMO  
Director Municipal Governance  
Clerk /Freedom of Information Coordinator

**Pilon, Janet**

---

**Subject:** Regional Council Decision - Court Services Annual Report 2020

**From:** McPhail, Roxanne <[Roxanne.McPhail@york.ca](mailto:Roxanne.McPhail@york.ca)> **On Behalf Of** Regional Clerk

**Sent:** June 29, 2021 11:01 AM

**Subject:** Regional Council Decision - Court Services Annual Report 2020

On June 24, 2021 Regional Council made the following decision:

1. Council adopt the Resolution in Attachment 2 advocating for immediate regulatory and legislative amendments to provide municipal Provincial Offences Courts with the flexibility to respond to the critical pressures described in this report.
2. The Regional Clerk circulate the Resolution in Attachment 2 to other municipalities that administer Provincial Offences Courts, the Ministry of the Attorney General, Ministry of Transportation and Association of Municipalities of Ontario for support.
3. The Regional Clerk circulate this report to the Clerks of the local municipalities.

The original staff report is attached for your information.

Please contact Lisa Brooks, Director Court Operations at 1-877-464-9675 ext. 73209 if you have any questions with respect to this matter.

Regards,

**Christopher Raynor** | Regional Clerk, Office of the Regional Clerk, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71300 | [christopher.raynor@york.ca](mailto:christopher.raynor@york.ca) | [york.ca](http://york.ca)

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

# The Regional Municipality of York

Committee of the Whole  
Finance and Administration  
June 10, 2021

Report of the Regional Solicitor

## Court Services Annual Report 2020

### 1. Recommendations

1. Council adopt the Resolution in Attachment 2 advocating for immediate regulatory and legislative amendments to provide municipal Provincial Offences Courts with the flexibility to respond to the critical pressures described in this report.
2. The Regional Clerk circulate the Resolution in Attachment 2 to other municipalities that administer Provincial Offences Courts, the Ministry of the Attorney General, Ministry of Transportation and Association of Municipalities of Ontario for support.
3. The Regional Clerk circulate this report to the Clerks of the local municipalities.

### 2. Summary

This report provides Council with an overview of the Legal and Court Services, Court Services Branch (“Court Services”) 2020 Annual Report (Attachment 1) submitted to the Ministry of the Attorney General. The report includes a summary of the impact of the COVID-19 pandemic on Court Services, recovery efforts, and planned initiatives for 2021. The Annual Report is required under the 1999 Memorandum of Understanding with the Province of Ontario. This report also recommends advocacy for immediate regulatory and legislative changes enabling flexibility for municipal Provincial Offences Courts to respond locally to their respective critical pressures as court operations resume.

Key Points:

- In response to the COVID-19 pandemic, emergency orders adjourned most 2020 court matters and extended *Provincial Offences Act* (“POA”) legislated timelines, impacting Court Services operations from March, 2020 to the end of February, 2021
- These extensions and adjournments significantly increased the Ontario Court of Justice pending caseload in York Region, led to a substantial administrative backlog and had an adverse impact on fine revenues collected by Court Services

- Court Services resumption efforts included implementation of remote (audio) hearings and the reopening of front counters with appropriate health and safety measures in place
- In addition to leading the resumption and modernization of POA court services, Court Services continued to focus resources on priority projects that improved access to justice and benefitted both York Region and stakeholders
- Council's support is requested in advocating for POA Court reforms which will modernize and streamline the processes governing administration of charges and support municipal recovery efforts while addressing an increasing pending caseload and restoration of revenue streams

### 3. Background

#### **Court Services administers the *Provincial Offences Act* program in accordance with strict legislative and legal requirements by providing two distinct functions, respectively Court Operations and Prosecutions**

In 1999, the Province downloaded responsibility for administration, prosecution, and fine collection of Provincial Offences to municipalities. This transfer resulted in the Ministry of the Attorney General taking on an oversight function and assuming responsibility for the integrity of municipal courts programs. This includes providing ministerial direction on procedural guidelines, prosecutorial, court administration and court support processes and changes to case management procedures. The Ontario Court of Justice maintained its responsibility for the adjudicative function of the courts, while also identifying available judicial resources and providing scheduling for each municipal court.

At the same time, York Region and Court Services took over responsibility for Court Operations and Prosecutions. Court Operations is primarily responsible for court support services, administration of all *Provincial Offences Act* charges issued in York Region, and enforcing and collecting *Provincial Offences Act* fines, costs, surcharges and fees. Prosecutions provides a wide range of services, including the prosecution of cases before the Ontario Court of Justice, appeals, and judicial reviews in the Ontario Superior Court, the Court of Appeal for Ontario, and the Supreme Court of Canada.

York Region's Provincial Offences Court—which is the second largest POA court program in Ontario based on the number of charges filed—is a crucial part of the justice system providing administrative services to over 30 law enforcement and regulatory agencies. These include municipal bylaw enforcement, York Regional Police (YRP), Ontario Provincial Police (OPP), and other Provincial and Federal enforcement agencies operating in York Region. In accordance with the Inter-Municipal Agreement, all municipal parking, bylaw, building and fire code matters are administered and prosecuted by York Region at the

Region's expense with all revenue collected from municipal matters disbursed to the appropriate municipality.

## **Bill 177 aims to modernize and streamline the Provincial Offences Courts**

Legislative amendments to the *Provincial Offences Act* were passed by the Ontario Legislature in December 2017 under Schedule 35 of Bill 177, the *Stronger, Fairer Ontario Act (Budget Measures), 2017*. These amendments include reforming the Early Resolution process, transferring Part III prosecutions to municipalities, improving collection of default fines, and expanding the powers of the Clerk of the Court. Ultimately, the proposed Early Resolution reforms fall considerably short of supporting the justice system modernization and efficiency objectives of the Ministry of the Attorney General.

In December 2019, the Ministry of the Attorney General indicated its intention to implement a phased-in approach to the Bill 177. To date, the Attorney General has only proclaimed and implemented section 48.1, which allows for the use of certified evidence for all Part I proceedings where a set fine exists (commonly referred to as "tickets"). The balance of the Bill 177 amendments is expected to be proclaimed later in 2021.

## **4. Analysis**

### **COURT SERVICES ANNUAL REPORT 2020**

#### **Throughout 2020, three separate orders were issued by the Ontario Court of Justice and the Province adjourning all court matters, suspending all *Provincial Offences Act* timelines, and later extending these timelines into 2021**

The Chief Justice of the Ontario Court of Justice (the "Chief Justice") and the Province of Ontario issued separate emergency orders in response to the pandemic throughout 2020 directly impacting Court Services operations. These orders had the combined effect of extending the *Provincial Offences Act* legislative timelines in the period March 16, 2020 through to and including February 26, 2021. Prior to COVID-19, defendants that did not dispute a ticket within the legislated timeline were deemed not to dispute the charge and would be convicted. Without the timelines in effect, defendants no longer were required to pay a ticket or request a trial throughout the duration of the emergency order, ultimately hindering Court Services ability to process matters and adding to the caseload of unprocessed tickets.

Simultaneously, the Chief Justice also issued orders that adjourned all court matters from March 16, 2020 until January 25, 2021. This resulted in the postponement of nearly 100,000 trial matters until 2021, at the earliest. As part of court recovery, the Chief Justice advised Provincial Offence Courts that non-trial matters could go ahead by audio hearings starting September 28, 2020 and that the resumption of remote trials could go forward as early as January 25, 2021, subject to local judicial approval and court readiness. In-person trials

would continue to be adjourned until the court schedule is approved by the Regional Senior Justice of the Peace and health and safety measures have been implemented.

Regrettably, Provincial Offences Court recovery was impeded by lack of timely Provincial direction concerning the resumption of services. While the Provincial objective may have been to support POA operations, the priority was on resumption of Criminal Court operations, resulting in changing timelines and direction. When this was coupled with the existing issue of limited judicial resources—which was intensified throughout the pandemic—Court Services was prevented from effectively responding to the growing POA Court backlog, which directly impacted public access to justice.

### **Closure of courts due to the pandemic resulted in a 50 per cent decrease in fine revenue and an increased pending caseload of over 100,000 court matters**

Extension of *Provincial Offences Act* timelines, along with the continued closure of trial court hearings significantly impacted the ability to process charges and to address pending caseload despite reopening Court Services' front counters on September 14, 2020 for essential administrative services. For example:

- A total of 103,434 charges were filed by enforcement officers—including 400 COVID-19 enforcement related charges—representing a 30 percent decrease from 2019.
- 23,401 charges (or 23 per cent of all charges filed) were marked as “Fail to Respond”. This means the defendant did not select one of the three options on the ticket: pay the fine; plead guilty before a Justice of the Peace; or file a trial request. Since timelines to respond to a ticket were extended throughout 2020, the ability to process Fail to Respond matters was pushed to 2021 has resulted in a significant pending caseload that requires judicial resources—which are not forthcoming—in order to move forward.
- Approximately 100,000 trial matters were impacted in 2020, including 49,000 trial requests. This has put additional pressure on courts that were already operating over maximum capacity prior to the pandemic.

Additionally, court revenue was impacted by operational instabilities such as the Chief Justice's order extending time to pay a fine to February 26, 2021. Total courts revenue for 2020 was \$11,956,394, about 50 per cent lower than 2019 revenue. As of December 2020, approximately 85,666 cases were in default totalling \$53 million. Defaults are considered deferred revenue as all outstanding fines are a debt to the Crown, owed in perpetuity and never forgiven.

### **Court Services 2020 accomplishments focused on resumption of in-person services, modernizing operations and improving access to justice**

In 2020, Court Services' main focus was responding to the COVID-19 pandemic and embracing opportunities to modernize York Region's courts through digital transformation of

services. Health and safety considerations, technology advancements and targeted campaigns were all key components to COVID-19 response initiatives. Even with the disruption to regular operations, Court Services continued to focus resources on priority projects that benefitted both York Region and stakeholders:

- Developed a comprehensive COVID-19 recovery framework including: a phased resumption plan for Court Services; a comprehensive communication plan to internal and external stakeholders; a Safe Space plan for in-person services ensuring the health and safety of staff and customers; and a training plan for staff on health and safety measures, mental wellbeing, and customer service during COVID-19.
- Reopened court and prosecution in-person front counter services. This included leading the coordination of front entrance protocols at the Newmarket and Richmond Hill courts and implementing modified customer journey processes under new health and safety measures that support active COVID-19 screening, occupancy standards, and compliance with face covering requirements. The new processes were further supported through installing self-serve kiosks and purchasing an online appointment solution for courts.
- In collaboration with Property Services, Court Services retrofitted all POA courtrooms and court public space in both Newmarket and Richmond Hill to comply with Regional and Ministry of the Attorney General health and safety requirements.
- In response to Bill 197 the *COVID-19 Economic Recovery Act, 2020*, Court Services assembled a Digital Transformation Team tasked with expanding court services to online or remote access. Some of the initiatives implemented throughout 2020 included acquiring and implementing a remote hearing solution for non-trial court proceedings to help reduce the pending caseload by providing a safe remote environment.
- Court Services' Reminder Notice letter campaign to defaulted offenders reminded them of their outstanding fine and encouraged them to address it. Of 6,212 letters sent, 702 resulted in payments totaling approximately \$200,000. This initiative was a proactive approach to addressing the default fine backlog, while reviving reduced revenue streams due to a pause in collections enforcement. A second round of this initiative was implemented in Q1 of 2021.
- In anticipation of York Region POA Courts resuming remotely in 2020, Prosecutions proactively reviewed approximately 57,000 matters awaiting trial. Where phone numbers or email addresses were available, prosecutors contacted defendants to resolve these matters so that defendants could plead guilty once Court resumed remotely. Through these efforts, approximately 3,000 matters were heard remotely in November and December 2020, which helped to reduce the pending caseload of charges to reschedule and improved revenue.

## 2020 Key Accomplishments

- Transitioned the Newmarket Provincial Offences court location to 17150 Yonge Street in a timely and efficient manner while adapting to the remote work environment, transitioning to online services, and responding to the Emergency Orders
- In collaboration with York Region Transportation Services, Court Services processed charges and provided support in tracking Key Performance Indicators for the Automated Speed Enforcement Pilot intended to improve road safety, change driver behaviour, and promote safer communities.
- Court Services, along with York Regional Police, implemented a new Digital Evidence Management System (DEMS), which modernizes outdated processes for disclosure of evidence in media format (in-car camera and dashcam videos, photographs and 911 calls). The previous system required disclosure of media evidence to be provided in a physical disc format, whereas DEMS securely shares digital evidence/disclosure with prosecutors, courts and defendants, when requested. This transition has eliminated the backlog of approximately 6,000 disclosure requests that were outstanding as of April 1, 2020.
- Reviewed over 80,000 default case files to facilitate future collection activity to maximize recovery of revenue.
- Participated in the Bill 177 Working Group with Ministry staff and other Municipal Court Managers. As part of this working group, Regional staff provided recommendations to move parts of Bill 177 forward in support of POA courts recovery. Section 48.1(1) allowing for the use of certified evidence involving tickets was proclaimed into effect on December 14, 2020 and Prosecutions implemented process changes in response.

## **York Region 2021 key priorities will build on technology advancements to improve operational efficiencies and promote greater customer service**

In 2021, Court Services will continue to advocate for legislative and regulatory change to advance our objective to provide access to justice that is customer centred, timely, efficient, and fiscally responsible. Court Services will also explore opportunities to increase revenue collection and realize savings through the adoption of technological solutions.

### 2021 Priorities:

- Continue to expand the remote hearing solution for court proceedings and related processes to reduce backlog and support health and safety precautions
- Leverage the Provincial Audit and Accountability Fund to support York Region's Courts Modernization Project which includes developing a Court Services Digital

Roadmap and a Regional Administrative Monetary Penalties System business model, which will drive efficiencies and improve service delivery

- Implement an online appointment management system for in-person and remote services, supporting York Region's customer-centric approach by providing efficient and timely access to justice
- Working alongside Property Services and other Corporate partners, execute the redesigned workspace project at the Richmond Hill court location to improve customer flow and available office space
- Provide training and wellness opportunities to help staff manage their health and well-being and focus on their continued development.

## **COUNCIL RESOLUTION**

### **Operational pressures that existed prior to the pandemic have become more pronounced and need to be met with legislative reforms to enable timely recovery of Provincial Offences Courts**

Court Services has long advocated for legislative reforms streamlining and modernizing POA Courts to support equitable and timely access to justice. Immediate regulatory and legislative changes are critical to delivering services to the public by putting in place the most modern, efficient, and effective justice system attainable. The resolution in Attachment 2 requests:

1. That the Attorney General halt proclamation of the Early Resolution reforms included in Bill 177 and take immediate action to streamline and modernize this section of the legislation. Under the proposed amendment, complex and redundant time periods and rules will be introduced which will delay court outcomes and cause multiple defendant appearances.
2. That the Attorney General Enact changes to the *Provincial Offences Act* and any related regulations to permit the prosecution and defence to agree, at any stage of a proceeding, to a resolution in writing. This will conserve court time and judicial resources for contested matters.
3. That the Minister of Transportation, in consultation with municipalities, consider temporarily suspending the imposition of demerit points for persons who pay their ticket in cases where they have no previous relevant convictions.

### **Proclamation of currently planned Bill 177 reforms to the Early Resolution process will prevent reasonable and effective access to court proceedings by creating a complex and lengthy process**

Early Resolution is an optional program Provincial Offences Courts can offer allowing defendants who opt to dispute their charges to request a meeting with a prosecutor to resolve the charges prior to a trial. Operational limitations resulted in York Region Court Services suspending this option in 2017. Prior to 2016, matters set for early resolution were

heard within the intake court, however, due to a province-wide shortage of Justices of the Peace, the Regional Senior Justice of the Peace directed these matters to be scheduled within the courtroom. York Region Court Services did not have the capacity to accommodate the roughly 30,000 early resolution matters into the court schedule therefore suspending this option on January 1, 2017.

Under the proposed Bill 177 amendment, when a defendant attends a meeting with the prosecutor, a successful resolution culminating in a recorded judicial outcome is inordinately delayed by a series of complicated rules and redundant time periods which will not be easily understood by the public and will accordingly hinder and not facilitate access to justice.

In order to achieve the stated goal, the Bill 177 provisions must be amended to facilitate prosecution/defendant resolution discussions and to allow the resolution to be implemented without the need for judicial involvement and redundant waiting periods. If the Ministry of the Attorney General were to make it more effective and efficient to administer Early Resolution proceedings, York Region Court Services would reconsider offering the Early Resolution option to defendants.

### **Legislative reforms would provide timely access to justice to millions of Ontarians accessing the system annually**

Provincial Offence Courts play an integral role in Ontario's Justice system with an average of 1.5 million matters heard in Provincial Offences Courts across the Province annually. POA Courts are the most frequently accessed courts by Ontarians while at the same time being the most overlooked and under resourced by the Province. Chronic under-allocation of judicial resources has resulted in increased scheduled and unscheduled court closures. Municipalities have no control over the availability of Judicial resources and are at the mercy of the province to allocate adequate resources.

These issues are not unique to York Region. The Municipal Court Managers Association of Ontario has elevated these issues and made requests to Provincial staff with limited response. There are many benefits to be realized Province-wide through streamlining and modernizing of the Provincial Offences Program. Reforms will reduce dependency on scarce judicial resources while enabling timely access to justice. Importantly, it will also allow municipalities to implement the technology to support an efficient process and expedite dispositions for defendants.

### **Temporarily suspending imposition of demerit points would result in fewer trial requests**

It is understood that defendants often request trials to seek resolutions that reduce demerit points. If demerit points were temporarily suspended for defendants with no previous relevant convictions who acknowledge guilt and pay their ticket, this could potentially reduce trial requests and accordingly alleviate pressures faced by trial courts. Pertinent details—such as the duration of the temporary initiative and which offences it would apply to, how to deal with multiple tickets, as well as eligibility criteria—could be determined by the Ministry of Transportation in consultation with municipalities.

## 5. Financial

There are no financial implications directly associated with this report. The performance measures set out in this report are reflected in the 2021 operating budget.

## 6. Local Impact

There is no local municipal impact directly associated with this report. The Region's Provincial Offences Courts provide court administration and prosecution related to municipal bylaw and parking matters for all nine local municipalities.

## 7. Conclusion

This annual report provides an overview of the activities and Provincial Offences Court services provided by York Region Court Services in 2020, and identifies key legislative amendment opportunities that York Region should continue to advocate for.

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For more information on this report, please contact Lisa Brooks, Director Court Operations at 1-877-464-9675 ext. 73209. Accessible formats or communication supports are available upon request.



Recommended by:

**Dan Kuzmyk**  
Regional Solicitor



Approved for Submission:

**Bruce Macgregor**  
Chief Administrative Officer

May 28, 2021  
Attachments (2)  
eDocs #12583939

# ANNUAL REPORT

For the Year Ended December 31, 2020

**COURT SERVICES**  
905-898-0425  
1-877-331-3309  
[york.ca](http://york.ca)





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## COURT SERVICES MANDATE

### Court Services provides two distinct functions:

- Court Operations and Prosecution
- York Region operates the second largest Provincial Offences Act court program in Ontario

### Provides services to:

- Members of the public
- York Region's nine cities and towns
- Over 30 law enforcement and regulatory agencies
- Ministry of the Attorney General
- Judiciary

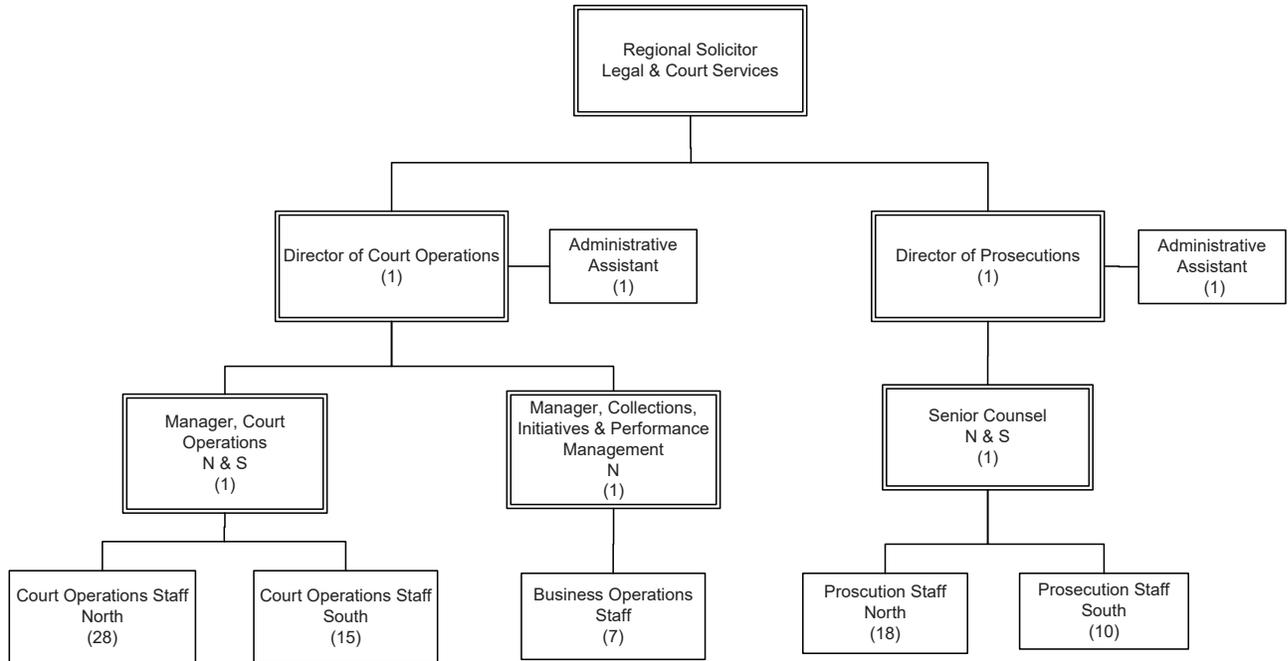
### Operates:

- 2 court locations in the Town of Newmarket and City of Richmond Hill
- 6 trial courtrooms\* (4 in Newmarket, 2 in Richmond Hill)
- 2 intake courtrooms\* (1 in Newmarket, 1 in Richmond Hill)

*\*As per approved court master plan*

We are committed to creating and fostering a progressive culture in Courts that strives to always be innovative, technologically advanced, inclusive, progressive and fiscally responsible and which upholds a sustainable justice model.

# ORGANIZATIONAL CHART



(85 FTE)

*\*As of December 31, 2020*

# MESSAGE FROM DIRECTOR OF COURT OPERATIONS LISA BROOKS

Providing timely, quality and cost-effective access to justice remains a top priority for York Region's Court Operations. Despite the impacts of the COVID-19 pandemic and subsequent court closures across Ontario in 2020, we continued making strides to uphold our mandate.

The Newmarket Court relocated to 17150 Yonge Street, a significant undertaking achieved efficiently and on time despite the challenges imposed by the pandemic. This exciting change and opportunity allows York Region Court Services to identify further operational efficiencies and improve the customer experience.

The impact of COVID-19 throughout 2020 necessitated the implementation of innovative technologies to improve service delivery and increase operational efficiencies. This led to the introduction of a number of key initiatives and implementation of a digital transformation plan identifying key requirements for supporting

courts recovery, accelerating the modernization of Court Services, the expansion of remote-video capabilities and the implementation of automated speed enforcement technology.

We recognize the important role our staff play in our objectives. Despite the challenges we experienced in 2020, staff persevered, learning new skills and training to support the use of new technologies. We maintained our focus on development through the training of staff in the integration of new digital technologies, providing opportunities for our staff to achieve a positive and safe working environment.

# MESSAGE FROM DIRECTOR OF PROSECUTIONS HANS SAAMEN

Prosecutions is responsible for a wide range of legal services including the prosecution of charges before the Ontario Court of Justice (OCJ) as well as appeals and judicial reviews in the OCJ, the Superior Court of Justice, the Court of Appeal for Ontario and the Supreme Court of Canada.

In 2020, Prosecutions faced the closure of courts and transitioned to work from home. New processes were developed including converting paper-based files to electronic files, providing staff with secure remote access. All disclosure was provided through electronic means, eliminating the backlog of disclosure requests. The new basket consent order process for appeals started on January 1, 2020, resulting in the ability to resolve approximately 50% of appeals without the need for the parties to appear in person. More than 50,000 files were reviewed and defendants and legal representatives were contacted to resolve charges. Through these efforts, more than 5,000 resolutions were

arranged in 2020 and scheduled for pleas in virtual courtrooms beginning in November. Various conferences and education programs allowed prosecution managers to train prosecutors and officers.

Moving into 2021, the focus will be transitioning to virtual hearings, working with enforcement agencies to improve the ability to receive and provide disclosure electronically and working toward completing the transfer of Part III prosecutions from the Province to the Region. We will continue advocacy for streamlining and modernization the Provincial Offences Act (POA), as well as legislative reforms to create more efficiencies related to automated speed enforcement and red-light cameras to free up court time.

## 2020 KEY ACCOMPLISHMENTS

### POA Court Process Improvement

Court Services in collaboration with the Judiciary, the Crown Attorney's Office, the Ministry of the Attorney General, the Ontario Paralegal Association and the York Region Law Association implemented the new consent order process for appeals. This allows for resolved appeals and applications to be completed over the counter without the need for the prosecutor and defendant to appear in court, saving court time for contested applications and appeals. This process is saving court time for contested applicants and appeals and reducing the time to wait for a hearing from eight months to less than four.

Court Services, along with York Regional Police, implemented a new Digital Evidence Management System (DEMS), which modernizes disclosure processes. The previous system required disclosure to be provided in a physical format, the new DEMS securely shares digital evidence/disclosure with crown prosecutors, courts and defendants.

In collaboration with York Regional Police, Court Services eliminated the backlog of approximately 6,000 disclosure requests and established a new process to process requests within 30 days.

### Ministry cooperation and resource-sharing initiatives:

Participated in the Administrative Monetary Penalty System (AMPS) Working Group with Ministry staff and affected stakeholders, to determine the feasibility of AMPS for specific *Highway Traffic Act* offences.

### Facilities improvements:

Transitioned the Newmarket Provincial Offences court location to 17150 Yonge Street, in a timely and efficient manner, reducing disruption in service and introducing modernized approaches to daily operations. The addition of two trial courtrooms and one intake courtroom increases capacity at the new location. York Region will work with local judiciary to incorporate the new resources into the future court masterplan.

### Information technology upgrades:

In collaboration with Transportation Services, Court Services provided support in tracking performance measures data related to the Automated Speed Enforcement (ASE) Pilot. Court Services will continue to process ASE related charges

for the duration of the pilot. The pilot will determine the capacity of York Region's Provincial Offences Court to process infractions, test technology capabilities and promote safer communities.

### Fine enforcement and collection initiatives:

York Region analyzed over 80,000 default case files to prepare for future collection activity. In addition, processes were implemented to support a consistent approach and key performance indicators were developed to support future decision making and audits. Monitoring and will be finalized in 2021.

### Legislative Analysis and Implementations:

When passed in 2017, Bill 177 *Stronger, Fairer Ontario Act* reformed the early resolution process transferred Part III prosecutions to municipalities, improved the collection of default fines and expanded the powers of the court clerk by amending the *Provincial Offences Act*.

Court Services participated in the Bill 177 Working Group with Ministry staff and other Municipal Court Managers providing recommendations to move portions of the bill forward to support Provincial Offences Court recovery.

Prosecutions analyzed the impact of proclaiming section 48.1 of the *Provincial Offences Act*, implemented the appropriate process changes and communicated this to the stakeholders who would be impacted by the legislative change.

This amendment will help Court Services recovery by reducing the number of charges to be withdrawn if the officer fails to attend the trial. Prosecutions will now discuss a resolution with the defence rather than withdrawing the charge. However, it will not change prosecutions requirement to have the officer notified to attend trial for most offences.

### Notable Precedent Setting Cases

Precedent setting cases refer to court decisions that are considered as authority for deciding subsequent cases involving identical or similar facts, or similar legal issues. Precedent requires courts to apply the law in the same manner to cases with the same facts. Precedent establishes guiding legal principles for participants of the justice system.

Prosecutions successfully argued several precedent setting cases:

*R v Nguyen* – Decision was upheld at the Ontario Court of Appeal case that the s. 11(b) 18-month presumptive ceiling for delay established by the Supreme Court of Canada in *R v. Jordan* applies to Provincial Offences Act proceedings.

*R v Irwin* – Decision was upheld at the Ontario Court of Appeal that a defendant cannot collaterally attack an Order issued by a building inspector under the *Building Code Act*.

*Regional Municipality of York v. 2575173 Ontario Inc. o/a Wimpy's Dinner* - Established a precedent that if an officer certifies an offence notice was served on a corporate defendant and the Offence notice requesting a trial is filed. the court can be satisfied the corporate defendant was served and can convict the defendant if he or she fails to appear for trial.

## 2020 COVID-19 IMPACTS AND INITIATIVES

The emergency orders, while necessary for public safety, placed additional stress on York Region's Provincial Offences Courts. While enforcement activity continued throughout the pandemic, the means to handle these matters were effectively shut down without alternatives, increasing risk of extending the time to trial. With York Region courts already operating at maximum capacity, this was a significant challenge.

Prior to the pandemic, municipalities were calling on the Province to modernize court due to increasing times to trial, pressures on judicial resources and restrictive legislation preventing innovation. With the Ontario Court of Justice orders extending time limitations and the suspension of in-person proceedings, this created additional unanticipated pressures on the Provincial Offences court system. Without significant improvements, adequate judicial resources and a system promoting greater flexibility and innovation, municipalities are at a disadvantage to progress.

### Response and Recovery Framework

York Region courts developed a COVID-19 recovery framework including a resumption plan, communication plan for internal and external stakeholders and a safe space plan to support health and safety measures accompanied by a staff training plan focused on health and safety, mental wellbeing and customer service. The framework focuses on digital modernization and resumption of in-person services aligned with direction from the Ministry of the Attorney General, Recovery Secretariat and Public Health.

### Digital Modernization

A digital transformation plan identifies the technology requirements to support court recovery and accelerate the modernization of Court Services. Initiatives identified within the digital plan and implemented throughout 2020 include:

- Remote hearing solution for non-trial court proceedings with associate processes (i.e. virtual dockets) to help reduce the pending caseload by providing a safe remote environment
- Virtual processes supporting the vetting of court files and streamlining disclosure processes allowing for digital delivery of disclosure to counsel, agents and defendants

### Resuming In-Person Service

Reopened court and prosecution in-person front counter services including the coordination of front-entrance protocols at Newmarket (17150 Yonge Street) and Richmond Hill (50 High Tech Road) court locations. A modified customer journey process was created to comply with new health and safety measures supporting active COVID-19 screening, occupancy standards and upholding the mandatory mask requirement. The installation of self-serve kiosks and purchasing of an online appointment solution also supported the reopening. York Region Court Services also retrofitted all courtrooms and court public spaces allowing customers to access services unavailable online or when the customer does not have access to technology. Prior to the implementation of DEMS and in the absence of in-court First Appearances, Prosecutions implemented a curbside pickup process for disclosure of DVD's to legal representatives and contacted defendants with Motor Vehicle Collision (MVC) offences to provide disclosure electronically.

### Revenue Recovery:

Court Services ran a targeted Reminder Notice letter campaign to defaulted offenders. Offenders were sent a friendly reminder of their outstanding fine and encouraged to address it. More than 6,000 letters were mailed and 702 payments were received, totaling approximately \$200,000, addressing the backlog of defaulted fines and reviving reduced revenue streams. This will be repeated in Q1 of 2021.

## Review and Resolution of Matters:

In anticipation of York Region's Provincial Offences Court resuming remotely, Prosecutions proactively reviewed 57,000 matters awaiting trial. Where phone numbers and/or email addresses were available, prosecutors contacted defendants to resolve matters so defendants could plead guilty once Court resumed. This reduced the pending caseload of charges and bolstered revenue streams. More than 5,000 matters were resolved through acceptance of offers in 2020, with 3,031 of these matters being heard remotely in November and December 2020. In 2021, resolution letters will be mailed due to no phone number or email address being on file.

## KEY WORKLOAD DRIVERS

The following numbers reflect the disruption of service caused by the COVID-19 pandemic response. York Region will continue to report this data for transparency and to contribute to future post-pandemic analysis. While this data should not be considered the norm, it reflects the pressures experienced and showcases the need for greater provincial direction and assistance in the resumption of services.

### Total Charges Filed (by Agency) in 2020

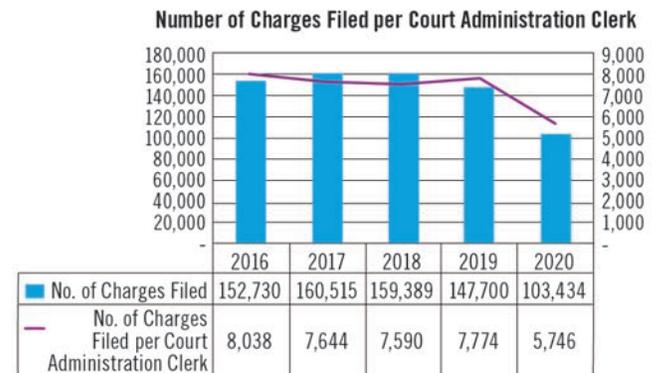
	Number of Charges	Percentage of Caseload
York Region Police	77,998	75.41%
Ministries and Other Agencies	11,410	11.03%
Ontario Provincial Police	9,038	8.74%
York Region	2,175	2.10%
Town of Aurora*	1,009	0.98%
City of Markham	462	0.45%
Town of East Gwillimbury*	336	0.32%
Town of Whitchurch-Stouffville*	298	0.29%
City of Vaughan	278	0.27%
Town of Richmond Hill	178	0.17%
Township of King*	133	0.13%
Town of Georgina	91	0.09%
Town of Newmarket	28	0.03%
<b>Total Charges Filed</b>	<b>103,434</b>	<b>100.00%</b>

\*These municipalities have not yet "opted in" under section 18.6(1)(a) of the *Provincial Offences Act*, meaning their Parking Tickets continue to be processed through the ICON computer system and are automatically included in the total number of charges filed. For other municipalities (those that have "opted in"), parking charges are not included in the statistics above. A pending caseload of 2020 parking violations for municipalities who have not opted in, is not represented in the table above as these will be processed through ICON in 2021.

In 2020, the total charges filed in York Region decreased slightly and can likely be attributed to provincewide stay-at-home orders, reduced daily commuting and less public and enforcement interaction. Of the charges filed, 399 are COVID-19 related charges.

Act Type	Number of Charges Filed
Certificate of Offence - Accidents (i.e. Motor Vehicle)	2,124
Accident Information	12
Federal Certificate of Offence	73
Federal Information	1
Certificate of Offence	91,662
Parking Infraction Notice	1,799
Information	7,763

The Provincial standard for number of charges filed per Court Administration Clerk is 5,000 to 6,000. A reduction greatly impacts the total number of charges filed per clerk. However, York Region met the Provincial standard. Court Services intends to seek innovative workload management strategies while continuing to maintain its high quality of work and customer service.



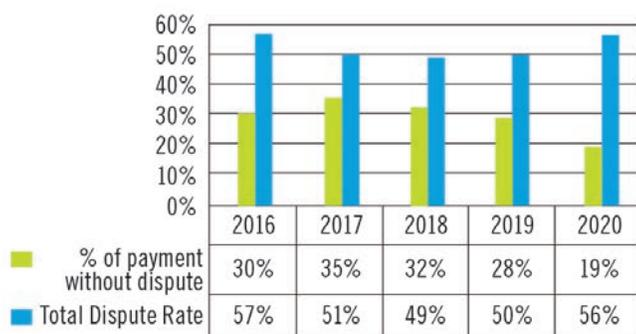
## Customer Service

York Region continues to provide in-person and telephone services to all court users at both court locations. There was a significant reduction in customer service numbers in 2020 compared to 2019. This is due to emergency orders extending timelines for defendants to respond to charges, the overall reduced number of charges filed with the court and the closure of front-counter operations from March to September 2020.

	Front Counter	Telephone	Total Customers Served
Newmarket Court Location	13,609	29,077	42,686
Richmond Hill Court Location	15,413	22,573	37,986
<b>Total</b>	<b>29,022</b>	<b>51,650</b>	<b>80,672</b>

## Dispute Rate

High dispute rates within York Region continue to put pressure on Court Services. While dispute rates have decreased since the suspension of the Early Resolution Program in 2017, half of the tickets issued within the Region were filed for trial. A notable jump in dispute rate from 2019 to 2020, is largely due to Option 2 - Walk-In Guilty, which provides defendants the opportunity to reduce a fine without going to trial, being unavailable for defendants in 2020. Without a remote process, defendants were only provided with payment or trial options.



Note: The remaining percentage of workload is Fail to Respond convictions

## Time to Disposition

All matters scheduled between March 2020 and December 2020 were adjourned by a Chief Justice of the Ontario Court of Justice order. Therefore, York Region will not be reporting on days to disposition in 2020 as the data is not an accurate representation and does not provide a statistically valid comparative. Over 59,600 matters were addressed in Trial Courts in 2020, only accounting for matters from January to March of 2020. Approximately 100,000 matters were impacted, including 49,000 trial requests received. This has put additional pressure on trial scheduling and limited judicial resources already operating at maximum capacity. York Region's limited judicial resources were further reduced as part of the provincial pandemic response and will remain at these levels throughout 2021.

Although Court Services is working to increase access to justice and making services more responsive, some of the court functions are within the purview of the Chief Justice. Court Services continues to work with judicial executives to find effective and efficient solutions to these challenges.

Appearance Room	Grand Total
R3 - Traffic and Municipal Parking and Bylaws	13,985
R4 - Part One Traffic Court	15,664
T1 - Part One Traffic Court	10,011
T2 - Ministry and Municipal Parking and Bylaw Court	4,409
T3 - Part Three Provincial Court	10,700
T4 - Part One Traffic Court	4,831
A1 - Part Three Provincial Court	3,717
A2 - Part One Traffic Court	9,136
A6 - Ministry and Municipal Parking and Bylaw Court	2,065
A7 - Part One Traffic Court	5,863
<b>Total Number of Matters on Trial Dockets</b>	<b>59,600</b>

\*\*R3 and R4 = Richmond Hill

T1 to T4 = Newmarket - old location (460 Davis Dr.)

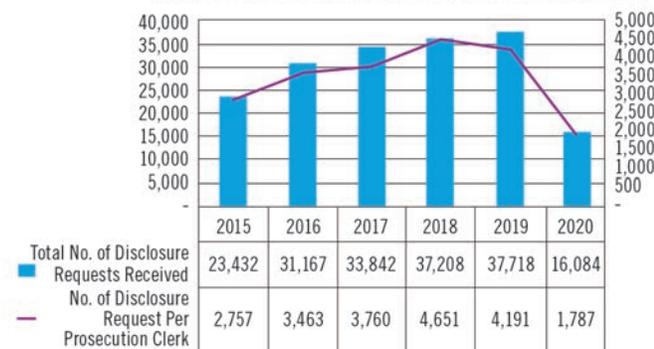
A1, A2, A6, and A7 = Newmarket - new location (17150 Yonge St.)

## Increasing Requests for Disclosure

In recent years, requests for disclosure have increased due to penalties for POA tickets becoming more severe. Due to increased fine amounts, demerit points and potential licence suspensions, an increasing number of defendants' resort to hiring legal representatives, who are required to request disclosure. Additionally, the increase in requests may be due to providing more accessible information to obtain disclosure. Since disclosure is free of charge and Court Services includes a disclosure request form with all notices of trial, more requests are submitted. Although streamlining the disclosure request process has resulted in a higher number of requests, it fulfills the prosecutor's duty of advising defendants of their right to disclosure, thus ensuring that every defendant's right to a fair trial is protected.

For pandemic-related reasons, requests for disclosure declined in 2020. This could be due to fewer charges filed, the court closure in March and no new trial notices being issued. However, Prosecutions did review over 57,000 charges and provided disclosure when required to reduce the backlog. This data is not captured in the disclosure requests received data since this was a proactive action.

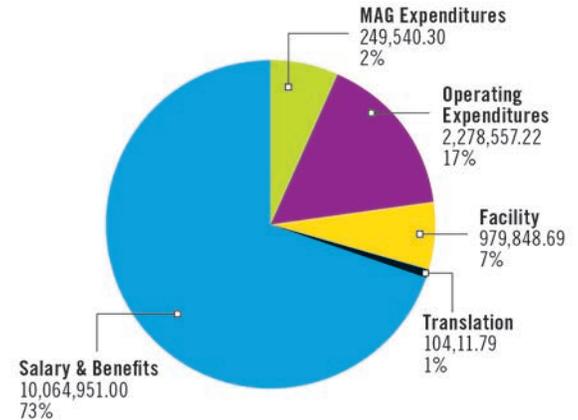
**Number of Disclosure Requests per Prosecution Clerk**



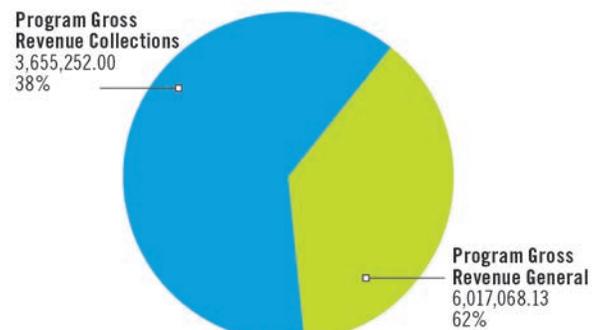
\*No provincial standards exist for the number of disclosure requests per prosecution clerk

## EXPENDITURE AND REVENUE ANALYSIS

**2020 Operating Budget by Expenditure Category**



**2020 Revenue Source<sup>1</sup>**



<sup>1</sup>2019 Revenue Source calculations include both internal and external collections efforts.

Expenditure Salary and Benefits - includes all staffing expenses related to Court Administration, Prosecution and Collections including permanent, casual and temporary staffing in addition to overtime and benefits.

MAG Expenditures- total cost of expenses paid to the Ministry of Attorney General includes Judicial and ICON related costs. Victim Fine Surcharge and Dedicated fines are not included.

Operating Expenditures - total cost of general operating expenses includes the purchase of charging documents, witness fees, general office supplies, postage expenses and other minor operating expenses.

Facility - total cost of facility expenses.

Translation - total is the cost of providing interpreter services to court users.

## 2020 AUDITORS REPORT

An independent audit of the consolidated financial statements of the Regional Municipality of York for the year ending December 31, 2020 was completed by KPMG International. Accordingly, the scope of the audit included information about the results of the Region's Provincial Offences Office presented in the notes of the consolidated financial statement.

### Excerpt from the Region's Audited Financial Statements

#### Provincial Offences Administration

The Region administers prosecutions and the collection of related fines and fees under the authority of the *Provincial Offences Act* ("POA"). The POA is a procedural law for administering and prosecuting Provincial Offences, including those committed under the *Highway Traffic Act*, *Compulsory*

*Automobile Insurance Act*, *Trespass to Property Act*, *Liquor License Act*, municipal by-laws and minor federal offences. Offenders may pay their fines at any court office in Ontario, at which time their receipt is recorded in the Integrated Courts Offences Network system ("ICON"). The Region recognizes fine revenue when the receipt of funds is recorded by ICON regardless of the location where payment is made.

Gross revenue is comprised primarily of fines levied under Part I, II and III (including delay penalties) for POA charges. The total revenue for 2020 amounts to \$11,956,394 (2019 - \$23,828,277) and the net surplus/(deficit) amounts to \$(4,203,175) (2019 - \$3,253,472). Balances arising from operations of POA offices are consolidated with these financial statements.



The Regional Municipality of York  
**Provincial Offences Office**  
**Statement of Receipts and Expenses**  
Year ended December 31, 2020  
*(Unaudited)*

	<b>Budget</b>	<b>2020</b>	<b>2019</b>
<b>Revenue</b>			
Fines	\$ 21,049,204	\$ 11,541,676	\$ 23,398,247
Other Revenue	340,000	414,718	430,031
	21,389,204	11,956,394	23,828,278
<b>Expenses and Disbursements</b>			
Salaries and Benefits	10,333,921	10,064,951	9,888,567
General Administration	1,774,226	1,507,428	1,815,496
Program Related Services	1,711,753	540,572	1,668,610
Professional Services	895,463	470,201	852,321
Occupancy Expenses	1,096,270	979,737	976,212
Amortization	-	17,792	17,082
Asset Acquisitions	111,602	96,331	33,893
	15,923,235	13,677,012	15,252,181
Income before disbursements to Area Municipalities and Others	5,465,969	(1,720,618)	8,576,097
Disbursements to Area Municipalities and others	(5,496,790)	(2,482,558)	(5,322,625)
<b>Net Surplus (Deficit)</b>	(30,821)	<b>(4,203,176)</b>	3,253,472
<b>Contribution from Reserves</b>	530,446	<b>198,484</b>	93,793
<b>Contribution to Reserves</b>	(111,000)	<b>(111,000)</b>	(1,111,000)
<b>Net Surplus (Deficit) after Contribution to/from Reserves</b>	\$ 388,625	<b>\$ (4,115,692)</b>	\$ 2,236,265

**The Regional Municipality of York**  
**Notes to the Sinking Fund Financial Statements**  
December 31, 2020  
*(Unaudited)*

The Regional Municipality of York (the Region) administers prosecutions and the collection of related fines and fees under the authority of the Provincial Offences Act ("POA"). The POA is a procedural law for administering and prosecuting provincial offences, including those committed under the Highway Traffic Act, Compulsory Automobile Insurance Act, Trespass to Property Act, Liquor Licence Act, Municipal By-laws and minor federal offences. The POA governs all aspects of legal process from serving notice to a defendant, to conducting trials, including sentencing and appeals.

**1. Significant Accounting Policies**

The statement of financial activities for the Region's Provincial Offences Office is prepared by management in accordance with generally accepted accounting policies for local governments as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. Significant aspects of the accounting policies are as follows:

**(a) Revenue**

Revenues are accounted on cash basis. The revenues of the court office consist of fines levied under Parts I, II and III (including delay penalties) for POA charges filed at the courts located at 17150 Yonge St., Newmarket and 50 High Tech Road, Richmond Hill. Offenders may pay their fines at any court office in Ontario, at which time their receipt is recorded in the Integrated Courts Offences Network system ("ICON") operated by the Province of Ontario. The Region recognizes fine revenues when the receipt of funds is recorded by ICON regardless of the location where payment is made.

The Region also recognizes revenues that are collected on behalf of Area Municipalities and the Ministry of the Attorney General. These revenues include payments recovered with respect to local area municipal By-laws, Dedicated Fines related to various statutes, licence plate denial fees and the Province's portion of parking fees as well as the Victim Fine Surcharge.

Partial payments received for fines are automatically applied in the ICON system in the following order:

- Victim fine surcharge
- Fine
- Costs
- Administrative Fees
- Collection agency costs

**(b) Expenses**

Expenses are recorded on the accrual basis of accounting which recognizes expenses as they are incurred and measurable as a result of the receipt of goods or services and creation of a legal obligation to pay.

**(c) Use of Estimates**

The preparation of the financial statement in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of revenues and expenditures and disclosure of contingencies at the date of the financial statement and for the period being reported on. Actual results could vary from these estimates.

**(d) Reserve**

In 2015, a reserve was established to assist in planning and managing costs, which can vary significantly each year. The reserve will be funded through any net surplus in the prior year, after allocations, with an established upset limit.

## COURT SERVICES: PRIORITIES FOR 2021

### Performance Focused:

Continue POA streamlining and modernization efforts by onboarding MNP LLP to analyze the current legislative landscape and Court Services department to create a Digital Roadmap and Administrative Monetary Penalty System Business Model.

- The Digital Roadmap will identify strategic priorities and provide guidance to transform the current Court Operation systems and platforms to be accessible, efficient, and scalable and therefore meet public expectations for service excellence
- The Administrative Monetary Penalty System Business Model will help to address the pending caseload, better utilize resources, improve access to justice and customer experience, and further drive efficiencies through the automation and digitization of processes

### Customer Services:

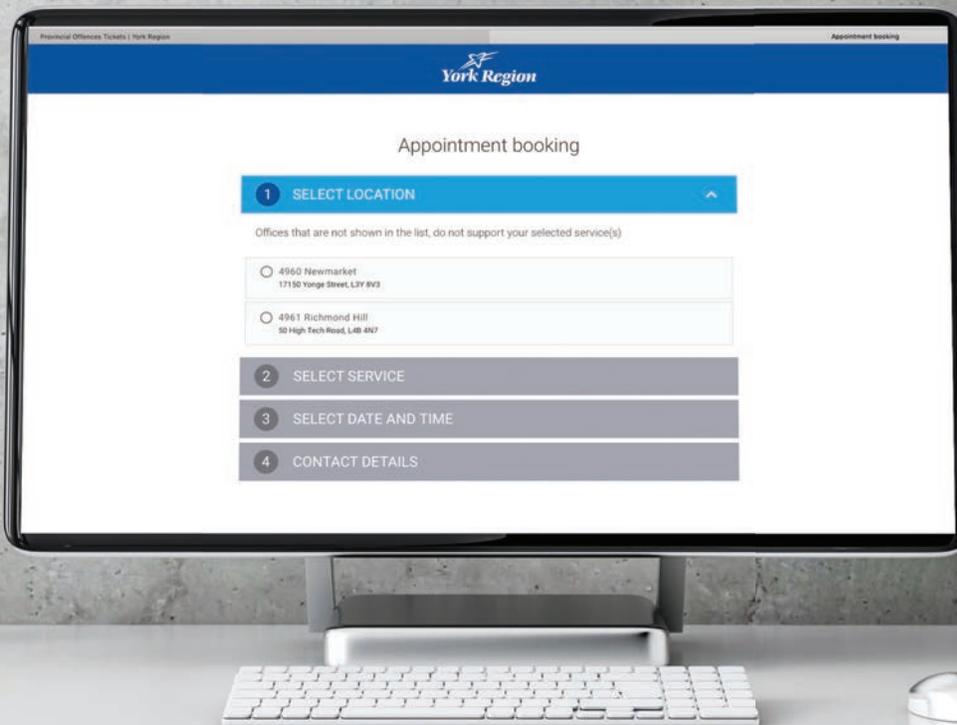
Onboard an appointment booking system, to establish a front-line customer service model that supports York Region's customer centric approach by providing efficient and timely access to justice.

Work with the Ministry and other impacted stakeholders to prepare for and respond to the resumption of Provincial Offence Act timelines.

### Process Improvement:

Continue participation in the Part III Transfer Working Group to finalize amending agreements to the Memorandum of Understanding and Local Side Agreements to implement the transfer of Part III prosecutions.

Analyze and implement process improvement opportunities made in the *Provincial Offences Act* as a result of the proclamation of *Bill 177, Stronger, Fairer Ontario Act (Budget Measures)*, 2017.



#### Training and Development:

Provide training and wellness opportunities to help staff manage their health and well-being, while equipping staff with tools and resources that focus on their continued development.

Ongoing training on enhanced and new technology and change management to support staff through York Region's digital transformation of Court Services, including the transition to remote hearings and appointment-based services.

#### Technology:

Continue to expand the remote hearing solution for non-trial and trial court proceedings and the related processes to reduce pending caseload and ensure health and safety precautions are followed.

Continue to process charges and analyze data for the Automated Speed Enforcement Pilot.

#### Capital Improvements:

Working alongside Property Services and other Corporate partners, execute the redesign workspace project at the Richmond Hill court location to improve customer flow and available office space for employees.





RESOLUTION OF THE REGIONAL MUNICIPALITY OF YORK

---

Subject: [REDACTED]

Date: [REDACTED]

Moved by: [REDACTED]

Seconded by: [REDACTED]

---

1. Whereas the impacts of COVID-19 on municipally administered Provincial Offences Court have resulted in a higher volume of pending *Provincial Offence Act* trial matters.
2. Whereas immediate regulatory and legislative changes are critical to delivering services to the public by putting in place the most modern, efficient, and effective justice system attainable.
3. Whereas the proposed Early Resolution reforms in Bill 177 *Stronger, Fairer Ontario Act (Budget Measures) 2017* do not fully support the objectives of the Ministry of the Attorney General pertaining to creating a modernized and efficient justice system.
4. Therefore, Be it Resolved, that Council requests the Attorney General of Ontario to halt the proclamation of the Early Resolution reforms included in Bill 177 *Stronger Fairer Ontario Act (Budget Measures), 2017* and take immediate action to streamline and modernize this section of the legislation by making it easier and more convenient for the public and prosecutors to engage in resolution discussions and by making it more effective and efficient to administer early resolution proceedings for Part I and Part II offences in the Provincial Offences Court.
5. And furthermore, that Council requests the Attorney General of Ontario to enact changes to the *Provincial Offences Act* and any related regulations to permit the prosecutor and defendant or legal representative to agree, at any stage of a proceeding, to a resolution in writing for proceedings commenced under Part I or Part II of the *Provincial Offences Act* and to permit the Clerk of the Court to register the court outcome immediately upon receipt of the written agreement without requiring an appearance before a justice of the peace.

## **ATTACHMENT 2**

6. And furthermore, that Council requests the Ministry of Transportation in consultation with Municipalities give consideration to suspending (temporarily) the imposition of demerit points for persons who pay their ticket in cases where they have no previous relevant convictions.

**Pilon, Janet**

---

**Subject:** By-Law regarding Dirt Bike and ATVs using Hydro Corridors

**From:** Christine Morley

**Sent:** July 5, 2021 9:09 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** By-Law regarding Dirt Bike and ATVs using Hydro Corridors

Good evening,

I have been emailing with Brad Clark regarding the dirt bikes, ATV's, snowmobiles and vehicles that use the hydro corridor behind my house. Before dealing with Mr. Clark I was working with Brenda Johnson.

I have live at [REDACTED], Hannon in the Summit Park Subdivision. My house backs onto the farmer's field and hydro corridor on the east side of Fletcher Road. We are the third house in from Fletcher Road and we have been here 11 years. Since the time we have moved in we have been dealing with motorize vehicles behind our house. The first few years it was the odd ATV and more snowmobiles. But over the years there has been an increase in the traffic and the types of vehicles using this corridor. ATV's, dirt bikes, snow mobiles, trucks.

Some of the things we have experience has been trucks shooting turkeys out the back of the truck behind our house. The police were called and they were ticketed. We also had trucks drive back there and get stuck in the snow. Farm equipment had to be called and used to get them out and again they were ticketed. We have seen a guy on a dirt bike who was hoping to cross Fletcher Road before a car came into his path only to realize at the last moment that he wasn't going to make it and hit the breaks so hard that he flew over his handle bars. We have seen guys doing donuts in the farmers field ripping up the ground even when there are crops planted in there, we have even seen this same individual get pinned by his bike when he feel off doing these donuts.

We bought our house here because while we longed to have a farm, our children needed to be with other children and close to transportation. This house gave us the farm feel with the convenience of a neighbourhood for the kids. The peace and quite that we reasonably expected when buying a house that backs onto a farmer's field has never come to be. The snowmobiles in the first few years were mostly at night while the kids were trying to sleep. They are very loud and would go back and forth for hours on end. The dirt bikes and ATVs rip back and forth kicking up dirt this happens at all hours of the day and evening. The dirt coats the tables in the backyard and if there are clothes hanging to dry they need to be rewashed sometimes.

We have asked these guys not to use the path directly behind the houses and some have moved further under the hydro towers but other have sworn at us and make sure they kick up more dirt when they see us outside.

As a homeowners, we have a reasonable expectation that the field behind our house would be a quiet peaceful location. Unfortunately that has not been the case. On any given Saturday or Sunday we will have 7 dirt bikes travel behind the house and up to 10 ATVs. They go back and forth multiple times a day. This is no longer a farmers field but a private road.

This By-Law that is proposed will give the families that back onto the farmers field in Summit Park some much needed peace and quiet. This goes for all of the families at are dealing with the unauthorized use of the farm and hydro corridors throughout the city and surrounding areas.

Thank you,

N. Christine Morley and Ben Tagarelli

**Pilon, Janet**

---

**Subject:** At some dirt bikes

**From:** Jeff Hazzard

**Sent:** July 7, 2021 11:05 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** At some dirt bikes

I have had many incidents with the amount of atvs and dirt bikes that run behind my house . Causing a disturbance I have called the police a couple of times about this and they have come out and cought a couple of them as there bike had broken down . This has not stopped the issue. Thank you Jeff Hazzard

As a totally different topic I would to discuss having speed reducing large bumps put in at the stop sign at showcase and Sundance crescent where the path come out of the park . It is just a matter of time before a child is hurt or killed . As 80% of people do not stop at the stop sign . Alot just drive right this if there is no stop sign at all .

Thank you Jeff Hazzard

**Pilon, Janet**

---

**Subject:** Remove Gore Park Statue of Sir John A. Macdonald IMMEDIATELY

**From:** Sarah Sheehan

**Sent:** July 7, 2021 12:18 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Remove Gore Park Statue of Sir John A. Macdonald IMMEDIATELY

Dear Hamilton Clerk,

Dear City Councillors,

I, \_\_\_\_\_, mourn along with the Tk'emlúps te Secwépemc First Nation and all Indigenous families and communities in light of the recent discovery in Kamloops, British Columbia of the remains of 215 children at the former Kamloops Residential School. This represents merely the latest revelation from the violent, deadly, and traumatic colonial past and present of what we now refer to as "Canada".

Conversations are being held across this country as to what should be done now, even as we collectively brace for what many sadly acknowledge as the grim reality that further such discoveries will undoubtedly be made in the future. This appears to already be starting in Brandon, Manitoba and Lestock, Saskatchewan. There will be others.

One conversation that continuously resurfaces is the one relating to statues and monuments that function primarily to preserve the false patriotic and righteous legacy of the architects of Canada's genocide against Indigenous peoples. This discussion is occurring here in Hamilton, with the City set to decide this issue later this summer, and opinions already being aired in the media.

I stand in solidarity with all Indigenous community members who are re-traumatized each time they are forced to look upon the likeness of the perpetrators of these heinous crimes against them and their communities. Welcoming and accepting societies do not commemorate and idolize individuals who have intentionally and unashamedly committed unspeakable atrocities.

I call upon the City of Hamilton to expedite their process and make the right choice to remove the statue of John A. MacDonald from Gore Park immediately. The tide has turned on this issue, the public has become disillusioned with the myths that have been woven around these historical figures and now see who and what they truly were. These monuments elevate and celebrate nothing other than the ideals of colonialism, genocide, and white supremacy, just as their historical champions did.

Failure to take leadership on this issue would be a disservice to the community, and to those most directly affected by these issues. It would fuel anger, distrust, and disillusionment with the municipal process, and encourage resort to alternative methods of rectifying the issue. Indigenous communities have made themselves clear on this, and the best leadership is proactive, not reactive.

To be clear, this is only a start and is the absolute bare minimum response to these recent events. All cities in Canada must engage in a process of decolonization, anti-racism, and anti-oppression. We are on stolen land and operate within colonial institutions and a society permeated with white supremacy. The time for action is now.

Sincerely,  
Sarah Sheehan

**Subject:** Calling on Hamilton's Mayor & Councillors to Remove SJAM Statue

**From:** Katelyne Clark

**Sent:** July 7, 2021 9:58 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Calling on Hamilton's Mayor & Councillors to Remove SJAM Statue

Dear Hamilton Clerk,

Dear City Councillors,

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Sincerely,

I think you all should be ashamed of yourselves

Sincerely,

Katelyne Clark

**Pilon, Janet**

---

**Subject:** J.A. Macdonald Statue

**From:** Randy Kay

**Sent:** July 8, 2021 9:26 AM

**To:** Wilson, Maureen <[Maureen.Wilson@hamilton.ca](mailto:Maureen.Wilson@hamilton.ca)>; Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>; [clerk@hamilton.ca](mailto:clerk@hamilton.ca);  
Nann, Nrinder <[Nrinder.Nann@hamilton.ca](mailto:Nrinder.Nann@hamilton.ca)>

**Subject:** J.A. Macdonald Statue

EMERGENCY & COMMUNITY SERVICES COMMITTEE

July 8, 2021

Every day that goes by, the moribund statue of Sir John A Macdonald invites protest and pain. Every day that goes by without recognition from city leaders of the harm it causes to indigenous and other groups invites more danger and division.

Some groups have gone openly, some stealthily, to make a political point about the poisoned legacy of MacDonald: one of colonialism, racism and genocide.

We've seen the statue draped in cloth to cover it, then a group of young men, literally wrapped in a flag, try to take it down, then at least two incidents of the statue being sprayed with paint and slogans.

In the absence of leadership, people will contend.

These forces will rally at this site because symbols mean something. Statues suggest permanence and invite reverence. The state players know this with uniforms, rituals, maces, thrones, ceremonial chains and other trappings of power.

Such symbols act as a thin veneer that provides cover for power. It is supposed to make us believe they are in control, and that we are outside of this select cult of "leaders."

The city quickly removes paint from the statue. This surface-level reaction is just another example of a lack of vision. Does anyone think that this issue is going to fade away? It's not. You can't remove the stain of history when it comes to crimes against humanity.

Those interested in preserving history will find the truth with a quick search online, not at the Gore Park location of the statue.

Other jurisdictions are removing statues of racists and murderers. MacDonald's likeness is going to come down, one way or another. Queen Victoria too. It's not if, but when.

If the Royal Bank, even the bloody Royal Bank, can withdraw from Canada Day celebrations, why are our municipal leaders maintaining a status quo of uncritical acceptance of these symbols of colonial expansion built on theft, lies and violence?

I urge the council to do the right thing, to get out bravely and quickly to remove this statue and others that only serve to glorify a past that can stand the test of time while causing unmistakable ongoing harm to large segments of the population.

Thank you,

Randy Kay

**Pilon, Janet**

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**Subject:** Remove Gore Park Statue of Sir John A. Macdonald IMMEDIATELY

From: "Together We Rise S'Elever Ensemble"

Sent: July 7, 2021 3:21 PM

To: clerk@hamilton.ca<mailto:clerk@hamilton.ca>

Subject: Remove Gore Park Statue of Sir John A. Macdonald IMMEDIATELY

Dear Hamilton Clerk,

Dear City Councillors,

I, \_\_\_\_\_, mourn along with the Tk'emlúps te Secwépemc First Nation and all Indigenous families and communities in light of the recent discovery in Kamloops, British Columbia of the remains of 215 children at the former Kamloops Residential School. This represents merely the latest revelation from the violent, deadly, and traumatic colonial past and present of what we now refer to as "Canada".

Conversations are being held across this country as to what should be done now, even as we collectively brace for what many sadly acknowledge as the grim reality that further such discoveries will undoubtedly be made in the future. This appears to already be starting in Brandon, Manitoba and Lestock, Saskatchewan. There will be others.

One conversation that continuously resurfaces is the one relating to statues and monuments that function primarily to preserve the false patriotic and righteous legacy of the architects of Canada's genocide against Indigenous peoples. This discussion is occurring here in Hamilton, with the City set to decide this issue later this summer, and opinions already being aired in the media.

I stand in solidarity with all Indigenous community members who are re-traumatized each time they are forced to look upon the likeness of the perpetrators of these heinous crimes against them and their communities. Welcoming and accepting societies do not commemorate and idolize individuals who have intentionally and unashamedly committed unspeakable atrocities.

I call upon the City of Hamilton to expedite their process and make the right choice to remove the statue of John A. MacDonald from Gore Park immediately. The tide has turned on this issue, the public has become disillusioned with the myths that have been woven around these historical figures and now see who and what they truly were. These monuments elevate and celebrate nothing other than the ideals of colonialism, genocide, and white supremacy, just as their historical champions did.

Failure to take leadership on this issue would be a disservice to the community, and to those most directly affected by these issues. It would fuel anger, distrust, and disillusionment with the municipal process, and encourage resort to alternative methods of rectifying the issue. Indigenous communities have made themselves clear on this, and the best leadership is proactive, not reactive.

To be clear, this is only a start and is the absolute bare minimum response to these recent events. All cities in Canada must engage in a process of decolonization, anti-racism, and anti-oppression. We are on stolen land and operate within colonial institutions and a society permeated with white supremacy. The time for action is now.

Sincerely,

Mouna Bile on behalf of Together We Rise Together We Rise S'Elever Ensemble

July 7, 2021

To the Mayor and City Council of the City of Hamilton -

I am writing with respect to the report that was referred to City Council by the Public Works Committee (PW21034) on July 7, 2021 that recommends the sale of part of the Sunset Cultural Garden at the corner of Bay Street North and Strachan Street West.

While I continue to be in favour of plans for more affordable housing in Ward 2, and across the city, I believe that those plans can be realized either elsewhere in this development or on land nearby without having to disrupt, destroy, or otherwise remove the Sunset Cultural Garden.

Development at the corner of Bay Street North and Cannon Street East and on the adjacent Jamesville property have not yet begun. There is an opportunity to incorporate this housing at either site, in my opinion.

Simply put, North End residents should not have to choose between vital open parkland and new affordable housing.

I'm not the only one who feels this way. As the City's report states, "Landscape Architectural Services has advised that they are opposed to the application as the Subject Lands are currently functioning as Open Space and the closure and sale will reduce Open Space in the North End West Neighbourhood which is deficient in parkland."

I believe that the sale of this land to the developer is more than just a formality or a matter of "housekeeping". This park means more to the neighbourhood than the notarization of some official documents or the formalization of a plan. If this land is sold, it will almost certainly mean that the Sunset Cultural Garden will neither remain in its current location nor exist in its current form.

I appreciate that many, including myself, are anxious to see more affordable housing in the neighbourhood and want to see these projects move ahead. To that point, wide engagement around the final stages could and should have been planned in advance to avoid any potential delays.

As the City's report states, only 17 "properties" were consulted with respect to the sale. Considering the magnitude of this issue, and the park's importance to the community, much wider engagement should have been undertaken in advance of this report coming forward.

As the Public Works Committee heard on July 7, 2021, from delegates living in the North End, almost no one in the neighbourhood thinks that this park should be removed or that this land should become residential housing.

Community park space is a vital part of the fabric of every neighbourhood and the addition of public space at Pier 8, or elsewhere, cannot replace it.

Members of the North End, Central, and Beasley neighbourhoods in Ward 2 advocated for this parkland, a quiet space for reflection and contemplation, and then set to work, personally, to build this park, plant its beautiful flowers, and ensure its continued maintenance. This is truly a park built by and for the community.

I ask you to read the [handout provided by Sandra Hudson](#), one of the tireless volunteers who got this park up and running, as part of her delegation to the Public Works Committee today, where she spoke passionately about keeping the Sunset Cultural Garden intact. It contains important information about the history behind this project and why it's so valuable to the community.

During a time of unprecedented isolation, our greenspaces and neighbourhood parks have been an important site for relief and relaxation. This park, in particular, as a site for contemplation and reflection, will continue to be needed as our communities recover from the impacts of the pandemic.

I urge you to vote against this recommendation by staff and instead work to ensure that there is a balanced solution in place that respects both the ongoing need for affordable housing and the preservation of our public parks.

Cameron Kroetsch

**Pilon, Janet**

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**Subject:** Sunset cultural garden

**From:** Tanya Ritchie

**Sent:** July 7, 2021 4:23 PM

**To:** Farr, Jason <[Jason.Farr@hamilton.ca](mailto:Jason.Farr@hamilton.ca)>; [clerk@hamilton.ca](mailto:clerk@hamilton.ca); Office of the Mayor <[mayor@hamilton.ca](mailto:mayor@hamilton.ca)>

**Subject:** Sunset cultural garden

Hello Cllr Farr & Mr Mayor,

The Sunset cultural garden is an amazing space. If you have not been there to enjoy it, you should. The very idea of removing it is horrible.

Speaking as a resident of W2, and moreover as a parent, our inner-city kids don't get many chances to see living things. Our trees are encased in concrete, and "greenspace" is generally just turf grass. These are dead, dead, dead. Sunset cultural gardens are one of the few spaces where we can actually see things alive, an ecosystem!

To take this away from W2 would be cruel.

Thanks

Tanya Ritchie  
W2 resident.

**Pilon, Janet**

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**Subject:** To the Mayor and City Council

**From:** James Honey

**Sent:** July 8, 2021 10:16 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** To the Mayor and City Council

I'm writing to you regarding the Sunset Cultural Garden on Bay Street North. I live on Wellington and King William however I pass this park (community garden) almost every week of the year. I see it in all of its stages and I know how much sweat goes into the volunteering to maintain this garden. I have even given my own native plants to this garden. It's a space for people to get away, to get lost from their troubles. Its a space for wildlife and pollinators. This shouldn't be up for discussion. Please leave the Sunset garden alone and don't develop on this space. There's more than enough space to build around the garden.

James Honey



SUNSET CULTURAL GARDEN  
HONOR WALK

JENNI GARDENS

CHINESE COMMUNITY DANCERS

ALLIANCE CONCRETE & INTERLOCK CORP.

ALNAN ALUMINIUM INC.

CITY OF HAMILTON NEIGHBOURHOOD ACTION STRATEGY

EVERGREEN CITY WORKS

HAMILTON MUNDIALIZATION COMMITTEE

KROMET INTERNATIONAL LTD.

HAMILTON PORT AUTHORITY

HAMILTON BUILDERS SUPPLY

CITY OF NANNING, CHINA

CITY OF CHINA HA XING

WELCOME INN

MACASSA BAY YACHT CLUB

LIUNA! 837

DAMIN STARR

DEBRA STARR

ELIZABETH STARR



VENNI GARDENS

CHINESE COMMUNITY DANCERS

CITY OF HAMILTON NEIGHBORHOOD ACTION STRATEGY

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CITY OF JIA XING CHINA

WELCH

HAMILTON SUPPLIERS

MACASSA BAY YACHT CLUB

LIUNAI 837

CONCE

DAMN STARR

DEBRA STARR

CHRISTOPHER STARR

MATTHEW STARR

ELIZABETH STARR

STEVEN STARR

MICHAEL STARR

CRYSTAL STARR

ANNE TENNIER

KEVIN HUDSON

NEN ASSOCIATION JAMESVILLE COMMUNITY HUB

RAE BELLING

BRYAN PIPE & RICHARD BULL

ED CANNING

ARRODA'S HARDWARE ROD & ETHEL ADAMS

KATHY & FRANK ROBERTSON

CARL JOHN & KATE TURKSTRA

**Pilon, Janet**

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**Subject:** Sunset Cultural Garden

**From:** Jessica Glegg

**Sent:** July 8, 2021 10:28 AM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Sunset Cultural Garden

Hello,

I'm writing in regards to the report that was referred to City Council by the Public Works Committee (PW21034) that recommends the sale of the Sunset Cultural Garden in the North End.

I live in the North End and this garden is one of my favorites. I recently found out that it was created by the community. What an amazing park!

I am for building affordable housing but I am opposed to the sale of that land for that use. What is happening to the large piece of land with vacant townhouse on it sitting down the street for years? Should this land not be turned into affordable housing first before the city starts tearing down community gardens that help the Hamilton eco system?

- Jess



## **GENERAL ISSUES COMMITTEE REPORT 21-014**

9:30 a.m.

Monday, July 5, 2021

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

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**Present:** Mayor F. Eisenberger, Deputy Mayor S. Merulla (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, A. VanderBeek, J. Partridge

**Absent:** Councillor T. Whitehead – Leave of Absence

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### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 21-014, AND RESPECTFULLY RECOMMENDS:**

**1. Assessing COVID Related Financial Impacts on Local Farmers' Markets (PED21141) (City Wide) (Item 7.2)**

That the Report PED21141, respecting Assessing COVID Related Financial Impacts on Local Farmers' Markets, be received.

**2. Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide) (Item 8.2)**

That Report PW190098(m), respecting the Chedoke Creek Order - Cootes Paradise Workplan, be received.

**3. City Manager's 2020 - 2021 Review (CM21006) (City Wide) (Item 8.3)**

That Report CM21006, respecting the City Manager's 2020 - 2021 Review, be received.

**4. Hamilton Tax Increment Grant - 154 Main Street East, Hamilton (PED21115)  
(Ward 2) (Item 10.1)**

- (a) That a Hamilton Tax Increment Grant Program Application, submitted by 1970703 Ontario Inc. (Darko Vranich) for the property known as 154 Main Street East, Hamilton, estimated at \$1,211,018.67 over a maximum of a five (5) year period, based upon the incremental tax increase attributable to the development of 154 Main Street East, Hamilton, be authorized and approved, in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to give effect to the Hamilton Tax Increment Grant for 1970703 Ontario Inc. for the property known as 154 Main Street East, 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.

**5. Capital Projects Work-in-Progress Sub-Committee Report 21-002, June 21, 2021 (Item 10.3)**

**(a) Capital Project Closing Report as of December 31, 2020  
(FCS20079(b)) (City Wide) (Item 10.1)**

- (i) That the General Manager, Finance and Corporate Services, be authorized and directed to transfer \$221,437 to the Unallocated Capital Levy Reserve (108020) and \$97,064 from other sources, as outlined in Appendix "A" to Report 21-014;
- (ii) That the General Manager, Finance and Corporate Services, be authorized and directed to close the completed and / or cancelled capital projects listed in Appendix "B" to Report 21-014, in accordance with the Capital Projects Closing and Monitoring Policy;
- (iii) That Appendix "C" to Report FCS20079(b), Capital Projects Budget Appropriations for the period covering October 1, 2020 through December 31, 2020, be received for information;

- (iv) That Appendix “C” to Report 21-014, Capital Projects Budget Appropriations of \$250,000 or greater and Capital Project Reserve Funding requiring Council authorization, be approved;
- (v) That the General Manager, Finance and Corporate Services, be authorized and directed to transfer \$2,234,783 from the Unallocated Capital Levy Reserve (108020) and return \$2,234,783 to the Federal Gas Tax Reserve (112213) for various projects, as outlined in Appendix “D” to Report 21-014, for the purpose of funding ineligible expenditures, pursuant to the Federal Gas Tax Municipal Funding Agreement; and,
- (vi) That the projects listed in Appendix “E” to Report 21-014, that were inadvertently closed during capital work-in-progress review, be re-opened.

**(b) Capital Projects Status Report as of December 31, 2020  
(FCS20078(b)) (City Wide) (Item 10.2)**

- (i) That the Capital Projects Status Report – Tax Supported, as of December 31, 2020, attached as Appendix “A” to Report FCS20078(b), be received;
- (ii) That the Capital Projects Status Report – Rate Supported, as of December 31, 2020, attached as Appendix “B” to Report FCS20078(b), be received; and,
- (iii) That the confidential Appendix “C” to Report FCS20078(b), respecting the Capital Projects Status Report as of December 31, 2020, be received and remain confidential.

**6. School Board Properties Sub-Committee Report 21-002, June 22, 2021  
(Item 10.5)**

**(a) Hamilton-Wentworth District School Board Property at 350 Albright Road, Stoney Creek (PED21128) (Ward 5) (Item 10.1)**

- (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 350 Albright Road, Stoney Creek, as shown on Appendix “A” attached to Report PED21128; and,

- (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton's site development requirements, as identified in Appendix "B" attached to Report PED21128.
  
- (b) Hamilton-Wentworth District School Board Property at 140 Glen Echo Drive, Stoney Creek (PED21129) (Ward 5) (Item 10.2)**
  - (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 140 Glen Echo Drive, Stoney Creek, as shown on Appendix "A" attached to Report PED21129; and,
  - (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton's site development requirements, as identified in Appendix "B" attached to Report PED21129.
  
- (c) Hamilton-Wentworth District School Board Property at 45 Randall Avenue, Stoney Creek (PED21130) (Ward 5) (Item 10.3)**
  - (i) That staff be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton has no interest in acquiring its property located at 45 Randall Avenue, Stoney Creek, as shown on Appendix "A" attached to Report PED21130; and,
  - (ii) That staff be directed to advise the Hamilton-Wentworth District School Board of the City of Hamilton's site development requirements, as identified in Appendix "B" attached to Report PED21130.
  
- (d) Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton (PED21131) (Ward 7) (Item 14.1)**
  - (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 630-640 Rymal Road East, Hamilton, as shown and legally described in Appendix "A" attached to Report PED21131;

- (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the of the lands located at 630-640 Rymal Road East, Hamilton, to be funded from the Property Purchases and Sales Capital Account No. 3562850200;
- (iii) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the Hamilton-Wentworth District School Board lands located at 630-640 Rymal Road East, Hamilton; and,
- (iv) That Report PED21131, respecting Hamilton-Wentworth District School Board Property at 630-640 Rymal Road East, Hamilton, remain confidential and not be released as a public document.

**(e) Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek (PED21132) (Ward 5) (Item 14.2)**

- (i) That the Manager of Real Estate, or designate, be authorized and directed to advise the Hamilton-Wentworth District School Board (HWDSB) that the City of Hamilton may have an interest in the acquisition of the lands located at 20 Lake Avenue South, Stoney Creek, as shown and legally described in Appendix "A" attached to Report PED21132;
- (ii) That staff be authorized and directed to complete the due diligence work in preparation for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iii) That staff be directed to establish a Capital Account Project I.D. to be funded from the Parkland Acquisition Reserve No. 108050, for use as the funding source for all costs related to the due diligence for the potential acquisition of the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek;
- (iv) That staff be directed to report back to the School Board Properties Sub-Committee, as to its due diligence findings, refined acquisition and post-acquisition cost estimates, funding model and its recommendations for the City to submit an Offer to Purchase the Hamilton-Wentworth District School Board lands located at 20 Lake Avenue South, Stoney Creek; and,

- (v) That Report PED21132, respecting the Hamilton-Wentworth District School Board Property at 20 Lake Avenue South, Stoney Creek, remain confidential and not be released as a public document.

**7. Advisory Committee for Persons with Disabilities Report 21-006, June 8, 2021 (Item 10.6)**

**(a) Correspondence from Mary Sinclair respecting Resignation from the Advisory Committee for Persons with Disabilities (Item 4.2)**

- (i) That the Correspondence from Mary Sinclair respecting her resignation from the Advisory Committee for Persons with Disabilities (ACPD), be received;
- (ii) That the Selection Committee be reconvened to review the original applications submitted for the Advisory Committee for Persons with Disabilities (ACPD), during the initial 2018-2022 recruitment process; and,
- (iii) That the Committee Clerk be directed to prepare a letter and expression of gratitude to be sent to Mary Sinclair for her service on behalf of the Advisory Committee for Persons with Disabilities.

**(b) Appointment of Tom Manzuk to the Outreach Working Group of the Advisory Committee for Persons with Disabilities (Item 6.3(c))**

That Tom Manzuk be appointed to the Outreach Working Group of the Advisory Committee for Persons with Disabilities for the remainder of the 2018 – 2022 Term of Council.

**(c) Advisory Committee for Persons with Disabilities Informational Pamphlet (Item 6.3(d))**

WHEREAS, in an effort to educate the public regarding the role and function of the Advisory Committee for Persons with Disabilities (ACPD) with respect to City Council, the Outreach Working Group of ACPD has designed an informational pamphlet to be used in outreach efforts in the community; and,

WHEREAS, the Advisory Committee for Persons with Disabilities logo was approved by Council on May 12, 2021 (see Item 5(b) of Audit, Finance and Administration Committee Report 21-007 for reference) to be used in

outreach efforts in the community alongside the City of Hamilton logo in accordance with the City of Hamilton Brand Guidelines;

THEREFORE, BE IT RESOLVED:

- (i) That the Advisory Committee for Persons with Disabilities informational pamphlet, attached as Appendix “A” to Report 21-014, to be used in outreach efforts in the community, be approved; and,
- (ii) That the costs, to an upset limit of \$300, for printing 500 copies of the Advisory Committee for Persons with Disabilities informational pamphlet, to be funded from the Advisory Committee for Persons with Disabilities 2021 Budget, be approved.

**(d) Invitation to Donna Skelly, MPP, to Discuss the Report Entitled “Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*” (Item 10.1)**

WHEREAS, the Advisory Committee for Persons with Disabilities (ACPD) directed staff to prepare correspondence to a Member of Provincial Parliament respecting the report “Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*” (see Item (f)(i) of Advisory Committee for Persons with Disabilities Report 19-003 for reference);

THEREFORE, BE IT RESOLVED:

- (i) That correspondence from the Advisory Committee for Persons with Disabilities, attached as Appendix “B” to Report 21-014, respecting an invitation to discuss the report “Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*”, be emailed to Donna Skelly, MPP; and,
- (ii) That the Advisory Committee for Persons with Disabilities Outstanding Business List Item 2019-C, respecting Correspondence to a Member of Provincial Parliament respecting Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*, be identified as complete and removed from the Advisory Committee for Persons with Disabilities’ Outstanding Business List.

**8. 2022 Municipal Election: Communication Plan (FCS21071) (City Wide) (Item 10.7)**

- (a) That a one-time increase of \$56,000 be transferred to the Election Expense Reserve (112206) from the Tax Stabilization Reserve to support an enhanced communication plan for the 2022 municipal election;
- (b) That an annual increase of \$14,000 for the Election Expense Reserve (112206), to cover the increased costs to deliver an enhanced communications strategy regarding Municipal Elections for the City of Hamilton, be referred to the 2022 Operating Budget (GIC) deliberations for consideration;
- (c) That a one-time increase of \$40,000 to the Election Expense Reserve (112206) be funded through the Tax Stabilization Reserve to allow for the hiring of four summer students to support the Election communication and outreach plan; and.
- (d) That the Outstanding Business List Item requesting that the City Clerk establish a communications strategy to assist in ensuring residents check and are listed on the municipal elections voters list be considered complete and removed from the General Issues Committee's Outstanding Business List.

**9. Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (Item 11.1)**

WHEREAS, Deputy Prime Minister Freeland announced Bill C-25, An Act to amend the *Federal-Provincial Fiscal Arrangements Act*, to authorize certain payments to be made out of the Consolidated Revenue Fund and to amend another Act, which would permanently rename the Federal Gas Tax Fund to the Canada Community-Building Fund and increase funding by \$2.2 billion in 2021, almost double the allocation for this year, totaling approximately \$4.5 billion;

WHEREAS, Bill C-25 has not yet been enacted by the House of Commons Canada;

WHEREAS, the City of Hamilton expects to receive \$32.7 million in one-time funding under Bill C-25 in 2021;

WHEREAS, Federal Gas Tax Funds must be spent within five years;

WHEREAS, highway infrastructure and infrastructure for local roads and bridges eligible projects under the Federal Gas Tax Agreements includes roads, bridges,

tunnels, highways and active transportation infrastructure, referring to investments that support active methods of travel of cycling lanes and paths, sidewalks, hiking and walking trails;

WHEREAS, the City of Hamilton maintains roads related infrastructure with an estimated value of \$6 Billion, and,

WHEREAS, the City of Hamilton has a funding gap that does not maintain our current condition for Roads Related infrastructure;

THEREFORE, BE IT RESOLVED:

- (a) That \$30 million of the estimated \$32.7 million of the one-time funding under Bill C-25, be invested in sidewalk and road repairs (minor maintenance);
- (b) That the funds be allocated equally amongst 15 wards (\$2m per ward); and,
- (c) That staff be directed to report back to the Audit, Finance and Administration Committee with a procurement process that expedites the use of the funds to limit exposure to rising (inflationary) prices.

**10. Amendments to the Outstanding Business List (Item 13.1)**

That the following amendments to the General Issues Committee's Outstanding Business List, be approved:

- (a) Items to be Referred to the Planning Committee (Item 13.1.c.):**
  - (i) Draft Agreement - Biodiversity Action Plan (Item 13.1.c.a.)
  - (ii) Update regarding the Progress of the Biodiversity Action Plan (Item 13.1.c.b.)
  - (iii) All other matters related to the Biodiversity Action Plan (Item 13.1.c.c.)

**11. Disposition of City-Owned Industrial Land (PED21135) (Ward 11) (Item 14.1)**

- (a) That an Offer to Purchase and Sale for the sale of a portion of City-owned Industrial Land, as identified in Appendix "A" attached to Report PED21135, scheduled to close 60 days after the fulfilment of all conditions, be approved and completed, substantially on terms and

conditions, outlined in Appendix “B” attached to Report PED21135, and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, with the net proceeds to be credited to Account No. 5160507001 (North Glanbrook Industrial Business Park Servicing);

- (b) That \$329,820 from the proceeds of the sale of the City-owned Industrial Land, as identified in Appendix “A” attached to Report PED21135, be charged to Project ID Account No. 59806-5160507001 (North Glanbrook Industrial Business Park Servicing) and credited to Dept. ID Account No. 59806-812036 for recovery of expenses including real estate, appraisal, property management and legal fees;
- (c) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the sale of the City-owned Industrial Land, as identified in Appendix “A” attached to Report PED21135, in a form satisfactory to the City Solicitor;
- (d) That the City Solicitor be authorized and directed to complete the sale of the City-owned Industrial Land, as identified in Appendix “A” attached to Report PED21135, 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 he considers reasonable; and,
- (e) That Report PED21135, respecting the Disposition of City-Owned Industrial Land, remain confidential and not be released as a public document until final completion of the real estate transaction.

**12. Surplus and Disposition of City-Owned Land in Ward 12 (PED21124) (Ward 12) (Item 14.2)**

- (a) That the City-owned land, as shown in Appendix “A” and described in Appendix “B” to attached to Report PED21124, be declared surplus for the purposes of disposition;
- (b) That an Offer to Purchase, for the sale of City-owned land, as shown in Appendix “A” and described in Appendix “B” attached to Report PED21124, substantially on terms and conditions, outlined in Appendix “B” attached to Report PED21124, and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, be approved;
- (c) That the General Manager, Planning and Economic Development Department, or designate, acting on behalf of the City as land owner, be

authorized and directed to provide any requisite consents, approvals and notices related to any applications for land use approval related to the sale of City-owned Lands, as shown in Appendix “A” attached to Report PED21124;

- (d) That staff be authorized and directed to transfer all net proceeds from the disposition of the City-owned Lands, as shown in Appendix “A” attached to Report PED21124, including \$37,500 for recovery of expenses including appraisal, due diligence, property management and real estate and legal fees, to Dept. ID Account No. 47702-3561850200 (Property Purchases and Sales) and \$37,500 be further allocated to Dept. ID Account No. 59806-812036 (Real Estate – Admin Recovery);
- (e) That the City Solicitor be authorized and directed to complete the sale of City-owned Lands, shown in Appendix “A” and described in Appendix “B” attached to Report PED21124, 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 considered reasonable;
- (f) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the sale of City-owned Lands, as shown in Appendix “A” attached to Report PED21124, in a form satisfactory to the City Solicitor; and,
- (g) That Report PED21124, respecting the Surplus and Disposition of City-Owned Land in Ward 12, remain confidential until final completion of the real estate transaction.

**13. Planning and Economic Development Realignments - Real Estate Section (PED21134) (City Wide) (Item 14.3)**

- (a) That the direction provided to staff in Closed Session, respecting Report PED21134 - Planning and Economic Development Realignments – Real Estate Section, be approved; and,
- (b) That Report PED21134, respecting the Planning and Economic Development Realignments – Real Estate Section, remain confidential until approved by Council

**14. Planning and Economic Development Realignments (PED21151) (City Wide) (Item 14.4)**

- (a) That the direction provided to staff in Closed Session, respecting Report PED21151 - Realignments in the Planning & Economic Development Department, be approved; and,
- (b) That Report PED21151, respecting Realignments in the Planning & Economic Development Department, remain confidential until approved by Council.

**15. Red Hill Valley Parkway Inquiry Update (LS19036(e)) (City Wide) (Item 14.5)**

- (a) That the direction provided to staff in Closed Session, respecting Report LS19036(e) - Red Hill Valley Parkway Inquiry Update, be approved; and,
- (b) That Confidential Appendix "A" attached to Report LS19036(e) - Red Hill Valley Parkway Inquiry Update, remain confidential.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**5. ADDED COMMUNICATION ITEM**

- 5.1. Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

Recommendation: Be received and referred to the consideration of Item 10.2.

**6. ADDED DELEGATION REQUESTS**

- 6.2. Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)

- 6.3. Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.4. Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
- 6.5. Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton
- 6.6. Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.7. Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
- 6.8. Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
- 6.9. Delegation Requests with Video Submissions:
  - 6.9.a. David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC)
  - 6.9.b. Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
  - 6.9.c. Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC)
  - 6.9.d. Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114,

Considerations to Implement a Vacant Home Tax in  
Hamilton (for the July 5, 2021 GIC)

**10. CHANGE TO DISCUSSION ITEMS**

- 10.8 Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m))  
(City Wide)

As a presentation has been added to this report, this matter will now be heard under Item 8.2, and the balance of the presentations will be renumbered accordingly.

**13. ADDED GENERAL INFORMATION / OTHER BUSINESS ITEMS**

- 13.1. Amendments to the Outstanding Business List:

13.1.c. Items to be Referred to the Planning Committee:

13.1.c.a. Draft Agreement - Biodiversity Action Plan

13.1.c.b. Update regarding the Progress of the Biodiversity Action Plan \*13.1.c.c. All other matters related to the Biodiversity Action Plan.

13.1.c.c. All other matters related to the Biodiversity Action Plan

**14. ADDED PRIVATE AND CONFIDENTIAL ITEMS**

- 14.4. Planning and Economic Development Realignments (PED21151)  
(City Wide)

Pursuant to Section 9.1, Sub-section (d) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (d) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to labour relations or employee negotiations.

- 14.5. Red Hill Valley Parkway Inquiry Update (LS19036(e)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021 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 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.

As well, as there are many members of the City's external legal counsel in attendance, therefore, Item 14.5 will be considered prior to Item 14.1 in Closed Session.

The agenda for the July 5, 2021 General Issues Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

- (i) Councillor S. Merulla declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (ii) Councillor S. Merulla declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (iii) Councillor S. Merulla declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (iv) Councillor S. Merulla declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (v) Councillor S. Merulla declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.

- (vi) Councillor S. Merulla declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (vii) Councillor S. Merulla declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (viii) Councillor S. Merulla declared an interest to Item 6.8, the Delegation Request from Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (ix) Councillor S. Merulla declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (x) Councillor S. Merulla declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (xi) Councillor S. Merulla declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as he and his wife are rental property landlords.
- (xii) Councillor S. Merulla declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.
- (xiii) Councillor S. Merulla declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as he and his wife are rental property landlords.
- (xiv) Councillor S. Merulla declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as he and his wife are rental property landlords.

- (xv) Councillor J. P. Danko declared an interest to Item 10.5 – School Board Properties Sub-Committee Report 21-002, June 22, 2021, as his wife is currently the Chair of the Hamilton-Wentworth District School Board.
- (xvi) Councillor A. VanderBeek declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xvii) Councillor A. VanderBeek declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xviii) Councillor A. VanderBeek declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xix) Councillor A. VanderBeek declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xx) Councillor A. VanderBeek declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxi) Councillor A. VanderBeek declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxii) Councillor A. VanderBeek declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxiii) Councillor A. VanderBeek declared an interest to Item 6.8, the Delegation Request from Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.

- (xxiv) Councillor A. VanderBeek declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxv) Councillor A. VanderBeek declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvi) Councillor A. VanderBeek declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvii) Councillor A. VanderBeek declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxviii) Councillor A. VanderBeek declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.
- (xxix) Councillor A. VanderBeek declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxx) Councillor M. Pearson declared an interest to Item 5.1, Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxi) Councillor M. Pearson declared an interest to Item 6.2, the Delegation Request from Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxii) Councillor M. Pearson declared an interest to Item 6.3, the Delegation Request from Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.

- (xxxiii) Councillor M. Pearson declared an interest to Item 6.4, the Delegation Request from Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxiv) Councillor M. Pearson declared an interest to Item 6.5, the Delegation Request from Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxv) Councillor M. Pearson declared an interest to Item 6.6, the Delegation Request from Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxxvi) Councillor M. Pearson declared an interest to Item 6.7, the Delegation Request from Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xxvii) Councillor M. Pearson declared an interest to Item 6.8, the Delegation Request from Kojo Dampitey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxviii) Councillor M. Pearson declared an interest to Item 6.9.a., the video Delegation Request from David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.
- (xxxix) Councillor M. Pearson declared an interest to Item to Item 6.9.b., the video Delegation Request from Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xl) Councillor M. Pearson declared an interest to Item to Item 6.9.c., the video Delegation Request from Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, as she is a rental property landlord.
- (xli) Councillor M. Pearson declared an interest to Item 6.9.d., the video Delegation Request from Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King

Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.

- (xlii) Councillor M. Pearson declared an interest to Item 10.1, Report PED21115, Hamilton Tax Increment Grant - 154 Main Street East, Hamilton, as she is a rental property landlord.
- (xliii) Councillor M. Pearson declared an interest to Item 10.4, Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, as she is a rental property landlord.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) June 16, 2021 (Item 4.1)**

The Minutes of the June 16, 2021 General Issues Committee meeting were approved, as presented.

**(d) COMMUNICATION ITEMS (Item 5)**

**(i) Correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, Hamilton (Item 5.1)**

The correspondence from the Hamilton ACORN Tenant Union respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, Hamilton, was received and referred to the consideration of Item 10.2.

For disposition of this matter, please refer to Information Item (h)(i).

**(e) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests were approved, as shown below:

- (i) Paven Bratch, Metro Partners Inc., respecting the proposed Downtown TechHub (For a future meeting) (Item 6.1)
- (ii) Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.2)

- (iii) Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.3)
- (iv) Karl Andrus, Hamilton Community Benefits Network respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.4)
- (v) Lynda Lukasik, Environment Hamilton respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.5)
- (vi) Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.6)
- (vii) Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.7)
- (viii) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.8)
- (ix) Video Submission - David Galvin, ACORN Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (For the July 5, 2021 GIC) (Item 6.9.a.)
- (x) Video Submission - Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.9.b.)
- (xi) Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (For the July 5, 2021 GIC) (Item 6.9.c.)
- (xii) Brigitte Huard respecting Items 10.2 - Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (for the July 5, 2021 GIC) (Item 6.9.d.)

For disposition of these matters, please refer to Information Items (h)(i) and (h)(ii).

**(f) CONSENT ITEMS (Item 7)**

**(i) Business Improvement Area (BIA) Advisory Committee Minutes 21-005, May 11, 2021 (Item 7.1)**

The Business Improvement Area (BIA) Advisory Committee Minutes 21-005, May 11, 2021, were received.

**(g) PRESENTATIONS (Item 8)**

**(i) COVID-19 Verbal Update (Item 8.1)**

Paul Johnson, General Manager, Healthy & Safe Communities Department; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the update regarding COVID-19.

The presentation, respecting the COVID-19 Verbal Update, was received.

**(ii) Chedoke Creek Order - Cootes Paradise Workplan (PW19008(m)) (City Wide) (Item 8.2)**

Andrew Grice, Director of Hamilton Water, provided the presentation respecting Report PW190089(m) - Chedoke Creek Order - Cootes Paradise Workplan.

The presentation, respecting Report PW190089(m) - Chedoke Creek Order - Cootes Paradise Workplan, was received.

For disposition of this matter, please refer to Item 2.

**(iii) City Manager's 2020-2021 Review (CM21006) (City Wide) (Item 8.3)**

Janette Smith, City Manager, provided a presentation respecting the City Manager's 2020-2021 Review.

The presentation, respecting the City Manager's 2020-2021 Review, was received.

For disposition of this matter, please refer to Item 3.

**(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

**(i) Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.1)**

Darlene Wesley, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

The presentation, provided by Darlene Wesley, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was received.

For disposition of this matter, please refer to Information Item (h)(i).

**(ii) Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.2)**

Elizabeth Ellis, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

The presentation provided by Elizabeth Ellis, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was received.

For disposition of this matter, please refer to Information Item (h)(i).

**(iii) Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.3)**

Karl Andrus, Hamilton Community Benefits Network, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

The presentation provided by Karl Andrus, Hamilton Community Benefits Network, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was received.

For disposition of this matter, please refer to Item (h)(ii).

**(iv) Lynda Lukasik, Environment Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.4)**

Lynda Lukasik, Environment Hamilton, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

The presentation provided by Lynda Lukasik, Environment Hamilton, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was received.

For disposition of this matter, please refer to Information Item (h)(ii).

**(v) Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.5)**

Veronica Gonzalez, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

The presentation provided by Veronica Gonzalez, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was received.

For disposition of this matter, please refer to Information Item (h)(i).

**(vi) Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.6)**

Dayna Sparkes, ACORN Hamilton, addressed Committee respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East.

The presentation provided by Dayna Sparkes, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was received.

For disposition of this matter, please refer to Information Item (h)(i).

**(vii) Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.7)**

Kojo Dampthey, Hamilton Centre for Civic Inclusion, addressed Committee respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton.

The presentation provided by Kojo Dampthey, Hamilton Centre for Civic Inclusion, respecting Item 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was received.

For disposition of this matter, please refer to Information Item (h)(ii).

**(viii) David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.8.a.)**

The video presentation provided by David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was presented to Committee.

The video presentation provided by David Galvin, ACORN Hamilton, respecting Item 10.4 – Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was received.

For disposition of this matter, please refer to Information Item (h)(ii).

**(ix) Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.8.b)**

The video presentation provided by Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was presented to Committee.

The video presentation provided by Rebecca Guzzo, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was received.

For disposition of this matter, please refer to Information Item (h)(i).

- (x) **Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East (Item 9.8.c.)**

The video presentation provided by Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was shown for Committee.

The video presentation provided by Ally Shanner, ACORN Hamilton, respecting Item 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East, was received.

For disposition of this matter, please refer to Information Item (h)(i).

- (xi) **Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton (Item 9.8.d.)**

The video presentation provided by Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was presented to Committee.

The video presentation provided by Brigitte Huard respecting Items 10.2 – Report PED21140, Vacant Homes Tax and Grant Application for 540 King Street East; and, 10.4 - Report FCS21017(a)/PED21114, Considerations to Implement a Vacant Home Tax in Hamilton, was received.

For disposition of this matter, please refer to Information Items (h)(i) and (h)(ii).

**(h) DISCUSSION ITEMS (Item 10)**

- (i) **Hamilton Tax Increment Grant - 540 King Street East, Hamilton (PED21140) (Ward 3) (Item 10.2)**

Report PED21140, respecting the Hamilton Tax Increment Grant - 540 King Street East, Hamilton, was referred back to staff to meet with ACORN Hamilton and the applicant, as well as to provide a legal analysis, and policy revisions to address any potential loopholes of this program, which may result in displacement of tenants and report back to the General Issues Committee.

The General Issues Committee recessed for 30 minutes until 1:30 p.m.

**(ii) Considerations to Implement a Vacant Home Tax in Hamilton (FCS21017(a) / PED21114) (City Wide) (Item 10.4)**

Staff was directed to report back to the General Issues Committee with a draft by-law, guidelines and framework for a Vacant Homes and Residential Units Tax program for public consultation and consideration.

**(i) NOTICES OF MOTION (Item 12)**

**(i) Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds (Item 12.1)**

The Rules of Order were waived to allow for the introduction of a Motion respecting Investing in City Roads and Sidewalks Infrastructure with Canada Community-Building Funds.

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

**(j) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(a) Amendments to the Outstanding Business List (Item 13.1)**

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

**(1) Proposed New Due Dates (Item 13.1.a.):**

**(aa) CityLAB Pilot Update (Item 13.1.a.a.)**

Current Due Date: July 5, 2021

Proposed New Due Date: September 8, 2021

**(bb) Communications Strategy to assist in ensuring residents on the Municipal Elections Voters List (Item 13.1.a.b.)**

Current Due Date: July 5, 2021

Proposed New Due Date: August 9, 2021

**(cc) Election Expense Reserve Needs related to consideration of Internet Voting for the 2026 Municipal Election (Item 13.1.a.c.)**

Current Due Date: July 5, 2021

Proposed New Due Date: August 9, 2021

- (2) Items to be Removed (Item 13.1.b.):
  - (aa) Downtown Entertainment Precinct Master Agreement (Item 13.1.b.a.) (Addressed as Item 14.2 at the June 2, 2021 GIC - Report PED18168(g))
  - (bb) Downtown Entertainment Precinct Master Agreement (Item 13.1.b.b.) (Addressed as Item 14.2 at the June 2, 2021 GIC - Report PED18168(g))

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

**(k) PRIVATE & CONFIDENTIAL (Item 14)**

Committee moved into Closed Session to discuss Items 14.1 to 14.6, pursuant to Section 9.1, Sub-sections (c), (d), (e), (f) and (k) of the City's Procedural By-law 21-021; and, Section 239(2), Sub-sections (c), (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land by the municipality or local board; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**(i) City Manager's 2020 – 2021 Review (Item 14.6)**

There was nothing to report in Open Session respecting this matter.

For further disposition of this matter, please refer to Item 3.

**(l) ADJOURNMENT (Item 14)**

There being no further business, the General Issues Committee be adjourned at 4:28 p.m.

Respectfully submitted,

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Sam Merulla, Deputy Mayor  
Chair, General Issues Committee

Stephanie Paparella  
Legislative Coordinator,  
Office of the City Clerk

CITY OF HAMILTON						
CAPITAL PROJECT CLOSINGS						
AS OF DECEMBER 31, 2020						
Projects impacting the Unallocated Capital Levy Reserve and Other Sources						
Year Approved	ProjectID	Description	Surplus/ (Deficit) (\$)	Reserve	Description	
<u>Projects requiring funds</u>						
2015	7101557502	CLASS Software Upgrades	(57.94)	108020	Unalloc Capital Levy	
2016	3541641013	Firestations Facility Upgrade	(1,887.00)	108020	Unalloc Capital Levy	
2016	3541641402	MTC - CNG Facility Upgrades	(33,804.19)	108020	Unalloc Capital Levy	
2018	3541841013	Firestations Facility Upgrade	(299.61)	108020	Unalloc Capital Levy	
2018	7101841706	Program - Recreation Centre Retrofits	(261.98)	108020	Unalloc Capital Levy	
			<b>(36,310.72)</b>			
<u>Projects returning funds</u>						
2012	4031218225	Bridge 391 - Governor's Rd, 275m w/o Weir Rd	147,236.51	108020	Unalloc Capital Levy	
2016	3541641010	Facility Upgrades Libraries	472.80	108020	Unalloc Capital Levy	
2016	3541641412	Roof Management Program	891.02	108020	Unalloc Capital Levy	
2016	4401656605	Upper Stoney Creek Splash Pad #2	23,729.56	108020	Unalloc Capital Levy	
2017	2051759701	HR Self Service Enhancements	2,213.51	108020	Unalloc Capital Levy	
2017	3541741412	Program - Roof Management	878.57	108020	Unalloc Capital Levy	
2017	3541741604	Binbrook Town Hall Skylights	2,260.64	108020	Unalloc Capital Levy	
2017	3541741605	HAMILTON Sign	4,699.31	108020	Unalloc Capital Levy	
2017	7101754705	Turner Park Washroom	12,630.91	108020	Unalloc Capital Levy	
2018	3541841010	Facility Upgrades Libraries	867.04	108020	Unalloc Capital Levy	
2018	3541841412	Roof Management	591.63	108020	Unalloc Capital Levy	
2018	4041811351	Roads - Alleyway Rehabilitation - 2018	9,397.74	108020	Unalloc Capital Levy	
2019	4031918433	Bridge 433 - Westbrook Road, 135m n/o Regional Rd 9A	722.76	108020	Unalloc Capital Levy	
2019	4031919118	Roxborough - Kenilworth to Strathearne (Homeside Neighbourhood)	367.50	108020	Unalloc Capital Levy	
2019	4031955962	Road Network Pavement Inspection	301.72	108020	Unalloc Capital Levy	
2019	4031980941	New Signal - Dundas @ Pamela	3,260.34	108020	Unalloc Capital Levy	
2019	4031980942	New Signal - Dundas @ Mallard	3,685.15	108020	Unalloc Capital Levy	
2019	4401956921	Johnon Tew Planting	430.60	108020	Unalloc Capital Levy	
2020	5122094920	Env Services LegComplianceProg	43,110.62	108020	Unalloc Capital Levy	
			<b>257,747.93</b>			
<b>Net impact to the Unallocated Capital Levy Reserve</b>			<b>221,437.21</b>			
<u>Projects requiring funds</u>						
2019	5141961341	Pineland-Teal-Community etc	(2,255.07)	5169309324	Unalloc Current Funds-Sanitary	
2019	5141971303	Brampton - Parkdale to Strathearne	(426.03)	5169309324	Unalloc Current Funds-Sanitary	
2020	5142060072	Structural WM Lining Program - 2020	(22,160.68)	5169309324	Unalloc Current Funds-Sanitary	
2020	5142061302	Barton Locke to Caroline	(4,094.09)	5169309324	Unalloc Current Funds-Sanitary	
2020	5142070018	Roxborough - Stratherne to Kenilworth - Road Restoration	(68,128.30)	5169309324	Unalloc Current Funds-Sanitary	
<b>Net impact to Other Reserves</b>			<b>(97,064.17)</b>			
<b>Total Net impact to the Unallocated Capital Levy Reserve &amp; Other Reserves</b>			<b>124,373.04</b>			

**CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2020**

YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a
<b>UNALLOCATED CAPITAL LEVY RESERVE</b>							
2012	4031218225	Bridge 391 - Governor's Rd, 275m w/o Weir Rd	1,744,000.00	1,889,000.00	1,741,763.49	147,236.51	99.9%
2015	7101557502	CLASS Software Upgrades	260,380.00	260,384.42	260,442.36	(57.94)	100.0%
2016	3541641010	Facility Upgrades Libraries	241,295.52	242,070.81	241,598.01	472.80	100.1%
2016	3541641013	Firestations Facility Upgrade	349,121.00	349,128.06	351,015.06	(1,887.00)	100.5%
2016	3541641402	MTC - CNG Facility Upgrades	1,309,000.00	1,309,000.00	1,342,804.19	(33,804.19)	102.6%
2016	3541641412	Roof Management Program	818,117.23	818,117.23	817,226.21	891.02	99.9%
2016	4401656605	Upper Stoney Creek Splash Pad #2	836,510.00	836,500.00	812,770.44	23,729.56	97.2%
2017	2051759701	HR Self Service Enhancements	250,000.00	250,000.00	247,786.49	2,213.51	99.1%
2017	3541741412	Program - Roof Management	573,800.00	573,812.34	572,933.77	878.57	99.8%
2017	3541741604	Binbrook Town Hall Skylights	250,000.00	250,000.00	247,739.36	2,260.64	99.1%
2017	3541741605	HAMILTON Sign	0.00	300,000.00	295,300.69	4,699.31	0.0%
2017	7101754705	Turner Park Washroom	355,927.78	655,874.97	643,244.06	12,630.91	180.7%
2018	3541841010	Facility Upgrades Libraries	15,000.00	15,000.00	14,132.96	867.04	94.2%
2018	3541841013	Firestations Facility Upgrade	116,476.62	116,476.62	116,776.23	(299.61)	100.3%
2018	3541841412	Roof Management	654,000.00	654,000.00	653,408.37	591.63	99.9%
2018	4041811351	Roads - Alleyway Rehabilitation - 2018	19,000.00	19,000.00	9,602.26	9,397.74	50.5%
2018	7101841706	Program - Recreation Centre Retrofits	173,976.61	173,976.61	174,238.59	(261.98)	100.2%
2019	4031918433	Bridge 433 - Westbrook Road, 135m n/o Regional Rd 9A	5,000.00	5,000.00	4,277.24	722.76	85.5%
2019	4031919118	Roxborough - Kenilworth to Strathearne (Homeside Neighbourhood)	1,147,000.00	1,096,726.49	1,096,358.99	367.50	95.6%
2019	4031955962	Road Network Pavement Inspection	307,000.00	307,000.00	306,698.28	301.72	99.9%
2019	4031980941	New Signal - Dundas @ Pamela	160,000.00	58,053.68	54,793.34	3,260.34	34.2%
2019	4031980942	New Signal - Dundas @ Mallard	175,000.00	69,982.22	66,297.07	3,685.15	37.9%
2019	4401956921	Johnon Tew Planting	9,581.57	9,581.57	9,150.97	430.60	95.5%
2020	5122094920	Env Services LegComplianceProg	185,000.00	185,000.00	141,889.38	43,110.62	76.7%
<b>TOTAL FUNDS TO UNALLOCATED CAPITAL LEVY (24)</b>			<b>9,955,186.33</b>	<b>10,443,685.02</b>	<b>10,222,247.81</b>	<b>221,437.21</b>	<b>102.7%</b>
<b>OTHER PROGRAM SPECIFIC RESERVES</b>							
2019	5141961341	Pineland-Teal-Community etc	20,000.00	20,000.00	22,255.07	(2,255.07)	111.3%
2019	5141971303	Brampton - Parkdale to Strathearne	928,000.00	928,000.00	928,426.03	(426.03)	100.0%
2020	5142060072	Structural WM Lining Program - 2020	5,505,000.00	5,505,000.00	5,527,160.68	(22,160.68)	100.4%
2020	5142061302	Barton Locke to Caroline	0.00	0.00	4,094.09	(4,094.09)	0.0%
2020	5142070018	Roxborough - Stratherne to Kenilworth - Road Restoration	700,000.00	700,000.00	768,128.30	(68,128.30)	109.7%
<b>TOTAL FUNDS FROM PROGRAM SPECIFIC RESERVES (5)</b>			<b>7,153,000.00</b>	<b>7,153,000.00</b>	<b>7,250,064.17</b>	<b>(97,064.17)</b>	<b>101.4%</b>
<b>DELAYED/CANCELLED PROJECTS</b>							
2013	4241309206	Jamesville Rec Space FS	30,000.00	0.00	0.00	0.00	0.0%
2015	4241509122	A/R - Speed Limit - Victoria Park (Ward 1)	20,000.00	0.00	0.00	0.00	0.0%
2016	4241609201	Elgin Alleyway Project	20,000.00	0.00	0.00	0.00	0.0%
2017	4031711777	Pavement Degradation Funds	0.00	0.00	0.00	0.00	0.0%
2017	4241709112	Dundurn Park Beautification	160,000.00	0.00	0.00	0.00	0.0%
2018	5161869075	Environmental Lab Improvements - 2018	0.00	0.00	0.00	0.00	0.0%
2018	5181860999	Closed Projects - Storm	0.00	0.00	0.00	0.00	0.0%
2018	6301851803	ML&WL - Circulation Pumps	0.00	0.00	0.00	0.00	0.0%
2019	3541951900	Generator Compliance Test & Upgrade	0.00	0.00	0.00	0.00	0.0%
2019	4031911029	LRT York - Caroline to Dundurn & Cannon - James to York	1,190,000.00	0.00	0.00	0.00	0.0%
2019	4241909226	A/R - Marion Trucker St Sign (Ward 2)	700.00	0.00	0.00	0.00	0.0%
2019	4241909229	A/R - Temp Cannon Lane Restriction	15,000.00	0.00	0.00	0.00	0.0%
2019	4241909304	Rosemount Ladder Crosswalk	1,500.00	0.00	0.00	0.00	0.0%
2019	4661920522	Traffic Engineering - Signal Design - 2019	0.00	0.00	0.00	0.00	0.0%
2019	4661920924	New Traffic Signal - Hughson at Hunter	0.00	0.00	0.00	0.00	0.0%

**CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2020**

YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a
2019	5141969075	Environmental Lab Improvements - 2019	0.00	0.00	0.00	0.00	0.0%
2019	5161969075	Environmental Lab Improvements - 2019	0.00	0.00	0.00	0.00	0.0%
2019	5181974951	Shoreline Protection Program	0.00	0.00	0.00	0.00	0.0%
2020	3542051001	Mechanical Lifecycle Renewal	0.00	0.00	0.00	0.00	0.0%
2020	3722041805	HCC FOCH&FOC LifecycleRenewal	0.00	0.00	0.00	0.00	0.0%
2020	4032011013	LRT Sherman-King to south end	490,000.00	0.00	0.00	0.00	0.0%
2020	4032011014	LRT Wentworth - Wilson to King	120,000.00	0.00	0.00	0.00	0.0%
2020	4032011015	LRT Main-Delena to Normanhurst	850,000.00	0.00	0.00	0.00	0.0%
2020	4241609802	Asphalt & Culvert - Gourley Park	20,000.00	0.00	0.00	0.00	0.0%
2020	4412010555	2020 Chargebacks - W Harbour	0.00	0.00	0.00	0.00	0.0%
<b>TOTAL DELAYED/CANCELLED PROJECTS (25)</b>			<b>2,917,200.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>COMPLETED PROJECTS</b>							
<b>CORPORATE PROJECTS DEPARTMENT (Tax Budget)</b>							
<b>Councillor Infrastructure Program</b>							
2016	4241609504	Buy 15m by 10m Street Stadia	30,000.00	28,164.24	28,164.24	0.00	93.9%
2016	4241609509	555 Queenston Floor	200,000.00	189,085.36	189,085.36	0.00	94.5%
2016	4241609808	Stonechurch Parking	45,500.00	7,284.37	7,284.37	0.00	16.0%
2017	4241709802	AR - San Francisco / San Pedro / Goulding (W8 A/R)	1,300,000.00	1,085,849.43	1,085,849.43	0.00	83.5%
2018	4241809214	Jone Street Bike Lane	60,000.00	54,603.80	54,603.80	0.00	91.0%
2018	4241809402	AR - Barnaby Corbett etc (W4 A/R)	860,000.00	723,430.48	723,430.48	0.00	84.1%
2019	4241909225	2 Bollards Main John	6,000.00	5,652.77	5,652.77	0.00	94.2%
2019	4241909302	Two School Flashing Lights	90,000.00	11,255.21	11,255.21	0.00	12.5%
2020	4242009202	A/R - Sidewalk repairs (Ward 2)	30,000.00	30,000.00	30,000.00	0.00	100.0%
2020	4242009204	Regional Indian Centre	35,000.00	34,903.75	34,903.75	0.00	99.7%
2020	4242009207	Retaining Wall - Patrick St	15,000.00	12,191.89	12,191.89	0.00	81.3%
2020	4242009501	A/R - Sidewalk & rolled curb (Ward 5)	40,000.00	40,000.00	40,000.00	0.00	100.0%
2020	4242009602	AR - Trenholme - Solomon (Ward 6)	1,440,000.00	804,973.09	804,973.09	0.00	55.9%
2020	4242009801	A/R - Sidewalk & rolled curb repair (Ward 8)	136,000.00	68,000.00	68,000.00	0.00	50.0%
2020	4242009803	A/R - Sidewalk & Minor Road Repair (Ward 8)	375,000.00	375,000.00	375,000.00	0.00	100.0%
2020	4242010555	2020 Chargebacks - Area Rating	0.00	572,693.88	572,693.88	0.00	0.0%
<b>OUTSIDE BOARDS AND AGENCIES (Tax Budget)</b>							
<b>City Housing</b>							
2014	6731441401	Parking Structure-30 Sanford S	1,142,000.00	1,142,000.00	1,142,000.00	0.00	100.0%
2019	4241909202	Vanier Tower Kitchen Project	150,000.00	149,967.85	149,967.85	0.00	100.0%
2019	4241909218	226 Rebecca Gazebo	5,450.00	4,909.92	4,909.92	0.00	90.1%
2019	4241909801	45 Montcalm Fencing	3,150.00	2,900.16	2,900.16	0.00	92.1%
<b>Healthy &amp; Safe Communities (Tax Budget)</b>							
<b>Lodges Program</b>							
2018	6301851003	WL - Bed Replacement	135,137.40	260,143.80	260,143.80	0.00	192.5%
2019	6301951002	ML & WL Resident Care Equip	84,674.78	84,674.78	84,674.78	0.00	100.0%
2020	6302051002	ML & WL Resident Care Equip	58,569.26	58,569.26	58,569.26	0.00	100.0%

CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2020

Appendix "B" to Item 5(a)(ii) of GIC Report 21-014  
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YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a
<b>Social Housing Program</b>							
2015	6731541504	IAH Extension - Admin	1,522,875.00	1,522,875.00	1,522,875.00	0.00	100.0%
2016	6731641302	Social Housing Capital Repairs	1,523,079.02	1,523,079.02	1,523,079.02	0.00	100.0%
2016	6731641602	SIF-IAH Administration	752,610.00	752,610.00	752,610.00	0.00	100.0%
2016	6731641607	SIF-SHIP Administration	279,870.00	279,870.00	279,870.00	0.00	100.0%
<b>Planning &amp; Development (Tax Budget)</b>							
<b>Growth Management Division</b>							
2019	3621904901	Airport Consultant Fees	407,171.03	407,171.03	407,171.03	0.00	100.0%
<b>Parking Operations Division</b>							
2016	4041655601	Everyone Rides Initiative Pilot Project	524,945.00	523,613.31	523,613.31	0.00	99.7%
<b>Tourism, Cultural Services &amp; Public Art Programs</b>							
2017	7101741702	Auchmar Rehab Garden Wall-Can150	879,914.61	880,112.60	880,112.60	0.00	100.0%
2017	7201758705	Steam Museum Landscape	54,620.00	54,620.00	54,620.00	0.00	100.0%
<b>Public Works (Tax Budget)</b>							
<b>Roads Division</b>							
2014	4031420622	North End Traffic Mgmt Plan	1,230,724.74	1,230,724.74	1,230,724.74	0.00	100.0%
2017	4031717241	Fencing/Sound Barrier Rehab/Replace within Road Allowance - 2017	145,000.00	145,000.00	145,000.00	0.00	100.0%
2017	4031755522	State of the Infrastructure - Asset Management - 2017	225,000.00	225,000.00	225,000.00	0.00	100.0%
2018	4031817241	Fencing/Sound Barrier Rehab/Replace within Road Allowance - 2018	90,000.00	90,000.00	90,000.00	0.00	100.0%
2019	4031917241	Fencing/Sound Barrier Rehab/Replace within Road Allowance - 2019	55,000.00	55,000.00	55,000.00	0.00	100.0%
2019	4031941762	Yard Facility Maintenance & Improvement Program - 2019	150,000.00	150,000.00	150,000.00	0.00	100.0%
2019	4031955556	Mapping Update - 2019	2,000.00	2,000.00	2,000.00	0.00	100.0%
2019	4661915820	Traffic Counts Program - 2019	120,000.00	120,000.00	120,000.00	0.00	100.0%
2020	4032011030	Asset Preservation (Homeside)	1,230,000.00	1,129,523.18	1,129,523.18	0.00	91.8%
2020	4032019104	Hwy 8 - Woodley Recon	1,320,000.00	1,044,312.91	1,044,312.91	0.00	79.1%
<b>Waste Management Division</b>							
2017	5121795525	SWMMP - Planning & Approvals Program	120,000.00	99,071.27	99,071.27	0.00	82.6%
<b>Fleet Division</b>							
2017	4941751001	Shop Equipment Replacement	100,000.00	89,821.87	89,821.87	0.00	89.8%
2018	4941851001	Shop Equipment Replacement	102,000.00	74,720.99	74,720.99	0.00	73.3%
2019	4941951004	Street Sweeper Purchase	728,500.00	728,500.00	728,500.00	0.00	100.0%
<b>Energy Initiatives Division</b>							
2016	7901641604	Aquatic Centres Ext LED Light	106,000.00	96,655.14	96,655.14	0.00	91.2%
2019	7901941900	Traffic Operations Centre - LED lighting Upgrade	60,000.00	32,052.29	32,052.29	0.00	53.4%
2019	7901941901	Wentworth Ops Ctr-LED Upgrade	30,000.00	22,058.60	22,058.60	0.00	73.5%
2019	7901941902	Lister Blk-LED Lighting Upgrade	125,000.00	50,080.87	50,080.87	0.00	40.1%
2019	7901949000	Solar Wall-Pinky Lewis RecCtr	117,000.00	20,010.98	20,010.98	0.00	17.1%

**CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2020**

YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a
<b>Forestry &amp; Horticulture Division</b>							
2016	4241909407	W4 Traffic Isld Beautification	55,650.00	26,406.47	26,406.47	0.00	47.5%
2017	4241609507	Tree Planting Ward 5	400,000.00	400,000.00	400,000.00	0.00	100.0%
2019	3301709200	Ward 2 Capital Reinvestment	100,000.00	65,041.72	65,041.72	0.00	65.0%
2019	4241909209	Beasley and Central Trees	75,000.00	37,500.00	37,500.00	0.00	50.0%
2019	4241909901	Valley Park Beautification	4,185.00	2,582.93	2,582.93	0.00	61.7%
<b>Facilities Division</b>							
2013	7101354105	Park & Fieldhouse Retrofits	992,835.00	1,212,248.93	1,212,248.93	0.00	122.1%
2016	3541641409	Code & Legislative Compliance	611,721.46	611,721.46	611,721.46	0.00	100.0%
2016	3541641601	Animal Control Facility Design	70,420.95	70,420.95	70,420.95	0.00	100.0%
2017	3721741805	HCC HP & FOC Lifecycle Renewal	802,799.20	802,799.20	802,799.20	0.00	100.0%
2017	7101754703	Senior Centre Retrofits	27,698.15	22,833.02	22,833.02	0.00	82.4%
2017	7101754709	Wolverton Parkland Imprv&Demo	160,000.00	107,334.91	107,334.91	0.00	67.1%
2018	3541841532	Facility Capital Maintenance	357,448.14	357,448.14	357,448.14	0.00	100.0%
2018	3541841801	Rymal Yard Building Repairs	300,000.00	308,421.20	308,421.20	0.00	102.8%
2018	3541841910	Stoney Creek City Hall -RCMP	316,001.06	316,001.06	316,001.06	0.00	100.0%
2018	3541855001	Yard Capital Renewal	110,481.02	110,481.02	110,481.02	0.00	100.0%
2018	3541855101	Recreation Facilities Audit Program	100,728.03	100,728.03	100,728.03	0.00	100.0%
2018	3721841805	HCC FOCH&FOC LifecycleRenewal	283,433.83	283,433.83	283,433.83	0.00	100.0%
2018	7101845801	Waterdown Mem Pk Parking Lot	680,000.00	704,666.20	704,666.20	0.00	103.6%
2018	7101854703	Senior Centre Retrofits	16,973.89	21,802.05	21,802.05	0.00	128.4%
2020	3542041009	Compliance Remediation	186,926.04	186,926.04	186,926.04	0.00	100.0%
2020	3542041013	Firestations Facility Upgrade	45,979.85	45,979.85	45,979.85	0.00	100.0%
2020	3542055100	Facilities Audit Program	47,101.51	47,101.51	47,101.51	0.00	100.0%
<b>Parks Division</b>							
2015	4401549002	Marina Pier & Dock Repair - Replc	252,100.00	244,852.57	244,852.57	0.00	97.1%
2018	4401849102	Waterfront (Bayfront) Trail	438,745.40	438,745.40	438,745.40	0.00	100.0%
2020	4242009403	Bartonville Cemetery Fencing	0.00	63,081.15	63,081.15	0.00	0.0%
<b>Public Works (Rate Budget)</b>							
<b>Waterworks Regular Program</b>							
2016	5141660999	Closed Projects - Water	76,000.00	76,000.00	76,000.00	0.00	100.0%
2016	5141670000	Coordinated Road and Subsurface Works - 2016	2,938,000.00	2,927,692.62	2,927,692.62	0.00	99.6%
2017	5141757626	Critical WM Inspection Program - 2017	330,000.00	196,913.92	196,913.92	0.00	59.7%
2018	5141811101	Road Restoration Program - 2018	3,100,000.00	3,100,000.00	3,100,000.00	0.00	100.0%
2018	5141855851	Water Efficiency Plan - 2018	161,000.00	186,623.53	186,623.53	0.00	115.9%
2018	5141857626	Critical WM Inspection Program - 2018	290,000.00	326,085.56	326,085.56	0.00	112.4%
2018	5141861300	Wm Replacement Program - 2018	182,000.00	178,407.46	178,407.46	0.00	98.0%
2018	5141869075	Environmental Lab Improvements - 2018	145,000.00	145,000.00	145,000.00	0.00	100.0%
2019	5141955556	Mapping Update - 2019	5,000.00	5,000.00	5,000.00	0.00	100.0%
2019	5141961502	Water Meter - Installation /Replace/Repair - General Mtnc - 2019	2,390,000.00	2,390,000.00	2,390,000.00	0.00	100.0%
2019	5141970008	Hewitson - Dupont to Barton	230,000.00	196,790.81	196,790.81	0.00	85.6%
2019	5141971074	Contingency for Unscheduled Works Program - 2019	237,139.78	237,139.78	237,139.78	0.00	100.0%
2019	5141971306	Ferguson -Simcoe to Burlington	440,000.00	435,850.60	435,850.60	0.00	99.1%

CITY OF HAMILTON  
CAPITAL PROJECTS' CLOSING SCHEDULE  
AS OF DECEMBER 31, 2020

Appendix "B" to Item 5(a)(ii) of GIC Report 21-014  
Page 5 of 5

YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a
2019	5141971308	Hewitson - Dupont to Barton	242,000.00	208,402.61	208,402.61	0.00	86.1%
2020	5142071318	Roxborough - Stratherne to Kenilworth - wm Replacement	770,000.00	656,957.79	656,957.79	0.00	85.3%
<b>Wastewater Regular Program</b>							
2013	5161395358	Binbrook (Hwy 56) Forcemain & Twinning - (WW-21)	27,190,000.00	21,831,513.54	21,831,513.54	0.00	80.3%
2015	5161555077	Zoom Camera Inspection - Data Component	760,000.00	715,029.01	715,029.01	0.00	94.1%
2015	5161560999	Closed Projects - WasteWater	29,000.00	20,091.70	20,091.70	0.00	69.3%
2016	5161669075	Environmental Lab Improvements - 2016	225,000.00	221,316.60	221,316.60	0.00	98.4%
2017	5161760302	Emergency Repairs - Cross Connections - 2017	560,000.00	560,000.00	560,000.00	0.00	100.0%
2017	5161768240	Western Interceptor Sewer CCTV and Sonar Inspection	2,060,000.00	976,340.85	976,340.85	0.00	47.4%
2017	5161769075	Environmental Lab Improvements - 2017	240,000.00	239,614.76	239,614.76	0.00	99.8%
2018	5161855878	Forcemain Condition Assessment Program - 2018	177,000.00	177,000.00	177,000.00	0.00	100.0%
2019	5161949555	QA-QC Service Contract 2019	220,000.00	220,000.00	220,000.00	0.00	100.0%
2019	5161955556	Mapping Update - 2019	24,000.00	24,000.00	24,000.00	0.00	100.0%
2019	5161955878	Forcemain Condition Assessment Program - 2019	51,000.00	51,000.00	51,000.00	0.00	100.0%
2019	5161960390	Wastewater System Lining Program - 2019	4,100,000.00	4,100,000.00	4,100,000.00	0.00	100.0%
2019	5161960575	Mainline Sewer Condition Assessment Program - 2019	790,000.00	790,000.00	790,000.00	0.00	100.0%
2019	5161961740	Unscheduled Manhole & Sewermain - 2019	290,000.00	290,000.00	290,000.00	0.00	100.0%
<b>Storm Sewers Regular Program</b>							
2014	5181460452	Shoreline Protection Program	286,836.02	286,836.02	286,836.02	0.00	100.0%
2015	5181560999	Closed Projects - Storm	48,000.00	47,591.73	47,591.73	0.00	99.1%
2018	5181872074	Contingency for Unscheduled Works Program - 2018	13,000.00	13,000.00	13,000.00	0.00	100.0%
2019	5181949555	QA-QC Service Contract 2019	84,000.00	84,000.00	84,000.00	0.00	100.0%
2019	5181955556	Mapping Update - 2019	23,000.00	23,000.00	23,000.00	0.00	100.0%
2019	5181960533	Trenchless Manhole Rehabilitation - 2019	10,000.00	9,066.58	9,066.58	0.00	90.7%
2020	5182070001	Hwy 8 - Woodley - Road Restoration	620,000.00	611,354.37	611,354.37	0.00	98.6%
2020	5182072092	Cedar Fern Braeheid	100,000.00	96,412.04	96,412.04	0.00	96.4%
<b>TOTAL COMPLETED PROJECTS (112)</b>			<b>74,115,995.17</b>	<b>66,337,327.36</b>	<b>66,337,327.36</b>	<b>0.00</b>	<b>89.5%</b>
<b>GRAND TOTAL COMPLETED/CANCELLED PROJECTS (166)</b>			<b>94,141,381.50</b>	<b>83,934,012.38</b>	<b>83,809,639.34</b>	<b>124,373.04</b>	<b>89.0%</b>

CITY OF HAMILTON  
CAPITAL PROJECTS BUDGET APPROPRIATIONS OF \$250,000 OR GREATER AND CAPITAL PROJECT RESERVE FUNDING  
FOR THE PERIOD COVERING OCTOBER 1, 2020 TO DECEMBER 31, 2020

Appropriated/ Transferred From	Description	Appropriated/ Transferred To	Description	Amount (\$)	Council Approval / Comments	Comments
<b>Corporate Projects Department</b>						
<i>Councillor Infrastructure Program</i>						
58600-108051	Ward 1 Area Rating Reserve	4242109104	Traffic Calming Ward 1	\$ 60,000.00		Motion for this project was approved at PWC May 17, 2021 and Council May 26, 2021. Funding source was incorrectly identified as coming from the Ward 1 capital reinvestment discretionary account. Funding from a new source is required.
58600-108051	Ward 1 Area Rating Reserve	4242109105	Bumpouts Sanders & Hollywood	\$ 40,000.00		Motion for this project was approved at PWC May 17, 2021 and Council May 26, 2021. Funding source was incorrectly identified as coming from the Ward 1 capital reinvestment discretionary account. Funding from a new source is required.
58600-108051	Ward 1 Area Rating Reserve	4242109106	Raised Intersection King & Haddon	\$ 150,000.00		Motion for this project was approved at PWC May 17, 2021 and Council May 26, 2021. Funding source was incorrectly identified as coming from the Ward 1 capital reinvestment discretionary account. Funding from a new source is required.
<b>Corporate Projects Department Total</b>				<b>\$ 250,000.00</b>		
<b>Healthy &amp; Safe Communities</b>						
<i>Social Housing Program</i>						
6731941013	COCHI Transitional Ops YR2	6731941011	COCHI Repairs YR2	\$ 330,000.00		Underspending in transitional ops. Received Ministry approval to transfer the budget to Repairs to ensure Ministry funds are disbursed by the stipulated timelines.
6731941012	COCHI Rent Supplement YR2	6731941011	COCHI Repairs YR2	\$ 718,922.00		Underspending in rent supplements. Received Ministry approval to transfer the budget to Repairs to ensure Ministry funds are disbursed by the stipulated timelines.
6731941022	OPHI - Ontario Renovates - YR2	6731941021	OPHI - Rental Housing YR2	\$ 297,770.00		Request submitted to place budget in 6731941021 - OPHI Ontario Renovates - YR2. Underspending in OPHI renovates. Received Ministry approval to transfer the budget to OPHI Rental Housing to ensure Ministry funds are disbursed by the stipulated timelines.
<b>Healthy &amp; Safe Communities Total</b>				<b>\$ 1,346,692.00</b>		

CITY OF HAMILTON  
 CAPITAL PROJECTS BUDGET APPROPRIATIONS OF \$250,000 OR GREATER AND CAPITAL PROJECT RESERVE FUNDING  
 FOR THE PERIOD COVERING OCTOBER 1, 2020 TO DECEMBER 31, 2020

Appropriated/ Transferred From	Description	Appropriated/ Transferred To	Description	Amount (\$)	Council Approval / Comments	Comments
<b>Public Works (Tax)</b>						
<i>Recreation Facilities</i>						
58600-108020	Unallocated Capital Levy Reserve	7101841800	Parks North Yard at Bayfront Park	\$ 801,000.00		Project was not eligible to receive funding from a DC project. Funding from a new source is required.
<b>Public Works (Tax) Total</b>				<b>\$ 801,000.00</b>		
<b>Planning &amp; Development (Rate)</b>						
<i>Growth Management Program</i>						
5142080080	Dundas 575m to 210 wo Evans	5141680682	Dundas - Spring Crk to Skinner	\$ 410,000.00		Budget increase for project 5141680682 that was inadvertently set up as a new project (5142080080).
<b>Planning &amp; Development (Rate) Total</b>				<b>\$ 410,000.00</b>		
<b>Project Totals</b>				<b>\$ 2,807,692.00</b>		

CITY OF HAMILTON APPROPRIATION OF FEDERAL GAS TAX FUNDING AS OF DECEMBER 31, 2020					
<b>Recommendations</b>					
Appropriated From	Description	Appropriated To	Description	Amount (\$)	Comment
<b>Public Works (Tax)</b>					
<i>Roads</i>					
42020-4031311016	Asset Preservation - Turnball	58620-112213	Federal Gas Tax Reserve	\$ 131,922.05	To move ineligible FGT funding to reserve 112213
42020-4031919112	Bruce Dale (Eastmount NHBD)	58620-112213	Federal Gas Tax Reserve	\$ 53,754.50	To move ineligible FGT funding to reserve 112213
42020-4031811225	Geotechnical Investigation	58620-112213	Federal Gas Tax Reserve	\$ 630,000.00	To move ineligible FGT funding to reserve 112213
42020-4031919117	Parkdale - Burlington to n end	58620-112213	Federal Gas Tax Reserve	\$ 123,890.87	To move ineligible FGT funding to reserve 112213
42020-4031618219	Structural Investigation & Rp	58620-112213	Federal Gas Tax Reserve	\$ 88,885.57	To move ineligible FGT funding to reserve 112213
42020-4031718452	Bridge 452 - Centennial Pkwy	58620-112213	Federal Gas Tax Reserve	\$ 17,516.46	To move ineligible FGT funding to reserve 112213
42020-4032011045	Resurfacing & Rehabilitation of Lincoln M. Alexander Parkway	42020-4031811015	Resurfacing and Rehabilitation of Barton, Governors & Red Hill Valley Parkway	\$ 1,188,813.54	Funding from Federal Gas Tax reserve 112213 moved from Project 4032011045 to 4031811015
<b>Federal Gas Tax Funding Transferred</b>				<b>\$ 2,234,782.99</b>	
<b>Public Works (Tax)</b>					
<i>Roads</i>					
58600-108020	Unallocated Capital Levy	49412-4031311016	Asset Preservation - Turnball	\$ 131,922.05	To fund ineligible FGT expenses from reserve 108020
58600-108020	Unallocated Capital Levy	49412-4031919112	Bruce Dale (Eastmount NHBD)	\$ 53,754.50	To fund ineligible FGT expenses from reserve 108020
58600-108020	Unallocated Capital Levy	49412-4031811225	Geotechnical Investigation	\$ 630,000.00	To fund ineligible FGT expenses from reserve 108020
58600-108020	Unallocated Capital Levy	49412-4031919117	Parkdale - Burlington to n end	\$ 123,890.87	To fund ineligible FGT expenses from reserve 108020
58600-108020	Unallocated Capital Levy	49412-4031618219	Structural Investigation & Rp	\$ 88,885.57	To fund ineligible FGT expenses from reserve 108020
58600-108020	Unallocated Capital Levy	49412-4031718452	Bridge 452 - Centennial Pkwy	\$ 17,516.46	To fund ineligible FGT expenses from reserve 108020
49300-4031811015	Resurfacing and Rehabilitation of Barton, Governors & Red Hill Valley Parkway	49300-4032011045	Resurfacing & Rehabilitation of Lincoln M. Alexander Parkway	\$ 1,188,813.54	Funding from operating budget capital levy moved from Project 4031811015 to 4032011045
<b>Unallocated Capital Levy Funding Transferred</b>				<b>\$ 2,234,782.99</b>	
<b>Net Financial Impact</b>				<b>\$ -</b>	

CITY OF HAMILTON			
CAPITAL PROJECTS TO BE RE-OPENED			
AS OF DECEMBER 31, 2020			
ProjectID	Description	Amount (\$)	Source of Funds
<b>Corporate Projects Department</b>			
<i>Councillor Infrastructure Program</i>			
3301709100	Ward 1 Capital Reinvestment	43,075.18	Ward 1 Area Rating Reserve
3301809100	Ward 1 Capital Reinvestment	77,541.25	Ward 1 Area Rating Reserve
3301909100	Ward 1 Capital Reinvestment	92,111.20	Ward 1 Area Rating Reserve
3301909200	Ward 2 Capital Reinvestment	87,216.33	Ward 2 Area Rating Reserve
3301709300	Ward 3 Capital Reinvestment	79,031.29	Ward 3 Area Rating Reserve
3301809300	Ward 3 Capital Reinvestment	45,000.00	Ward 3 Area Rating Reserve
3301909300	Ward 3 Capital Reinvestment	93,450.00	Ward 3 Area Rating Reserve
3301709400	Ward 4 Capital Reinvestment	12,961.15	Ward 4 Area Rating Reserve
3301809400	Ward 4 Capital Reinvestment	33,244.09	Ward 4 Area Rating Reserve
3301909400	Ward 4 Capital Reinvestment	80,367.99	Ward 4 Area Rating Reserve
3301709500	Ward 5 Capital Reinvestment	522.90	Ward 5 Area Rating Reserve
3301809500	Ward 5 Capital Reinvestment	50,736.74	Ward 5 Area Rating Reserve
3301709600	Ward 6 Capital Reinvestment	627.45	Ward 6 Area Rating Reserve
3301809600	Ward 6 Capital Reinvestment	(85.13)	Ward 6 Area Rating Reserve
3301909600	Ward 6 Capital Reinvestment	76,387.57	Ward 6 Area Rating Reserve
3301709700	Ward 7 Capital Reinvestment	54,004.78	Ward 7 Area Rating Reserve
3301909700	Ward 7 Capital Reinvestment	(3,126.51)	Ward 7 Area Rating Reserve
3301809800	Ward 8 Capital Reinvestment	(1,550.00)	Ward 8 Area Rating Reserve
3301909800	Ward 8 Capital Reinvestment	99,641.31	Ward 8 Area Rating Reserve
3301909014	Ward 14 Capital Reinvestment	42,680.72	Ward 14 Area Rating Reserve
<b>Project Totals</b>		<b>\$ 963,838.31</b>	

Note: As per policy, these projects were closed due to inactivity. Projects need to be re-opened as commitments from these projects have been made.



The ACPD meets at  
City Hall on the second  
Tuesday of every month at  
4 PM.

For more information  
you can find us on the  
Hamilton.ca website  
under Council and  
Committees.

You may contact us in  
the following ways:

**Mailing Address:**  
c/o Human Resources  
Human Rights, Diversity and  
Inclusion

100 King St. W., 10th floor  
Hamilton, Ontario L8P 4V2  
(905) 546-2424 ext. 8080

# Advisory Committee for Persons with Disabilities

The Advisory Committee for  
Persons with Disabilities is  
comprised of citizens of the City  
of Hamilton with a diverse range  
of disabilities that strive to  
consider the needs of all in order  
to make this city a more  
equitable, diverse and  
inclusive place to live.



# A.C.P.D.

## What is the ACPD?

The Advisory Committee for Persons with Disabilities recommends to the City of Hamilton policy, procedure and standards that address the needs and concerns of all disabilities. Our task is to identify barriers in municipal programs and try to prevent new barriers from being created in accordance with the ODA (Ontarians with Disabilities Act) and the AODA (Accessibility for Ontarians with Disabilities Act) in matters of Customer Service, Employment, Transportation, Design of Public Spaces and Information and Communication.

## Have a disability related issue?

Any Citizen can raise disability related issues or ask questions of the ACPD. We will decide if the issue is within our mandate as an Advisory Committee of Council and send it to the appropriate working group for discussion and recommendations. The issue is then sent back to the ACPD for approval. The Advisory Committee for Persons with Disabilities reports directly to the General Issues Committee. You can begin the process by filling out a "Request to Speak to a Committee of Council form" available online at [hamilton.ca](http://hamilton.ca) or by forwarding an email to [clerk@hamilton.ca](mailto:clerk@hamilton.ca)



*Sent via electronic mail: no hard copy to follow.*

July XX, 2021

E-mailed to: [donna.skelly@pc.ola.org](mailto:donna.skelly@pc.ola.org)

Donna Skelly  
M.P.P., Flamborough-Glanbrook  
2000 Garth Street, Suite 104  
Hamilton, ON L9B 0C1

**Subject: City of Hamilton's Advisory Committee for Persons with Disabilities request for MPP Skelly Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005***

Dear Ms. Skelly:

The City of Hamilton's Advisory Committee for Persons with Disabilities (ACPD) serves as an important resource to Hamilton's City Council to identify and raise awareness about the barriers that impact the lives of persons with disabilities, and to make recommendations to the City of Hamilton on how to prevent and eliminates barriers. The Committee recommends to the City of Hamilton policies, procedures and standards that address the needs and concerns of persons with disabilities.

The ACPD had an opportunity to review and discuss the report "Listening to Ontarians with Disabilities: Report of the Third Review of the *Accessibility for Ontarians with Disabilities Act, 2005*" prepared by the Honourable David C. Onley" and associated recommendations.

As the elected government representative for Hamilton, the Committee is requesting to hear from you on this report. As such, the ACPD is requesting your attendance at a future meeting to discuss the Report and Recommendations as they relate to the City of Hamilton.

We look forward to hearing from you and hope that you have an opportunity to speak with the Committee on this report and important topic that impacts the lives of the residents of the Hamilton.

Sincerely,

Aznive Mallett,  
Chair, Advisory Committee for Persons with Disabilities



**PLANNING COMMITTEE  
REPORT  
21-011**

**July 6, 2021**

**9:30 a.m.**

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

**Present:** Councillors J.P. Danko (Chair)  
B. Johnson (1<sup>st</sup> Vice Chair), J. Farr (2<sup>nd</sup> Vice Chair), C. Collins,  
M. Pearson, L. Ferguson, M. Wilson and J. Partridge

**Also in Attendance:** Councillor B. Clark

**THE PLANNING COMMITTEE PRESENTS REPORT 21-011 AND RESPECTFULLY  
RECOMMENDS:**

1. **Cootes to Escarpment EcoPark System - Strategic Plan and Memorandum of Understanding (PED21120) (Wards 1, 13 and 15) (Item 7.1)**
  - (a) That the City of Hamilton endorse the Cootes to Escarpment EcoPark System Strategic Plan (2021-2030), attached as Appendix "A" to Report PED21120;
  - (b) That the City of Hamilton reaffirm its commitment for the Cootes to Escarpment EcoPark System by approving the Memorandum of Understanding (MOU), attached as Appendix "B" to Report PED21120, for a five year period from 2022 to 2026;
  - (c) That the City Manager be authorized and directed to consent to a one time extension of the 2016-2021 Cootes to Escarpment EcoPark System Memorandum of Understanding, for the period between June 20, 2021 to the effective date of the draft "Cootes to Escarpment EcoPark System 2022-2026 Memorandum of Understanding", attached as Appendix "B" to Report PED21120, to continue the administrative functions and operational needs of the EcoPark System.
  - (d) That the City of Hamilton continue to support the Cootes to Escarpment EcoPark System operating budget, shown in Table 1 of the Memorandum of Understanding, attached as Appendix "B" to Report PED21120, through annual contributions starting with \$15,937 in 2022, with 2% inflation for a

five year period beginning in 2022 from the current Planning Division Budget;

- (e) That the City Manager be authorized and directed to sign the MOU on behalf of the City of Hamilton; and,
- (f) That Planning Division staff be authorized to continue to provide in-kind resources for the implementation of the Cootes to Escarpment EcoPark System Strategic Plan and MOU.

**2. Demolition Permit – 202 Cannon Street East, Hamilton (PED21127) (Ward 2) (Item 7.2)**

- (a) That the Chief Building Official be authorized to issue a demolition permit for 202 Cannon Street East, Hamilton in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of *The Planning Act*, subject to the following conditions:
  - (i) That the applicant has applied for and received a building permit for a replacement building on this property;
  - (ii) That the said building permit specifies that if the replacement building is not erected within two years of the demolition of the existing building on the property, the City be paid the sum of \$20,000 which sum:
    - (1) the City Clerk is authorized to enter on the collector's roll and collect in like manner as municipal taxes;
    - (2) is a lien or charge on the property until paid; and,
  - (iii) That the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions in a form satisfactory to the Chief Building Official and the City Solicitor.

**3. Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED21147) (City Wide) (Item 7.3)**

That Report PED21147 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

- 4. Hamilton Municipal Heritage Committee Report 21-005 (Item 7.4)**
- (a) **Bill 108, More Homes, More Choice Act, 2019, Ontario Regulation 385/21 made under the Ontario Heritage Act and the Draft Ontario Heritage Tool Kit (PED19125(c))(City Wide) (Added Item 8.1)**
- (i) That Council adopt the submissions and recommendations as provided in Report PED19125(c) regarding the Regulation under the Ontario Heritage Act, as amended by Bill 108, More Homes, More Choice Act, 2019 that is scheduled to be Proclaimed July 1, 2021 and the associated Draft Ontario Heritage Tool Kit, attached hereto as Appendix A to Report 21-005;
  - (ii) That the Director of Planning and Chief Planner be authorized and directed to confirm the submissions made to the Province attached as Appendix “D” to Report PED19125(c); and,
  - (iii) That the Director of Planning and Chief Planner, be authorized and directed to negotiate and consent to agreements to extend or eliminate the 90-day timeline to issue a notice of intention to designate when a Prescribed Event occurs, to ensure the comprehensive review of Planning Act applications as well as cultural heritage resources.
- 5. Applications for a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land) for lands located at 3140 and 3150 Binbrook Road (Glanbrook) (PED21111) (Ward 11) (Item 9.2)**
- (a) That Revised Zoning By-law Amendment application ZAC-19-039, by GSP Group Inc. on behalf of Eman Construction (Owner) for a change in zoning from the Existing Residential “ER” Zone to Residential 4 – Holding “H-R4-320” Zone, Modified (Block 1) and Residential Multiple “RM3-321” Zone, Modified (Block 2) in the Township of Glanbrook Zoning By-law No. 464, to permit 24 townhouse units on a private road (condominium road) and three single detached dwellings on Valiant Crescent, for the lands located at 3140 and 3150 Binbrook Road, as shown on Appendix “A” to Report PED21111, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED21111, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding “H” as a prefix to the proposed zoning as shown on Schedule “A” of Appendix “B” to Report PED21111.

The Residential 4 – Holding “H-R4-320” Zone, Modified, applicable to lands shown on Schedule “A” to Appendix “B” to Report PED21111 be removed conditional upon the following:

That the “H” symbol applicable to the lands zoned “H-R4-320” shall not be removed until such time that the landowner demonstrate to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton, that land assembly has occurred to achieve the minimum lot area requirement and lot frontage requirement in accordance with the “R4” Zone; and,

The landowner pays all applicable outstanding costs associated with Valiant Circle to the satisfaction of the Senior Director, Growth Management;

- (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and comply with the Urban Hamilton Official Plan.
- (b) That Revised Draft Plan of Condominium application 25CDM-202002, by GSP Group Inc. on behalf of Eman Construction (Owner), to establish a Draft Plan of Condominium (Vacant Land) on lands located at 3140 and 3150 Binbrook Road (Glanbrook), as shown as Block 2 on Appendix “A”, attached to Report PED21111, be APPROVED subject to the following:
  - (i) That the approval for Draft Plan of Condominium (Vacant Land) application 25CDM-202002 prepared by GSP Group, certified by Bahram Aminezhad O.L.S., dated April 21, 2021, consisting of 24 vacant land units for townhouse dwellings, a private condominium road, sidewalks, 12 visitor parking spaces, and centralized mailboxes, attached as Appendix “C” to Report PED21111 subject to the owner entering into a standard form condominium approval agreement as approved by City Council and with special conditions attached as Appendix “D” to Report PED21111;
  - (ii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-laws, as approved by Council.
- (c) That the public submissions were received and considered by the Committee in approving the application.

- 6. Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 15, 17 and 21 Stone Church Road East (Hamilton) (PED21117) (Ward 8) (Item 9.3)**
- (a) That Revised Urban Hamilton Official Plan Amendment Application UHOPA-20-016, by Fothergill Planning & Development Inc. (c/o Ed Fothergill, Applicant) on behalf of Nova Plaza Ltd. (c/o Steve Klemenic, Owner) to re-designate the subject lands from the “Arterial Commercial” designation to the “Mixed Use Medium Density” designation within the Urban Hamilton Official Plan, in order to permit a five storey mixed use development with 60 multiple dwelling units and ground floor commercial space, and with a maximum net residential density of 172 units per hectare, for lands located at 15, 17 and 21 Stone Church Road East, as shown on Appendix “A” to Report PED21117, be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED21117, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Zoning By-law Amendment Application ZAC-20-028, by Fothergill Planning & Development Inc. (c/o Ed Fothergill, Applicant) on behalf of Nova Plaza Ltd. (c/o Steve Klemenic, Owner) to change the zoning from the Arterial Commercial (C7) Zone to the Mixed Use Medium Density (C5, 742) Zone, in order to permit a five storey mixed use development with 526 m<sup>2</sup> of ground floor commercial space and 60 dwelling units above with on-site ground floor amenity space, 14 surface parking spaces, and 51 underground parking spaces, for lands located at 15, 17 and 21 Stone Church Road East, as shown on Appendix “A” to Report PED21117, be APPROVED on the following basis:
- (i) That the draft By-law attached as Appendix “C” to Report PED21117, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended); and,
  - (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-20-016 and Zoning By-law Amendment Application

ZAC-20-028, the subject lands be re-designated from “Commercial (General)” to “Commercial & Apartments” in the Jerome Neighbourhood Plan.

- (d) That the public submissions were received and considered by the Committee in approving the application.

**7. Application to Amend the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for lands located at 466 to 490 Highway No. 8 (Stoney Creek) (PED21136) (Ward 10) (Item 9.4)**

- (a) That Urban Hamilton Official Plan Amendment application UHOPA-18-25, by Rykka Care Centres GP Inc., Owner, for an amendment to the Western Development Area Secondary Plan to redesignate a portion of the lands from “Local Commercial” to “Institutional” (Block A) and to add a site specific policy for the lands known as 466 to 490 Highway No. 8 to permit high density residential having a maximum density of 243 units per hectare and local commercial uses on the ground floor (Block B), as shown on Appendix “A” to Report PED21136 be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED21136, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Zoning By-law Amendment application ZAC-18-059, by Rykka Care Centres GP Inc., Owner, for a change in zoning from the Neighbourhood Commercial (C2, 579) Zone to the Major Institutional (I3, 744, H36) Zone (Block 1); from the Major Institutional “I” Zone to the Major Institutional (I3, 744, H36) Zone (Block 2); and, from the Major Institutional (I3) Zone to the Major Institutional (I3, 744, H36) Zone to permit the construction of a four storey, 224 bed long term care facility, an eight storey multiple dwelling with 132 dwelling units and 489 square metres of ground floor commercial space, and a nine storey multiple dwelling with 128 dwelling units for the lands known as 466 to 490 Highway No. 8, as shown on Appendix “A” to Report PED21136, be APPROVED on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED21136, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

- (ii) That schedule “D” – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding an additional Holding Provision as follows:

For the lands zoned Major Institutional (I3, 744, H36) Zone on Maps 1252 and 1305 of Schedule “A” – Zoning Maps and described as 466 to 490 Highway No. 8, the development shall not proceed until:

- (1) Necessary upgrades are completed to the sanitary sewer system and necessary payments are provided, to the satisfaction of the Manager of Engineering Approvals.

- (iii) That this By-law is in conformity with the Urban Hamilton Official Plan upon approval of the Urban Hamilton Official Plan Amendment No. XX and that the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

- (c) That the public submissions were received and considered by the Committee in approving the application.

**8. Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 822, 914 Book Road West and 1276 Shaver Road, Ancaster (PED21125) (Ward 12) (Item 9.5)**

- (a) That Rural Hamilton Official Plan Amendment application RHOPA-20-028, by Urban Solutions Planning & Land Development Consultants Inc. on behalf of Knollwood Golf Ltd., (Owner), to amend the Rural Hamilton Official Plan designation from “Open Space” to “Agricultural” on two portions of the subject lands (Knollwood Golf Course) and recognize a reduced lot area to permit the severance of the existing single detached dwellings for the lands located at 822 Book Road West, 914 Book Road West and 1276 Shaver Road, Ancaster as shown on Appendix “A” to Report PED21125, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED21125, 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 implements the direction given by Planning Committee on September 22, 2020 (PED21125) of Committee of Adjustment applications AN/B-20:30, AN/B-20:31 and AN/B-20:32.

- (b) That Zoning By-law Amendment application ZAR-20-045, as amended, by Urban Solutions Planning & Land Development Consultants Inc. on behalf

of Knollwood Golf Ltd., (Owner) to change the zoning from the Open Space (P4) Zone to the Agricultural (A1, 746) Zone to permit a single detached dwelling on each of the three lots to be created and modifications to the required setbacks, accessory structure size, height, for lands located at 822 Book Road West, 914 Book Road West and 1276 Shaver Road, Ancaster, to reflect the existing buildings and structures on the subject lands as shown on Appendix “C” to Report PED21125, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED21125, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is required in order to implement Condition No. 10 of Consent application AN/B-20:30, Condition No. 9 of Consent application AN/B-20:31 and Condition No. 9 of Consent application AN/B-20:32; and,
  - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the Greenbelt Plan (2020), and will comply with the Rural Hamilton Official Plan upon approval of Rural Hamilton Official Plan Amendment No. XX.
- (c) That the public submissions were received and considered by the Committee in approving the application.

**9. Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road (Flamborough) (PED20188) (Ward 15) (Item 9.6)**

- (a) That Amended Urban Hamilton Official Plan Amendment application UHOPA-19-013, by GSP Group on behalf of NHDG (Waterdown) Inc. and Waterdown Bay Ltd. (Owners), to establish an Area Specific Policy to amend the Commercial, Mixed Use – Medium Density and Staging of Development policies of the Waterdown South Secondary Plan to reduce the minimum requirement for retail and commercial space, permit accessory/associated residential uses on the ground floor and eliminate the retail and commercial development phases for lands located at 10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road, as shown on Appendix “A” to Report PED20188, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20188, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council; and,

- (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow (2019), as amended.
  
- (b) That Amended Zoning By-law Amendment application ZAC-19-046 by GSP Group on behalf of NHDG (Waterdown) Inc. and Waterdown Bay Ltd. (Owners), for a further modification to the Urban Commercial “UC-13” Zone for Blocks 1, 2a and 2b, to permit accessory/associated residential uses on the ground floor, a minimum of 1,256 sq m of retail and service commercial floor space, include additional “UC-13” Zone uses in the minimum retail and service commercial gross floor area calculation, establish minimum floor areas for each property and to facilitate the development of a 90 unit, six storey mixed use building with 306 sq m of ground floor commercial (Block 2a) and a seven unit, three storey mixed use building with 418 sq m of ground floor commercial (Block 2b) for lands located at 10 and 40 Mallard Trail (Block 1), 488 Dundas Street East (Block 2a) and 39 Mallard Trail (Block 2b) (Flamborough), as shown on Appendix “A” to Report PED20188 be APPROVED, on the following basis:
  - (i) That the draft By-law, attached as Appendix “C” to Report PED20188, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow (2019), as amended and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.
  
- (c) That Amended Zoning By-law Amendment application ZAC-19-046 by GSP Group on behalf of NHDG (Waterdown) Inc. and Waterdown Bay Ltd. (Owners), to amend the Holding Provision of the Urban Commercial “UC-14(H)” Zone by removing the retail and service commercial Gross Leasable Floor Space provision, for lands located at 585 Skinner Road, as shown on Appendix “A” to Report PED20188 be APPROVED, on the following basis:
  - (i) That the draft By-law, attached as Appendix “D” to Report PED20188 which has been prepared in a form satisfactory to the City Solicitor be forwarded to Council for enactment;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow (2019), as amended and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.
  
- (d) That the public submissions were received and considered by the Committee in approving the application.

**10. Regulating Off-Road Vehicles (PED21110) (City Wide) (Item 10.1)**

- (a) That the draft By-law to regulate Off-Road Vehicles, as amended to include All-terrain vehicles, Extreme Terrain Vehicles, Multi-purpose Off-highway Utility Vehicles, Off-Road Motorcycles, Off-Road Vehicles, and Recreational Off-highway Vehicles, attached as Revised Appendix “A” to Report PED21110, which has been prepared in a form satisfactory to the City Solicitor be enacted by Council; and,
- (b) That subject to the approval of Recommendation (a), By-law 17-225; a By-law to Establish a System of Administrative Penalties which has been prepared in a form satisfactory to the City Solicitor be amended accordingly to include the By-law attached as Appendix “B” to Report PED21110.

**11. Comments on the Proposed Provincial Land Use Compatibility Guideline (PED21137) (City Wide) (Item 10.2)**

- (a) That the Province of Ontario be advised that the timing of the proposed Land Use Compatibility Guideline and associated implementation of the Guideline through the Official Plan will impact the City’s Municipal Comprehensive Review process and potentially delay the City’s submission of the Municipal Comprehensive Review Urban Hamilton Official Plan Amendment by the end of 2021 or early 2022.
- (b) That the City supports the proposed Land Use Compatibility Guideline subject to the following changes to the Guideline:
  - (i) The Areas of Influence (AOI) of 2,000 metres and the Minimum Separation Distance (MSD) of 500 metres be endorsed;
  - (ii) The requirement for the Demonstration of Need study be eliminated as the City has determined where sensitive land uses, in particular residential land uses, are appropriate and are permitted; and,
  - (iii) That dedicated cannabis manufacturing facilities be classed similarly to food manufacturing for the purpose of establishing recommended setbacks from sensitive land uses as cannabis products are similar to other processing products.
  - (iv) The Province amends the guidelines to establish a 3,000m (3 km) Area of Influence (AOI) and Minimum Separation Distance (MSD) for landfill operations within the urban area and that any expansion of a landfill operation comply with the enhanced setback requirements from a sensitive land use.

- (c) That the Province of Ontario provide Terms of Reference for the preparation of Land Use Compatibility Studies to assist proponents and municipalities in the preparation and review of these Study requirements.
- (d) That Report PED21137 be forwarded to the Ministry of Environment, Conservation and Parks (MOECP) and the Ministry of Municipal Affairs and Housing (MMAH) to be considered the City of Hamilton's formal comments on Environmental Registry of Ontario (ERO) Posting #019-2785 respecting the proposed Land Use Compatibility Guideline.

**12. Bill 276, Amendments to the *Planning Act* – Division of Land (PED21139) (City Wide) (Item 10.3)**

- (a) That Council adopt the submissions and recommendations regarding proposed changes to the *Planning Act* in force with Bill 276, as provided in Report PED21139;
- (b) That the Director of Planning and Chief Planner be authorized and directed to confirm the submission made to the Province attached as Appendix "A" to Report PED21139.

**13. Proposed Settlement of appeals by 2261305 Ontario Inc. and Nick and Anna DeFilippis of the Fruitland Winona Secondary Plan (UHOPA No. 17) (LS21025/PED21146) (Ward 10) (Item 14.1)**

That Report LS21025 /PED21146, its recommendations and Appendices "A" and "B" thereto, remain confidential.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**1. PUBLIC HEARINGS / DELEGATIONS (Item 9)**

9.1 Application for a Zoning By-law Amendment for Lands Located at 1269 Mohawk Road, Ancaster (PED21113) (Ward 14)

(a) Added Written Submissions:

- (n) Erica Heinel
- (o) Nalin Amin
- (p) Shahnaz Tehseen
- (q) Kamal Khera
- (r) Syed Hasnain
- (s) Jashim Uddin
- (t) Mohamad Alayche

- (u) Ken Dowie
- (v) Shilpa Amin
- (w) Ken Cook
- (x) Rajeev Sharma
- (y) Barbara Lynne and Bernice Simpson
- (z) M and H van Woudenberg
- (aa) Bob Maton, Ancaster Village Heritage Community

9.2 Applications for a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land) for lands located at 3140 and 3150 Binbrook Road (Glanbrook) (PED21111) (Ward 11) - Revised Appendix B.

The agenda for the July 6, 2021 meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

None declared.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) June 15, 2021 (Item 4.1)**

The Minutes of the June 15, 2021 meeting were approved, as presented.

**(d) CONSENT ITEMS (Item 7)**

**(i) Cootes to Escarpment EcoPark System - Strategic Plan and Memorandum of Understanding (PED21120) (Wards 1, 13 and 15) (Item 7.1)**

Jennifer Roth, Planner 1, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation from Jennifer Roth, Planner 1, was received.

For disposition of this matter, refer to Item 1.

**(ii) Hamilton Municipal Heritage Committee Report 21-005 (Item 7.4)**

Staff were directed to report back to the Planning Committee regarding options for fees or cost recoveries relating to multiple requests for the same property to be removed from the Heritage Registry, where the property owner has not provided any new information or demonstrated a change in the factual basis to support the request to remove the property from the Heritage Registry, in order to offset the costs to receive and

process repetitive requests, as part of the Heritage Permit Review process.

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

**(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

In accordance with the *Planning Act*, Chair Danko 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 Danko 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, Official Plan Amendment, and Draft Plan of Condominium 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 Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**(i) Application for a Zoning By-law Amendment for Lands Located at 1269 Mohawk Road, Ancaster (PED21113) (Ward 14) (Item 9.1)**

Mark Andrews, Planner 1, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Michael Barton with MBI Consulting Inc., was in attendance and indicated support for the staff report.

The delegation from Michael Barton with MBI Consulting Inc., was received.

The following written submissions (Item 9.1(a)), were received:

- (a) Edward and Debra Valevicius – in Opposition
- (b) Aieda Taha – in Opposition
- (c) Azmy Taha – in Opposition
- (d) Layla Abuahmad – in Opposition
- (e) Emma Kang – in Opposition
- (f) Aisha Taha – in Opposition
- (g) Abdul Taha – in Opposition
- (h) Alia Taha – in Opposition
- (i) Adnan Taha – in Opposition
- (j) Madu Masco – in Opposition

- (k) Jan Kielt – in Opposition
- (l) Marie-Helene Tissier – in Opposition
- (m) Ronald and Margaret Winters – in Opposition
- (n) Erica Heinel – in Support
- (o) Nalin Amin – in Support
- (p) Shahnaz Tehseen – in Support
- (q) Kamal Khera – in Support
- (r) Syed Hasnain – in Support
- (s) Jashim Uddin – in Support
- (t) Mohamad Alayche – in Support
- (u) Ken Dowie - - in Opposition
- (v) Shilpa Amin – in Support
- (w) Ken Cook – in Opposition
- (x) Rajeev Sharma – in Support
- (y) Barbara Lynne and Bernice Simpson – in Opposition
- (z) M and H van Woudenberg – in Opposition
- (aa) Bob Maton, Ancaster Village Heritage Community – in Opposition

When called upon, the Registered Delegation (Item 9.1(b) (a)) Debra Valevicius was not in attendance.

The public meeting was closed.

- (a) That amended Zoning By-law Amendment Application ZAC-19-006, by Shine Mohawk Independent Living Enterprises Ltd. (Owner), for a change in zoning from the Agricultural “A” Zone (Block 1) and the Residential “R4-666” Zone, Modified (Block 2) to a Holding Residential Multiple “H-RM6-708” Zone, Modified, to facilitate the development of a four-storey, 19-unit multiple dwelling with 35 parking spaces on lands located at 1269 Mohawk Road (Ancaster), as shown on Appendix “A” to Report PED21113, be APPROVED on the following basis:
  - (i) That the draft By-law attached as Appendix “B” to Report PED21113, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the amending By-law apply the Holding Provision of Section 36(1) of the *Planning Act*, R.S.O. 1990 to the subject property by introducing the Holding symbol ‘H’ to the proposed Residential Multiple “RM6-708” Zone, Modified, with the ‘H’ symbol being eligible to be removed conditional upon:
    - (1) That the owner shall submit and receive approval of a Documentation and Salvage Report which further details the approach for removing, labelling, storing, and if required, reassembly of material salvaged from

the removal of any portions of existing building, to the satisfaction of the Director of Planning and Chief Planner.

- (2) That the owner shall submit and receive approval of a Stage 3 (and if required, Stage 4) archaeological assessment for the site to the satisfaction of the Director of Planning and Chief Planner and the Ministry of Heritage, Sport, Tourism and Culture Industries.
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan (2019, as amended) and complies with the Urban Hamilton Official Plan.

The recommendations in Report PED21113 were **amended** by adding the following sub-section (b):

**(b) *That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

Report PED21113 was DEFERRED to the September 7, 2021 Planning Committee meeting.

**(ii) Applications for a Zoning By-law Amendment and Draft Plan of Condominium (Vacant Land) for lands located at 3140 and 3150 Binbrook Road (Glanbrook) (PED21111) (Ward 11) (Item 9.2)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Nancy Frieday with GSP Group Inc., was in attendance and indicated support for the staff report.

The delegation from Nancy Frieday with GSP Group Inc., was received.

The written submissions in Report PED21111, were received.

The public meeting was closed.

- (a) That Revised Zoning By-law Amendment application ZAC-19-039, by GSP Group Inc. on behalf of Eman Construction (Owner) for a change in zoning from the Existing Residential “ER” Zone to Residential 4 – Holding “H-R4-320” Zone, Modified (Block 1) and Residential Multiple “RM3-321” Zone, Modified (Block 2) in the

Township of Glanbrook Zoning By-law No. 464, to permit 24 townhouse units on a private road (condominium road) and three single detached dwellings on Valiant Crescent, for the lands located at 3140 and 3150 Binbrook Road, as shown on Appendix “A” to Report PED21111, be APPROVED on the following basis:

- (i) That the draft By-law, attached as Appendix “B” to Report PED21111, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law apply the Holding Provisions of Section 36(1) of the Planning Act, R.S.O. 1990 to the subject lands by introducing the Holding “H” as a prefix to the proposed zoning as shown on Schedule “A” of Appendix “B” to Report PED21111.

The Residential 4 – Holding “H-R4-320” Zone, Modified, applicable to lands shown on Schedule “A” to Appendix “B” to Report PED21111 be removed conditional upon the following:

That the “H” symbol applicable to the lands zoned “H-R4-320” shall not be removed until such time that the landowner demonstrate to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton, that land assembly has occurred to achieve the minimum lot area requirement and lot frontage requirement in accordance with the “R4” Zone; and,

The landowner pays all applicable outstanding costs associated with Valiant Circle to the satisfaction of the Senior Director, Growth Management;

- (iii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended), and comply with the Urban Hamilton Official Plan.
- (b) That Revised Draft Plan of Condominium application 25CDM-202002, by GSP Group Inc. on behalf of Eman Construction (Owner), to establish a Draft Plan of Condominium (Vacant Land) on lands located at 3140 and 3150 Binbrook Road (Glanbrook), as shown as Block 2 on Appendix “A”, attached to Report PED21111, be APPROVED subject to the following:
- (i) That the approval for Draft Plan of Condominium (Vacant Land) application 25CDM-202002 prepared by GSP Group,

certified by Bahram Aminezhad O.L.S., dated April 21, 2021, consisting of 24 vacant land units for townhouse dwellings, a private condominium road, sidewalks, 12 visitor parking spaces, and centralized mailboxes, attached as Appendix “C” to Report PED21111 subject to the owner entering into a standard form condominium approval agreement as approved by City Council and with special conditions attached as Appendix “D” to Report PED21111;

- (ii) That Payment of Cash-in-Lieu or dedication of Parkland will be required, pursuant to Section 51 of the *Planning Act*, with the calculation for the payment to be based on the value of the lands on the day prior to the day of issuance of each building permit, all in accordance with the Financial Policies for Development and the City’s Parkland Dedication By-laws, as approved by Council.

The recommendations in Report PED21111 were **amended** by adding the following sub-section (c):

- (c) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

For disposition of this matter, refer to Item 5.

- (iii) **Applications for Amendments to the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for Lands Located at 15, 17 and 21 Stone Church Road East (Hamilton) (PED21117) (Ward 8) (Item 9.3)**

No members of the public were registered as Delegations.

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Ed Fothergill with Fothergill Planning and Development Inc., was in attendance and indicated support for the staff report.

The delegation from Ed Fothergill with Fothergill Planning and Development Inc., was received.

The following written submissions (Item 9.3(a)), were received:

- (a) Michael Destro – in Opposition.

- (b) Mike Wendelaar – in Opposition.

The public meeting was closed.

- (a) That Revised Urban Hamilton Official Plan Amendment Application UHOPA-20-016, by Fothergill Planning & Development Inc. (c/o Ed Fothergill, Applicant) on behalf of Nova Plaza Ltd. (c/o Steve Klemenic, Owner) to re-designate the subject lands from the “Arterial Commercial” designation to the “Mixed Use Medium Density” designation within the Urban Hamilton Official Plan, in order to permit a five storey mixed use development with 60 multiple dwelling units and ground floor commercial space, and with a maximum net residential density of 172 units per hectare, for lands located at 15, 17 and 21 Stone Church Road East, as shown on Appendix “A” to Report PED21117, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED21117, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Zoning By-law Amendment Application ZAC-20-028, by Fothergill Planning & Development Inc. (c/o Ed Fothergill, Applicant) on behalf of Nova Plaza Ltd. (c/o Steve Klemenic, Owner) to change the zoning from the Arterial Commercial (C7) Zone to the Mixed Use Medium Density (C5, 742) Zone, in order to permit a five storey mixed use development with 526 m<sup>2</sup> of ground floor commercial space and 60 dwelling units above with on-site ground floor amenity space, 14 surface parking spaces, and 51 underground parking spaces, for lands located at 15, 17 and 21 Stone Church Road East, as shown on Appendix “A” to Report PED21117, be APPROVED on the following basis:
  - (i) That the draft By-law attached as Appendix “C” to Report PED21117, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended); and,

- (iii) That this By-law will comply with the Urban Hamilton Official Plan upon approval of Urban Hamilton Official Plan Amendment No. XX.
- (c) That upon approval of Urban Hamilton Official Plan Amendment Application UHOPA-20-016 and Zoning By-law Amendment Application ZAC-20-028, the subject lands be re-designated from “Commercial (General)” to “Commercial & Apartments” in the Jerome Neighbourhood Plan.

The recommendations in Report PED21117 were **amended** by adding the following sub-section (d):

- (d) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

Councillor Danko relinquished the Chair to Councillor Johnson in order to move Item 6.

For disposition of this matter, refer to Item 6.

Councillor Danko assumed the Chair.

- (iv) **Application to Amend the Urban Hamilton Official Plan and Hamilton Zoning By-law No. 05-200 for lands located at 466 to 490 Highway No. 8 (Stoney Creek) (PED21136) (Ward 10) (Item 9.4)**

No members of the public were registered as Delegations.

Melanie Schneider, Planner 2, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Anthony Greenberg with SVN Architects + Planners, was in attendance and indicated support for the staff report.

The delegation from Anthony Greenberg with SVN Architects + Planners, was received.

The following written submission (Item 9.4(a)), was received:

- (a) Robert and Eva Infanti – in Opposition.

The public meeting was closed.

- (a) That Urban Hamilton Official Plan Amendment application UHOPA-18-25, by Rykka Care Centres GP Inc., Owner, for an amendment to the Western Development Area Secondary Plan to redesignate a portion of the lands from “Local Commercial” to “Institutional” (Block A) and to add a site specific policy for the lands known as 466 to 490 Highway No. 8 to permit high density residential having a maximum density of 243 units per hectare and local commercial uses on the ground floor (Block B), as shown on Appendix “A” to Report PED21136 be APPROVED on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED21136, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).
- (b) That Zoning By-law Amendment application ZAC-18-059, by Rykka Care Centres GP Inc., Owner, for a change in zoning from the Neighbourhood Commercial (C2, 579) Zone to the Major Institutional (I3, 744, H36) Zone (Block 1); from the Major Institutional “I” Zone to the Major Institutional (I3, 744, H36) Zone (Block 2); and, from the Major Institutional (I3) Zone to the Major Institutional (I3, 744, H36) Zone to permit the construction of a four storey, 224 bed long term care facility, an eight storey multiple dwelling with 132 dwelling units and 489 square metres of ground floor commercial space, and a nine storey multiple dwelling with 128 dwelling units for the lands known as 466 to 490 Highway No. 8, as shown on Appendix “A” to Report PED21136, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED21136, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That schedule “D” – Holding Provisions, of Zoning By-law No. 05-200, be amended by adding an additional Holding Provision as follows:

For the lands zoned Major Institutional (I3, 744, H36) Zone on Maps 1252 and 1305 of Schedule “A” – Zoning Maps and described as 466 to 490 Highway No. 8, the development shall not proceed until:

- (1) Necessary upgrades are completed to the sanitary sewer system and necessary payments are provided, to the satisfaction of the Manager of Engineering Approvals.
- (iii) That this By-law is in conformity with the Urban Hamilton Official Plan upon approval of the Urban Hamilton Official Plan Amendment No. XX and that the proposed change in zoning is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

The recommendations in Report PED21136 were **amended** by adding the following sub-section (c):

- (c) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

For disposition of this matter, refer to Item 7.

- (v) **Applications for a Rural Hamilton Official Plan Amendment and Zoning By-law Amendment for lands located at 822, 914 Book Road West and 1276 Shaver Road, Ancaster (PED21125) (Ward 12) (Item 9.5)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Matt Johnston with UrbanSolutions, was in attendance and indicated support for the staff report.

The delegation from Matt Johnston with UrbanSolutions, was received.

The public meeting was closed.

- (a) That Rural Hamilton Official Plan Amendment application RHOPA-20-028, by Urban Solutions Planning & Land Development Consultants Inc. on behalf of Knollwood Golf Ltd., (Owner), to amend the Rural Hamilton Official Plan designation from “Open Space” to “Agricultural” on two portions of the subject lands (Knollwood Golf Course) and recognize a reduced lot area to permit the severance of the existing single detached dwellings for the lands located at 822 Book Road West, 914 Book Road West and 1276 Shaver Road, Ancaster as shown on Appendix “A” to Report PED21125, be APPROVED on the following basis:

- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED21125, 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 implements the direction given by Planning Committee on September 22, 2020 (PED21125) of Committee of Adjustment applications AN/B-20:30, AN/B-20:31 and AN/B-20:32.
- (b) That Zoning By-law Amendment application ZAR-20-045, as amended, by Urban Solutions Planning & Land Development Consultants Inc. on behalf of Knollwood Golf Ltd., (Owner) to change the zoning from the Open Space (P4) Zone to the Agricultural (A1, 746) Zone to permit a single detached dwelling on each of the three lots to be created and modifications to the required setbacks, accessory structure size, height, for lands located at 822 Book Road West, 914 Book Road West and 1276 Shaver Road, Ancaster, to reflect the existing buildings and structures on the subject lands as shown on Appendix “C” to Report PED21125, be APPROVED on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED21125, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is required in order to implement Condition No. 10 of Consent application AN/B-20:30, Condition No. 9 of Consent application AN/B-20:31 and Condition No. 9 of Consent application AN/B-20:32; and,
  - (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to the Greenbelt Plan (2020), and will comply with the Rural Hamilton Official Plan upon approval of Rural Hamilton Official Plan Amendment No. XX.

The recommendations in Report PED21125 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.

- (vi) **Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 10, 39, and 40 Mallard Trail, 488**

**Dundas Street East and 585 Skinner Road (Flamborough)  
(PED20188) (Ward 15) (Item 9.6)**

No members of the public were registered as Delegations.

The staff presentation was waived.

Sarah Knoll with GSP Group Inc. and James Webb with WEBB Consulting, were in attendance and indicated support for the staff report.

The delegations from Sarah Knoll with GSP Group Inc. and James Webb with WEBB Consulting, were received.

The public meeting was closed.

- (a) That Amended Urban Hamilton Official Plan Amendment application UHOPA-19-013, by GSP Group on behalf of NHDG (Waterdown) Inc. and Waterdown Bay Ltd. (Owners), to establish an Area Specific Policy to amend the Commercial, Mixed Use – Medium Density and Staging of Development policies of the Waterdown South Secondary Plan to reduce the minimum requirement for retail and commercial space, permit accessory/associated residential uses on the ground floor and eliminate the retail and commercial development phases for lands located at 10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road, as shown on Appendix “A” to Report PED20188, be APPROVED on the following basis:
  - (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED20188, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council; and,
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow (2019), as amended.
  
- (b) That Amended Zoning By-law Amendment application ZAC-19-046 by GSP Group on behalf of NHDG (Waterdown) Inc. and Waterdown Bay Ltd. (Owners), for a further modification to the Urban Commercial “UC-13” Zone for Blocks 1, 2a and 2b, to permit accessory/associated residential uses on the ground floor, a minimum of 1,256 sq m of retail and service commercial floor space, include additional “UC-13” Zone uses in the minimum retail and service commercial gross floor area calculation, establish minimum floor areas for each property and to facilitate the development of a 90 unit, six storey mixed use building with 306 sq m of ground floor commercial (Block 2a) and a seven unit, three

storey mixed use building with 418 sq m of ground floor commercial (Block 2b) for lands located at 10 and 40 Mallard Trail (Block 1), 488 Dundas Street East (Block 2a) and 39 Mallard Trail (Block 2b) (Flamborough), as shown on Appendix “A” to Report PED20188 be APPROVED, on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED20188, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow (2019), as amended and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.
- (c) That Amended Zoning By-law Amendment application ZAC-19-046 by GSP Group on behalf of NHDG (Waterdown) Inc. and Waterdown Bay Ltd. (Owners), to amend the Holding Provision of the Urban Commercial “UC-14(H)” Zone by removing the retail and service commercial Gross Leasable Floor Space provision, for lands located at 585 Skinner Road, as shown on Appendix “A” to Report PED20188 be APPROVED, on the following basis:
- (i) That the draft By-law, attached as Appendix “D” to Report PED20188 which has been prepared in a form satisfactory to the City Solicitor be forwarded to Council for enactment;
  - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform to A Place to Grow (2019), as amended and will comply with the Urban Hamilton Official Plan, upon finalization of Urban Hamilton Official Plan Amendment No. XX.

The recommendations in Report PED20188 were **amended** by adding the following sub-section (d):

- (d) *That there were no public submissions received regarding this matter.***

For disposition of this matter, refer to Item 9.

**(f) DISCUSSION ITEMS (Item 10)**

**(i) Regulating Off-Road Vehicles (PED21110) (City Wide) (Item 10.1)**

Appendix “A” to Report PED21110 was amended to include All-terrain vehicles, Extreme Terrain Vehicles, Multi-purpose Off-highway Utility

Vehicles, Off-Road Motorcycles, Off-Road Vehicles, and Recreational Off-highway Vehicles.

For disposition of this matter, refer to Item 10.

**(ii) Comments on the Proposed Provincial Land Use Compatibility Guideline (PED21137) (City Wide) (Item 10.2)**

Recommendation (b) in Report PED21137 was **amended** to amend the wording in sub-section (b)(i), and to add sub-section (b)(iv), as follows:

- (i) The Areas of Influence (AOI) **of 2,000 metres** and the Minimum Separation Distance (MSD) **of 500 metres** ~~remain as guidelines~~ **be endorsed**; and not be required to be included as part of the Official Plan;
- (iv) ***The Province amends the guidelines to establish a 3,000m (3 km) Area of Influence (AOI) and Minimum Separation Distance (MSD) for landfill operations within the urban area and that any expansion of a landfill operation comply with the enhanced setback requirements from a sensitive land use.***

For disposition of this matter, refer to Item 11.

**(g) PRIVATE AND CONFIDENTIAL (Item 14)**

**(i) Proposed Settlement of appeals by 2261305 Ontario Inc. and Nick and Anna DeFilippis of the Fruitland Winona Secondary Plan (UHOPA No. 17) (LS21025/PED21146) (Ward 10) (Item 14.1)**

The Committee determined that discussion of Item 14.1 was not required in Closed Session; therefore, the matter was addressed in Open Session.

For disposition of this matter, refer to Item 13.

**(h) ADJOURNMENT (Item 15)**

There being no further business, the Planning Committee adjourned at 2:14 p.m.

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Councillor J.P. Danko  
Chair, Planning Committee

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Lisa Kelsey  
Legislative Coordinator



## **BOARD OF HEALTH REPORT 21-007**

9:30 a.m.

Wednesday, July 7, 2021

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

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

**Absent with  
Regrets:** Councillors T. Whitehead – Leave of Absence; Councillor J. Partridge - Personal

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### **THE BOARD OF HEALTH PRESENTS REPORT 21-007 AND RESPECTFULLY RECOMMENDS:**

#### **1. Communications (Items 5.2 and 5.3)**

That the following Correspondence items be endorsed:

- (a) Correspondence from Simcoe Muskoka District Health Unit respecting Mitigation Funding 2022 (Item 5.2)
- (b) Correspondence from Peterborough Public Health Unit respecting Mitigation Funding 2022 (Item 5.3)

#### **2. Infection Prevention and Control Measures for High-Rise Apartment Buildings and High-Rise Condominiums with 12 or More Storeys (BOH21007) (City Wide) (Outstanding Business List Item) (Added Item 10.1)**

That the Board of Health endorse the Medical Officer of Health issuing a Letter of Instructions under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c. 17 ("the Reopening Ontario Act") to all persons responsible for High-rise Apartment Buildings and High-rise Condominium Buildings, as defined in the letter, requiring them to take infection prevention & control measures to protect residents, employees, and visitors of these residential buildings from contracting and/or spreading COVID-19.

**3. Physician Recruitment and Retention Steering Committee Report 21-001- June 29, 2021(Added Item 10.3)**

That the following items be approved as presented:

- (a) Appointment of Vice-Chair (Item 1)

That Keanin Loomis be appointed as Vice-Chair of the Physician Recruitment and Retention Steering Committee for the balance of the 2018-2022 term of Council.

- (b) Appointment of a new physician practicing in Hamilton within five years of their graduation from residency (Item 7.2)

That Dr. Brendan Singh be appointed to the Physician Recruitment and Retention Steering Committee as the new physician practicing in Hamilton within five years of their graduation from residency.

- (c) Key Performance Indicators and Physicians by Community Report (Item 10.1)

That the Key Performance Indicators and Physicians by Community Report, be received.

- (d) Budget and Cash Flow Reports (Item 10.2)

(i) That the Year 17 (2020) Budget for December 1, 2019 to November 30, 2020, be received; and,

(ii) That the Cash Flow Statement for December 1, 2019 to November 30, 2020, be received;

- (e) Revisions to the Physician Recruitment and Retention Steering Committee Terms of Reference (Item 10.3)

That the revisions to the Physician Recruitment and Retention Steering Committee Terms of Reference, attached as Appendix A, be approved.

- (f) Working Group of the Physician Recruitment and Retention Steering Committee - Appointment (Item 10.3)

That Councillor Arlene VanderBeek be appointed to the Working Group of the Physician Recruitment and Retention Steering Committee for the balance of the 2018-2022 term.

- (g) Physician Recruitment and Retention Program Review (Item 10.4)

- (i) That a full review of the Physician Recruitment and Retention Program be carried out by the Working Group of the Physician Recruitment and Retention Steering Committee; and
  - (ii) That the Working Group of the Physician Recruitment and Retention Steering Committee report back to the Physician Recruitment and Retention Steering Committee on the results of the Program Review.
- (h) Proposed Contract Revisions – Physician Recruitment Coordinator and Practice Advisor (Item 14.2)
- (i) That the Terms and Conditions of Employment for the Physician Recruitment Coordinator and Practice Advisor, be approved, subject to review by the City of Hamilton Human Resources staff; and
  - (ii) That the Terms and Conditions of Employment for the Physician Recruitment Coordinator and Practice Advisor contract remain confidential.

**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 to the agenda:

**10. DISCUSSION ITEMS**

- 10.1. Infection Prevention and Control Measures for High-Rise Apartment Buildings and High-Rise Condominiums with 12 or More Storeys (BOH21007) (City Wide)
- 10.2. Physician Recruitment and Retention Steering Committee Report 21-001- June 29, 2021

**13. GENERAL INFORMATION / OTHER BUSINESS**

- 13.1. Amendments to the Outstanding Business List

The agenda for the July 7, 2021 Board of Health was approved, as amended.

**(c) DECLARATIONS OF INTEREST (Item 3)**

None

**(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) June 14, 2021 (Item 4.1)**

- (a) The Minutes of the June 14, 2021 meeting of the Board of Health were approved.
- (b) WHEREAS, Councillor VanderBeek has advised that she voted in error on Item (i)(iii), at the June 14, 2021 Board of Health meeting; and

WHEREAS, Councillor VanderBeek declared a conflict earlier in the meeting on June 14, 2021 on Item 9, Delegations respecting Mandatory Regulations to Stop COVID-19 Spread in Multiple Residential Apartment Buildings.

THEREFORE, BE IT RESOLVED:

The June 14, 2021 Board of Health minutes (Item 9 on the Agenda), were amended to reflect Councillor VanderBeek's conflict within the vote on Item (i)(iii).

**(e) COMMUNICATIONS (Item 5)**

- (i) Correspondence from the Hon. Christine Elliot, Minister of Health, respecting Amended Ontario Public Health Standards: Requirements for Programs, Services and Accountability (Item 5.1)**

The Correspondence from the Hon. Christine Elliot, Minister of Health, respecting Amended Ontario Public Health Standards: Requirements for Programs, Services and Accountability, was received.

**(f) STAFF PRESENTATIONS (Item 9)**

- (i) Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to Present (Item 9.1)**

Dr. Elizabeth Richardson, Medical Officer of Health; Michelle Baird, Director, Healthy and Safe Communities 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 2020 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 2020 to present, was received.

**(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Amendments to the Outstanding Business List (Added Item 13.1)**

The following Amendments to the Outstanding Business List were approved as presented:

**(a) Revised Due Dates (Item 13.1(a)):**

2015-A: Review of the City of Hamilton's Pest Control By-law (November 16, 2015, (Item 9.1))

Due Date: April 2021

Revised Due Date: Work Suspended due to COVID 19

2019-H: Hamilton Millennial Survey Study – Employment Precarity (April 15, 2019 19-004 (Item 8.1))

Due Date: March 2021

Revised Due Date: November 2021

2020-G: Implementation of a By-Law to Regulate the Smoking of Non-Tobacco Combustible Substances in Public Places and Work Places (February 21, 2020 BOH 20-002 (Added Item 11.1))

Due Date: May 2021

Revised Due Date: Work Suspended due to COVID 19

2020-I: Consumption and Treatment Services and Wesley Day Centre (Referred to the Board of Health from the Emergency and Community Services Committee on June 19, 2020)

Due Date: Feb 2021

Revised Due Date: Work Suspended due to COVID 19

2020-J: Review of the decriminalization of personal possession of illicit drugs as part of the public health framework, with a report back to the Board of Health (Board of Health, Sept 21, 2020)

Due Date: May 2021

Revised Due Date: October 2021

(b) Item to be Removed (Item 13.1(b)):

2020-H: Hamilton Drug Strategy Year End Report (BOH20006) (City Wide) (February 21, 2020, BOH 20-002 (Item 7.1))  
Completed with Report BOH210002, February 2021.

**(h) ADJOURNMENT (Item 15)**

There being no further business, the Board of Health was adjourned at 11:30 a.m.

Respectfully submitted,

Mayor F. Eisenberger  
Chair, Board of Health

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk



## PUBLIC WORKS COMMITTEE REPORT 21-010

1:30 p.m.

Wednesday, July 6, 2021

Council Chambers

Hamilton City Hall

71 Main Street West

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

**Absent with Regrets:** Councillor T. Whitehead – Leave of Absence

**Also Present:** Councillor M. Wilson

### THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 21-010 AND RESPECTFULLY RECOMMENDS:

**1. Woodward Upgrades Construction Update (PW20043(b)) (City Wide) (Item 7.1)**

That Report PW20043(b), respecting a Woodward Upgrades Construction Update, be received.

**2. Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2) (deferred from the May 31, 2021 meeting) (Item 9.1)**

That Report PW21034, respecting the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton, be REFERRED to the July 9, 2021 Council meeting for consideration to allow for a meeting between the appropriate staff, the Ward Councillor and the proponents in gauging the potential proponents interest in amending the existing development agreement to no longer include the Bay / Strachan parcel while still maintaining the same approximate level of affordable housing units (which includes an approximate net gain of 110 new units) in the over-all mixed income Jamesville proposal.

**3. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1) (Item 9.2)**

- (a) That the application of the owner of 315B Aberdeen Avenue, Hamilton, to permanently close and purchase a portion of the unassumed alleyway abutting 315B Aberdeen Avenue, Hamilton, ("Subject Lands"), as shown on Appendix "A" attached to Public Works Committee Report 21-010, be approved, subject to the following conditions:
  - (i) That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:
    - (1) The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,
    - (2) The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;
  - (ii) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;
  - (iii) That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved;
    - (1) The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;
    - (2) That the City Solicitor be authorized to amend and waive such terms as they consider reasonable to give effect to this authorization and direction;
    - (3) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to secure any requisite easement agreements (subject to the obligations of the applicant to negotiate such agreements as set out in recommendation (d)), right of way agreements,

and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands to the owners of 315B Aberdeen Avenue, Hamilton, as described in Report PW21041, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;

- (4) The City Solicitor be authorized to complete the transfer of the Subject Lands to the owners of 315B Aberdeen Avenue, Hamilton and transfers of easement to all land owners requiring access to the Subject Lands as outlined in Report PW21041, pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;
  - (5) The City Solicitor be authorized and directed to register a certified copy of the by-laws permanently closing and selling the alleyway in the proper land registry office;
  - (6) The Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204;
- (iv) That the applicant be responsible to arrange, negotiate, and obtain agreements, at the applicant's sole cost, with respect to all necessary transfers of right of way easements as outlined and as a condition of the transfer of the Subject Lands and for all legal costs associated with the aforesaid as well as the registration of required right of way agreements on title with the land owners who require access as indicated within Report PW21041 and such agreements ensure the following terms are included;
- (1) That 72 hours prior written notice delivered to all abutting landowners of the private right of way lands as shown on Appendix "B" attached to Public Works Committee Report 21-010, of any construction or other activities on or over the laneway;
  - (2) That any such construction or other activity not interfere with or impede access to or over the laneway except between the hours of 9:00am and 5:00pm on the days specified in the prior written notice;
  - (3) That at all other times there is to be unobstructed access to all abutting land owners;

- (v) That the applicant prepares a site drainage plan to the satisfaction of the Manager, Development Approvals;
- (vi) That the applicant works with the City of Hamilton to ensure all sight lines are clear at the intersection of Aberdeen Avenue and Locke Street South, Hamilton which fall on City property, to the satisfaction of the Manager, Traffic Safety;
- (vii) That the applicant abides by Committee of Adjustment decision HM/A-19:290 and subsequent Local Planning Appeal Tribunal decision PL200334;
- (viii) That the applicant be responsible for all costs associated with any construction related damages to the retaining wall and landscaping at 315 Aberdeen Avenue, Hamilton, excluding any costs related to the works proposed under recommendation "(a)(x)";
- (ix) That the proposed "right of way" lands as shown on Appendix "B" attached to Public Works Committee Report 21-010 be paved at the expense of the applicant once recommendations "(a)(v)" and "(a)(x)" have been cleared;
- (x) That a portion of the proceeds of the sale of the Subject Lands not exceeding \$40,000.00 be transferred to the appropriate account as determined by the Manager, Transportation, Operations, and Maintenance Division for the purpose of widening the sidewalk at the southwest corner of the intersection located at Locke Street South and Aberdeen Avenue, Hamilton, subject to the following:
  - (1) That no building permits be submitted by the owner of 315B Aberdeen Avenue, Hamilton, or issued by the City of Hamilton until all works related to recommendation "(a)(x)" be completed;
  - (2) That the City of Hamilton retain ownership and maintenance responsibility of all works completed by the City of Hamilton related to recommendation "(a)(x)";
  - (3) That the owner of 315B Aberdeen Avenue, Hamilton, install at his own expense a stop sign at the south side of the property boundary between the proposed "right of way" lands and City of Hamilton road allowance;
  - (4) That the retaining wall be constructed of concrete to match the existing retaining walls at 315 Aberdeen Avenue, Hamilton and ensure the newly constructed retaining wall is

adequately tied in to the existing step retaining wall at 315 Aberdeen Avenue, Hamilton.

**Result: Motion CARRIED by a vote of 9 to 1, as follows:**

YES - Ward 2 Councillor Jason Farr  
YES - Vice Chair - Ward 3 Councillor Nrinder Nann  
YES - Ward 4 Councillor Sam Merulla  
YES - Ward 5 Councillor Chad Collins  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 7 Councillor Esther Pauls  
NO - Ward 8 Councillor John-Paul Danko  
YES - Ward 10 Councillor Maria Pearson  
YES - Ward 12 Councillor Lloyd Ferguson  
YES - Chair - Ward 13 Councillor Arlene VanderBeek  
NOT PRESENT - Ward 14 Councillor Terry Whitehead

**4. Receiving Portland Bikeshare Equipment (PED21144) (City Wide) (Item 10.1)**

- (a) That staff be authorized and directed to submit a formal expression of interest to the City of Portland, Oregon, USA, to receive up to 600 used bike share bikes that have become available via donation as a result of Portland's upgrade to a newer system;
- (b) That, should the expression of interest be successful, that the bike share bikes, which are fully compatible with Hamilton's current bikeshare technology, be added to the City-owned bikeshare fleet as a City-owned asset and be used to extend the fleet life by providing a reliable source of spare equipment and parts;
- (c) That staff be authorized and directed to arrange for shipping and other logistics to transport the donated bikes from Portland to Hamilton, pursuant to the City's Procurement Policy;
- (d) That the estimated cost of \$50,000 for shipping the bikes from Portland, moving bikes into the current City-owned maintenance and storage facility and rebranding the bikes to reflect Hamilton Bike Share logos be funded through the Sustainable Mobility Programs Project ID: 4032055820;
- (e) That staff negotiate with Hamilton Bike Share Inc. (HBSI) for the use of the donated bikeshare equipment through the current contract period which extends to December 31, 2022; and,
- (f) That the General Manager of Planning and Economic Development be authorized to negotiate, enter into, and execute the agreements and any ancillary documents required to give effect to the donation of the

bikeshare equipment from Portland, the shipping and storage of the equipment, and the arrangements with Hamilton Bike Share Inc. (HBSI), all in a form satisfactory to the City Solicitor, based on the general scope and terms outlined in this Report.

**5. Investment in Churchill Park (Ward 1) (Item 11.1)**

WHEREAS, the City of Hamilton owned fieldhouse facilities in Ward 1 are maintained by the City of Hamilton's Facilities Operations & Maintenance Section of the Energy, Fleet & Facilities Management Division, Public Works;

WHEREAS, many of the current fieldhouses in Ward 1 need lifecycle repair and accessibility upgrades;

WHEREAS, flexible community space will enhance all season programming at Churchill Park, and will draw more users to the Park; and,

WHEREAS, Churchill Park has been identified by the community as a priority facility in need of improved accessibility, including accessible washrooms to support the Clubhouse users;

THEREFORE, BE IT RESOLVED:

- (a) That Public Works Facilities staff be authorized and directed to retain a Prime Design Consultant to undertake both a feasibility study of accessibility improvements, as well as a Cultural Heritage Study, of Churchill Park, to determine recommendations for upgrades to support the community and programming uses;
- (b) That the funding for the feasibility study of accessibility improvements, as well as a Cultural Heritage Study, of Churchill Park, at a cost of \$150,000, to be funded from the Ward 1 Area Rating Reserve Account (108051) be approved; and,
- (c) 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.

**6. Investment in Hamilton Amateur Athletic Association (HAAA) Park Fieldhouse (Ward 1) (Item 11.2)**

WHEREAS, the City of Hamilton owned fieldhouse facilities in Ward 1 are maintained by the City of Hamilton's Facilities Operations & Maintenance Section of the Energy, Fleet & Facilities Management Division, Public Works;

WHEREAS, many of the current fieldhouses in Ward 1 need lifecycle repair and accessibility upgrades;

WHEREAS, future investments are anticipated that will include a redeveloped spray pad and playground that will draw more users to HAAA Park; and,

WHEREAS, HAAA Fieldhouse has been identified by the community as a priority facility in need of improved accessibility to support the users of the playground, spray pad, and other park amenities;

THEREFORE, BE IT RESOLVED:

- (a) That Public Works Facilities staff be authorized and directed to retain a Prime Design Consultant to undertake a feasibility study of accessibility improvements, including a Cultural Heritage Assessment, of the Hamilton Amateur Athletic Association (HAAA) Fieldhouse, to support the community, programming, and anticipated increased use after future investments in park infrastructure;
- (b) That the funding for the feasibility study of accessibility improvements, including a Cultural Heritage Assessment, of the HAAA Fieldhouse, at a cost of \$150,000, to be funded from the Ward 1 Area Rating Reserve Account (108051) be approved; and,
- (c) 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.

**7. Design and Construction of a Spray Pad at Woodlands Park, Hamilton (Ward 3) (Item 11.3)**

WHEREAS, parks play an important role in the creation of livable, inclusive cities, and the amenities in parks animate the spaces for use by the public;

WHEREAS, Woodlands Park, 501 Barton Street East, Hamilton, is a park with servicing on site, washroom facilities, parking lot, adjacent transit stop, and therefore suitable for a spray pad amenity;

WHEREAS, climate change is leading to more heat alerts and hotter temperatures, and residents look to parks for opportunities to cool off;

WHEREAS, the Barton Village BIA created a petition to indicate community interest and support for a spray pad that received approximately 250 signatures in February 2021; and,

WHEREAS, the Ward 3 Office has determined this park is a priority for improvement and investment;

THEREFORE, BE IT RESOLVED:

- (a) That \$710,000 of funding be allocated from the Ward 3 Special Capital Re-investment Reserve Fund (#108053), to design and construct the Woodlands Park spray pad development project;
- (b) That the annual operating impacts of \$29,000 for the supply of water, maintenance, and winterization be included in the 2022 Public Works Department base operating budget submission; and,
- (c) 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.

**8. Installation of Pathway Lighting for the Buchanan Neighbourhood in Ward 8 (Item 11.4)**

WHEREAS, residents are requesting the installation of lighting for pathways that connect roadways to roadways within the Buchanan neighbourhood in Ward 8, to enhance walkability and pedestrian comfort and safety at night;

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install pedestrian scale lighting on the following eight pathways in the Buchanan neighbourhood in 2021:
  - (i) Laurier Avenue to Delmar Drive;
  - (ii) Laurier Drive to Collier Crescent;
  - (iii) Delmar Drive to Collier Crescent;
  - (iv) Laurier Avenue to Algoma Crescent;
  - (v) Leadale Place to Mohawk Road West;
  - (vi) Verona Place to Columbia Drive;
  - (vii) Geneva Drive to Columbia Drive; and,
  - (viii) Delmar Drive to Geneva Drive;
- (b) That all costs associated with the installation of pedestrian scale lighting on these pathways be funded from the Ward 8 Special Capital Reinvestment Reserve Account (108058) at an upset limit, including contingency, not to exceed \$180,000; and,

- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**9. Reimbursement of Backwater Valve Installation at 35 Lisgar Court, Hamilton (Ward 6) (Item 11.5)**

WHEREAS, the Protective Plumbing Program was adopted by Council on September 30, 2009, (Report PW09082), and appended to the Water and Wastewater Infrastructure Support Community Improvement Plan, on August 21, 2020;

WHEREAS, residential properties that are owner occupied or rented and attached to the municipal sewer system are eligible for grants of up to \$2,000 under the Protective Plumbing Program, provided the eligible works conform to the Ontario Building Code;

WHEREAS, in 2010, after flooding occurred in 2009, the owner of 35 Lisgar Court entered into a private agreement with a local contractor to purchase a building permit to install a Mainline Fullport Backwater Valve and receiving the maximum grant of \$2,000;

WHEREAS, in 2015, the Mainline Adapt-a-Valve backwater valve was approved for installation for sewer laterals at a depth greater than 24" resulting in a unique situation;

WHEREAS, in 2019, the owner of 35 Lisgar Court experienced a sewer backup again; and,

WHEREAS, in October 2020, the family of the homeowner contracted a local plumber to provide an estimate for cleaning the backwater valve, the plumber noted that the Mainline Fullport Backwater Valve that was installed in 2010 is at depth of 40" and THUS inaccessible for proper maintenance and cleaning;

THEREFORE, BE IT RESOLVED:

- (a) That following the replacement of the Mainline Fullport Backwater Valve with an Adapt-A-Valve backwater valve at 35 Lisgar Court, by a qualified contractor retained by the resident, and submission of the final invoice and proof of payment be given to the Hamilton Water Services Division, the homeowner be reimbursed a maximum of \$2,000 from the Ward 6 Special Capital Re-Investment Discretionary Fund (#3301909600); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**10. Installation of a Speed Cushion on Robson Crescent, Hamilton (Ward 6) (Item 11.6)**

WHEREAS, residents are requesting the installation of a speed cushion along Robson Crescent, which abuts Randall Park, to address roadway safety concerns as a result of speeding and cut through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to install one speed cushion at #99 Robson Crescent, Hamilton, at a cost not to exceed \$7,000, to be funded from the Ward 6 Minor Maintenance Account (4031911606); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**11. Installation of an All-Way Stop at the Intersection of Rosewell Street and Rexford Drive, Hamilton (Ward 6) (Item 11.7)**

WHEREAS, the City of Hamilton is committed to creating safe neighborhoods and vibrant communities;

WHEREAS, ensuring the safety of both pedestrians and motorists is a priority;

WHEREAS, this request was driven and initiated by resident concerns to the Ward 6 Councillor's Office; and,

WHEREAS, this intersection is a popular crossing point for pedestrians/cyclists accessing the City's Multi-use Recreational Pathway on the south side of the Lincoln Alexander Parkway;

THEREFORE, BE IT RESOLVED:

- (a) That staff be authorized and directed to add new stop controls on Rosewell Street at Rexford Drive to convert the intersection to an all-way stop, at a cost not to exceed \$10,000, to be funded from the Ward 6 Minor Maintenance Account (4031911606); 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.

**12. Purchase of New Mounting Base for Memorial Stone within Fisher Mills Park (Ward 13) (Item 11.8)**

WHEREAS, a tragic accident occurred on the Greensville Hill, in Dundas, on March 2, 1974, which took the lives of teenagers Ingrid Scheinecker and Margaret Kaarsemaker and severely injured Kathy Kaarsemaker;

WHEREAS, a memorial stone was donated by the students and staff of Dundas District High School in their memory;

WHEREAS, the school building is now a privately-owned condominium residence;

WHEREAS, the former school's playfield now belongs to the City of Hamilton;

WHEREAS, the stone was relocated to the municipally-owned Fisher Mills Park, opposite the former school; and,

WHEREAS, the memorial in Fisher's Mill Park requires a new mounting base for the stone;

THEREFORE, BE IT RESOLVED:

- (a) That Public Works Parks staff be authorized and directed to purchase the required mounting base for the Memorial Stone within Fisher Mills Park, at a cost not to exceed \$1,500, to be funded from the Ward 13 Non-Property Tax Revenue account (3301609613); 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.

**13. Locke Street BIA Area Pedestrianization Grant (Ward 1) (Item 11.9)**

WHEREAS, COVID-19 has hit Canadian small business harder than the 2008 financial crisis;

WHEREAS, small businesses represent 97.9% of all Canadian businesses, contributing almost half of the GDP generated by the private sector and are collectively Canada's largest employer, putting more than 8.4 million Canadians to work;

WHEREAS, the Mayor's Task Force on Economic Recovery provided multi-sectoral leadership and direction to guide Hamilton's economic recovery in the immediate aftermath of the COVID-19 pandemic. It has formulated an action driven plan to position the City of Hamilton now, for long-term, sustainable and equitable economic recovery.

WHEREAS, action item 12 of the Mayor's Task Force report stated that the City of Hamilton must find solutions in relation to outdoor space that will create attractive and safe walkable streets;

WHEREAS, action item 67 of the Mayor's Task Force report identified street closures and placemaking projects as actions that could revitalize main streets and support local businesses, attractions and tourism facilities;

WHEREAS, action item 4 of the Mayor's Task Force report identified the need to champion street closures and placemaking projects through all seasons to help revitalize main streets and support local businesses;

WHEREAS, action item 78 identified placemaking an effective way to support the well-being and health of workplaces;

WHEREAS, the Mayor's Task Force report recognized that Hamilton requires an equity-informed economic recovery plan that addresses systemic inequalities including the disproportionate impact on women;

WHEREAS, the Locke Street BIA is composed of 80 active small businesses and approximately 55% of these businesses are female owned or co-owned;

WHEREAS, the Locke Street BIA experienced a disruption of regular business activity with significant lost revenue in year 2019 as a result of the reconstruction of the street;

WHEREAS, most of the federal COVID-19 financial assistance programs for small business used 2019 to calculate the percentage revenue decline for the qualifying periods of 2020/21 in determining the subsidy rate and as such this does not reflect an accurate representation of year over year lost revenue decline caused by the 2019 road reconstruction;

WHEREAS, in the summer of 2020, in response to COVID-19 restrictions, Locke BIA business members closed the street to vehicle traffic on Saturdays in August and September in an effort to support Locke BIA restaurants and retail stores. This effort resulted in increased revenues for small businesses;

WHEREAS, the Locke Street BIA is planning on opening up Locke Street South to pedestrians each Saturday, for 11 Saturdays, for both dining and retail BIA members, in an effort to provide a safe environment and meet COVID-19 restrictions; and,

WHEREAS, the accumulative costs of the closure exceeds the funds available to the Locke Street BIA;

THEREFORE, BE IT RESOLVED:

- (a) That \$7,000 be provided to the Locke Street Business Improvement Area to help support safe street closures from the Ward 1 Area Rating Capital Reinvestment Discretionary Fund (3302109100); and,
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**5. COMMUNICATIONS**

- 5.1 Correspondence from Erin Shacklette respecting Item 9.1 – Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2)

Recommendation: Be received and referred to the consideration of Item 9.1

**9. PUBLIC HEARINGS / DELEGATIONS**

- 9.1 Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2) (deferred from the May 31, 2021 meeting)

9.1(a) Registered Speakers:

- 9.1(a)(b) Herman Turkstra
- 9.1(a)(c) Robert Koch, North End Neighbourhood Association

- 9.2 Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1)

9.2(a) Registered Speakers:

- 9.2(a)(a) Ian Bannerman
- 9.2(a)(b) Joanne Bannerman
- 9.2(a)(c) Kate Lazier
- 9.2(a)(d) Kevin Daley

**12. NOTICES OF MOTION**

- 12.1 Installation of Traffic Calming Measures on Beacon Avenue, Hamilton (Ward 6)
- 12.2 Installation of Traffic Calming Measures on Moxley Drive, Hamilton (Ward 6)

**14. PRIVATE AND CONFIDENTIAL**

- 14.1 HSR Property Update (LS21026/PW21042) (City Wide)  
**(WITHDRAWN)**

The agenda for the July 7, 2021 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) June 14, 2021 (Item 4.1)**

The Minutes of the June 14, 2021 meeting of the Public Works Committee were approved, as presented.

**(d) COMMUNICATIONS (Item 5)**

**(i) Correspondence from Erin Shacklette respecting Item 9.1 - Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2) (Added Item 5.1)**

The correspondence from Erin Shacklette respecting Item 9.1 - Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2) was received and referred to the consideration of Item 9.1.

**(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

**(i) Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2) (deferred from the May 31, 2021 meeting) (Item 9.1)**

Councillor VanderBeek advised that notice of the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan

Street West, Hamilton (PW21034) (Ward 2) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were three registered speakers.

**Registered Speakers:**

**1. Sandra Hudson, Friends of Sunset Cultural Garden (Item 9.1(a)(a))**

Sandra Hudson, Friends of Sunset Cultural Garden, addressed the Committee with concerns respecting the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2).

**2. Herman Turkstra (Added Item 9.1(a)(b))**

Herman Turkstra addressed the Committee with concerns respecting the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2).

**3. Robert Koch, North End Neighbourhood Association (Added Item 9.1(a)(c))**

Robert Koch, North End Neighbourhood Association, addressed the Committee with concerns respecting the Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2).

The registered delegations were received.

The public meeting was closed.

For further disposition of this matter, refer to Item 2.

**(ii) Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1) (Item 9.2)**

Councillor VanderBeek advised that notice of the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

The Committee Clerk advised that there were four registered speakers.

**Registered Speakers:**

**1. Ian Bannerman (Added Item 9.2(a)(a))**

Ian Bannerman withdrew.

**2. Joanne Bannerman (Added Item 9.2(a)(b))**

Joanne Bannerman addressed the Committee with concerns respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1).

**3. Kate Lazier (Added Item 9.1(a)(c))**

Kate Lazier addressed the Committee with concerns respecting the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1).

**4. Kevin Daley (Added Item 9.1(a)(d))**

Kevin Daley addressed the Committee in support of the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alley Abutting 315B Aberdeen Avenue, Hamilton (PW21041) (Ward 1).

The registered delegations were received.

The public meeting was closed.

For further disposition of this matter, refer to Item 3.

**(f) MOTIONS (Item 11)**

**(i) Purchase of New Mounting Base for Memorial Stone within Fisher Mills Park (Ward 13) (Item 11.8)**

Councillor VanderBeek relinquished the Chair to Councillor Danko.

For further disposition of this matter, refer to Item 12.

Councillor VanderBeek assumed the Chair.

**(g) NOTICES OF MOTION (Item 12)**

Councillor Jackson introduced the following Notice of Motion:

**(i) Installation of Traffic Calming Measures on Beacon Avenue, Hamilton (Ward 6) (Added Item 12.1)**

WHEREAS, the residents of Beacon Avenue have submitted a 46-page petition for the installation of speed cushions on Beacon Avenue to address roadway safety concerns as a result of speeding, cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on Beacon Avenue (2 speed cushions) as part of the 2021 Traffic Calming program (Fall Application);
- (b) That all costs associated with the installation of traffic calming measures on Beacon Avenue (2 speed cushions) be funded from the Ward 6 Minor Maintenance Account at an upset limit, including contingency, not to exceed \$14,000; and,
- (c) 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.

Councillor Jackson introduced the following Notice of Motion:

**(ii) Installation of Traffic Calming Measures on Moxley Drive, Hamilton (Ward 6) (Added Item 12.2)**

WHEREAS, the residents of Moxley Drive have submitted a 45-page petition for the installation of speed cushions on Moxley Drive between Beacon Avenue and Mohawk Road East to address roadway safety concerns as a result of speeding, cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on Moxley Drive (1 speed cushion) as part of the 2021 Traffic Calming program (Fall Application);
- (b) That all costs associated with the installation of traffic calming measures on Moxley Drive (1 speed cushion) be funded from the Ward 6 Minor Maintenance Account at an upset limit, including contingency, not to exceed \$7,000; and,

- (c) 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.

**(h) 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) Roadway Safety Measures on Aberdeen Avenue from Queen Street to Longwood Road  
Item on OBL: AZ  
Current Due Date: July 7, 2021  
Proposed New Due Date: September 20, 2021
  - (ii) Ward 1 Multi-Modal Connections Review  
Item on OBL: ABD  
Current Due Date: July 7, 2021  
Proposed New Due Date: November 1, 2021
  - (iii) COVID-19 Recovery Phase Mobility Plan  
Item on OBL: ABE  
Current Due Date: July 7, 2021  
Proposed New Due Date: September 20, 2021

**(i) ADJOURNMENT (Item 15)**

There being no further business, the Public Works Committee adjourned at 3:54 p.m.

Respectfully submitted,

Councillor A. VanderBeek  
Chair, Public Works Committee

Alicia Davenport  
Legislative Coordinator  
Office of the City Clerk



Hamilton

PROPOSED CLOSURE OF PORTION OF UNASSUMED  
ALLEY ABUTTING 315B ABERDEEN AVENUE

Geomatics & Corridor Management Section  
Public Works Department

LEGEND

 Lands to be Closed





## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-011**

**9:30 a.m.  
July 8, 2021  
Council Chambers  
Hamilton City Hall**

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**Present:** Councillors L. Ferguson (Chair), B. Clark, C. Collins, B. Johnson, M. Pearson, A. VanderBeek, and M. Wilson

**Also Present:** Councillors J.P. Danko, and N. Nann

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### **THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 21-011 AND RESPECTFULLY RECOMMENDS:**

- 1. Roads Value for Money Audit (AUD21006) (City Wide) (Item 8.1)**
  - (a) That Appendices “A” and “C” to Report AUD21006, respecting the Roads Value for Money Audit be received;
  - (b) That the Management Responses, as detailed in Appendix “A” to Audit, Finance & Administration Report 21-01, be approved; and,
  - (c) That the General Manager of Public Works be directed to implement the Management Responses (attached as Appendix “A” to Audit, Finance & Administration Report 21-011) and report back to the Audit, Finance and Administration Committee in 6 months and again by December 2022 on the nature and status of actions taken in response to the audit report.

- 2. 165 Barton Street East, Hamilton – Water and Wastewater / Storm Account Credit Adjustment (FCS21061) (Ward 2) (Item 10.1)**

That the General Manager, Finance and Corporate Services, be authorized to direct Alectra Utilities to credit account number 3600081300 and service address of 165 Barton Street East, Hamilton, pertaining to water and wastewater / storm charges for a total amount of \$959,035.86.

- 3. Policy 11 Single Source Provider for Trackless Brand Sidewalk Tractor (PW21039) (City Wide) (Item 10.2)**

- (a) That pursuant to the City’s Procurement Policy By-Law 17-064 (Policy #11 – Non-Competitive Procurements) a single source purchase of (2) two Trackless Sidewalk Tractors model MT57 (remanufactured model) including the standard attachments and one flail mower through the re-manufacture program, at the approximate cost of \$304,170 be awarded to

**Council – July 9, 2021**

Work Equipment Ltd. and funded from Fleet Vehicle & Equipment Replacement Reserve Project ID 58550-4942151100;

- (b) That pursuant to the City's Procurement Policy By-Law 17-064 (Policy #11 – Non-Competitive Procurements) a single source purchase of (1) one additional Trackless Sidewalk Tractor model MT57 (remanufactured model) including the standard attachments plus one custom sweeping broom through the re-manufacture program at the approximate cost of \$161,580 be awarded to Work Equipment Ltd. and funded from Project ID 58550-4032121350; and,
- (c) That the General Manager, Public Works Department be authorized to negotiate, enter into and execute a contract and any ancillary documents required to give effect thereto with Work Equipment Ltd. in a form satisfactory to the City Solicitor.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

The agenda for the July 8, 2021 Audit, Finance and Administration Committee meeting was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

**(i) June 17, 2021 (Item 4.1)**

The Minutes of the June 17, 2021 meeting of the Audit, Finance and Administration Committee were approved, as presented.

**(d) STAFF PRESENTATIONS (Item 8)**

**(i) Roads Value for Money Audit (AUD21006) (City Wide) (Item 8.1)**

Charles Brown, City Auditor, provided the Committee with a staff presentation respecting Roads Value for Money Audit.

Councillor Ferguson relinquished the Chair to Vice-Chair Pearson.

The Staff Presentation respecting Report AUD21006, Roads Value for Money Audit, was received.

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

(ii) **Public Works Response and Actions (Item 8.1(a))**

Dan McKinnon, General Manager of Public Works, provided the Committee with a staff presentation respecting the Public Works Response and Actions regarding the Roads Value for Money Audit.

Councillor Ferguson assumed the Chair.

That Public Works staff be directed to investigate their Cracked Sealing process and report back on the reasons the process was stopped, prioritization of the process going forward, and the funding required to perform the repairs, and report back to the Public Works Committee in the fall of 2021.

That the Staff Presentation respecting the Public Works Response and Actions regarding the Roads Value for Money Audit, be received.

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

(iii) **Roads Value for Money Audit (AUD21006) (City Wide) (Item 8.1 continued)**

- (a) That Appendices “A” and “C” to Report AUD21006, respecting the Roads Value for Money Audit be received;
- (b) That the Management Responses, as detailed in Appendix “B” of ReportAUD21006 be approved; and,
- (c) That the General Manager of Public Works be directed to implement the Management Responses (attached as Appendix “B” to Report AUD21006) and report back to the Audit, Finance and Administration Committee by December 2022 on the nature and status of actions taken in response to the audit report.

That the recommendation (c) to Report AUD21006, respecting the Roads Value for Money Audit **be amended** by adding the words **in 6 months and again**, to read as follows:

- (c) That the General Manager of Public Works be directed to implement the Management Responses (attached as Appendix “B” to Report AUD21006) and report back to the Audit, Finance and Administration Committee **in 6 months and again** by December 2022 on the nature and status of actions taken in response to the audit report.

That Audit Staff be directed to include the Development Side of the Roads Audit in the 2022 City Auditor Work Plan.

That Audit Staff be directed to report back to the Audit, Finance & Administration Committee on Storm Water Management and the adjustments that would be required to add this to the 2022 City Auditor Work Plan.

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

**(e) PRIVATE AND CONFIDENTIAL (Item 14)**

Committee determined that discussion of Item 14.1 was not required in Closed Session, so the item was addressed in Open Session, as follows:

**(i) Closed Minutes – June 17, 2021 (Item 14.1)**

- (a) The Closed Session Minutes of the June 17, 2021 Audit, Finance and Administration Committee meeting, were approved as presented; and,
- (b) The Closed Session Minutes of the June 17, 2021 Audit, Finance and Administration Committee meeting, remain confidential.

**(f) ADJOURNMENT (Item 15)**

There being no further business, the Audit, Finance and Administration Committee adjourned at 12:58 p.m.

Respectfully submitted,

Councillor Ferguson, Chair  
Audit, Finance and Administration  
Committee

Angela McRae  
Legislative Coordinator  
Office of the City Clerk



Hamilton

Office of the City Auditor

# Roads Value for Money Audit



# Recommendations and Management Responses

July 8, 2021

**Office of the City Auditor**

**Domenic Pellegrini, Senior Auditor**

**Charles Brown, City Auditor**

**Brigitte Minard, Deputy City Auditor**

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## Introduction

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The following 25 recommendations will strengthen controls and enhance the value for money achieved in the Roads Program.

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## Recommendation 1

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We recommend that the processes and methodologies for tracking and reporting the infrastructure gap be improved in order to provide more reliable information and effective support for decision making (Appendix A, para. 46).

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## Management Response

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Agreed.

It is imperative that the infrastructure gap be transparent, repeatable and generated from a tested methodology that uses solid data and clear goals. A new methodology will be developed that will encompass all of these requirements in order to provide effective support for decision making. This new methodology will be in alignment corporately via the new role of Director Corporate Asset Management.

Expected Completion Date: Q2 2022.

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## Recommendation 2

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We recommend that State of the Infrastructure (SOTI) Reports be developed into a more effective tool for reporting the state of road assets using a streamlined, consistent process with clearer evidence-based metrics (Appendix A, para. 53).

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## Management Response

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Agreed.

The State of the Infrastructure Report has proven to be a helpful summary of current inventory and condition information of assets when it was initiated decades ago. The use of a letter grade in a SOTI report is being retired, as all assets will have data driven metrics in the future. All asset reporting will be evidence based and through future Asset Management Plan (AMP) updates under O Reg. 588/17.

Expected Completion Date: 2025 - Council determined level of service, including risk assessment, will be developed in the 2025/Phase 3 AMP under O.Reg.588/17.

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## Recommendation 3

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We recommend that future asset management plans incorporate a more robust approach for levels of service and risk management (Appendix A, para. 71).

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## Management Response

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Agreed.

Management has been gathering data to define current levels of service for approval at Council level. Preliminary concepts were presented to GIC November 27, 2020, refer to File 2021 GIC Tax Capital Budget Presentation FCS20101, Slide 11. Council determined level of service, including risk assessment, will be developed in the Asset Management Plan under O.Reg.588/17.

As part of Public Works's approach to continuous improvement in our asset management program, more robust processes for levels of service and risk management are in development. These revised processes will be in alignment with ISO 55000 for Asset Management and ISO 31000 for Risk Management.

Expected Completion Date: Q2 2022.

**Recommendation 4**

We recommend that the Roads Program develop a strategic plan to address its improvement opportunities, and to map out strategies for achieving long term sustainability and implementing key performance measures (Appendix A, para. 71).

**Management Response**

Agreed.

Many elements of a Roads Program Strategic Plan exist or are in development, through the balance of 2021 into Q4 2022 these will be pulled together to form a comprehensive Transportation Operational Plan.

Expected Completion Date: Q4 2022.

**Recommendation 5**

We recommend that performance measures be developed to assist in tracking and monitoring of the long-term sustainability of road assets (Appendix A, para. 79).

**Management Response**

Agreed.

Similar to responses to Recommendations 1 and 3 Management has been gathering data and establishing a framework to define current levels of service for approval at Council level.

The City specific deterioration model that has been loaded into our Decision Support System (IRISS). Management will update the IRISS system with additional data (see Recommendation 9 response) that will assist in tracking road asset performance. This will be part of a continuous improvement process.

Performance measures specific to long-term sustainability will also be developed. Examples include the asset renewal funding ratio (proposed renewal budget for the next 10 years / forecast renewal costs for next 10 years), and the medium term forecast costs/proposed budget (over 10 years of the planning period). Providing sustainable services from infrastructure requires the management of service levels, risks, forecast outlays and financing to achieve a financial indicator of approximately 1.0 for the first years of the Asset Management Plan and ideally over the 10-year life of the Long-Term Financial Plan. This new methodology will be in alignment corporately via the new role of Director Corporate Asset Management.

Expected Completion Date: Q2 2022.

**Recommendation 6**

We recommend that road asset management develop strategies and plans to deploy more proactive management of road assets with greater emphasis on preservation (Appendix A, para. 89).

**Management Response**

Agreed.

We will develop an operational plan for maintenance activities for roadway pavement assets.

Expected Completion Date: Q2 2022.

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**Recommendation 7**

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We recommend that senior management consider having the function of road asset management become a separately positioned and overseen function to ensure it has the independence and perspective necessary to develop an effective, objective approach to asset management (Appendix A, para. 90).

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**Management Response**

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Agreed.

Pursuant to an internal review and in consultation with the City Manager and the General Manager of Corporate Services and Finance in 2020, a dedicated corporate asset management portfolio has been initiated with a Director recently being recruited. An inventory will be undertaken in 2021 to determine roles and responsibilities as part of the implementation of the Corporate Asset Management office through which clear accountabilities will be established relative to asset management versus the managing of assets.

Expected Completion Date: Q4 2021.

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**Recommendation 8**

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We recommend that Roads management systematically track the accuracy of predicted life cycle costs in order to inform, improve and amend pavement deterioration forecasts, treatment timing, cost estimation, and to help identify anomalies (Appendix A, para. 92).

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**Management Response**

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Agreed.

Management has updated our Decision Support System with more current condition data.

These reviews will continue in cycles as we gather additional condition data.

In the mid-term (next 3 years), the new Enterprise Asset Management System currently being implemented will allow for the tracking of the accuracy of predicted life cycle in order to improve and amend pavement deterioration forecasts with associated timing, cost and the identification of anomalies. This new system will be instrumental in improving the way life cycle costing is managed in the corporate asset management program.

Expected Completion Date: Q4 2024.

**Recommendation 9**

We recommend that Management report road pavement condition in a consistent manner across its different reporting mechanisms and collect pavement condition data on a more frequent basis (Appendix A, para. 100).

**Management Response**

Agreed.

Management has adjusted the use of the previous SOTI reports and pavement condition is scheduled to be collected in the 2022 budget and that will provide the City a 3-year cycle.

The evolution of roads data collection over the last 20 years reveals the way the data is collected has developed over time as technologies emerge. There are strong correlations in automated systems and as we collect more information in the future that will create consistent data sets that can be analyzed over time. A standard operating procedure will be developed for the collection of pavement condition data.

Expected Completion Date: Q1 2022.

**Recommendation 10**

We recommend that Roads management consider expanding the composition of its overall condition index to include a measure representative of a pavement's structural adequacy (Appendix A, para. 136).

**Management Response**

Agreed.

In recent projects Engineering Services has enhanced its pavement structure analysis to develop a more robust pavement design. On a network basis, such investigations will continue to be utilized as we gather data on our roads. However, to acquire an inventory of all 6000+ lane kilometers of road base composition will be a significant undertaking.

Expected Completion Date: Q1 2022.

**Recommendation 11**

We recommend that Roads management introduce measures to improve its system of oversight to ensure that contractors will be held rigorously to account for substandard performance and to ensure quality deficiencies are compensated for and/or corrected appropriately (Appendix A, para. 145).

**Management Response**

Agreed.

In 2018 the Construction Group began the implementation of an adjustment sheet. It is a modification from MTO's End Result Specification (ERS) spreadsheet that applies a payment reduction to the Asphalt Item. This reduction is based on the conformance to the mix design.

A review of the current methodology to hold contractors accountable will be undertaken to ensure that substandard performance and quality deficiencies are compensated for and/or corrected appropriately.

Expected Completion Date: Q4 2022.

**Recommendation 12**

We recommend that Contractor performance for each contract be tracked and formally evaluated using a consistent and robust process and that the use of contractor ratings from previous performance be considered for implementation as a procurement criterion in order to mitigate the risk of poor results (Appendix A, para. 166).

**Management Response**

Agreed.

For contractor performance and tracking we have developed a holistic contractor performance summary report. Since 2018 Engineering Services has tracked material performance against each contract contractor, mix design and have taken over 900 samples and tested over 5,500 parameters.

Asphalt quality has risen in that timeframe. Engineering Services is continuing to enhance its specifications while addressing contractor performance. It is within Procurement’s workplan to research and develop a more robust Vendor Performance Program. The context of this program has yet to be determined however, Procurement will investigate the potential to use contractor ratings from previous contract performance as a procurement criterion in order to mitigate the risk of poor results.

The Enterprise Asset Management system currently being implemented has the ability to formally track and evaluate vendor performance in conjunction with vendor information found in PeopleSoft. The system considers previous performance as part of the overall evaluation. Implementation is expected in the next 3 years.

Estimated completion date: Q4 2022.

**Recommendation 13**

We recommend that quality assurance and acceptance testing procedures and criteria be strengthened, including those for asphalt mixes, asphalt cement and recycled asphalt pavement materials (RAP), in order to ensure the risk of poorly performing asphalt is minimized (Appendix A, para. 169, 182).

**Management Response**

Agreed.

We have reviewed asphalt cement testing processes and have also retained a consultant to develop a Pavement Design Guideline that will take a holistic approach when designing pavements. The Pavement Design Guideline includes a review of RAP. The use of RAP is becoming more prevalent, which can be used and applied in many environmentally friendly pavement technologies.

Estimated Completion Date: Q2 2022.

**Recommendation 14**

We recommend that Management consider providing more resource support for quality assurance functions and processes to ensure they are robust and work as intended (Appendix A, para. 181).

**Management Response**

Agreed.

Management agrees with the observation regarding our QA function resourcing. As part of our review on the audit recommendations we will be developing options to support this function. This is likely to form part of the 2022 budget request to Council.

Estimated Completion Date: Q2 2022.

**Recommendation 15**

We recommend that the design function continue to move away from boilerplate design and embrace AASHTO 93 and MEPDG in a systematic way by developing a design guide, associated procedures, and training, and by considering the merits of establishing such knowledge requirements and expertise in relevant position descriptions (Appendix A, para. 184).

**Management Response**

Agreed.

Management notes this change will take a few years to complete, as our asphalt design cycle begins to evolve, starting with our programming phase.

Management has undertaken a review to develop a program for pavement designs.

Phase 1 due Q1 2022– Design review. Future phases including training and systems to be developed in 2022.

Expected Completion Date: Q4 2022.

**Recommendation 16**

We recommend that a review be undertaken of the adequacy of the City's current degradation fee in compensating the City for the lost value and accelerated deterioration of infrastructure as a result of road cuts (Appendix A, para. 205).

**Management Response**

Agreed.

Hamilton has been a leader in this area however we agree more can be done and will undertake continuous improvement work in 2021, due date in 2022.

Expected Completion Date: Q4 2022.

**Recommendation 17**

We recommend that Roads management strengthen its policies to ensure that contractors are incented to complete warranty deficiencies on a timely basis (Appendix A, para. 231).

**Management Response**

Agreed.

Our contracts have a two-year maintenance period and require performance and, labour and materials bonds. The performance bond includes the warranty period to address the correction of deficiencies.

Engineering Services will review the current practices and policies to complete warranty deficiencies on a timely basis.

Additionally, the Enterprise Asset Management system currently being implemented contains a warranty module that will assist with the tracking of warranty requirements, timing and reporting of instances where issues have been identified. Implementation is expected in the next 3 years.

Estimated completion date: missing, Q1 2022.

**Recommendation 18**

We recommend that Engineering Services provide information to, and involve Transportation Operations and Maintenance in warranty repairs so they will be alert to potential issues and are given a voice in the adequacy and timeliness with which contractors address deficiencies (Appendix A, para. 239).

**Management Response**

Agreed.

Public Works have been developing a policy to formalize the project hand over procedures between Engineering Services and Transportation Operations and Maintenance. This policy can be extended to all construction projects within the City including development related works.

A formal Standard Operating Procedure related to asset handover from construction will be developed by Q4 of 2021.

The Enterprise Asset Management system currently being implemented contains a warranty module that will assist with the tracking of warranty requirements, timing and reporting of instances where issues have been identified. This information will be available to staff in both Engineering Services and Transportation Operations and Maintenance. Implementation is expected in the next 3 years.

Estimated Completion Date: Q4 2021.

**Recommendation 19**

We recommend that all potholes including MMS, non-MMS and those reported by members of the public be subject to tracked and reported remediation time standards (Appendix A, para. 241).

**Management Response**

Agreed.

A procedure and timeline for managing the repair of potholes that are both inside and are outside the scope of the requirements outlined in the Minimum Maintenance Standards (O. Reg 366/18) was developed. Pothole Repair Management Procedure PW-TOM-RM-P-026-003 was approved in May 2021.

Expected Completion Date: Not applicable. Completed in Q2 2021.

**Recommendation 20**

We recommend that Roads management explore opportunities for deploying the systematic use of preservation management in optimizing the condition and sustainability of City roads (Appendix A, para. 249).

**Management Response**

Agreed.

The preservation program will be expanded through the development of an Asphalt Mill and Pave Program, Preventative Asphalt Road Maintenance Program and a Roadway Crack Sealing through the Capital Budget process.

Expected Completion Date: Q1 2022.

**Recommendation 21**

We recommend that as part of its procurement procedures roads management monitor the bidding process for red flags that may suggest irregularities have taken place and investigate if necessary (Appendix A, para. 258).

**Management Response**

Disagreed.

Roads management is not permitted to be involved in a competitive procurement bidding process until such time as a contract has been awarded or the procurement process has been cancelled. Participating in manner in the competitive process would be viewed as a perceived or apparent conflict of interest. Procurement is responsible for monitoring the bidding process for red flags however, until bids have been formally submitted, there is no way to determine if any "red flags" are present. Procurement staff would be willing to discuss with Office of the City Auditor any mechanisms to recognize any "red flags" should they occur. Should the Office of the City Auditor recommend that Road management perform some bid monitoring, Roads management would need to be advised specifically of those expectations and if there are any limitations or risks associated with doing so.

Expected Completion Date: Not Applicable.

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**Recommendation 22**

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We recommend that when dealing with specialized road work that can only be performed by a limited number of contractors, management work with Procurement to look for other contractors to make the process more competitive (Appendix A, para. 262).

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**Management  
Response**

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Disagreed.

Procurement uses "bids&tenders.ca" as its bidding procurement platform for posting the City's competitive procurement information. This website is widely used by various industries including Municipalities, Education, Health Care, Utility and Engineering and Construction across Ontario and Canada to facilitate an opening bidding process. While other procurement platforms exist, utilizing more than one platform would be redundant and would also create the possibility of inconsistencies between the sites. Online bidding platforms have been in use for a number of years and any vendor looking to submit bids to governmental agencies should be well versed in searching these platforms for opportunities. There are also several tutorials available for any vendor looking to start entering this competitive online market.

Expected Completion Date: Not Applicable.

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**Recommendation 23**

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We recommend that in the future, Roads management ensure change orders are approved in writing before work is performed and are sufficiently detailed to allow for subsequent review, validation and cost control (Appendix A, para. 264).

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**Management  
Response**

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Agreed.

We will review and adjust change order procedures in consultation with Finance and Administration to ensure correct protocols are being followed. Subsequent to this review the appropriate procedures will be developed by quality management staff and hosted in the Quality Resource Center.

Expected Completion Date: Q2 2022.

**Recommendation 24**

We recommend that Management institute sufficient oversight and segregation of duties to ensure procurements undertaken through the roster method meet the requirements (Appendix A, para. 271).

**Management Response**

Agreed.

Segregation of roles in managing roster programs has been transitioned to the Manager level to ensure that correct oversight is undertaken.

Expected Completion Date: Not Applicable. Completed.

**Recommendation 25**

We recommend that Roads management work with Finance to ensure proper invoicing for contractor services takes place in accordance with the Construction Act, that progress payment documentation is adequate, that under/overspent budgeted finds are appropriately accounted for, and transfers approved, and that controllership over these funds is sound (Appendix A, para. 280).

**Management Response**

Agreed.

To resolve Office of the City Auditor's recommendation Management in partnership with Finance and Administration will be aligning Engineering Services with the existing prompt payment processes in order to ensure proper invoicing per the Construction Act and progress payment documentation is occurring for contractor services. Further, Management will ensure controllership of capital funds through the involvement and oversight of Finance and Administration. Roles and responsibilities of the capital function will be reviewed by the Financial, Planning, Administration and Policy division.

Expected Completion Date: Q3/Q4 of 2021.

As part of the Enterprise Asset Management System Project, Public Works in partnership with Finance and other applicable stakeholders are undergoing a review of business processes/procedures that will ultimately transform the current way of doing business and includes project management and governance/controllership principles/frameworks. The project is underway and will be implemented over the next three years. Public Works has committed to updating Council on an annual basis on the status of the project.

Expected Completion Date: Q4 2024.

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**Office of the  
City Auditor**

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## **EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 21-008**

1:30 p.m.  
Thursday, July 8, 2021  
Council Chambers  
Hamilton City Hall  
71 Main Street West

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

**Regrets:** T. Whitehead – Leave of Absence

### **THE EMERGENCY & COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 21-008 AND RESPECTFULLY RECOMMENDS:**

**1. Residential Care Facility (RCF) Liaison Report 4th Quarter Update (HSC20040(c)) (City Wide) (Item 7.1)**

That Report HSC20040(c), respecting Residential Care Facility (RCF) Liaison Report 4<sup>th</sup> Quarter Update (City Wide), be received.

**2. Wentworth Lodge Heritage Trust Fund Sub-Committee Report 21-001 - June 22, 2021 (Item 7.2)**

**(i) Wentworth Lodge Heritage Trust Fund – Financial Status 2021 (HSC21020) (Ward 13)**

That the total funds payable from the settlement of the Wentworth Lodge Guaranteed Investment Certificates (GIC) portfolio in the amount of \$287,977, be reinvested in a GIC portfolio under similar terms as previously at one, two, three, four and five years.

**(ii) Wentworth Lodge – Enhancements to the Courtyards - 2021 (HSC21021) (Ward 13)**

That Report HSC21021, respecting Wentworth Lodge – Enhancements to the Courtyards - 2021 (HSC21021) (Ward 13), be received.

**3. City of Hamilton Landmarks and Monuments Review  
(HSC21025/PED21149/PW21038) (City Wide) (Item 10.1)**

- (a) That staff undertake a Historical Review of City of Hamilton owned landmarks, including park and street names, to determine opportunities to honour the Indigenous community in accordance with the Urban Indigenous Strategy action item #12 and to contribute to the City of Hamilton's journey towards meaningful Reconciliation;
- (b) That the estimated project budget at an upset limit of \$75,000 to complete the initial historical landmarks review and facilitate the community consultation process, be funded from the Tax Stabilization Reserve (110046);
- (c) That the single source procurement to Nation FPG Inc., operating as First Peoples Group, pursuant to Procurement Policy 11 – Non-competitive Procurements, for the consultancy work to complete the historical landmarks review and community consultation be approved; and,
- (d) That staff report back to the Emergency and Community Services Committee with next steps and recommendations following the completion of the Historical Review process.

**4. Residential Care Facilities (RCF) Liaison Pilot Project - Six Month Extension to December 31, 2021 (HSC21027) (City Wide) (Item 10.2)**

That the temporary Residential Care Facilities (RCF) Liaison position, approved under a Notice of Motion at the Emergency and Community Services meeting of June 19, 2020, be extended to December 31, 2021 to allow for the completion of an internal RCF program review.

**5. Golden Horseshoe and Farming Alliance: Serving Up Local II: An Economic Analysis Research Project in Long Term Care (HSC21031) (Ward 7 and Ward 13) (Added Item 10.3)**

- (a) That Macassa Lodge and Wentworth Lodge participate in an Economic Analysis Research Project Serving Up Local II with the Golden Horseshoe Food and Farming Alliance (GHFFA) and the University of Guelph to determine the economic impact of offering local food in facilities to improve the nutritional health and well-being of residents; and,
- (b) That the General Manager, Healthy and Safe Communities Department or his designate, be authorized to negotiate, enter into and execute any contract and any ancillary documents required in relation to the research project "Serving Up Local II: An Economic Analysis Research Project in Long Term Care" as further described in this report, in a form satisfactory to the City Solicitor.

**6. Removal of the Name Ryerson from the Recreation Centre at 251 Duke Street, Hamilton (Ward 1) (Item 11.2)**

That the following motion, be referred to the Facility Naming Sub-Committee for consideration:

WHEREAS the May 2006 Indian Residential Schools Settlement Agreement saw parties to the Agreement, including Canada and the churches responsible for the operations of the schools, formally acknowledge that “Canada and certain religious organizations operated Indian Residential Schools for the education of aboriginal children and certain harms and abuses were committed against those children”;

WHEREAS on June 11, 2008 then Canadian Prime Minister Stephen Harper issued a formal Statement of Apology on behalf of Canada to students of Indian residential schools, their families, and communities;

WHEREAS the 2015 Truth and Reconciliation Commission of Canada (TRC) concluded that Residential Schools were “a systematic, government-sponsored attempt to destroy Aboriginal cultures and languages and to assimilate Aboriginal peoples so that they no longer existed as distinct peoples.” The TRC characterized this intent as “cultural genocide”;

WHEREAS Egerton Ryerson held the position of Chief Superintendent of Education in Upper Canada from 1844 to 1876;

WHEREAS Egerton Ryerson advocated for the creation of the residential school system for Indigenous children when asked by the Department of Indian Affairs for his suggestions on “Industrial Schools for the benefit of the aboriginal Indian tribes”;

WHEREAS in this report Ryerson stated that for Indigenous Peoples “nothing can be done to improve and elevate his character and condition without the aid of religious feeling. This information must be superadded to all others to make the Indian a sober and industrious man”;

WHEREAS Ryerson reasoned that White and Indigenous children required different education because “It is a fact established by numerous experiments, that the North American Indian cannot be civilized or preserved in a state of civilization (including habits of industry and sobriety) except in connection with, if not by the influence of, not only religious instruction and sentiment but of religious feelings”;

WHEREAS Ryerson’s report formed the blueprint of what would become the Indian Residential School System, including his recommendations that it be administered by religious institutions and that the majority of the children’s time would be spent in labour rather than instruction;

WHEREAS authorities would frequently take children to schools far from their home communities as part of a strategy to alienate them from their families, language, culture and familiar surroundings;

WHEREAS abuse at the schools was widespread: emotional and psychological abuse was constant, physical abuse was meted out as punishment, and sexual abuse was also common. Survivors recall being beaten and strapped; some students were shackled to their beds; some had needles shoved in their tongues for speaking their native languages;

WHEREAS the Truth and Reconciliation Commission final report provided conservative estimates that between 4,000 and 6,000 children died in the residential schools, causes of death including physical abuse, malnutrition, disease, neglect, suicide, or trying to escape;

WHEREAS the last of Canada's residential schools closed in 1996, impacting several generations of Indigenous Peoples who share in the intergenerational effects of transmitted personal trauma and loss of language, culture, traditional teachings, and mental/spiritual wellbeing;

WHEREAS in addition to his role in the establishment of Residential Schools, Ryerson opposed the education of girls beyond elementary school, and supported racially segregated education, drafting legislation allowing for the creation of racially segregated schools that lasted in Ontario until 1965;

WHEREAS the city of Hamilton owns and operates a recreation centre that is adjoined to a public elementary school sharing the name Ryerson;

WHEREAS the city of Hamilton formally states that it is committed to creating and nurturing a city that is welcoming and inclusive where equity seeking communities will feel safe, supported and have an enhanced sense of belonging;

WHEREAS keeping the name Ryerson on the municipal recreation centre is inconsistent with the values set out in the city's vision and strategic priorities; and

WHEREAS at the June 6, 2021 meeting of the HWDSB the following motion was unanimously passed: "That In the spirit of Truth and Reconciliation, that an Indigenous process that is both locally relevant and responsive be struck to rename Ryerson Elementary school, through ethical engagement and in consultation with local Indigenous communities and key beneficiaries and stakeholders."

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton take all necessary steps, administrative and physical, to immediately remove the name Ryerson from the municipal recreation centre located at 251 Duke Street, Hamilton, Ontario;
- (b) That the City of Hamilton work in tandem with the HWDSB in the renaming of the elementary school/municipal recreation centre;
- (c) That the recommended name be submitted to the City's Facility Naming Sub-Committee for review and approval;
- (d) That the City's Tax Stabilization Reserve be used to fund this action; and
- (e) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**5. COMMUNICATIONS**

5.1. Correspondence respecting Sir John A. Macdonald Statue

- (wk) Janeil van Strien
- (wl) Richard Wesley
- (wm) Deidre Hall
- (wn) Tom Shea
- (wo) Noor Nizam
- (wp) Elizabeth Grebetsadik
- (wq) Deann McGlinchey
- (wr) Michelle Yanes
- (ws) Lana Tancredi
- (wt) Michelle Heugh-Joseph
- (wu) Sean Buchner
- (wv) Donna Akrey
- (ww) Tanis McArthur
- (wx) Hamilton Centre Federal NDP Riding Association
- (wy) Katherine Walker-Jones
- (wz) Jordan Therkildsen
- (xa) Nicholas Silva

- (xb) Tara Giles
- (xc) Natalie Ethier
- (xd) Sarah Rogers
- (xe) Rome Miralso
- (xf) Jay Sibayan
- (xg) Leigh Taylor
- (xh) Olivia McCormick
- (xi) Eva Graves
- (xj) Neisha Ashley
- (xk) Alisha Khan
- (xl) Louise Murray-Leung
- (xm) Nadine Wettlaufer
- (xn) Danielle Mather
- (xo) Fani Smoljanovic
- (xp) Lisa Peart
- (xq) Chris Palmer
- (xr) Chantelle Pealey
- (xs) Emma Borselino
- (xt) Casey Myers
- (xu) Janice Vis-Gitzel
- (xv) Nick de Koning
- (xw) Jaime Jewer
- (xx) Trish Cooke
- (xy) Fraser Malcolm
- (xz) Nick VanAmstel
- (ya) Simon Peng
- (yb) Martin Brown
- (yc) Martin Ajayi
- (yd) Peter Vander Klippe
- (ye) Jeanette Eby
- (yf) Kim Selman
- (yg) Brittany Medeiros
- (yh) Erin Yusek
- (yi) Elle Morgan
- (yj) Riley Wignall
- (yk) Mike Norman
- (yl) Ishaan Selby
- (ym) Kelly Craigen
- (yn) Nina Clements
- (yo) Faye Thomas
- (yp) Moe Bsat
- (yq) Jenny Vasques
- (yr) Kristen Gulley
- (ys) Alex Wilson
- (yt) Jaimie Nicole Rizzo
- (yu) Shirleen Datt
- (yv) Amanda Conway
- (yw) Michelle Fanning
- (yx) Kristen McMinn

(yy) Andrea Phair  
(yz) Tabitha Sayegh  
(za) Ian Fox  
(zb) Christopher Barclay  
(zc) Anne Dwyer  
(zd) Susan Wortman  
(ze) James Quinn  
(zf) Angela Di Nello  
(zg) Elizabeth Andrykew  
(zh) Tim Jones  
(zi) Nimal Agalawatte  
(zj) Meredith Blackmore  
(zk) Andrew Buszchak  
(zl) Em Noordam  
(zm) Frances Hahn  
(zn) Emmali Branton  
(zo) Mirhella Cottone  
(zp) Nageeb Twal  
(zq) Alexandra Henderson  
(zr) Jesselyn Jade  
(zs) Sam Harris  
(zt) Marina Gandzi  
(zu) Sarah Bayliss  
(zv) Cora Lynn Oliver  
(zw) Stephanie Lines-Toohill  
(zx) Julia Duguid  
(zy) Morgan Wedderspoon  
(zz) Danielle McKay  
(aaa) Brodi Gardiner  
(aab) Andrew Kirkconnell  
(aac) Odina Gonzales  
(aad) Olivia Simpson  
(aae) Maddison Schreiber  
(aaf) Mariel Rutherford  
(aag) Q Hanna  
(aah) Robinson Inkster  
(aai) Victoria Collins  
(aaj) Steph Manica  
(aak) Emily Rourke  
(aal) Valerie Wettlauffer  
(aam) Tiffany Silversmith  
(aan) Trina Hetherington  
(aao) Tess Visser  
(aap) Megarra Buxton  
(aaq) Addison Brash  
(aar) Alisa Blanchard  
(aas) Robin Lacambra  
(aat) Richard Burnett  
(aau) Kimberly Donaldson

(aav) Ian Bunton  
(aaw) Stephanie Glancy  
(aax) Monique Thornton  
(aay) Katarina Paré  
(aaz) Kristen Bradbury  
(aba) Maiko Brown-Kai  
(abc) Zachary Thompson  
(abd) Maschal Khan  
(abe) Chris Moors  
(abf) Jessica Sterling  
(abg) Lisa-marie Sterling  
(abh) Tracy Mewhort-Buist  
(abi) Mara Dangelo  
(abj) Meghan Graham  
(abk) Gregor Hemon  
(abl) Mara D  
(abm) Lisa Rostoks  
(abn) Katy Santandrea  
(abo) Natalie Lisinska  
(abp) Kamela Mulder  
(abq) Zach Jacobs-Blum  
(abr) Anthony Borselino  
(abs) Elisa Grunwald  
(abt) Laura Scott  
(abu) Lauren Campbell  
(abv) Stephanie Cox  
(abw) Kyla Perna  
(abx) Harlee Mackenzie  
(aby) Lauren Gimblett  
(abz) Iris Langlois  
(aca) Elleah Mudjar  
(acb) Chris Gusen  
(acc) Phoebe Taylor  
(acd) Barry Conway  
(ace) Mitch Ross  
(acf) Katherine McLean  
(acg) Selby Harris  
(ach) Danielle Hitchcock-Welsh  
(aci) Kevin Burke  
(acj) Danica Evering  
(ack) Claudia Leduc  
(acl) Abby Adjekum  
(acm) Spencer Kinchlea  
(acn) Simpne D'Angelo  
(aco) Kieran Croy  
(acp) Katie Sullivan  
(acq) Melissa Dowdall  
(acr) Nera Topcagic  
(acs) Kristian Ferreira

(act) Holly Di Prospero  
(acu) Laurel Carter  
(acv) Abigail White  
(acw) Joanna Aitcheson  
(acx) Storme Nelan  
(acy) James Nelan  
(acz) Ashley Wilson  
(ada) Kate Shoreman  
(adb) Siobhan McAvoy  
(adc) Kate Reeds  
(add) Robin McGill  
(ade) Annie Horton  
(adf) Chris Rigby  
(adg) Jessican Burrell  
(adh) Stephanie Perron  
(adi) Mara Schooley  
(adj) Emily Rodger  
(adk) Margaret Flood  
(adl) Sydney Macrae  
(adm) Marie Treasa Levasseur  
(adn) Andrea Sandhu  
(ado) Julia Marchionda  
(adp) Stephanie Vasquez  
(adq) Erica Preston  
(adr) Amanda Achacon  
(ads) Kate Stoneman  
(adt) Jacob Playfair  
(adu) Alicia Wilfort  
(adv) Kayleigh Paisley Rush  
(adw) Lauren Harnish  
(adx) Krista Browne  
(ady) Lee Meszaros  
(adz) Carina D'Angelo  
(aea) Kaci Switzer  
(aeb) Samantha Richarz  
(aec) Blake Bristol  
(aed) Chantal Huszar  
(aee) Julia Apanasowicz  
(aef) Eva Clark  
(aeg) Matthew Keenan  
(aeh) Mae P  
(aei) Erin Coffell  
(aej) Theresa McPhee  
(aek) Roberta Sealy  
(ael) Madeleine Luvisa  
(aem) Nicole Lepine  
(aen) Emmett Rans  
(aeo) Allison Burda  
(aep) Elaine Boileau

(aeq) Ava Muir  
(aer) Ariel Pillitteri  
(aes) Jaclyn Olano  
(aet) Katherine Boothe  
(aeu) Alexa Deluca  
(aev) Jody Boston  
(aew) Candice Barton  
(aex) Danielle Plester  
(aey) Sofia Labbe  
(aez) Ashley Ince  
(afa) Jennifer Harasen  
(afb) Ashley Weegar  
(afc) Deshaun Johnston  
(afd) Alicia Anglin  
(afe) Phoebe Underhill  
(aff) Ned Nolan  
(afg) Brie Chauncey  
(afh) Shelagh Griffin  
(afi) Taylor Greer  
(afj) Elizabeth King  
(afk) Sierra Paquette Struger  
(afi) Nicki Sparks  
(afm) Dana Barton  
(afn) Jeremy Smith  
(afo) Michelle Li  
(afp) Samantha Roketta  
(afq) Megan Scotland  
(afr) Holly Silenzi  
(afs) Danielle Couture  
(aft) Matthew Bergen  
(afu) Sheena Campbell  
(afv) Ema Mahb  
(afw) Soleil Counsell  
(afx) Amanda Kerigan  
(afy) Rachel Nolan  
(afz) Cassandra Hamill  
(aga) Victoria Marko  
(agb) Samantha Butler  
(agc) Carly Billings  
(agd) Alicia Deverill  
(age) Nat D  
(agf) Kate Hunter  
(agg) Alexandra Richarz  
(agh) Judith Charron  
(agi) Giorgia Woolfe  
(agj) Ella O'Hara  
(agk) Giselle Magie  
(agl) Elizabeth Simpson  
(agm) Joy Mudjar

(agn) Mastawesha Kassa  
(ago) Sara Ali  
(agp) Shannon Graszat  
(agq) Scott Mallon  
(agr) Ava H  
(ags) Tristan Amor  
(agt) Brittany Lauton  
(agu) Kelly Brouwer  
(agv) Emma McKenna  
(agw) Adrienne Connelly  
(agx) Vince Soliveri  
(agy) Meaghan Makins  
(agz) Joe Guaca  
(aha) Jordan Carrier  
(ahb) Cailey Campbell  
(ahc) Kayla Crabtree  
(ahd) Heidi Crocini  
(ahf) Matthew Crabtree  
(ahf) Dave Hamilton  
(ahg) Grayling Stevens  
(ahh) Danielle Macintosh  
(ahi) Emily Patrick  
(ahj) Maia De Graff  
(ahk) Brenna Inglis  
(ahl) Delaney Caulfield  
(ahm) Deshawna Charland  
(ahn) Rebecca Potter  
(aho) Ruby Dawn  
(ahp) Mieke Stephenson  
(ahq) Sarah Armstrong  
(ahr) Sheiya Crocini  
(ahs) Jill Stringer  
(aht) Lindsey Kosedy  
(ahu) Eric Randhawa  
(ahv) Anastasia Brockbank  
(ahw) Jean Marchildon  
(ahx) Kal Ing  
(ahy) Carrie St-Martin  
(ahz) Kayla Smith  
(aia) Jennifer Roberts  
(aib) Jessica Vinluan  
(aic) Jennifer Wallace  
(aid) Haley Reap  
(aie) Amanda Wright  
(aif) Alicia Dejong  
(aig) Madi Fuller  
(aih) Buddy Martin  
(aii) Luc Peters  
(aij) Helen Benvenga

(aik) Shelley Rempel  
(ail) Josh Kemp  
(aim) Dan MacIntyre  
(ain) Lisa Jeffs  
(aio) Robin Miller  
(aip) Patricia Burney  
(aiq) Ana Olivares  
(air) Mary Lou Tanner  
(ais) Daniela Igdoura  
(ait) Nick Marquis  
(aiu) Kayla Whitney  
(aiv) Matt Galopoulos  
(aiw) Stacey Campanella  
(aix) Beth Marquis  
(aiy) Claudia Wong  
(aiz) Michael Woodward  
(aja) Drew Mutton  
(ajb) Vanessa Ferry  
(ajc) Tara Gregory  
(ajd) Thea Jones  
(aje) Peigh W  
(ajf) Heather Piggott  
(ajg) Karen Campbell  
(ajh) Janneke Marsman  
(aji) Doug Campbell  
(ajj) Michael Moniz  
(ajk) Doug Rich  
(ajl) Elise Copps  
(ajm) Angela Doxtator  
(ajn) Mark Preston  
(ajo) Seema Narula  
(ajp) Nadine Kalinauskas  
(ajq) David Brock  
(ajr) Mark Best  
(ajs) Andria Harvey  
(ajt) Sheil Allan  
(aju) Cassiopeia Kenner  
(ajv) Jessica Bullock  
(ajw) Cheryl Frappier  
(ajx) Jacqueline Pullar  
(ajy) Mike Highfield  
(ajz) Scott Henry  
(aka) Vanessa Oliver  
(akb) Rachel Dubeckyj  
(akc) Jonathan Lambert  
(akd) Sienna Guiseppe  
(ake) Zeina Hassan  
(akf) Mike Jerome  
(akg) Christopher Arendt

- (akh) Dave Parkinson
- (aki) Brian Bradley
- (akj) Patricia Lambert
- (akk) Nicholas Kennedy
- (akl) Chris Sanislo
- (akm) Emily Bennett
- (akn) Adam Palios
- (ako) Rae Jewett
- (akp) Arianne Di Nardo
- (akq) Julie Cudin
- (akr) Simona Tosca
- (aks) Nicole Robin
- (akt) Nancy Silva Khan
- (aku) Jasmin Eng
- (akv) Jenna Dexter
- (akw) Adrienne Clark
- (akx) Paige Butler
- (aky) Shawn Selway
- (akz) Jessica Jane Bill
- (ala) Sara Denault
- (alb) Maria Rowley
- (alc) Bailey Hamilton
- (ald) Allison Jack
- (ale) Adrian Hodgson
- (alf) Mads Clement
- (alg) Adan Olivares Castro
- (alh) Rabel Mirza
- (ali) Michael Oliveira
- (alj) Diana Filc
- (alk) Sara McLaughlin
- (all) Shylo Elmayan
- (alm) Artur Filc
- (aln) Beata Filc

Recommendation: To be received and referred to Item 11.1

## 6. DELEGATION REQUESTS

### 6.1. Removal of Sir John A. Macdonald Statue (for today's meeting)

- (a) Kojo Dampsey, Hamilton Centre for Civic Inclusion
- (b) Miriam Sager
- (c) Ken Jones (formerly Earle Jones)
- (d) Jason Capobianco
- (e) Gawa-owane Sewatiz
- (f) Robin McKee, Sir John A. Macdonald Society Hamilton
- (g) Christine Joseph-Davies
- (h) Jordan Carrier - Video Delegation
- (i) Steve Bunn

- (j) Tristan Maclaurin
- (k) Mary Love, Extinction Rebellion Hamilton Indigenous Affinity Group

6.2. Rev. Dr. Ian Sloan, New Vision United Church, respecting Removal of Ryerson Name from Recreation Centre at 251 Duke Street, Hamilton (for today's meeting)

## **10. DISCUSSION ITEMS**

10.3. Golden Horseshoe and Farming Alliance: Serving Up Local II: An Economic Analysis Research Project in Long Term Care (HSC21031) (Ward 7 and Ward 13)

The agenda for the July 8, 2021 Emergency and Community Services Committee meeting was approved, as amended.

### **(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

### **(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)**

#### **(i) June 17, 2021 (Item 4.1)**

The Minutes of the June 17, 2021 meeting of the Emergency and Community Services Committee were approved, as presented.

### **(d) COMMUNICATIONS (Item 5)**

#### **(i) Correspondence respecting Sir John A. Macdonald Statue (Item 5.1)**

The following communication items, were received and referred to Item 11.1:

- (a) Joshua Weresch
- (b) Jackie Levitt
- (c) Kojo Dampety, Hamilton Centre for Civic Inclusion
- (d) Carrie Russell
- (e) Alexandra Weinberger
- (f) Kara Tobin
- (g) Nathan Sager
- (h) Nathan Muir
- (i) Vilma Rossi
- (j) Ronny Agawa
- (k) Robin Laforme
- (l) Brittany Vincze
- (m) Lisa Johnson
- (n) Sherly Kyorkis

- (o) Jessica Li
- (p) Hilary Chambers
- (q) Michelle Poirier
- (r) Steve Maeve, Kate and Maddie Brockbank
- (s) Madison Cameron
- (t) Angela Woodcox
- (u) Andrea Purnell
- (v) Shannon Mitchell
- (w) Annette Paiement
- (x) Layla El-Dakhkhni
- (y) Sara Cormier
- (z) Jessica Bonilla-Dampney
- (aa) Kate Brown
- (ab) Juanita Parent
- (ac) Kimberly Thompson
- (ad) Andrew Shane Rodgers
- (ae) Morigana Townsend
- (af) Lindi Zamisa
- (ag) Rachael Smith
- (ah) Barbara Burnside
- (ai) Danielle Newton
- (aj) Gary Burnside
- (ak) Cassidy Mitchell
- (al) Refik Saskin
- (am) Maria Cumura
- (an) Emma Donahue
- (ao) Ailidh Gray
- (ap) Mars Kruithof
- (aq) Todd Bulmer
- (ar) Stephanie Brash
- (as) Maggie Cockburn
- (at) Michaela Turcotte
- (au) Leanne White
- (av) Adrian Lee
- (aw) Luke Porterfield
- (ax) Ayeza Tahir
- (ay) Adam Blackburn
- (az) Chamithi DeSilva
- (ba) James Hutton
- (bb) Preksha Patel
- (bc) Kelly Martin
- (bd) Stylo Starr
- (be) Samille Elliston
- (bf) Genevieve O'Grady
- (bg) Theresa Kenney
- (bh) Rebecca Hammond
- (bi) Josh Black
- (bj) Linda Page-Hill
- (bk) Caitlin Craven

(bl) Caitlyn de Groot  
(bm) Tyler Riches  
(bn) Beth Tallach  
(bo) Jessica Perks  
(bp) Stephanie Vegh  
(bq) Glenda Van der Leeuw  
(br) Alex Ramsay  
(bs) Rhys Baldwin  
(bt) Erin Hastings  
(bu) Charlotte Francis  
(bv) Darryl Gould  
(bw) Senem Karaceper  
(bx) Adeola Egbeyemi  
(by) Danielle Piche  
(bz) Ian Walker  
(ca) Selena Middleton  
(cb) Blake Mccall  
(cc) Laura Buchner  
(cd) Danni Leduc  
(ce) Ariel Bader-Shamai  
(cf) Nik Bennett  
(cg) Catherine Lopez  
(ch) Rowan Miles  
(ci) Marika Brown  
(cj) Maria Felix Miller  
(ck) Matt King  
(cl) Em Ratkovsky  
(cm) Ryan R  
(cn) Kiera Boulton  
(co) Tamara Carla Grant  
(cp) Andrea Blakey  
(cq) Whitney Eames  
(cr) Andrea Madsen  
(cs) Melissa Samad  
(ct) Shellie Zhang  
(cu) Krista Hudak  
(cv) Billie Neary  
(cw) Mouna Bile  
(cx) Nikki Wilson  
(cy) Hollie Pocsai  
(cz) Tanya Cronin  
(da) Farrah Dokis  
(db) Jessica Chandrachekar  
(dc) Becca O'Donnell  
(dd) Queen Cee  
(de) Sandra Cross  
(df) Joe Ollmann  
(dg) Michelle Urbanek  
(dh) Sierra Robertson

(di) Paige Hastings  
(dj) Rosane Milliken  
(dk) Matthew Dorrell  
(dl) Sam Milliken  
(dm) Jiya Chaudhary  
(dn) Deanna Rylott  
(do) Stephanie Milliken  
(dp) Cynthia Ding-Chen  
(dq) Andres Miramontes  
(dr) Sheila Nobakht  
(ds) Leila Gaind  
(dt) Kelly Palmer  
(du) Monika Skarratt  
(dv) Nina Gaind  
(dw) Liz Millar  
(dx) Shelby Johnston  
(dy) JayLynn Rose  
(dz) Erica Bridge  
(ea) Dae Daniel  
(eb) Montana Mellett  
(ec) Hailey Kingsnorth  
(ed) Miriam Novick  
(ee) Renee Cojocari  
(ef) Alison Mackenzie  
(eg) Shannon Linton  
(eh) Brandon Canning  
(ei) Stephanie Scardellato  
(ej) Ashley Watson  
(ek) Erin Mccann  
(el) Andrea Perks  
(em) Jackie Johansen  
(en) Connor Bennett  
(eo) Jesse Wattham  
(ep) Jami-Lynn Fick  
(eq) Sean Woodley  
(er) Elaine Nong  
(es) Ameil Joseph  
(et) Brandon Davies  
(eu) William Davies  
(ev) Christine Joseph-Davies  
(ew) Alix Mclean  
(ex) Vilma Rossi  
(ey) Brett Hawley  
(ez) Evelynna Ekoko-Kay  
(fa) Kathleen Noel  
(fb) Noel Ale  
(fc) Kaileigh Jones  
(fd) Andrea Dyer  
(fe) Sophie Jensen

(ff) Janine Brown  
(fg) Mikayla Miller  
(fh) Alex Jacobs-Blum  
(fi) Mel Beauchemin  
(fj) Rebecca Katz  
(fk) Parsha Shahid  
(fl) Sara Jama  
(fm) Sam Fawcett-Riis  
(fn) Stacy Mitchell  
(fo) Jacob Stewart  
(fp) Vania Pagnello  
(fq) Rebecca Casalino  
(fr) Shahzi Bokhari  
(fs) Drew Shrubbs  
(ft) Dan Jelly  
(fu) Thea Haines  
(fv) Dan Ashworth  
(fw) Luisa Caruso  
(fx) Jessica Peterson  
(fy) Ben Robinson  
(fz) Kandace Devereaux  
(ga) Sarah Montana  
(gb) Josh Taylor  
(gc) Marni Clause  
(gd) Chelsea Rolph  
(ge) Michelle Robinson  
(gf) Kerry Ibe  
(gg) Meagan Farnham  
(gh) Oliver Smelt  
(gi) Jessie Keyte  
(gj) Shawn Bines  
(gk) Emily Meilleur-Rivers  
(gl) Lori Helfenbaum  
(gm) Tanya Hussick  
(gn) Megan DeMarco  
(go) Lauren Middleton  
(gp) Jordan Cifani  
(gq) Leah Abaza  
(gr) Heather Lucier  
(gs) Bea Muzi  
(gt) Rehoboth Dekamo  
(gu) Rose Antone  
(gv) Laurel Martin  
(gw) Vanessa Ortiz  
(gx) Zeahaa Rehman  
(gy) Raegan Muir  
(gz) Cristina Alt  
(ha) Sarah Rodgers  
(hb) Jacqueline Cantar

(hc) Alex Gabaldo  
(hd) Crystal Garrett  
(he) Mary Alice Hanson  
(hf) Mark McComb  
(hg) Kamilah Swaby  
(hh) Marissa Tryon  
(hi) Emily Botas  
(hj) Rebecca Frerotte  
(hk) Cindy Mcmanus  
(hl) Alyssa Vanword  
(hm) Vanessa Domingues  
(hn) Danielle Steenwyck-Rowaan  
(ho) Katelyn McLeod  
(hp) Stephanie Keegan  
(hq) Lori Lafond  
(hr) Dustin Jway  
(hs) Jennifer Thompson  
(ht) Cate Johnson  
(hu) Joe Pack  
(hv) Robin McDonald  
(hw) Larry Wasslen  
(hx) Tyler Blackwood  
(hy) Gregor Lawson  
(hz) Khaoula Bengezi  
(ia) Justin Kolberg  
(ib) Jessica Montana  
(ic) Mary Beer  
(id) Ezekai Robinson  
(ie) Holly Soulier  
(if) Eugenia Zuroski  
(ig) Amanda De Freitas  
(ih) Tracie Daigle  
(ii) Rosmarie Elizabeth Gentles  
(ij) CA Klassen  
(ik) Ryan McGreal  
(il) Sean A. Edington  
(im) Nicola Giles  
(in) Andrea Lawson  
(io) Cat Schick  
(ip) Erin Lee  
(iq) Dayna Robinson  
(ir) Fatemah Shamkhi  
(is) John Williams  
(it) Cameron Kroetsch  
(iu) Jeremy Freiburger  
(iv) Ann Given  
(iw) Alaa A  
(ix) Victoria Fortin  
(iy) Miranda Jurilj

(iz) Gillian Bartolucci  
(ja) Adrienne Crossman  
(jb) Crystle Numan  
(jc) Valerie Paulino  
(jd) Tee Handley  
(je) Paul Bakker  
(jf) Carrie Russell  
(jg) Colleen Colwell  
(jh) Brooklyn Bohach  
(ji) Scott Ireland  
(jj) Sandy Leyland  
(jk) Toby Thain  
(jl) Herkyka Miranda  
(jm) Adam Blackburn  
(jn) Lindsay Gunn-Ouellette  
(jo) Izabella Rivkind  
(jp) Veronica Ross Mottley  
(jq) AP  
(jr) Sid Drmay  
(js) Steph Clark  
(jt) Jess Glegg  
(ju) James Horsman  
(jv) Elaine Bright  
(jw) Natalie Fougere  
(jx) Sarah Harvie  
(jy) Lauren Morocco  
(jz) Amanda Langille  
(ka) Skyla Patterson  
(kb) Darla Biccum  
(kc) Leanne Beaver  
(kd) Vincent Kuber  
(ke) Julie Noble  
(kf) Reem Hamed  
(kg) Calee Neudorf  
(kh) Dyna Rogers  
(ki) Shahd Daoud  
(kj) Elizabeth Taylor  
(kk) Emily Estee  
(kl) Amanda Paweska-Thurston  
(km) Alex McGillivray  
(kn) Nicole Dunnet  
(ko) Ashley Moore  
(kp) Aaron Joel Craig  
(kq) Jill Sommers  
(kr) Aggie Kwiatkowski  
(ks) Kathryn January  
(kt) Allistar Johnston Dyke  
(ku) Christine Brooks-Cappadocia  
(kv) Natalie Gonsalves

(kw) Andrea Mirabelli  
(kx) Elisabetta Paiano  
(ky) Lisa Pype  
(kz) Jonathan Kennedy  
(la) Matthew Gargula  
(lb) Ajit Singh  
(lc) Rick Roberts  
(ld) Amanada Leonetti  
(le) Laura Nemett  
(lf) Catherine Silverglen  
(lg) Robert Arsenault  
(lh) Jannah Minnis  
(li) Jessica Linton  
(lj) Tanya Collins  
(lk) Vanessa RZ  
(ll) Jack Ditommaso  
(lm) Francis Kerwin McLeister  
(ln) Simone D'Angelo  
(lo) Alia Khaled  
(lp) Cortney Dakin  
(lq) Rob Williams  
(lr) Derek Gamlem  
(ls) Ja'miil Millar  
(lt) Adi Hunt  
(lu) Mike Chamberlain  
(lv) Shannon Towler  
(lw) Alison Dinelle  
(lx) Peggy Murphy  
(ly) Marla Zarate  
(lz) Howard Cole  
(ma) Shaneece Jeffers  
(mb) Claire O'Donnell  
(mc) Mara Fabrizio  
(md) Carli Neuman  
(me) Susan Salah  
(mf) Jessica Elves  
(mg) Lyndon George  
(mh) Noel Laurie-Joice  
(mi) Ange Bitwayiki  
(mj) Donna Lark  
(mk) Elizabeth Kingston  
(ml) Corbin McBride  
(mm) Luke Bramer  
(mn) Brooke Beney  
(mo) Imogen Foley  
(mp) Melissa Buchner  
(mq) Amanda Mallette  
(mr) Victoria Clarkson  
(ms) Sandra Macdonald

(mt) Nadine Kwissiwa  
(mu) Vanessa Henry  
(mv) Niamh Cashell  
(mw) Gabriel Baribeau  
(mx) Devon Wilton  
(my) Erica Ames  
(mz) Darren Stewart-Jones  
(na) Jodie Pickersgill  
(nb) Payton Mikrogianakis  
(nc) Edan Scime  
(nd) Erin Potruff  
(ne) Diana Andrews  
(nf) Maryam Mahdavi  
(ng) Josh Mitchell  
(nh) Rachel Arundel  
(ni) Diana Kalivoda  
(nj) Neil Armstrong  
(nk) Ron Jenkins  
(nl) Nicole Jessome  
(nm) Amy Pitt  
(nn) Kelly Lewis  
(no) James Case  
(np) James Lott  
(nq) Clara Rakovac  
(nr) Jake Bakker  
(ns) Abedar Kamgari  
(nt) Alice Smith  
(nu) Dr) Gordon Angell  
(nv) Elizabeth French  
(nw) Tristan Waye  
(nx) Janice Nishimoto  
(ny) Shawna Dingman  
(nz) Sophie Geffros  
(oa) Diane Elliott  
(ob) Megan George  
(oc) James Caldwell  
(od) Christine Russon  
(oe) Kendra Freethy  
(of) Angelica Darby  
(og) Jamie Burness  
(oh) Glennis Angell  
(oi) Sara Marini  
(oj) Riane Leonard  
(ok) KJ  
(ol) David Ogborn  
(om) Kelly Blackwell  
(on) Darlene MacNeil  
(oo) Sandra Hexy  
(op) Alesia McBride

(oq) Eamonn Vallely  
(or) Madeleine MacKinnon  
(os) Jeniqua Edwards  
(ot) Katherine Walker-Jones  
(ou) Martina Breit  
(ov) Jessica Msofe  
(ow) Marin Hudson  
(ox) Summer Thomas  
(oy) Mark Anderson  
(oz) Karen Dick  
(pa) Shiann Nias  
(pb) Hope Gale  
(pc) Brigitte Huard  
(pd) Julie Martin  
(pe) Jacqueline Smith  
(pf) Emily Armstrong  
(pg) Akira Ourique  
(ph) Peter Elmer  
(pi) Cassandra Chamberlain  
(pj) Serena Otshudi  
(pk) Sophia Greco  
(pl) Lara Papalia  
(pm) Grace Martin  
(pn) Abby Irwin  
(po) Dre Hyde  
(pp) Frank Tinebra  
(pq) Alex Whiffing  
(pr) Vanessa Eisele  
(ps) Victoria Grundy  
(pt) Aretha Mckenzie  
(pu) Aisha Vernon  
(pv) Ashley Devenny  
(pw) Michelle Mclaughlin  
(px) Koubra Haggar  
(py) Alexandera Neuts  
(pz) Emma Carroll  
(qa) Nic Wieler  
(qb) Lina Mallette  
(qc) Urszula Sitarz  
(qd) Stephanie Ross  
(qe) Joanna Wilson  
(qf) Laura Palumbo  
(qg) Alexandra Kobylecky  
(qh) Heather Lamb  
(qi) Andres Felipe Fajardo  
(qj) Alexa Badal-Badalian  
(qk) Christine Shaw  
(ql) Kristin Archer  
(qm) Haley Jones

(qn) Sam Loaker  
(qo) Cassidy Redmond  
(qp) Ciaran Galati  
(qq) Joanna Gale  
(qr) Jacq Ternan  
(qs) Daya Williams  
(qt) Kimberly Murphy  
(qu) Sean Pettigrew  
(qv) Kate Dion  
(qw) Erin Willson  
(qx) Tess Maclsaac  
(qy) Tiffany Shields  
(qz) Sabine O'Donnell  
(ra) Kathy Bresnahan  
(rb) Jeff Hunt  
(rc) Derek Jenkins  
(rd) Katie Elliott  
(re) Lia Hamelin  
(rf) Tammy Lintack  
(rg) Alessandra Crisante-Crespo  
(rh) Kimberly Dej  
(ri) Emily Hamel  
(rj) Deann McGlinchey  
(rk) Danielle Soucy  
(rl) Leisa Kraszewski  
(rm) Kelsea Swackhammer  
(rn) Catharina Cronkrite  
(ro) Arijana Palme  
(rp) Carlin Palme  
(rq) Maegan Collins  
(rr) Jessica Carey  
(rs) Sarah Rahman  
(rt) Thea Martell  
(ru) Olivia Howard  
(rv) Ximena Biron Ren  
(rw) Cassandra Dunham  
(rx) Jessica Cook  
(ry) Sarah Flynn  
(rz) Riley Shea  
(sa) Claire Pinder  
(sb) Nicole Larocque  
(sc) Samiya Al Kharusi  
(sd) Christine McComb  
(se) Cristina Todea  
(sf) Samantha Applewhaite  
(sg) Melissa Sant  
(sh) Deborah Tomlinson-Veit  
(si) Paula Kerlew  
(sj) Kristina Zito

(sk) Deema Abdel Hafeez  
(sl) Tim Bissell  
(sm) Jennifer Bruce  
(sn) Lori Glen  
(so) Heather Long  
(sp) Katharine Halbach  
(sq) Paz Villar  
(sr) Amy Bonin  
(ss) Pauline Knoflook  
(st) Noa Barnes  
(su) Eila Thompson  
(sv) Arden Hagedorn  
(sw) Sonali Menezes  
(sx) Sierra Smith  
(sy) Erika Green  
(sz) Elaine Morton  
(ta) Johnnie Warburton  
(tb) Sam Rc  
(tc) Cole Cobbett  
(td) Ella Bradley  
(te) Eric Hoevenaars  
(tf) Carleton Hardie  
(tg) Shannon MacAulay  
(th) Matthew LaRose  
(ti) John Siskos  
(tj) Ben O'Neil  
(tk) Anthony Marco  
(tl) Mark Brett  
(tm) Liam Stockdale  
(tn) Bernie Lee Thompson  
(to) Rachael Henderson  
(tp) Linda Mills  
(tq) Alexandra Weinberger  
(tr) Adele Liebovitz  
(ts) Talia Schatz  
(tt) Allana Mayer  
(tu) Aaron Sakala  
(tv) Robin Zee  
(tw) Elizabeth Obermeyer  
(tx) Paul Vanwalleghem  
(ty) Lara DeBeyer  
(tz) Colin O'Shea  
(ua) Sarah Barnhart  
(ub) Eugenia Maximova  
(uc) Carolyn McNeillie  
(ud) Igra Ibid  
(ue) Kellye MacMillian-Wills  
(uf) Lyla Miklos  
(ug) Amy Jones

(uh) William Melenbacher  
(ui) Leah Janzen  
(uj) Leah Avery  
(uk) Erika Franklin  
(ul) Paul Kolb  
(um) Tim Hanna  
(un) Janet Hoy  
(uo) Daniella Doyon  
(up) Debbie Davies  
(uq) David Mivasair  
(ur) Nicole Knibb  
(us) Elyse Clinning  
(ut) Steven Oliveira  
(uu) Sean Roberts  
(uv) Elizabeth Gray  
(uw) Kate Hand  
(ux) Darren Sharpe  
(uy) Natasha Findlay-Clairmont  
(uz) Alexa MacKenzie  
(va) Sara Bond  
(vb) Fatima Reyes  
(vc) Liesl Thomas  
(vd) Isabelle Shields  
(ve) Don Brown  
(vf) Diana Comerford  
(vg) Matty Tarrant  
(vh) Connie Kidd  
(vi) Margot Corbin  
(vj) Hayley Rohr  
(vk) Sarah Prest  
(vl) Kerry Turcotte  
(vm) Karli Murdy  
(vn) Sarah Wilbore  
(vo) Leslie Falzone  
(vp) Eileen Sumonja  
(vq) Rebecca Doll  
(vr) Ross Anthony  
(vs) Laura Howden  
(vt) Cassandra Allen  
(vu) Rhonda Moore  
(vv) Seone Moore  
(vw) Haider Saeed  
(vx) Amanda Bush  
(vy) Riley Ferrier  
(vz) Mairo Roy  
(wa) Andrea Lewis  
(wb) Terence Wallis  
(wc) Ingrid Mayrhofer  
(wd) Nicole Morris

(we) Kelly C  
(wf) Ann Pearce  
(wg) Erin Hallock  
(wh) Alina Sajed  
(wi) Susan O'Keefe  
(wj) Victoria Evans  
(wk) Janeil van Strien  
(wl) Richard Wesley  
(wm) Deidre Hall  
(wn) Tom Shea  
(wo) Noor Nizam  
(wp) Elizabeth Grebetsadik  
(wq) Deann McGlinchey  
(wr) Michelle Yanes  
(ws) Lana Tancredi  
(wt) Michelle Heugh-Joseph  
(wu) Sean Buchner  
(wv) Donna Akrey  
(ww) Tanis McArthur  
(wx) Hamilton Centre Federal NDP Riding Association  
(wy) Katherine Walker-Jones  
(wz) Jordan Therkildsen  
(xa) Nicholas Silva  
(xb) Tara Giles  
(xc) Natalie Ethier  
(xd) Sarah Rogers  
(xe) Rome Miralso  
(xf) Jay Sibayan  
(xg) Leigh Taylor  
(xh) Olivia McCormick  
(xi) Eva Graves  
(xj) Neisha Ashley  
(xk) Alisha Khan  
(xl) Louise Murray-Leung  
(xm) Nadine Wettlaufer  
(xn) Danielle Mather  
(xo) Fani Smoljanovic  
(xp) Lisa Peart  
(xq) Chris Palmer  
(xr) Chantelle Pealey  
(xs) Emma Borselino  
(xt) Casey Myers  
(xu) Janice Vis-Gitzel  
(xv) Nick de Koning  
(xw) Jaime Jewer  
(xx) Trish Cooke  
(xy) Fraser Malcolm  
(xz) Nick VanAmstel  
(ya) Simon Peng

(yb) Martin Brown  
(yc) Martin Ajayi  
(yd) Peter Vander Klippe  
(ye) Jeanette Eby  
(yf) Kim Selman  
(yg) Brittany Medeiros  
(yh) Erin Yusek  
(yi) Elle Morgan  
(yj) Riley Wignall  
(yk) Mike Norman  
(yl) Ishaan Selby  
(ym) Kelly Craigen  
(yn) Nina Clements  
(yo) Faye Thomas  
(yp) Moe Bsat  
(yq) Jenny Vasques  
(yr) Kristen Gulley  
(ys) Alex Wilson  
(yt) Jaimie Nicole Rizzo  
(yu) Shirleen Datt  
(yv) Amanda Conway  
(yw) Michelle Fanning  
(yx) Kristen McMinn  
(yy) Andrea Phair  
(yz) Tabitha Sayegh  
(za) Ian Fox  
(zb) Christopher Barclay  
(zc) Anne Dwyer  
(zd) Susan Wortman  
(ze) James Quinn  
(zf) Angela Di Nello  
(zg) Elizabeth Andrykew  
(zh) Tim Jones  
(zi) Nimal Agalawatte  
(zj) Meredith Blackmore  
(zk) Andrew Buszchak  
(zl) Em Noordam  
(zm) Frances Hahn  
(zn) Emmali Branton  
(zo) Mirhella Cottone  
(zp) Nageeb Twal  
(zq) Alexandra Henderson  
(zr) Jesselyn Jade  
(zs) Sam Harris  
(zt) Marina Gandzi  
(zu) Sarah Bayliss  
(zv) Cora Lynn Oliver  
(zw) Stephanie Lines-Toohill  
(zx) Julia Duguid

(zy) Morgan Wedderspoon  
(zz) Danielle McKay  
(aaa) Brodi Gardiner  
(aab) Andrew Kirkconnell  
(aac) Odina Gonzales  
(aad) Olivia Simpson  
(aae) Maddison Schreiber  
(aaf) Mariel Rutherford  
(aag) Q Hanna  
(aah) Robinson Inkster  
(aai) Victoria Collins  
(aaj) Steph Manica  
(aak) Emily Rourke  
(aal) Valerie Wettlauffer  
(aam) Tiffany Silversmith  
(aan) Trina Hetherington  
(aao) Tess Visser  
(aap) Megarra Buxton  
(aaq) Addison Brash  
(aar) Alisa Blanchard  
(aas) Robin Lacambra  
(aat) Richard Burnett  
(aau) Kimberly Donaldson  
(aav) Ian Bunton  
(aaw) Stephanie Glancy  
(aax) Monique Thornton  
(aay) Katarina Paré  
(aaz) Kristen Bradbury  
(aba) Maiko Brown-Kai  
(abc) Zachary Thompson  
(abd) Maschal Khan  
(abe) Chris Moors  
(abf) Jessica Sterling  
(abg) Lisa-marie Sterling  
(abh) Tracy Mewhort-Buist  
(abi) Mara Dangelo  
(abj) Meghan Graham  
(abk) Gregor Hemon  
(abl) Mara D  
(abm) Lisa Rostoks  
(abn) Katy Santandrea  
(abo) Natalie Lisinska  
(abp) Kamela Mulder  
(abq) Zach Jacobs-Blum  
(abr) Anthony Borselino  
(abs) Elisa Grunwald  
(abt) Laura Scott  
(abu) Lauren Campbell  
(abv) Stephanie Cox

(abw) Kyla Perna  
(abx) Harlee Mackenzie  
(aby) Lauren Gimblett  
(abz) Iris Langlois  
(aca) Elleah Mudjar  
(acb) Chris Gusen  
(acc) Phoebe Taylor  
(acd) Barry Conway  
(ace) Mitch Ross  
(acf) Katherine McLean  
(acg) Selby Harris  
(ach) Danielle Hitchcock-Welsh  
(aci) Kevin Burke  
(acj) Danica Evering  
(ack) Claudia Leduc  
(acl) Abby Adjekum  
(acm) Spencer Kinchlea  
(acn) Simpne D'Angelo  
(aco) Kieran Croy  
(acp) Katie Sullivan  
(acq) Melissa Dowdall  
(acr) Nera Topcagic  
(acs) Kristian Ferreira  
(act) Holly Di Prospero  
(acu) Laurel Carter  
(acv) Abigail White  
(acw) Joanna Aitcheson  
(acx) Storme Nelan  
(acy) James Nelan  
(acz) Ashley Wilson  
(ada) Kate Shoreman  
(adb) Siobhan McAvoy  
(adc) Kate Reeds  
(add) Robin McGill  
(ade) Annie Horton  
(adf) Chris Rigby  
(adg) Jessican Burrell  
(adh) Stephanie Perron  
(adi) Mara Schooley  
(adj) Emily Rodger  
(adk) Margaret Flood  
(adl) Sydney Macrae  
(adm) Marie Treasa Levasseur  
(adn) Andrea Sandhu  
(ado) Julia Marchionda  
(adp) Stephanie Vasquez  
(adq) Erica Preston  
(adr) Amanda Achacon  
(ads) Kate Stoneman

(adt) Jacob Playfair  
(adu) Alicia Wilfort  
(adv) Kayleigh Paisley Rush  
(adw) Lauren Harnish  
(adx) Krista Browne  
(ady) Lee Meszaros  
(adz) Carina D'Angelo  
(aea) Kaci Switzer  
(aeb) Samantha Richarz  
(aec) Blake Bristol  
(aed) Chantal Huszar  
(aee) Julia Apanasowicz  
(aef) Eva Clark  
(aeg) Matthew Keenan  
(aeh) Mae P  
(aei) Erin Coffell  
(aej) Theresa McPhee  
(aek) Roberta Sealy  
(ael) Madeleine Luvisa  
(aem) Nicole Lepine  
(aen) Emmett Rans  
(aео) Allison Burda  
(aep) Elaine Boileau  
(aeq) Ava Muir  
(aer) Ariel Pillitteri  
(aes) Jaclyn Olano  
(aet) Katherine Boothe  
(aeu) Alexa Deluca  
(aev) Jody Boston  
(aew) Candice Barton  
(aex) Danielle Plester  
(aey) Sofia Labbe  
(aez) Ashley Ince  
(afa) Jennifer Harasen  
(afb) Ashley Weegar  
(afc) Deshaun Johnston  
(afd) Alicia Anglin  
(afe) Phoebe Underhill  
(aff) Ned Nolan  
(afg) Brie Chauncey  
(afh) Shelagh Griffin  
(afi) Taylor Greer  
(afj) Elizabeth King  
(afk) Sierra Paquette Struger  
(afl) Nicki Sparks  
(afm) Dana Barton  
(afn) Jeremy Smith  
(afo) Michelle Li  
(afp) Samantha Roketta

(afq) Megan Scotland  
(afr) Holly Silenzi  
(afs) Danielle Couture  
(aft) Matthew Bergen  
(afu) Sheena Campbell  
(afv) Ema Mahb  
(afw) Soleil Counsell  
(afx) Amanda Kerigan  
(afy) Rachel Nolan  
(afz) Cassandra Hamill  
(aga) Victoria Marko  
(agb) Samantha Butler  
(agc) Carly Billings  
(agd) Alicia Deverill  
(age) Nat D  
(agf) Kate Hunter  
(agg) Alexandra Richarz  
(agh) Judith Charron  
(agi) Giorgia Woolfe  
(aj) Ella O'Hara  
(agk) Giselle Magie  
(agl) Elizabeth Simpson  
(agm) Joy Mudjar  
(agn) Mastawesha Kassa  
(ago) Sara Ali  
(agp) Shannon Graszat  
(agq) Scott Mallon  
(agr) Ava H  
(ags) Tristan Amor  
(agt) Brittany Lauton  
(agu) Kelly Brouwer  
(agv) Emma McKenna  
(agw) Adrienne Connelly  
(agx) Vince Soliveri  
(agy) Meaghan Makins  
(agz) Joe Guaca  
(aha) Jordan Carrier  
(ahb) Cailey Campbell  
(ahc) Kayla Crabtree  
(ahd) Heidi Crocini  
(ahf) Matthew Crabtree  
(ahf) Dave Hamilton  
(ahg) Grayling Stevens  
(ahh) Danielle Macintosh  
(ahi) Emily Patrick  
(ahj) Maia De Graff  
(ahk) Brenna Inglis  
(ahl) Delaney Caulfield  
(ahm) Deshawna Charland

(ahn) Rebecca Potter  
(aho) Ruby Dawn  
(ahp) Mieke Stephenson  
(ahq) Sarah Armstrong  
(ahr) Sheiya Crocini  
(ahs) Jill Stringer  
(aht) Lindsey Kosedy  
(ahu) Eric Randhawa  
(ahv) Anastasia Brockbank  
(ahw) Jean Marchildon  
(ahx) Kal Ing  
(ahy) Carrie St-Martin  
(ahz) Kayla Smith  
(aia) Jennifer Roberts  
(aib) Jessica Vinluan  
(aic) Jennifer Wallace  
(aid) Haley Reap  
(aie) Amanda Wright  
(aif) Alicia Dejong  
(aig) Madi Fuller  
(aih) Buddy Martin  
(aii) Luc Peters  
(aij) Helen Benvenga  
(aik) Shelley Rempel  
(ail) Josh Kemp  
(aim) Dan MacIntyre  
(ain) Lisa Jeffs  
(aio) Robin Miller  
(aip) Patricia Burney  
(aiq) Ana Olivares  
(air) Mary Lou Tanner  
(ais) Daniela Igdoura  
(ait) Nick Marquis  
(aiu) Kayla Whitney  
(aiv) Matt Galopoulos  
(aiw) Stacey Campanella  
(aix) Beth Marquis  
(aiy) Claudia Wong  
(aiz) Michael Woodward  
(aja) Drew Mutton  
(ajb) Vanessa Ferry  
(ajc) Tara Gregory  
(ajd) Thea Jones  
(aje) Peigh W  
(ajf) Heather Piggott  
(ajg) Karen Campbell  
(ajh) Janneke Marsman  
(aji) Doug Campbell  
(ajj) Michael Moniz)

(ajk) Doug Rich  
(ajl) Elise Copps  
(ajm) Angela Doxtator  
(ajn) Mark Preston  
(ajo) Seema Narula  
(ajp) Nadine Kalinauskas  
(ajq) David Brock  
(ajr) Mark Best  
(ajs) Andria Harvey  
(ajt) Sheil Allan  
(aju) Cassiopeia Kenner  
(ajv) Jessica Bullock  
(ajw) Cheryl Frappier  
(ajx) Jacqueline Pullar  
(ajy) Mike Highfield  
(ajz) Scott Henry  
(aka) Vanessa Oliver  
(akb) Rachel Dubeckyj  
(akc) Jonathan Lambert  
(akd) Sienna Guiseppe  
(ake) Zeina Hassan  
(akf) Mike Jerome  
(akg) Christopher Arendt  
(akh) Dave Parkinson  
(aki) Brian Bradley  
(akj) Patricia Lambert  
(akk) Nicholas Kennedy  
(akl) Chris Sanislo  
(akm) Emily Bennett  
(akn) Adam Palios  
(ako) Rae Jewett  
(akp) Arianne Di Nardo  
(akq) Julie Cudin  
(akr) Simona Tosca  
(aks) Nicole Robin  
(akt) Nancy Silva Khan  
(aku) Jasmin Eng  
(akv) Jenna Dexter  
(akw) Adrienne Clark  
(akx) Paige Butler  
(aky) Shawn Selway  
(akz) Jessica Jane Bill  
(ala) Sara Denault  
(alb) Maria Rowley  
(alc) Bailey Hamilton  
(ald) Allison Jack  
(ale) Adrian Hodgson  
(alf) Mads Clement  
(alg) Adan Olivares Castro

- (alh) Rabel Mirza
- (ali) Michael Oliveira
- (alj) Diana Filc
- (alk) Sara McLaughlin
- (all) Shylo Elmayan
- (alm) Artur Filc
- (aln) Beata Filc

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

**(d) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests, were approved for today's meeting:

- (i) Removal of Sir John A. Macdonald Statue:
  - 1. Kojo Dampsey, Hamilton Centre for Civic Inclusion (Added Item 6.1.a)
  - 2. Miriam Sager (Added Item 6.1.b)
  - 3. Ken Jones (Added Item 6.1.c)
  - 4. Jason Capobianco (Added Item 6.1.d)
  - 5. Gawa-owane Sewatiz (Added Item 6.1.e)
  - 6. Robin McKee (Added Item 6.1.f)
  - 7. Christine Joseph-Davies (Added Item 6.1.g)
  - 8. Jordan Carrier - Video Submission (Added Item 6.1.h)
  - 9. Steve Bunn (Added Item 6.1.i)
  - 10. Tristan Maclaurin (Added Item 6.1.j)
  - 11. Mary Love, Extinction Rebellion Hamilton Indigenous Affinity Group (Added Item 6.1.k)
- (ii) Removal of Ryerson Name from Recreation Centre at 251 Duke Street, Hamilton:
  - 1. Rev. Dr. Ian Sloan, New Vision United Church (Added Item 6.2):

**(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)**

The following Delegations, were received as presented:

- (i) Removal of Sir John A. Macdonald Statue
  - 1. Kojo Dampsey, Hamilton Centre for Civic Inclusion (Item 9.1.a)
  - 2. Miriam Sager (Item 9.1.b)
  - 3. Ken Jones (Item 9.1.c)
  - 4. Jason Capobianco (Item 9.1.d)
  - 5. Gawa-owane Sewatiz (Item 9.1.e)
  - 6. Robin McKee (Item 9.1.f)
  - 7. Christine Joseph-Davies (Item 9.1.g)
  - 8. Jordan Carrier - Video Submission (Item 9.1.h)

9. Steve Bunn (Item 9.1.i)
  10. Tristan Maclaurin (Item 9.1.j)
  11. Mary Love, Extinction Rebellion Hamilton Indigenous Affinity Group (Item 9.1.k)
- (ii) Removal of Ryerson Name from Recreation Centre at 251 Duke Street, Hamilton:
1. Rev. Dr. Ian Sloan, New Vision United Church (Item 9.2)

For disposition of Item (e)(i), please refer to Item (f) and for disposition of Item (e)(ii), please refer to Item 6.

**(f) Removal of Sir John A. MacDonald Statue from Gore Park, Hamilton (Item 11.1)**

WHEREAS, in 1879 Sir John A. MacDonald said “When the school is on the reserve, the child lives with its parents, who are savages, and though he may learn to read and write, his habits and training mode of thought are Indian. He is simply a savage who can read and write. It has been strongly impressed upon myself, as head of the Department, that Indian children should be withdrawn as much as possible from the parental influence, and the only way to do that would be to put them in central training industrial schools where they will acquire the habits and modes of thought of white men”;

WHEREAS, the atrocities of the residential school system were described by the 2015 Truth and Reconciliation Commission of Canada (TRC) as “a systematic, government- sponsored attempt to destroy [Indigenous] cultures and languages and to assimilate [Indigenous] peoples so that they no longer existed as distinct peoples”;

WHEREAS, Indigenous residents across Hamilton have been in profound grief since the unmarked graves of 215 Indigenous children were confirmed at the Kamloops Residential School, 751 more at Marieval Residential School in Saskatchewan, now exceeding a thousand and counting;

WHEREAS, the Hamilton City Council committed to having “a trusting relationship with Indigenous communities where we communicate and work together appropriately to address the unique needs and issues of Indigenous people” through the adoption of the Urban Indigenous Strategy in July 2019 and the endorsement of the Urban Indigenous Strategy Implementation Plan on February 4, 2021;

WHEREAS, in adopting Urban Indigenous Strategy, Hamilton City Council committed to act in alignment with the Truth and Reconciliation Commission recommendations;

WHEREAS, Hamilton is falling behind the example set by other city councils, in Ontario and nationwide, starting in 2018, that have already removed statues of

Sir John A. MacDonald from public spaces, including Victoria, Wilmont, Regina, Charlottetown, Picton and Kingston;

WHEREAS, over 17,000 people identify as Indigenous in the City of Hamilton;  
and

WHEREAS, over several years, survivors of residential schools, Indigenous elders and families, members of the Hamilton Aboriginal Advisory Committee, participants of the Urban Indigenous Strategy consultations, and hundreds more in the form of public demonstrations have clearly communicated to the City of Hamilton about the need to remove the Sir John A. MacDonald statue from Gore Park in order to facilitate healing.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to immediately remove the statue of Sir John A. MacDonald from City of Hamilton owned lands known as Gore Park and place it in storage; until the Landmarks and Monuments Review has been conducted; and
- (b) That the cost for removal and storage be covered through the Tax Stabilization Reserve Account.

The above Motion was DEFEATED.

**(g) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

**(i) Amendments to the Outstanding Business List**

The following amendment to the Emergency and Community Services Outstanding Business List, was approved:

- (a) Items Requiring a New Due Date
  - 1. Service Manager Consents for CityHousing Hamilton's Development Reset  
  
Item on OBL: 20-I  
Due Date: June 3, 2021  
Proposed New Due Date: August 12, 2021

**(g) ADJOURNMENT (Item 15)**

There being no further business, the Emergency and Community Services Committee be adjourned at 6:15 p.m.

Respectfully submitted,

Councillor N. Nann  
Chair, Emergency and Community Services  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**PUBLIC WORKS DEPARTMENT**  
**Engineering Services Division**

<b>TO:</b>	Chair and Members Public Works Committee
<b>COMMITTEE DATE:</b>	May 31, 2021
<b>SUBJECT/REPORT NO:</b>	Proposed Permanent Closure and Sale of a Portion of Road Allowance Abutting 38 Strachan Street West, Hamilton (PW21034) (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>PREPARED BY:</b>	Marilyn Preston (905) 546-2424 Ext. 4298
<b>SUBMITTED BY:</b>	Gord McGuire Director, Engineering Services Public Works
<b>SIGNATURE:</b>	

**RECOMMENDATION(S)**

That the application of the City of Hamilton's Real Estate Section on behalf of CityHousing Hamilton Corporation to permanently close and sell a portion of road allowance abutting the west side of 38 Strachan Street West, Hamilton ("Subject Lands"), as shown as Parts A & B, on Appendix "A", attached to Report PW21034, be approved, subject to the following conditions:

- (a) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the highway, for enactment by Council;
- (b) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands as deemed necessary by the Real Estate Section, as described in Report PW21034, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (c) The City Solicitor be authorized to complete the transfer of the Subject Lands pursuant to an Agreement(s) of Purchase and Sale or Offer(s) to Purchase as

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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.

**SUBJECT: Proposed Permanent Closure and Sale of a Portion of Road Allowance  
Abutting 38 Strachan Street West, Hamilton  
(PW21034) (Ward 2) - Page 2 of 5**

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negotiated by the Real Estate Section of the Planning and Economic Development Department;

- (d) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (e) That the City Solicitor be authorized to amend and waive such terms as the City Solicitor considers reasonable to give effect to this authorization and direction;
- (f) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204;
- (g) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

**EXECUTIVE SUMMARY**

Report PED17219, following the direction of the Site Selection Sub Committee, approved at Council on June 28, 2017 as part of GIC Report 17-014, identified 38 Strachan Street West as a suitable site for facilitating affordable housing development. Therefore, the City of Hamilton's Real Estate Section on behalf of CityHousing Hamilton Corporation has made an application to permanently close, retain, and then sell a portion of the road allowance abutting the west side of 38 Strachan Street West, Hamilton.

The parcel is located in an area bounded by Bay Street North, Strachan Street West and the rear of properties fronting onto Simcoe Street West and fronting onto MacNab Street North in Hamilton. Objections were received from respondents abutting the Subject Lands at the rear of properties fronting on MacNab Street North, however there were no reasons stated for the objections.

The owner of 360 Bay Street North is opposed to the application as they have an existing driveway which is located within the road allowance and as they have concerns regarding privacy and a reduction in the value of the property when the units are built. However, the driveway has been located within the Subject Lands and not in the location which was approved by an existing encroachment agreement with the City. Nonetheless, preliminary discussions have been had with CityHousing Hamilton regarding the possibility of accommodating the request of the property owner at 360

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**SUBJECT: Proposed Permanent Closure and Sale of a Portion of Road Allowance  
Abutting 38 Strachan Street West, Hamilton  
(PW21034) (Ward 2) - Page 3 of 5**

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Bay Street North to maintain the current location of the encroaching driveway, which could result in the sale of that small strip of the Subject Lands, as shown as Part "A" on Appendix "A" attached to report PW21034, to said adjoining owner.

As the lands have been approved by Council to facilitate the development of affordable housing, staff support the application either with or without the related potential sale of the adjoining encroaching driveway at 360 Bay Street North, Hamilton.

**Alternatives for Consideration – N/A**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

**Financial:** In order to further support the CityHousing Hamilton Corporation there was no user fee applied to this application. The Subject Lands will be closed, retained, and then sold as determined by the Real Estate Section for an amount to be determined by the Real Estate Section of the Planning and Economic Development Department, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204.

**Staffing:** An agreement to purchase the Subject Lands will be negotiated by the Real Estate Section of the Planning and Economic Development Department.

**Legal:** The City Solicitor will prepare all necessary by-laws to permanently close, retain, then sell the Subject Lands and will register such by-laws in the Land Registry Office once Council has approved the by-law. The by-law does not take effect until the certified copy of the by-law is registered in the proper land registry office. The City Solicitor will complete the transfer of the Subject Lands, pursuant to an agreement negotiated by the Real Estate Section of the Planning and Economic Development Department.

**HISTORICAL BACKGROUND**

Report PED17219, approved at Council on June 28, 2017, as part of GIC Report 17-014, identified the Subject Lands as suitable to facilitate an affordable housing project. In order to proceed with the disposition of the lands, the City's Real Estate Section on behalf of CityHousing Hamilton Corporation has applied to have the road allowance permanently closed in order to facilitate the future development of the lands. The developer has been made aware of the potential need for the sale of the driveway area servicing the adjoining residential property at 360 Bay Street North, Hamilton.

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

A by-law must be passed to permanently close the lands in accordance with the *Municipal Act, 2001*.

## **RELEVANT CONSULTATION**

The following public utilities, City departments and divisions were provided with a copy of the application and were invited to provide comments:

- Planning and Economic Development Department: Development Engineering, Building, Economic Development, Real Estate, and Planning
- Public Works Department: Engineering Services, Hamilton Water, Operations, Environmental Services, and Transportation
- Hamilton Emergency Services
- Corporate Services Department: Budgets and Finance
- Mayor and Ward Councillor
- Bell, Horizon, Alectra Utilities, Hydro One, and Enbridge Gas

Notice of the proposed closure and sale was sent to City departments and divisions and public utilities and the following comments were received:

Landscape Architectural Services has advised that they are opposed to the application as the Subject Lands are currently functioning as Open Space and the closure and sale will reduce Open Space in the North End West Neighbourhood which is deficient in parkland.

Hamilton Water and Bell will require easement protection.

Notice of the proposal was sent to properties in close proximity to the Subject Lands, as shown on Appendix "B", attached to Report PW21034 for comment. In this instance, there were 17 notices mailed, and the results are as follows:

In favour: 1

Opposed: 6

No comment: 10

The owners of 360 Bay St North provided the following response:

"We made an application for a driveway in 1994. The City agreed but said the Hydro pole on the north/east side of Bay Street on the property would be too close, so the driveway was constructed slightly to the south of the pole, as it remains 26 years later. To make the driveway accessible the pole would have to be moved and the ramp recut. We are also concerned about the serious effects on the value of the property and privacy should the proposed units be built too close to the house." However, there is an existing boulevard parking agreement, registered as Instrument Number VM 193979, which shows that the existing parking is located within the Subject Lands and not located in the area approved by the agreement. The developer has been made aware of the potential need for the sale of the driveway area servicing the adjoining residential property at 360 Bay Street North, Hamilton.

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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.

The other negative responses received did not give any reason for opposition.

### **ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)**

Report PED17219, approved at Council on June 28, 2017, as part of GIC Report 17-014, identified the Subject Lands as suitable to be used to facilitate an affordable housing project.

### **ALTERNATIVES FOR CONSIDERATION**

N/A

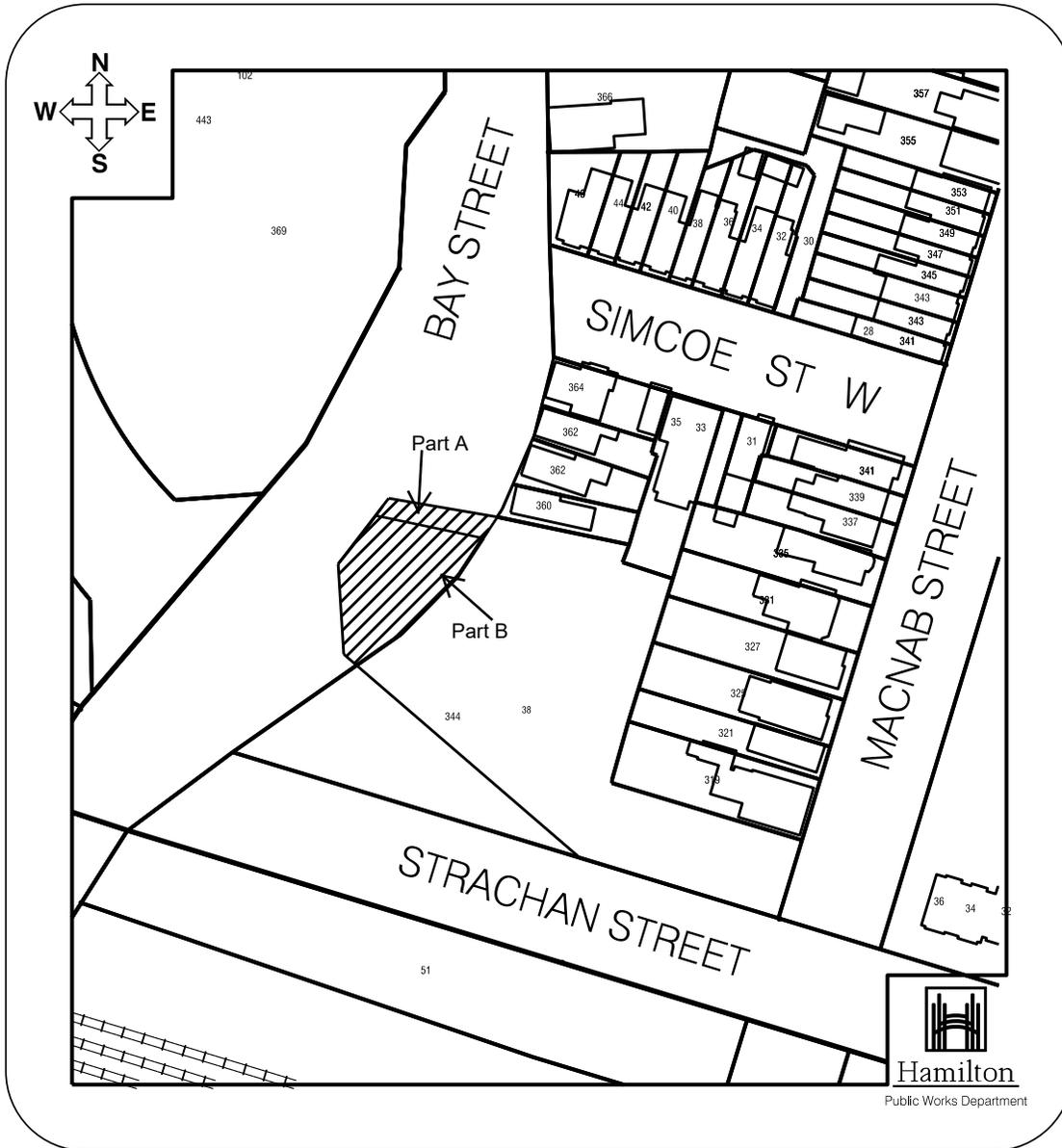
### **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

#### **Built Environment and Infrastructure**

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

### **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Report PW21034 - Aerial Drawing  
Appendix "B" to Report PW21034 - Location Plan



**LOCATION PLAN**

PROPOSED CLOSURE OF  
 PORTION OF

**BAY STREET**

CITY OF HAMILTON  
 PUBLIC WORKS DEPARTMENT

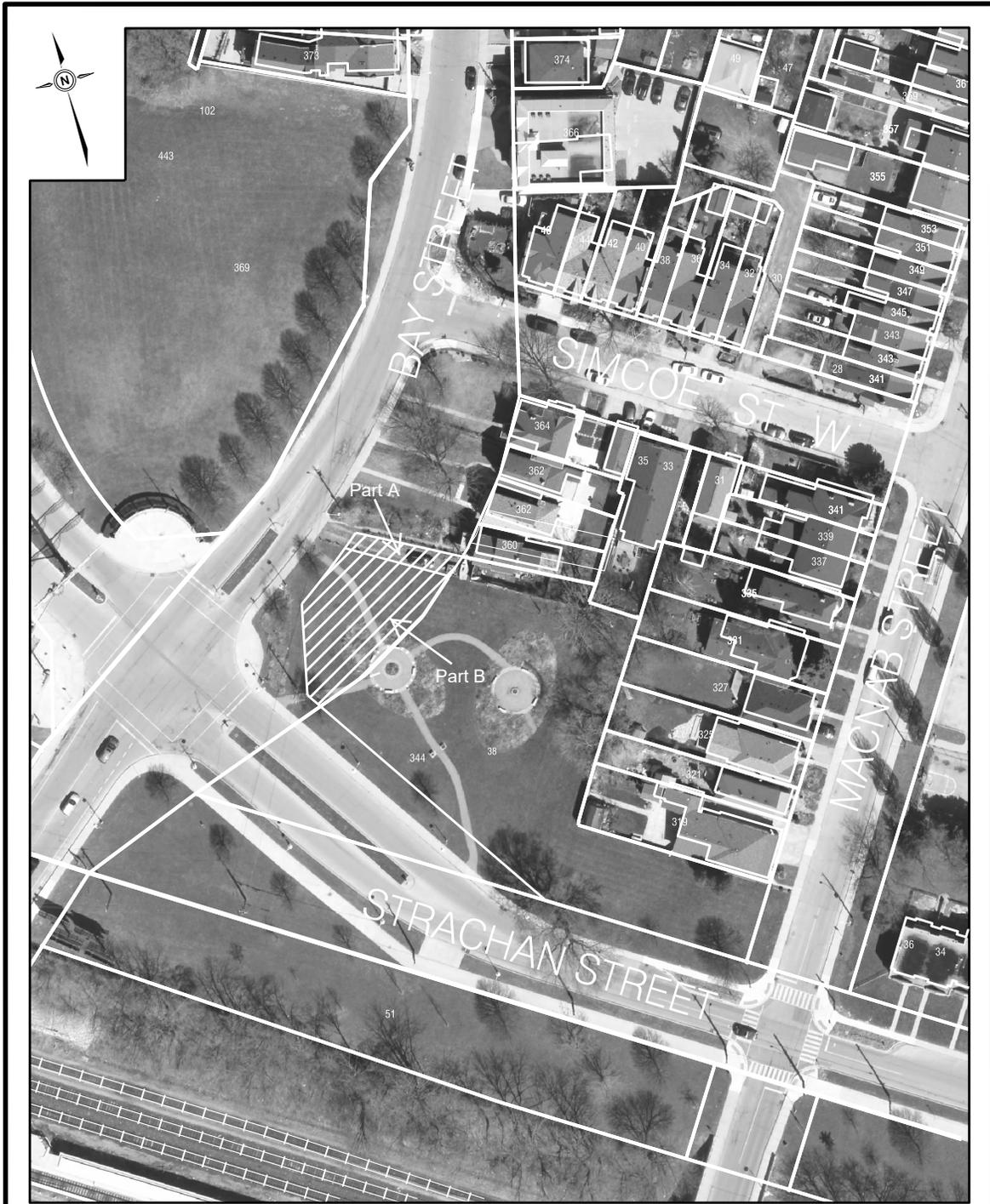
**LEGEND**



**SUBJECT LANDS**

DATE: September 21, 2020 | Not to Scale | Sketch By: CF

REFERENCE FILE NO : PW20\_



**Hamilton**

**PROPOSED CLOSURE OF PORTION OF BAY STREET,  
HAMILTON**

Geomatics & Corridor Management Section  
Public Works Department

**LEGEND**



**Lands to be Closed**

NTS | 09/21/2020 | Sketch By: CF

# CITY OF HAMILTON

## MOTION

Council: July 9, 2021

**MOVED BY COUNCILLOR J. PARTRIDGE.....**

**SECONDED BY COUNCILLOR.....**

**Support for the Issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) for West Avenue Cider House at Somerset Orchards**

WHEREAS West Avenue Cider House at Somerset Orchards is operating at 84 Concession 8 East, Freelton, Ontario; and

WHEREAS the Alcohol and Gaming Commission of Ontario (AGCO) requires written notice from the Council of the Municipality within which the applicant's site is located confirming that it has passed a resolution in support of the issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”), for tastings.

THEREFORE BE IT RESOLVED:

That the Council of the City of Hamilton confirms their support for the issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) for West Avenue Cider House at Somerset Orchards located at 84 Concession 8 East, Freelton, Ontario.

# COUNCIL COMMUNICATION UPDATES

**June 18, 2021 to July 1, 2021**

Council received the following Communication Updates during the time period listed above, the Information Updates are also available to the public at the following link: <https://www.hamilton.ca/government-information/information-updates/information-updates-listing>, as per Section 5.18 of By-law 21-021 (A By-Law To Govern the Proceedings of Council and Committees of Council) a member of Council may refer any of the items listed below, to a Standing Committee by contacting the Clerk and it will be placed on the next available agenda of the respective Standing Committee.

Date	Department	Subject	Link
June 21, 2021	Planning and Economic Development	Quarterly Update (January - March 2021) Loans/Grants Approved by the General Manager of Planning and Economic Development (Wards 2, 3, 7 and 15)	<a href="https://www.hamilton.ca/sites/default/files/media/browser/2021-06-22/communication-update-quarterly-update-loans-grants-jan-mar2021.pdf">https://www.hamilton.ca/sites/default/files/media/browser/2021-06-22/communication-update-quarterly-update-loans-grants-jan-mar2021.pdf</a>
June 22, 2021	Public Works	2021 Annual Rain Barrel Sale	<a href="https://www.hamilton.ca/sites/default/files/media/browser/2021-06-23/communication-update-2021-annual-rain-barrel-sale.pdf">https://www.hamilton.ca/sites/default/files/media/browser/2021-06-23/communication-update-2021-annual-rain-barrel-sale.pdf</a>
June 24, 2021	Public Works	Mountain Climber Program Expansion (TRN2109) (Ward 15)	<a href="https://www.hamilton.ca/sites/default/files/media/browser/2021-06-25/comm-update-mountain-climber-program-expansion.pdf">https://www.hamilton.ca/sites/default/files/media/browser/2021-06-25/comm-update-mountain-climber-program-expansion.pdf</a>
June 25, 2021	Corporate Services	Investing in Canada Infrastructure Program – COVID-19 Resilience Infrastructure Stream Funding Announcements (City Wide)	<a href="https://www.hamilton.ca/sites/default/files/media/browser/2021-06-25/communication-update-ped-2021-icjp-resilience-funding-announcements.pdf">https://www.hamilton.ca/sites/default/files/media/browser/2021-06-25/communication-update-ped-2021-icjp-resilience-funding-announcements.pdf</a>
June 30, 2021	Planning and Economic Development	Support Shop Local Business Improvement Area Funding Update (Wards 1, 2, 3, 4, 5, 7, 8, 12, 13 and 15)	<a href="https://www.hamilton.ca/sites/default/files/media/browser/2021-06-30/communication-update-ped-supporting-shop-local-bia-funding-update.pdf">https://www.hamilton.ca/sites/default/files/media/browser/2021-06-30/communication-update-ped-supporting-shop-local-bia-funding-update.pdf</a>

June 30, 2021	Planning and Economic Development	Placemaking Grant Pilot Program Update (City Wide)	<a href="https://www.hamilton.ca/sites/default/files/media/browser/2021-06-30/communication-update-ped-placemaking-grant-pilot-program-update.pdf">https://www.hamilton.ca/sites/default/files/media/browser/2021-06-30/communication-update-ped-placemaking-grant-pilot-program-update.pdf</a>
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**Authority:** Item 5, Planning Committee  
Report: 21-010 (PED21119)  
CM: July 9, 2021  
Ward: 2

**Bill No. 115**

**CITY OF HAMILTON**

**BY-LAW NO. 21-**

**To Adopt:**

**Amendment No. 246**

**to the City of Hamilton Official Plan**

Respecting:

**179, 181,183, 185, 187 and 189 Catharine Street North, Hamilton**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 246 to the City of Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 9<sup>th</sup> day of July, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Amendment No. 246**  
**to the**  
**City of Hamilton Official Plan**

The following text, together with Appendix “A”, attached hereto, constitutes Official Plan Amendment No. 246 of the City of Hamilton Official Plan.

**1.0 Purpose and Effect:**

The purpose and effect of this Amendment is to amend the West Harbour (Setting Sail) Secondary Plan by changing the designation of the subject lands from “Low Density Residential” to “Medium Density Residential 1” and by establishing a Site Specific Policy Area to permit a maximum residential density of 155 units per gross hectare.

**2.0 Location:**

The lands affected by this Amendment are located at 179, 181, 183, 185 187 and 189 Catharine Street North, in the City of Hamilton.

**3.0 Basis:**

The basis for permitting this Amendment is as follows:

- The proposed development efficiently utilizes existing infrastructure, and positively contributes to the streetscape;
- The proposed development implements the vision of the West Harbour (Setting Sail) Secondary Plan in providing intensification at a form and scale that is in keeping with the character of the surrounding neighbourhood and is in proximity to the Downtown and existing transit; and,
- The Amendment is consistent with the Provincial Policy Statement, 2020 and A Place to Grow, Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

**4.0 Changes:**

**4.1 Text Changes:**

4.1.1 That Section A.6.3.3.1.13 be amended by adding Policy No. A.6.3.3.1.13.2:

“A.6.3.3.1.13.2 The following shall apply to the lands known municipally as 179, 181, 183, 185, 187 and 189 Catharine Street North, designated Medium Density Residential 1 and identified as Site Specific Policy Area - 10 on Schedule M-2: General Land Use of West Harbour Secondary Plan:

- i) Notwithstanding Policy A.6.3.3.1.13 ii), a maximum residential density of 155 units per gross hectare shall be permitted; and,
- ii) The external appearance and character of the existing heritage dwelling known as 187 and 189 Catharine Street North shall be maintained.”

## **4.2 Map/Schedule Changes:**

4.2.1 That Schedule M-2: General Land Use, of the West Harbour (Setting Sail) Secondary Plan is amended by:

- a) re-designating the subject lands at 179, 181, 183, 185, 187 and 189 Catharine Street North from the “Low Density Residential” to “Medium Density Residential 1”; and,
- b) by identifying the subject lands at 179, 181, 183, 185, 187 and 189 Catharine Street North as Site Specific Policy Area – 10.

as shown on Appendix “A” to this Amendment.

## **5.0 Implementation:**

An implementing Zoning By-law Amendment and Site Plan Control application will give effect to this Amendment.

This is Schedule “1” to By-law No. 21-115 passed on the 9<sup>th</sup> day of July, 2021.

### **The City of Hamilton**

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk



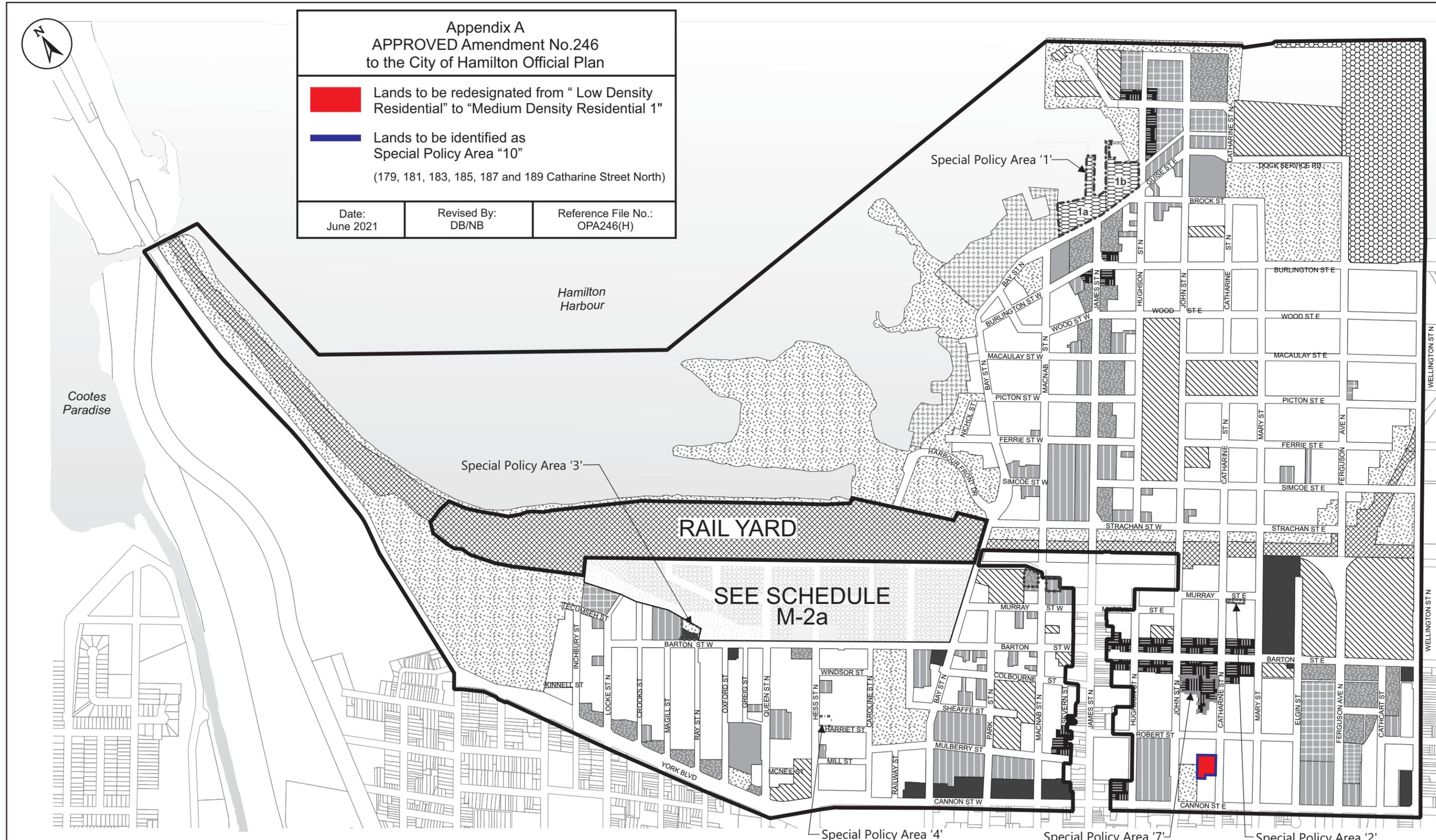
Appendix A  
APPROVED Amendment No.246  
to the City of Hamilton Official Plan

- Lands to be redesignated from "Low Density Residential" to "Medium Density Residential 1"
- Lands to be identified as Special Policy Area "10"  
(179, 181, 183, 185, 187 and 189 Catharine Street North)

Date:  
June 2021

Revised By:  
DB/NB

Reference File No.:  
OPA246(H)



**Legend**

- |                              |                          |               |                       |                              |                         |                         |                         |
|------------------------------|--------------------------|---------------|-----------------------|------------------------------|-------------------------|-------------------------|-------------------------|
| Low Density Residential      | High Density Residential | Institutional | Marine Recreational   | Utilities and Transportation | Special Policy Area '1' | Special Policy Area '4' | Special Policy Area '9' |
| Medium Density Residential 1 | Mixed Use                | Prime Retail  | Waterfront Commercial | Special Policy Area          | Special Policy Area '2' | Special Policy Area '7' |                         |
| Medium Density Residential 2 | Local Commercial         | Open Space    | Shipping & Navigation | Study Area Boundary          | Special Policy Area '3' | Special Policy Area '8' |                         |



Hamilton West Harbour  
Planning Area Study



Schedule M-2: General Land Use  
West Harbour Secondary Plan

Waterfront  
November 2020

**Authority:** Item 5, Planning Committee  
Report 21-010 (PED21119)  
CM: June 23, 2021  
Ward: 2

**Bill No. 116**

**CITY OF HAMILTON  
BY-LAW NO. 21-**

**To Amend Zoning By-law No. 6593 (Hamilton) as amended,  
Respecting Lands Located at 179, 181, 183, 185, 187  
and 189 Catharine Street North, Hamilton**

**WHEREAS** the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Schedule C. did incorporate, as of January 1, 2001, the municipality “City of Hamilton”;

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the “The Corporation of the City of Hamilton” and is the successor to the former regional municipality, namely, “The Regional Municipality of Hamilton-Wentworth”;

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in full force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 21-010 of the Planning Committee, at its meeting held on the 23<sup>rd</sup> day of June, 2021, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the City of Hamilton Official Plan upon adoption of the Official Plan Amendment No. 246.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E3 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), is amended by changing the zoning from the “L-mr-2” (Planned Development) District to the “E-1/S-1809” – ‘H’ (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, Holding, the extent and boundaries of which are shown on a plan hereto annexed as Schedule “A”.

2. That the “E-1” (Multiple Dwellings, Lodges, Clubs, Etc.) District provisions as contained in Section 11A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following special requirements:

Blocks 1, 2, 3 and 4

- a) That notwithstanding Section 2.(2)J.(viii), with reference to the height of a building or structure, grade shall be measured at a height of 88.1 metres above sea level.
- b) That notwithstanding Section 11A.(1)(i), a maximum of 49 units shall be permitted.
- c) That notwithstanding Section 11A.(2)(ii) and (iii), no building or structure for any use shall exceed 15.0 metres in height.
- d) That notwithstanding Section 18A.(1)(a) and (b), a minimum 0.8 parking spaces per dwelling unit shall be required and no parking shall be dedicated for visitor parking and a minimum of one required parking space shall be a barrier free parking space. Barrier free parking shall be provided at grade or access to grade by way of a lift.
- e) That notwithstanding Section 18A.(1)(c), a minimum of one loading space with a minimum length of 9.0 metres, a width of 3.7 metres and a height of 4.3 metres shall be required for a 49 unit multiple dwelling and permeable pavers shall be provided and maintained for the loading space.
- f) That notwithstanding Section 18A.(7), a minimum parking space size of 2.7 metres wide by 5.8 metres long shall be required and a minimum parking space size of 4.4 metres wide by 5.8 metres long shall be required for a barrier free parking space.
- g) That notwithstanding Section 18A.(7) and Section 2(f) of this By-law not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.
- h) That notwithstanding Section 18(30), a permanent durable and dustless surface that is graded, drained and paved with concrete, asphalt, brick or permeable pavers or a combination of concrete, asphalt, brick or permeable pavers shall be provided and maintained for every parking area, manoeuvring space and access driveway.
- i) That a minimum of five short term bicycle parking spaces and a minimum of 0.5 long term secure enclosed bicycle parking spaces per dwelling unit shall be required.

Block 1

- j) That notwithstanding Section 11A.(1)(i), a multiple dwelling shall only be permitted within the building existing on the date of the passing of the By-law.
- k) That notwithstanding Section 11A.(3)(i)(b), the front yard setback of the building existing on the date of the passing of this By-law shall be permitted.
- l) That notwithstanding Section 11A.(3)(ii)(b), the following special provisions shall apply as it relates to minimum side yards:
  - i. The northerly side yard setback for the building existing on the date of the passing of this By-law shall be permitted.
  - ii. 1.2 metres shall be required for an enclosed stairway to an underground parking structure;
  - iii. 0.7 metres shall be required for the wall of a parking ramp from the northerly side lot line; and,
- m) That notwithstanding Section 18.(3)(vi)(d), the following special provisions shall apply as it relates to minimum front yard setback for a porch and stairway:
  - i. 1.4 metres shall be required for a porch; and,
  - ii. 0 metres shall be required for a stairway.

Block 2

- n) That notwithstanding Section 11A.(3)(i)(b), a front yard of a depth of 2.7 metres.
- o) That notwithstanding Section 11A.(3)(ii)(b), a side yard of a width of 2.3 metres shall be required for any building with any balcony, sunroom or window of a habitable room that overlooks a side yard.
- p) That notwithstanding Section 18.(3)(vi)(d), the following special provisions shall apply as it relates to minimum front yard setback for a porch and stairway:
  - i. 1.4 metres shall be required for a porch; and,
  - ii. 0 metres shall be required for a stairway.

Block 3

- q) That notwithstanding Section 11A.(3)(ii)(b), the following special provisions shall apply as it relates to minimum side yards:
  - i. 0.7 metres shall be required for the wall of a parking ramp from the northerly side lot line.
- r) That notwithstanding Section 11A.(3)(iii)(b), 5.0 metres shall be required except for:
  - i. 0 metres shall be required for the wall of a parking ramp.
- s) That notwithstanding Section 18.(3)(vi)(c)(i), for an open stairway to an amenity area located above a parking access ramp, a rear yard of a depth of 0.5 metres shall be required.
- t) That notwithstanding Section 18.(3)(vi)(d), the following special provisions shall apply as it relates to minimum rear yard setback for a porch and stairway:
  - i. 1.85 metres shall be required for a porch;
  - ii. Except for a stairway outlined in Section 2(s) of this By-law, a rear yard of a depth of 1.85 metres for a stairway shall be required; and
  - iii. 0 metres shall be required for an above grade patio.
- u) That notwithstanding Section 18.(8)(c)(1), a minimum separation of 3.0 metres between two multiple dwellings shall be required, where no windows are proposed on the façade of the building that faces the adjacent building, except for windows that are comprised of translucent glazing.

Block 4

- v) That in addition to Section 2 c) of this By-law, for any portion of a building or structure located within 7.0 metres of the southerly side lot line measuring 21.06 metres, where no building or structure shall exceed 8.75 metres in height.
- w) That notwithstanding Section 11A.(3)(ii)(b), the following special provisions shall apply as it relates to minimum side yards:
  - i. Notwithstanding i) above, 8.0 metres from the easterly side lot line measuring 9.33 metres shall be provided for any portion of a building located within 7.0 metres of the southerly side lot line measuring 21.06

metres.

- x) That notwithstanding Section 11A.(3)(iii)(b), 5.0 metres shall be required except for:
    - i. 3.0 metres shall be required for any portion of a building or structure located within 13.5 metres of the southerly side lot line measuring 21.06 metres.
  - y) That notwithstanding Section 18.(3)(vi)(d), the following special provisions shall apply as it relates to minimum rear yard setback for a porch and stairway:
    - i. 1.85 metres shall be required for a porch; and,
    - ii. 0.9 metres shall be required for a below grade walkout patio.
  - z) That in addition to Section 18.(3)(vi)(d), the following special provisions shall apply as it relates to a minimum side yard setback for a porch and stairway from the easterly side lot line measuring 9.33 metres:
    - i. 4.3 metres shall be required for a porch and stairway located within 9.33 metres of the southerly side lot line measuring 21.06 metres.
  - aa) That notwithstanding Section 18.(8)(c)(1), a minimum separation of 3.0 metres between two multiple dwellings shall be required, where no windows are proposed on the façade of the building that faces the adjacent building, except for windows that are comprised of translucent glazing.
3. That the 'H' symbol applicable to the lands referred to in Section 1 shall be removed condition upon;
- i) The Owner submit and receive completion of a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP) or enters into a conditional building permit agreement with respect to completing a Record of Site Conditions. This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton's current RSC administration fee;
  - ii) The Owner agrees in a signed Site Plan Agreement to implement all required noise mitigation measures identified in Acoustical Study dated June 30, 2020 by IBI Group and updated December 22, 2020, through the Site Plan Control Application, to the satisfaction of the Director of Planning and Chief Planner.

- iii) The Owner agrees in a signed Site Plan Agreement, to provide notice to any subsequent owner, as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 area, and to agree to register this notice and any / all warning clauses on title, and include them in any purchase and sale and in any lease or rental agreement, to the satisfaction of the Director of Planning and Chief Planner.
- iv) That a Conservation Plan for 187 and 189 Catharine Street North, Hamilton be submitted, approved and implemented through a signed Site Plan Agreement, all to the satisfaction of the Director of Planning and Chief Planner.
4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-1/S-1809" District provisions, subject to the special requirements in Section 2 of this By-law.
5. That By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1809.
6. That Sheet No. E3 of the District maps is amended by making the lands referred to in Section 1 of this By-law as Schedule S-1809.
7. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

**PASSED** this 9<sup>th</sup> day of July, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-20-027

To Amend Zoning By-law No. 6593 (Hamilton) as amended,  
 Respecting Lands Located at 179, 181, 183, 185, 187  
 and 189 Catharine Street North, Hamilton



This is Schedule "A" to By-law No. 21-  
 Passed the ..... day of ....., 2021

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 Mayor  
 -----  
 Clerk

**Schedule "A"**

**Map forming Part of  
 By-law No. 21-\_\_\_\_\_**

**to Amend By-law No. 6593**

**Subject Property**  
 179 - 189 Catharine Street North

-  Block 1 - Change in zoning from the "L-mr-2" (Planned) District to the "E-1/S-1809" - 'H' (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, Holding
-  Block 2 - Change in zoning from the "L-mr-2" (Planned) District to the "E-1/S-1809" - 'H' (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, Holding
-  Block 3 - Change in zoning from the "L-mr-2" (Planned) District to the "E-1/S-1809" - 'H' (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, Holding
-  Block 4 - Change in zoning from the "L-mr-2" (Planned) District to the "E-1/S-1809" - 'H' (Multiple Dwelling, Lodges, Clubs, etc.) District, Modified, Holding

Scale: N.T.S.	File Name/Number: ZAC-20-027 & UHOPA-20-015
Date: May 13, 2021	Planner/Technician: DB/NB



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 15

**Bill No. 117**

**CITY OF HAMILTON  
BY-LAW NO. 21-**

**Respecting Removal of Part Lot Control**

**Blocks 609 to 621 within Registered Plan of Subdivision 62M-1266 “Waterdown Bay, Phase 3”, 65-71 Westfield Crescent, 37-74 Great Falls Boulevard, 58-68 Skinner Road, 39-50 Kenesky Drive, 31-58 Westfield Crescent, and 4-30 Granite Ridge Trail**

**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 63 lots for street townhouse dwellings, shown as Blocks 609 to 621 inclusive, including 27 access/maintenance easements, shown as Parts 13 to 18, 31 to 40, and 22 to 32 inclusive, on deposited Reference Plans 62R-21699, 62R-21700, and 62R-21701, respectively, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Blocks 609 to 621, Registered Plan No. 62M-1266, 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 9<sup>th</sup> day of July, 2023.

**PASSED** this 9<sup>th</sup> day of July, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 15

**Bill No. 118**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-**

**Respecting Removal of Part Lot Control, Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan of Subdivision 62M-1266, Municipally Known as 3, 5, 9, 11, 14-17, 20-23, 26-29, 33, 35, 39, 41, 45, 47 Mountain Heights Place, 4, 6, 10, 12, 15-18, 21-25, 27, 28, 30, 31, 33, 34, 36 Great Falls Boulevard, 143, 145, 149, 151, 155, 157, 166, 168, 172, 174, 178, 180, 184, 186, 190, 192, 196, 198 Agro Street, 6-9, 12-15, 18-21, 24-27, 75, 77, 80-83, 86-89, 92-95, 98-101 Westfield Crescent, 28, 30, 34, 36 Kenesky Drive**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 98 lots for semi detached dwellings and eight maintenance easements, shown as Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 106, 107, 108, 109, 110, 111 and as Parts 6, 7, 10, 25, 28 and 51, inclusive, on deposited Reference Plan 62R-21633, and shown as Lots 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77 and as Parts 10 and 15, inclusive, on deposited Reference Plan 62R-21634, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan No. 62M-1266, in the City of Hamilton.

Respecting Removal of Part Lot Control, Lots 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 59, 60, 61, 62, 63, 64, 65, 66, 76, 77, 106, 107, 108, 109, 110 and 111, Registered Plan of Subdivision 62M-1266, Municipally Known as 3, 5, 9, 11, 14-17, 20-23, 26-29, 33, 35, 39, 41, 45, 47 Mountain Heights Place, 4, 6, 10, 12, 15-18, 21-25, 27, 28, 30, 31, 33, 34, 36 Great Falls Boulevard, 143, 145, 149, 151, 155, 157, 166, 168, 172, 174, 178, 180, 184, 186, 190, 192, 196, 198 Agro Street, 6-9, 12-15, 18-21, 24-27, 75, 77, 80-83, 86-89, 92-95, 98-101 Westfield Crescent, 28, 30, 34, 36 Kenesky Drive

Page 2 of 2

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 9<sup>th</sup> day of July, 2023.

**PASSED** this 9<sup>th</sup> day of July, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

PLC-21-001

**Authority:** Item 9.8, General Issues  
Committee 20-023 (FCS20085)  
CM: December 16, 2020

Item 6.5, Council Meeting Motion,  
CM: December 16, 2020

Item 6.1, General Issues  
Committee 21-002(k)  
(FCS21001(a)) CM: March 31,  
2021

Item 7.2, Public Works Committee  
20-004 (PW14015(c)) CM: June  
17, 2020

Item 10.3, General Issues  
Committee 21-006 (HSC21004)  
CM: March 31, 2021

Ward: City Wide

**Bill No. 119**

## **CITY OF HAMILTON**

### **BY LAW NO. 21-**

#### **A By-law to Establish Certain 2021 User Fees and Charges for Services, Activities, or the Use of Property, and to Repeal By-law No. 20-168**

**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 paragraph 3 of subsection 10(2) authorizes by-laws respecting the financial management of the City of Hamilton;

**AND WHEREAS** subsection 391(1) of the *Municipal Act, 2001*, states that sections 9 and 10 of that Act authorize the City of Hamilton to impose fees or charges on persons for services or activities provided or done by or on behalf of it; for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control;

**AND WHEREAS** fees and charges listed in Schedule "A" may be administered and calculated in accordance with other City of Hamilton by-laws or provincial legislation or both, including but not limited to:

- animal services by-laws
- business licensing by-laws
- fire prevention and suppression by-laws
- parking by-laws
- waste management by-laws

- the Building Code Act, 1992, its regulations and by-laws passed under the Act or its regulations
- the Funeral, Burial and Cremation Services Act, 2002, its regulations and by-laws passed under the Act or its regulations
- the Planning Act, its regulations and by-laws passed under the Act or its regulations
- Order in Council 1413/08 and lottery licensing by-laws passed under the Order in Council;

**AND WHEREAS** the City of Hamilton wishes to establish and maintain a list of services, activities and the use of property subject to fees or charges and the amount of each fee or charge;

**AND WHEREAS** the Council of the City of Hamilton has authorized the passage of a by-law for the purpose of establishing the list of 2021 user fees and charges;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The user fees and charges set out in the “2021 Approved Fee” column of Schedule “A” shall be charged by the City of Hamilton for those services, activities or uses of property specified in column 1 of Schedule “A”, entitled “Service or Activity Provided or Use of City Property”.
2. The fees and charges set out in the “2021 Approved Fee” column of Schedule “A” are approved and imposed commencing December 9<sup>th</sup>, 2020, or thereafter as set out in Schedule “A”.
- 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) The fees and charges approved and imposed under section 2 may be waived or deferred by the General Manager of Finance and Corporate Services, in accordance with relevant legislation and in accordance with the Council approved policy regarding the waiving and deferring of City of Hamilton User Fees and Charges.
- (3) Despite section 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. Subject to section 3:
  - (a) despite any reference to a fee or charge for a service, activity or use of property set out in any other City of Hamilton by-law including any appendix or schedule attached to such a by-law, the fee or charge set out in the “2021 Approved Fee” column of Schedule “A” shall be the approved fee or charge for the service, activity or use of property specified; and
  - (b) the fee or charge for a service, activity or use of property set out in Schedule “A” continues in force until amended, repealed or replaced and for greater certainty, this includes continuing in force after December 31, 2021 until amended, repealed or replaced.
5. No request by any person for documentary, written or printed information relating to any land, building or structure in the City, or request for services or activities provided by the City, or request to use the City’s property or any application specified in column 1 of Schedule “A”, entitled “Service or Activity Provided or Use of City Property”, shall be processed unless and until the person requesting the information, services, activities, use of property or application, as the case may be, has paid the applicable fee or charge in the prescribed amount set out in the “2021 Approved Fee” column of Schedule “A”.
6. The fees or charges as listed in Schedule “A” are subject to Harmonized Sales Tax (H.S.T.) where applicable.
7. Finance charges are applicable on all late payments of the fees or charges listed in Schedule “A” based on the current prime rate plus 2% adjusted quarterly.
8. All unpaid fees or charges imposed by this By-law on a person constitute a debt of the person to the municipality.
9. Where all or part of a fee or charge imposed by this By-law remains unpaid, such fee or charge may be added to the tax roll for the following property and collected in the same manner as municipal taxes:
  - (a) in the case of a fee or charge for the supply of a service or thing to a property, the property to which the service or thing was supplied.
  - (b) in all other cases, any property for which all of the owners are responsible for payment of the fee or charge.

10. Schedule "A" is attached to and forms a part of this By-law.
11. Should any part of this By-law, including any part of Schedule "A", 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 the By-law shall be severable and that the remainder of this By-law, including the remainder of Schedule "A", as applicable, shall continue to operate and to be in force.
12. This By-law may be referred to as the "User Fees and Charges By-law".
13. City of Hamilton By-law 20-168 is repealed upon the coming into force of this By-law.
14. The repeal of By-law 20-168 does not:
  - (a) affect the previous operation of the repealed by-law;
  - (b) affect a right, privilege, obligation or liability that came into existence under the repealed by-law;
  - (c) affect an offence committed against the repealed by-law, or any penalty, forfeiture or punishment incurred in connection with the offence;
  - (d) affect an investigation, proceeding or remedy in respect of a right, privilege, obligation or liability described in section 14(b), or a penalty, forfeiture or punishment described in section 14(c).
15. An investigation, proceeding or remedy described in section 14(d) may be commenced, continued and enforced as if By-law 20-168 had not been repealed or revoked.
16. A penalty, forfeiture or punishment described in section 14(c) may be imposed as if the By-law 20-168 had not been repealed or revoked.
17. This By-law is deemed to have come into force on December 9<sup>th</sup>, 2020.

**PASSED** this 9th day of July 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: General Fees**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Map / Publication Sales Fees	<b>Full Cost Recovery</b>
2	Data Base Information	<b>Full Cost Recovery</b>
<b>Photocopy &amp; Computer Printout Service</b>		
3	- First Page	\$ <b>0.40</b>
4	- Additional Pages	\$ <b>0.40</b>
<b>Information Requests</b>		
5	- Floppy disks & CD's - per disk or CD	\$ <b>13.40</b>
6	- For manually researching a record - for each 15 minutes	\$ <b>19.30</b>
7	- Developing Computer Programs or other methods of producing a record from machine readable record - for each 15 minutes	\$ <b>19.30</b>

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Building Services - General Fees**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Zoning Verification & Work Order Reports (Single & Two Family Dwellings, Townhouses) - Regular	\$ 124.00
2	Zoning Verification & Work Order Reports (Single & Two Family Dwellings, Townhouses) - Express	\$ 189.00
3	Zoning Verification & Work Order Reports (Non-Residential / Multi-Residential) - Regular	\$ 254.00
4	Zoning Verification & Work Order Reports (Non-Residential / Multi-Residential) - Express	\$ 384.00
5	Sewage System and Sewage Comments	\$ 259.00
6	Site Plan Security Reduction Fee	\$ 336.00
7	Zoning Compliance Letter - liquor license	\$ 192.00
<b>Photocopy service</b>		
8	Computer Printouts per page	\$ 0.36
9	Microfilm Copies (for up to 20 copies)	\$ 27.10
10	Microfilm Copies (each additional copy)	\$ 1.20
<b>Routine Disclosure of Building Division Records (new)</b>		
11	Routine Disclosure Application Fee (includes the first 15 minutes of file search time and up to 10 photocopies)	\$ 25.00
12	For each additional 15 minutes of file search time above the first 15 minutes	\$ 19.85
<b>Records searches</b>		
13	Including manual searches and preparation of information - for each 15 minutes	\$ 19.85
<b>Computer Programming</b>		
14	For developing programs or other ways of producing records from machine readable records - for each 15 minutes	\$ 19.85
15	Blasting Permit	\$ 133.00
16	Grading (Security) Deposit	\$ 1,530.00
17	Grading (Security) Deposit for a Single Lot (Infill)	\$ 7,650.00
18	Grading (Security) Deposit for a Semi-Detached Dwelling (Infill)	\$ 10,200.00
<b>Demolition Agreement for Building Replacement</b>		
19	a) Agreement	\$ 532.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Building Services - General Fees**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
20	b) Security deposit/letter of credit - per sq. metre of bldg to be demolished (\$2,500 min & \$25,000 max)	\$ 128.00
21	Demolition Control Applications	\$ 532.00
	<b>Application Fee for outdoor commercial patio exemption permits</b>	
22	a) Inspection Fee	\$ 526.00
	<b>Illegal Grow Operations</b>	
23	a) Inspection Fee	\$ 788.00
24	b) Re-occupancy Fee	\$ 715.00
25	Swimming Pool Enclosure Fee	\$ 255.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Economic Development - Urban Renewal**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Loan/Incentive Programs</b>		
1	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants less than \$5,000	\$ 92.92
2	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants greater than \$5,000 and less than \$12,500	\$ 243.36
3	Business Improvement Area Commercial Property Improvement Grant Program Admin Fee for Grants greater than \$12,500	\$ 380.53
<b>Hamilton Tax Increment Grant Program</b>		
4	Basic Fee - Developer only (only for Grants less than or equal to \$12,500)	\$ 243.36
5	Basic Fee - Developer only (only for Grants greater than \$12,500)	\$ 840.71
6	Additional Fee - Developer Transfer to New Condo Owner	\$ 446.90
<b>Hamilton Downtown, Barton/Kenilworth Multi-Residential Property Investment Program</b>		
7	a) Initial Application	\$ 314.16
	b) Fee is based on a Graduated Scale basis as follows:	
8	50 units or less - per unit	\$ 526.55
9	50-100 units - per unit	\$ 420.35
10	100 units plus - per unit	\$ 314.16
11	Commercial Corridor Housing Loan & Grant Program - per unit	\$ 274.34
12	Commercial Corridor Housing Loan and Grant Application Fee (At final application stage)	\$ 314.16
13	Hamilton Heritage Property Grant Program less than or equal to \$12,500	\$ 243.36
14	Hamilton Heritage Property Grant Program greater than \$12,500	\$ 376.11
15	Hamilton Downtown/West Harbourfront Remediation Loan Pilot Program	\$ 314.16
16	Office Tenancy Assistance Program	\$ 513.27
17	Commercial Property Improvement Grant Program for grants less than \$5,000	\$ 92.92
18	Commercial Property Improvement Grant Program for grants greater than \$5,000	\$ 243.36
<b>Hamilton Community Heritage Fund Loan Program - administration fees</b>		

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Economic Development - Urban Renewal**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
19	a) Designated Commercial, Industrial or like properties (fee is based on percentage of loan amount)	<b>2.10% of loan amount</b>
20	b) Other properties	<b>\$ 300.88</b>
21	ERASE Grant Study	<b>\$ 234.51</b>
22	ERASE Redevelopment Grant	<b>\$ 840.71</b>
23	LEED Grant Program	<b>\$ 840.71</b>
24	LEED Grant Program Administration Fees (Fee Per Unit)	<b>\$ 393.81</b>
25	Hamilton Heritage Conservations Grant Program Application Fee	<b>\$ 92.92</b>
26	Barton/Kenilworth Commercial Corridor Building Improvement Grant Program Admin Fee for Grants less than or equal to \$12,500	<b>\$ 243.36</b>
27	Barton/Kenilworth Commercial Corridor Building Improvement Grant Program Admin Fee for Grants greater than \$12,500	<b>\$ 380.53</b>
28	Barton/Kenilworth Tax Increment Grant Program Admin Fee for Grants less than or equal to \$12,500	<b>\$ 243.36</b>
29	Barton/Kenilworth Tax Increment Grant Program Admin Fee for Grants greater than \$12,500	<b>\$ 840.71</b>
30	Barton/Kenilworth Tax Increment Grant Program - Additional Fee - Developer Transfer to New Condo Owner	<b>\$ 433.63</b>
31	Barton/Kenilworth Planning and Building Fee Rebate	<b>\$ 92.92</b>

## 2021 APPROVED 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	2021 Approved Fee
1	Late Payment (after 15 days)	\$ 53.10
2	Fail to Attend Hearing	\$ 104.42
3	Final notice of non-payment	\$ 53.10

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Culture**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
	<b>MUSEUM GENERAL ADMISSION FEES:</b> Last increase in general admission was 2014 based on market analysis of competitors. New rates reflect current (2018) market analysis	
	<b>Children's Museum</b> - 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	
	<b>All Other Sites</b> - 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
2	Dundurn Castle - Senior	\$ 10.62
3	Dundurn Castle - Student/Youth	\$ 10.62
4	Dundurn Castle - Child	\$ 7.08
5	Dundurn Castle - Infant	Free
6	Dundurn Castle - Family	\$ 33.63
7	Hamilton Military Museum - Adult	\$ 4.42
8	Hamilton Military Museum - Senior	\$ 3.98
9	Hamilton Military Museum - Student/Youth	\$ 3.98
10	Hamilton Military Museum - Child	\$ 3.54
11	Hamilton Military Museum - Infant	Free
12	Hamilton Military Museum - Family	\$ 13.27
13	Whitehern Historic House & Garden - Adult	\$ 7.52
14	Whitehern Historic House & Garden - Senior	\$ 6.64
15	Whitehern Historic House & Garden - Student/Youth	\$ 6.64
16	Whitehern Historic House & Garden - Child	\$ 5.31
17	Whitehern Historic House & Garden - Infant	Free
18	Whitehern Historic House & Garden - Family	\$ 22.12
19	Battlefield House Museum & Park - Adult	\$ 7.52
20	Battlefield House Museum & Park - Senior	\$ 6.64
21	Battlefield House Museum & Park - Student/Youth	\$ 6.64
22	Battlefield House Museum & Park - Child	\$ 5.31
23	Battlefield House Museum & Park - Infant	Free
24	Battlefield House Museum & Park - Family	\$ 22.12

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Culture**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
25	Hamilton Museum of Steam & Technology - Adult	\$ 7.52
26	Hamilton Museum of Steam & Technology - Senior	\$ 6.64
27	Hamilton Museum of Steam & Technology - Student/Youth	\$ 6.64
28	Hamilton Museum of Steam & Technology - Child	\$ 5.31
29	Hamilton Museum of Steam & Technology - Infant	Free
30	Hamilton Museum of Steam & Technology - Family	\$ 22.12
31	Hamilton Children's Museum - Adult	\$ 2.65
32	Hamilton Children's Museum - Senior	\$ 2.65
33	Hamilton Children's Museum - Student/Youth	\$ 2.65
34	Hamilton Children's Museum - Child	\$ 3.98
35	Hamilton Children's Museum - Infant	Free
36	Hamilton Children's Museum - Family	\$ 10.62
37	Fieldcote Memorial Park & Museum - Adult	\$ 3.98
38	Fieldcote Memorial Park & Museum - Senior	\$ 3.54
39	Fieldcote Memorial Park & Museum - Student/Youth	\$ 3.54
40	Fieldcote Memorial Park & Museum - Child	\$ 2.88
41	Fieldcote Memorial Park & Museum - Infant	Free
42	Fieldcote Memorial Park & Museum - Family	\$ 11.95
43	Griffin House - Adult	
44	Griffin House - Senior	
45	Griffin House - Student/Youth	
46	Griffin House - Child	
47	Griffin House - Infant	
	<b>MUSEUM SPECIAL EVENTS</b> Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Culture**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
48	Dundurn Castle Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	<b>Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.</b>
	Hamilton Military Museum	
	Whitehern Historic House & Garden	
	Battlefield House Museum & Park	
	Hamilton Museum of Steam & Technology	
	Hamilton Children's Museum	
	Fieldcote Memorial Park & Museum	
	<b>MUSEUM GROUP RATES</b> 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
50	Dundurn Castle - Senior	\$ 8.41
51	Dundurn Castle - Youth	\$ 8.41
52	Dundurn Castle - Child	\$ 5.75
53	Dundurn Castle and Hamilton Military Museum - Adult	\$ 11.50
54	Dundurn Castle and Hamilton Military Museum - Senior	\$ 9.73
55	Dundurn Castle and Hamilton Military Museum - Youth	\$ 9.73
56	Dundurn Castle and Hamilton Military Museum - Child	\$ 6.19
57	Hamilton Military Museum - Adult	\$ 3.10
58	Hamilton Military Museum - Senior	\$ 3.10
59	Hamilton Military Museum - Youth	\$ 3.10
60	Hamilton Military Museum - Child	\$ 2.88
61	Dundurn National Historic Site: Guided tour of Grounds/Garden - Adult/Senior/Student	\$ 3.54
62	Dundurn National Historic Site: Guided tour of Grounds/Garden - Child	\$ 3.10
63	Whitehern Historic House & Garden - Adult	\$ 5.31
64	Whitehern Historic House & Garden - Senior	\$ 5.31
65	Whitehern Historic House & Garden - Youth	\$ 5.31

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Culture**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
66	Whitehern Historic House & Garden - Child	\$ 4.20
67	Battlefield House Museum & Park - Adult	\$ 5.31
68	Battlefield House Museum & Park - Senior	\$ 5.31
69	Battlefield House Museum & Park - Youth	\$ 5.31
70	Battlefield House Museum & Park - Child	\$ 4.20
71	Hamilton Museum of Steam & Technology - Adult	\$ 5.31
72	Hamilton Museum of Steam & Technology - Senior	\$ 5.31
73	Hamilton Museum of Steam & Technology - Youth	\$ 5.31
74	Hamilton Museum of Steam & Technology - Child	\$ 4.20
75	Hamilton Children's Museum - Child	\$ 3.54
76	Fieldcote Memorial Park & Museum - Adult	\$ 2.88
77	Fieldcote Memorial Park & Museum - Senior	\$ 2.88
78	Fieldcote Memorial Park & Museum - Youth	\$ 2.88
79	Fieldcote Memorial Park & Museum - Child	\$ 2.43
<p><b>MUSEUM STUDENT AND YOUTH GROUP RATES</b>  <b>Educational Program Rates</b> - 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.  <b>Outreach Rates</b> - Minimum flat rate.</p>		
80	Dundurn Castle - Elementary School per hour/student	\$ 3.75
81	Dundurn Castle - High School per hour/student	\$ 3.32
82	Dundurn Castle - Tour Only	\$ 5.75
83	Hamilton Military Museum - Elementary School per hr/student	\$ 3.75
84	Hamilton Military Museum - High School per hr/student	\$ 3.32
85	Hamilton Military Museum - Tour Only	\$ 2.88
86	Evening Tour After 5:00 pm (Dundurn and Military)	\$ 309.73
87	Evening Tour After 5:00 pm Additional Staff (Dundurn and Military)	\$ 150.44
88	Whitehern Historic House & Garden - Elementary School per hr/student	\$ 3.75
89	Whitehern Historic House & Garden - High School per hr/student	\$ 3.32
90	Whitehern Historic House & Garden - Tour Only	\$ 4.65
91	Battlefield House Museum & Park - Elementary School per hr/student	\$ 3.75

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Culture**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
92	Battlefield House Museum & Park - High School per hr/student	\$ 3.32
93	Battlefield House Museum & Park - Tour Only	\$ 4.65
94	Hamilton Museum of Steam & Technology - Elementary School per hr/student	\$ 3.75
95	Hamilton Museum of Steam & Technology - High School per hr/student	\$ 3.32
96	Hamilton Museum of Steam & Technology - Tour Only	\$ 4.65
97	Hamilton Children's Museum - Elementary School per hr/student	\$ 3.75
98	Fieldcote Memorial Park & Museum - Elementary School per hr/student	\$ 3.75
99	Fieldcote Memorial Park & Museum - High School per hr/student	\$ 3.32
100	Griffin House - Elementary School per hr/student	\$ 3.75
101	Griffin House - High School per hr/student	\$ 3.32
102	Hamilton Civic Museum Outreach Lecture	\$ 154.87
103	Hamilton Civic Museum Outreach Program- Elementary Flat rate	\$ 175.00
104	Hamilton Civic Museum Outreach Program	\$ 154.87
<b>MUSEUM MEMBERSHIPS (annual)</b>		
105	Hamilton Museum of Steam & Technology - Organizational per person	\$ 13.27
106	Fieldcote Memorial Park & Museum - Individual	\$ 21.24
107	Fieldcote Memorial Park & Museum - Family	\$ 30.97
<b>MUSEUM CHILD BIRTHDAY PARTIES</b>		
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	\$ 17.70
109	Whitehern Historic House & Garden - Package per person	\$ 17.70
110	Battlefield House Museum & Park - Package per person	\$ 17.70
111	Hamilton Museum of Steam & Technology - Package per person	\$ 17.70
112	Fieldcote Memorial Park & Museum - Package per person	\$ 17.70
<b>MUSEUM RENTAL RATES (Social and Corporate)</b>		
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	\$ 48.67
114	The Coach House at Dundurn - hourly rate	\$ 48.67

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Culture**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
115	Dundurn Pavilion (Outdoor)	\$ 141.59
116	The Stable at Whitehern - hourly rate	\$ 48.67
117	The Woodshed at HMST - hourly rate	\$ 48.67
118	The Woodshed Pavilion with access to Kitchenette - 2021	\$ 141.59
119	"The Party Room" at Children's Museum - hourly rate	\$ 53.10
120	Private Rental Hamilton Children's Museum - hourly rate	\$ 146.02
121	Fieldcote Memorial Park & Museum Meeting Room - hourly rate	\$ 48.67
122	Battlefield Pavilion	\$ 101.77
123	Battlefield Pavilion (with use of kitchenette)	\$ 135.40
124	Grandview at Battlefield Park - hourly rate	\$ 48.67
125	Premium for rentals involving alcohol consumption	\$ -
<b>MUSEUM RENTAL RATES - USE OF GROUNDS</b>		
Discounts are made available to not-for-profit and community-based organizations.		
126	Dundurn Castle - Outdoor or Cockpit	\$ 575.22
127	Whitehern Historic House & Garden - Outdoor	\$ 376.11
128	Battlefield House Museum & Park - Outdoor	\$ 376.11
129	Hamilton Museum of Steam & Technology - Outdoor	\$ 376.11
130	Fieldcote Memorial Park & Museum - Outdoor	\$ 575.22
131	Fieldcote Memorial Park and Museum - 1/2 day rate	\$ 376.11
132	Evening Grounds Use After 5:00pm (All sites)	\$ 641.59
133	Dundurn parking lot- minimum rate	\$ 252.21
<b>COMMERCIAL PHOTOGRAPHY - USE OF GROUNDS</b>		
134	Ancaster Old Town Hall	\$ 176.99
135	Dundurn National Historic Site	\$ 176.99
136	Whitehern Historic House & Garden	\$ 176.99
137	Battlefield House Museum & Park	\$ 176.99
138	Hamilton Museum of Steam & Technology	\$ 176.99
139	Fieldcote Memorial Park & Museum	\$ 176.99
<b>COMMERCIAL FILM RATES</b>		
140	Site Supervisor - hourly rate [change to] Museum Staffing 8am - 6pm, per person, per hour	\$ 66.37

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Culture**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
141	Additional monitoring - staff hourly rate [change to] Museum Staffing 6pm - 8am, per person, per hour	\$ 88.50
142	Hourly rate, in addition to staff hourly rate (above), for outside business hours or after eight (8) hours	\$ -
143	Hourly rate for Site Supervision; midnight - 8am, Saturdays, Sundays & all Stat Holidays	\$ -
144	Filming rate per exterior location per day (including setup, shooting and take down days). Note: there may be multiple locations per premises	\$ -
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	\$ -
146	Use of part or all of parking lot for film per day	\$ -
147	Research or Curatorial fee per day	\$ -
148	Retaining set-up on non-filming days	\$ -
149	<b>Hamilton Film Office Administration Fees</b>	\$ -
150	<b>All Student Productions will be exempt from any permit fees</b>	\$ -
151	For Profit Productions - Administration Fee	\$ 56.64
152	Non-Profit Productions - Administration Fee	\$ 28.32
153	Surcharge on City services and/or location	\$ -

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Tourism & Culture - Tourism**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Tourism-Oriented Directional Signs (TODS) - 2' x 8'	\$ 171.68
2	Tourism-Oriented Directional Signs (TODS) - 1.5' x 6'	\$ 135.40
3	Tourism-Oriented Directional Signs (TODS) - 1' x 4'	\$ 67.26
4	Tourism-Oriented Directional Signs (TODS) - 1' x 5'	\$ 77.88
	LOGO Program - LINC & Redhill Parkway Road Signage Fees:	
5	- Mainlines/Ramps	\$ 2,550.44
6	- Trailblazing	\$ 204.42
	<b>Visitors Centre Room Rental Rates (Social and Corporate)</b>	
	<b>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.</b>	
7	Tourism Visitor Centre - daytime hourly rate	\$ 38.94
8	Premium for rentals involving alcohol consumption	\$ 528.32
9	Various rates for Special Events, Workshops, Seminars, Hands-on programs, Special Exhibits, etc.	<b>Various</b>

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**

**Division: Licensing & By-law Services - Dog Licenses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Dog Licences - Standard Rate</b>		
1	- spayed/neutered or under 6 months of age	\$ 34.00
2	- over six months not spayed/neutered	\$ 72.00
<b>Dog Licences - Senior / Disability Rate</b>		
3	- spayed/neutered or under 6 months of age	\$ 16.00
4	- over six months not spayed/neutered	\$ 39.00
5	<b>Dog Licences - Dangerous or Potentially Dangerous Dog</b>	<b>\$ 343.00</b>
6	Replacement Tag Fee	\$ 4.42
7	Late Payment Fee	\$ 17.70
8	Flat Rate Licence (grandfathered fee)	\$ 123.00
9	Valid Licence in another Municipality where the owner has moved to the City of Hamilton within 30 days	\$ 15.00
Leash Free Fee of \$1.00 is included/charged for every licence sold.		

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**

**Division: Parking & School Crossing - Hamilton Municipal Parking System**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	On-Street Parking Permits	\$ 92.04
2	Status of Agreement Inquiries (Front Yard Parking)	\$ 60.18
3	Free Floating Car Share Permits	\$ 270.78
<b>Residential Boulevard Parking (Front Yard Parking)</b>		
4	Teranet Registration	\$ 94.00
5	Processing Fee	\$ 278.76
6	Annual Admin Fee	\$ 10.62
7	Encroachment Insurance	\$ 10.62
<b>Commercial Boulevard Parking</b>		
8	Registration	\$ 51.00
9	Processing Fee	\$ 349.56
10	Encroachment Insurance	\$ 10.62
11	Fee/space (first two spaces)	\$ 105.31
12	Fee/space (remaining spaces)	\$ 53.10
13	Access Permit Application	\$ 140.00
14	On street patio application fee	\$ 662.83
<b>Occupation of Public/Metered Parking Spaces (pre payment required)</b>		
15	Single Space Per Day	\$ 23.01
16	Each Additional Day Up To 6 Consecutive Days Per Space	\$ 11.50
17	Weekly Consecutive Rate Per Space	\$ 81.42
18	Monthly Consecutive Rate Per Space	\$ 230.09
19	Administration Fee on Temporary Parking Permits	<b>15% of the permit fee</b>
20	Inspection Fee for the Review of Business Licences	\$ 33.63
<b>Administrative Penalty System (APS)**</b>		
21	MTO Search	\$ 13.27
22	Late Payment	\$ 26.55
23	Fail to Attend Hearing	\$ 104.42

## 2021 APPROVED USER FEES & CHARGES

Department: Planning & Economic Development

Division: Parking & School Crossing - Hamilton Municipal Parking System

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
24	Plate Denial	\$ 4.42
25	Mail Issuance (New)	\$ 12.38

## 2021 APPROVED USER FEES & CHARGES

Department: Planning & Economic Development  
 Division: General: Planning Act Fees

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	<p><b>Cost Recovery on City-supported applications appealed to the Ontario Municipal Board</b></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 &amp; 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 &amp; Economic Development, together with their application.</p>	<p><b>Full cost Recovery</b></p>

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Licensing & By-law Services - Licensing**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Adult Services</b>		
1	Adult Entertainment Parlour	\$ 6,211.00
2	Adult Entertainment Parlor Attendant	\$ 516.00
3	Adult Entertainment Parlour Operator/Manager	\$ 1,821.00
4	Adult Film Theatre	\$ 3,839.00
5	Adult Video Store Class A	\$ 3,839.00
6	Adult Video Store Class B	\$ 398.00
7	Body Rub Parlour Owner	\$ 9,771.00
8	Body Rub Parlour Attendant	\$ 516.00
9	Body Rub Parlour Operator/Manager	\$ 1,465.00
10	Tobacco & Electronic Cigarettes	\$ 448.00
<b>Accommodations</b>		
11	Bed and Breakfast	\$ 265.00
12	Motels and Hotels	\$ 190.00
13	Lodging House	\$ 504.00
14	Residential Care Facility (4-10 Residents)	\$ 693.00
15	Residential Care Facility (11 or more Residents)	\$ 990.00
<b>Mobile</b>		
16	Mobile Sign leasing or renting	\$ 316.00
17	Hawker/Peddler (motorized vehicle)	\$ 365.00
18	Seasonal Food Vendor	\$ 390.00
19	Limousines (owner)	\$ 662.00
20	Limousines (driver)	\$ 77.00
21	Taxi cab owner (private) (Renewal)	\$ 661.00
22	Taxi cab owner (private) (New)	\$ 4,791.00
23	Taxi cab owner (transfer)	\$ 842.00
24	Taxi cab Broker	\$ 1,135.00
25	Taxi cab Driver	\$ 107.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Licensing & By-law Services - Licensing**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
26	Transient Trader (3 month period)	\$ 715.00
27	Auctioneer	\$ 294.00
	<b>Food Service Vehicles:</b>	
28	Class A	\$ 390.00
29	Class B	\$ 390.00
30	Class C	\$ 359.00
31	Food Service Vehicles (Four day)	\$ 102.00
32	Food Service Vehicles (Park Permit)	\$ 214.00
	<b>Services</b>	
	Eating Establishments:	
33	Bars and Nightclubs	\$ 324.00
34	Food Premises	\$ 186.00
35	Restaurant with Liquor Service	\$ 238.00
	<b>Public Garage:</b>	
36	(A) Buying, Selling, Storing	\$ 265.00
37	(B1) Combined Engine & Body Work	\$ 265.00
38	(B2) Engine Work	\$ 265.00
39	(B3) Body Work	\$ 265.00
40	(C) Service Station	\$ 265.00
41	(D) Parking Lot	\$ 265.00
42	(E) Car Wash Only	\$ 265.00
43	Public Halls	\$ 372.00
44	Pay Day Loan Businesses	\$ 820.00
45	Kennels, Pet Shops	\$ 263.00
46	Personal Aesthetic Services Facility	\$ 191.00
47	Personal Wellness Services Establishment	\$ 191.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Licensing & By-law Services - Licensing**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Places of Amusement</b>		
48	Amusement Arcade	\$ 265.00
49	Amusement Rides	\$ 265.00
50	Amusement Water	\$ 443.00
51	Billiard / Bagatelle Tables	\$ 265.00
52	Bingo Parlour	\$ 265.00
53	Bowling Alley	\$ 265.00
54	Carnival	\$ 265.00
55	Circus	\$ 265.00
56	Motor Vehicle Race Track	\$ 265.00
57	Other	\$ 265.00
58	Proprietary Club	\$ 265.00
59	Roller Skating Rink	\$ 265.00
60	Skateboarding, BMX bikes	\$ 265.00
<b>Used Goods Services</b>		
61	Antique Market/Flea Market	\$ 265.00
62	Pawn Broker	\$ 443.00
63	Precious Metals & Jewellery Dealers	\$ 443.00
64	Salvage Yard	\$ 443.00
65	Second-hand Shop	\$ 506.00
<b>Trade Licence Contractor</b>		
66	Building Repair	\$ 283.00
67	Plumbing	\$ 283.00
68	Heating, Ventilation & Air Conditioning	\$ 283.00
69	Drain Repair	\$ 283.00
70	Sprinkler and Fire Protection Installer	\$ 283.00
71	Tree Cutting Services	\$ 270.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Licensing & By-law Services - Licensing**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Trade Licence Masters</b>		
72	Building Repair	\$ 167.00
73	Plumbing	\$ 167.00
74	Heating, Ventilation & Air Conditioning	\$ 167.00
75	Drain Repair	\$ 167.00
76	Sprinkler and Fire Protection Installer	\$ 167.00
<b>Other Fees</b>		
77	Daily fee for spare taxicabs	\$ 27.43
78	Taxi cab (limited interest agreement)	\$ 83.00
79	Taxi cab Priority list	\$ 101.77
80	Taxi cab accessible priority list	\$ 53.10
81	Annual spare taxicab inspection fee	\$ 177.88
82	Exam/Processing Fee	\$ 55.75
83	Administration fee - applications / amendments	\$ 68.14
84	Licence re-instatement fee (late fee)	\$ 289.38
85	Photo ID Card	\$ 18.58
86	Licence certificate replacement	\$ 18.58
87	Licence plate replacement	\$ 78.76
88	Appeal to Hamilton Licensing Tribunal	\$ 154.87
89	Municipal consent for new liquor licence applications and extensions	\$ 188.50
90	Corporate Profile Report, Deed & Abstract Reports	<b>Full Cost Recovery</b>
91	Failure to fulfil conditions imposed by the Issuer of Licenses or the Licensing Tribunal	\$ 107.08
92	Special Occasions Permit - Administration Fee	\$ 81.42
93	Application for Temporary Occupancy	\$ 772.57
<b>Personal Transportation Provided</b>		
94	Annual Licence Fee	\$ 5,000.00
95	Per Trip Fee (Transaction fee per class A-C)	\$ 0.30

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**

**Division: Licensing & By-law Services - General Fees**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Discharge of Firearms By-law</b>		
1	a) Exemption permit application fee for the discharge of recreational firearms or bows	\$ 119.47
2	b) Renewal fee	\$ 22.12
<b>Certificate of Compliance</b>		
3	a) Single detached dwelling	\$ 302.65
4	b) A two, three or multiple unit dwelling	\$ 302.65
5	- plus additional fee for each additional dwelling unit in excess of the first	\$ 44.25
6	c) A lodging house	\$ 302.65
7	- plus additional fee per each permitted resident (required every 3 years)	\$ 33.63
8	d) All other buildings (Liquor licence)	\$ 302.65
9	- plus additional fee per each 100 square metres in excess of the first 100 square metres	\$ 19.47
10	e) Residential care facility (first time applications & change in ownership)	\$ 302.65
11	- plus additional fee per each permitted resident	\$ 34.51
12	f) Discharge of an Order - Non registered Order to Comply	\$ 302.65
13	g) Discharge of an Order - Registered Order To Comply	\$ 644.25
<b>Fees charged for inspections carried out by the City resulting from non-compliance with any City by-law (except Vital Services By-law):</b>		
Inspection demonstrating non-compliance when there has been an earlier incident of non-compliance:		
14	Initial	\$ 302.65
15	Subsequent	\$ 154.87
<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	<b>10% of total utility billings paid by the City</b>

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Licensing & By-law Services - General Fees**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
	Noise by-Law Exemption:	
17	- Application received 60 days or more prior to the event	\$ 189.00
18	- Application received less than 60 days prior to the event	\$ 285.00
19	Corporate Profile Report and Deed & Abstract Reports	<b>Full Cost Recovery</b>
20	Application Fee for outdoor commercial patio exemption permits	\$ 536.00
21	Application Fee for any appeal to the Property Standards Committee	\$ 144.00
22	Zoning Verification & Work Order Reports - Regular	\$ 124.00
23	Zoning Verification & Work Order Reports - Express	\$ 189.00
24	Fees charged by the City for costs incurred when its inspection powers under s. 436(2) of the Municipal Act, 2001 are exercised	<b>Full Cost Recovery</b>
25	Registration Fee - One Time Fee For Initial Registration of a Vacant Building	\$ 297.00
26	Vacant Building Fee - Annual Inspection Fee	\$ 743.36
27	Annual Fee for each additional vacant building on a property (inspection)	\$ 363.72
28	Vacant Building Quarterly Inspection Fee	\$ 298.23
29	Licensing Tribunal and Property Standards Committee decisions	<b>Full Cost Recovery</b>
	<b>Municipal Law Enforcement Contractor Services Administration:</b>	
30	- Administration Fee for invoices less than or equal to \$600 (before tax)	\$ 100.00
31	- Administration Fee for invoices greater than \$600 (before tax)	\$ 225.66
32	- Administration Fee for requests for file review	\$ 37.17
33	Application Fee for outdoor commercial patio exemption permits	\$ 536.00
34	a) Inspection Fee	\$ 212.00
35	Paid Duty Municipal Law Enforcement	<b>Full Cost Recovery</b>

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Licensing & By-law Services - General Fees**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
	<b>Tree Permits</b>	
36	Review of Permit Application to Injure or Destroy Trees - Urban Woodland Tree By-law No. 14-212	\$ <b>250.00</b>
37	Review of Notice of Intent to Cut Application - Regional Woodland Tree By-law No. R00-054	\$ <b>150.00</b>
38	Review of Permit Application to Injure or Destroy Trees - Dundas Tree By-law No. 4513-99	\$ <b>50.00</b>
	Review of Permit Application to Injure or Destroy Trees - Stoney Creek Tree By-law No. 4401-96:	
39	a) 2 to 10 trees	\$ <b>25.00</b>
40	b) 11 to 20 trees	\$ <b>50.00</b>
41	c) Greater than 20 trees	\$ <b>100.00</b>

## 2021 APPROVED 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	2021 Approved Fee
<b>PERMITS FOR SIGNS</b>		
<b>SIGN TYPE</b>		
Mobile Sign		
1	- for 28 consecutive days	\$ 133.00
2	- for 14 consecutive days	\$ 90.00
3	Mobile Sign advertising a grand opening or closing promotional event (for 7 consecutive days)	\$ 202.00
4	Sidewalk Sign (per year)	\$ 103.00
5	Banner (for 28 consecutive days)	\$ 103.00
6	Banner advertising a grand opening or closing promotional event (for 7 consecutive days)	\$ 202.00
7	Inflatable Sign (for 7 consecutive days)	\$ 103.00
8	New Home Development Portable Sign (per year)	\$ 67.00
9	Sign permit fee for any new permanent signs/per property per occasion	\$ 156.00
10	Sign permit fee for changes to existing signs/per property per occasion	\$ 242.00
11	Corrugated Plastic Sign (yearly permit fee per location per property)	\$ 156.00
12	A-frame signs on sidewalks (permit fee for a three-year period)	\$ 162.00
Digital Boards		
13	Annual Sign Permit Fee	\$ 2,040.00
<b>SIGN VARIANCE APPLICATION</b>		
Sign variance fees appear under "Planning" Division		
<b>ENFORCEMENT FEES</b>		
14	Removal of an Unlawful Permanent Sign - per sign (or the actual cost of removing the sign, whichever is greater)	\$ 258.41
15	Storage Charge for an Unlawful Permanent Sign - per sign/day	\$ 65.49
16	Removal of an Unlawful Mobile Sign - per sign (or the actual cost of removing the sign, whichever is greater)	\$ 258.41
17	Storage Charge for an Unlawful Mobile Sign - per sign/day	\$ 65.49

## 2021 APPROVED 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	2021 Approved Fee
18	a) Inspection Fee	\$ <b>65.49</b>
19	Storage Charge for an Unlawful Portable Sign - per sign/day	\$ <b>37.17</b>
20	Storage Charge for an Unlawful Election Sign - per sign/day	\$ <b>37.17</b>
21	Annual Inspection Fee (existing non-conforming overhanging signs)	\$ <b>111.50</b>
	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 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**

**Division: Licensing & By-law Services - Lottery Licensing**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	<i>Lottery Licence Application Administration Fee</i>	\$ 69.91
2	<i>Lottery Licence Fee - Bingo (per event)</i>	\$ 165.00
3	<i>Lottery Licence Fee - Nevada</i>	Up to maximum of 3% prize value
4	<i>Lottery Licence Fee - Raffles</i>	Up to maximum of 3% prize value
5	<i>Lottery Licence Fee - Others</i>	Varies by type and mandated by the province

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**

**Division: Licensing & By-law Services - Animal Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Impound Fees (Standard Rate)</b>		
1	Licensed Dog - 1st Offence	\$ 68.00
2	Licensed Dog - Subsequent Offence	\$ 184.00
3	Licensed Dog - Subsequent Offence (after initial subsequent offence - increase of \$50.00 per occurrence up to 5 occurrences)	\$ 50.00
4	Unlicensed Dog - 1st Offence	\$ 109.00
5	Unlicensed Dog - Subsequent Offence	\$ 184.00
6	Unlicensed Dog - Subsequent Offence (after initial subsequent offence - increase of \$50.00 per occurrence up to 5 occurrences)	\$ 50.00
7	Dangerous or Potentially Dangerous Dog	\$ 661.00
8	Cat ( identified [1] and unidentified)	\$ 27.00
9	Cat (identified [1] and unidentified)- Subsequent Offence	\$ 42.00
10	Multiple Small Domestic Animals (up to 6)	\$ 57.00
11	Other Small Domestic Animal [2]	\$ 26.00
12	Snake or Reptile	\$ 26.00
13	Livestock - Small	\$ 141.00
14	Livestock - Large	\$ 299.00
<b>Impound Fees (Senior &amp; Disabled Rate)</b>		
15	Licensed Dog - 1st Offence	\$ 63.00
16	Licensed Dog - Subsequent Offence	\$ 99.00
17	Licensed Dog - Subsequent Offence (after initial subsequent offence - increase of \$50.00 per occurrence up to 5 occurrences)	\$ 50.00
18	Unlicensed Dog - 1st Offence	\$ 99.00
19	Unlicensed Dog - Subsequent Offence	\$ 161.00
20	Unlicensed Dog - Subsequent Offence (after initial subsequent offence - increase of \$50.00 per occurrence up to 5 occurrences)	\$ 50.00
21	Dangerous or Potentially Dangerous Dog	\$ 661.00
22	Cat (identified [1] and unidentified)	\$ 27.00
23	Cat (identified [1] and unidentified)- Subsequent Offence	\$ 37.00
24	Multiple Small Domestic Animals (up to 6)	\$ 47.00
25	Other Small Domestic Animal [2]	\$ 26.00
26	Snake or Reptile	\$ 26.00
27	Livestock - Small	\$ 135.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**

**Division: Licensing & By-law Services - Animal Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
28	Livestock - Large	\$ 281.00
	<b>Live Surrender Fees - [3] (Standard Rate)</b>	
29	Dog (unlicensed)	\$ 175.22
30	Dog (licensed)	\$ 138.94
31	Cat (unregistered)	\$ 175.22
32	<b>Cat (registered)</b>	\$ -
33	Litter (up to 6) - Canine or Feline	\$ 63.72
34	a) Inspection Fee	\$ 65.49
35	Rabbit (individual)	\$ 63.72
36	Multiple Small Domestic Animals (up to 6)	\$ 63.72
37	Small Livestock	\$ 122.12
	<b>Live Surrender Fees - [3] (Senior &amp; Disabled Rate)</b>	
38	Dog (unlicensed)	\$ 138.94
39	Dog (licensed)	\$ 102.65
40	Cat (not registered)	\$ 138.94
41	Cat (registered)	\$ -
42	Litter (up to 6) - Canine or Feline	\$ 50.44
43	Other Small Domestic Animal [4]	\$ 50.44
44	Multiple Small Domestic Animals (up to 5)	\$ 50.44
45	Small Livestock	\$ 104.42
	<b>Cadaver Surrender Fees (Standard Rate)</b>	
46	Dog	\$ 121.24
47	Dog - Small	\$ 53.10
48	Cat	\$ 53.98
49	Litter - Canine or Feline (up to 5) (under 12 weeks)	\$ 53.98
50	Other Small Domestic Animal [4]	\$ 53.98

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**  
**Division: Licensing & By-law Services - Animal Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
51	Multiple Small Domestic Animals (up to 5)	\$ 53.98
52	Small Livestock	\$ 93.81
<b>Cadaver Surrender Fees (Senior &amp; Disabled Rate)</b>		
53	Dog	\$ 93.81
54	Dog - Small	\$ 38.05
55	Cat	\$ 38.94
56	Litter - Canine or Feline (up to 5) (under 12 weeks)	\$ 38.94
57	Other Small Domestic Animal [4]	\$ 38.94
58	Multiple Small Domestic Animals (up to 5)	\$ 38.94
59	Small Livestock	\$ 60.18
<b>Boarding Fees (Standard Rate Per Day)</b>		
60	Dog	\$ 19.00
61	Dangerous or Potentially Dangerous Dog	\$ 61.00
62	Cat	\$ 14.00
63	Other Small Domestic Animal	\$ 8.00
64	Small Livestock	\$ 35.00
65	Large Livestock	\$ 58.00
<b>Boarding Fee (Senior &amp; Disable Rate - Per Day )</b>		
66	Dog	\$ 13.00
67	Dangerous or Potentially Dangerous Dog	\$ 61.00
68	Cat	\$ 8.00
69	Other Small Domestic Animal	\$ 8.00
70	Small Livestock	\$ 19.00
71	Large Livestock	\$ 40.00
<b>Miscellaneous</b>		
72	Vietnamese Pot Bellied Pig Licence	\$ 41.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Planning & Economic Development**

**Division: Licensing & By-law Services - Animal Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
73	Voluntary Cat Registration	\$ 16.00
74	Quarantine per day - Dog	\$ 38.00
75	Quarantine per day - Dangerous or Potentially Dangerous Dog	\$ 65.00
76	Quarantine per day - Cat	\$ 27.00
77	Hearing Fee re: Dangerous or Potentially Dangerous Dog	\$ 189.00
78	Microchip implant	\$ 22.12
79	Wildlife removal from private trap - release on site	\$ 63.72
80	Wildlife removal from private trap - Euthanasia [5]	\$ -
81	Pet Transport (Ambulance)	\$ 78.76
82	Poopbag Refill Bags	\$ 5.31
83	Admin Fee (e.g. for special billing arrangements)	\$ 30.97
84	Engraving (Urns)	\$ 12.39
85	Special Cremation Fee	\$ 138.05
86	Clay Paw Print	\$ 30.97
87	Painted Paw Print	\$ 46.90
88	Animal Assistance Fee - per hour	\$ 52.21
	<b>Animal Adoption Fees</b>	
89	Dog/Puppy	\$ 287.61
90	Dog Senior/Special Needs	\$26.55-79.65
91	Cat/Kitten	\$ 181.41
92	Cat Senior/Special Needs	\$26.55-79.65
93	Small Domestic Animal/Bird/Other	\$6.19-107.08
94	Snake or Reptile	\$6.19-107.08
	<b>NOTES</b>	
	[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 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Hamilton Paramedic Service**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Special Event Coverage</b>		
1	Event coverage - 1 Ambulance & 2 Paramedics - min. 4 hours	\$ 1,005.93
2	- Each Additional Hour (In Half Hour Increments)	\$ 251.90
3	Event coverage - First Response Unit & 1 Paramedic - min. 4 hours	\$ 783.19
4	- Each Additional Hour (In Half Hour Increments)	\$ 195.93
<b>Ambulance Reports/Investigations</b>		
5	Copy of Ambulance Call Reports to Outside Agencies	\$ 85.31
6	Investigative Interview of Paramedics by Outside Agencies (Per Hour)	\$ 153.72
<b>Preceptor Fees</b>		
7	Paramedic Student Equipment Fee	\$ 59.16
8	Paramedic Student Preceptor Fee - Primary Care Paramedic (Per Hour)	\$ 2.04
9	Paramedic Student Preceptor Fee - Advanced Care Paramedic (Per Hour)	\$ 2.92

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Hamilton Fire Department**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Triggering alarm not including testing alarm:</b>		
1	4th or subsequent response in a 30 day period (property owner or individual responsible, where this can be determined)	\$ 805.00
2	6th or subsequent response in a calendar year (property owner or individual responsible, where this can be determined)	\$ 805.00
3	Testing alarm without notification to Fire Department (property owner)	\$ 805.00
<b>Responses for Motor vehicles</b>		
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	\$ 751.06
5	- Each Additional Hour (In Half Hour Increments)	\$ 375.53
<b>Response for Open Air Burning</b>		
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	\$ 798.05
7	- Each Additional Hour (In Half Hour Increments)	\$ 399.03
<b>Response for Natural Gas Leaks</b>		
8	Failure to obtain Utility Service Locate (property owner) Fee per Fire Department vehicle for the 1st hour	\$ 751.06
9	- Each Additional Hour (In Half Hour Increments)	\$ 375.53
<b>Reports / Letters / File Searches</b>		
10	Fire Department response report	\$ 43.10
11	Clearance/status letter	\$ 38.76
12	Outstanding work order file search	\$ 76.19
13	Environmental property search	\$ 507.21
<b>Fire Routes</b>		
14	Establishing new fire routes or reviewing existing fire routes	\$ 258.14
<b>Events</b>		

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Hamilton Fire Department**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
15	Non-emergency stand-by for events (e.g. film events, demolition derbies) per vehicle	\$ 537.52
16	Full cost recovery for crew	<b>Full Cost Recovery</b>
17	Approvals for pyrotechnic and firework displays and film shoot pyrotechnics	\$ 326.42
18	Capacity cards per room (upon request)	\$ 153.01
<b>Inspections of Residential Buildings</b>		
19	Daycares – licensed	\$ 172.26
20	Daycares – private home	\$ 71.73
21	Foster care homes with a capacity of less than or equal to 4	\$ 71.73
22	Group homes with a capacity of less than or equal to 4	\$ 71.73
23	Foster care homes with a capacity of more than 4	\$ 272.66
24	Student housing, Bed & Breakfast, Lodging house	\$ 272.66
25	Residential buildings with 1 dwelling	\$ 71.73
26	Residential buildings with 2 dwellings	\$ 344.38
27	Residential buildings with less than 4 stories and more than 2 dwelling units	\$ 602.57
28	Residential buildings with 4 - 6 stories	\$ 1,018.77
29	Residential buildings with 7 - 11 stories	\$ 1,190.04
30	Residential buildings with 12 - 18 stories	\$ 1,362.48
31	Residential buildings with more than 18 stories	\$ 1,720.22
<b>Inspections of Non-Residential Buildings</b>		
32	Non-residential buildings with less than 5 stories and less than 3,000 sq. ft per floor	\$ 272.66
33	Non-residential buildings with less than 5 stories and 3,000 sq. ft to 5,000 sq. ft per floor	\$ 430.71
34	Non-residential buildings with less than 5 stories and more than 5,000 sq. ft per floor	\$ 574.29
35	Non-residential buildings with 5 or more stories and less than 3,000 sq. ft per floor	\$ 644.96
36	Non-residential buildings with 5 or more stories and 3,000 to 5,000 sq. ft per floor	\$ 760.53
37	Non-residential buildings with 5 or more stories and more than 5,000 sq. ft per floor	\$ 1,018.58

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Hamilton Fire Department**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Other Inspections</b>		
38	AGCO liquor licence – indoor	\$ 186.72
39	AGCO liquor licence – patio	\$ 86.73
40	Municipal business licence	\$ 152.21
41	Open air burning	\$ 172.26
<b>All Re-Inspections</b>		
42	2nd or subsequent re-inspection	\$ 71.73
<b>Permits</b>		
43	Family fireworks sale permit – store	\$ 215.31
44	Family fireworks sale permit – trailer	\$ 430.40
45	Open air burning permit	\$ 25.50
<b>Risk and Safety Management Plan Reviews (RSMPs) for Propane Facilities</b>		
46	Level 2 propane facility (propane volume > 5K water gallons) – first RSMP	\$ 3,025.88
47	Level 2 propane facility (propane volume > 5K water gallons) – renewal RSMP	\$ 1,513.01
48	Level 2 propane facility (propane volume > 5K water gallons) – new RSMP resulting from modification or expansion of the propane facility	\$ 2,239.21
49	Level 1 propane facility (propane volume ≤ 5K water gallons) – all RSMPs	\$ 302.56
<b>Extraordinary Costs</b>		
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:	<b>Full Cost Recovery</b>
	- 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	\$ 819.07

## 2021 APPROVED USER FEES & CHARGES

Department: Healthy and Safe Communities  
Division: Hamilton Fire Department

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
52	Fire Safety Plan Review - 3rd or subsequent review	\$ 181.02

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Long Term Care and Ontario Works**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Macassa Lodge</b>		
1	Day Program - All Day	\$ 23.20
<b>Wentworth Lodge</b>		
2	Meals-on-Wheels	\$ 7.35
<b>Helping Hands Program</b>		
3	Regular Cleaning (1 Hour Minimum)	\$ -
4	Heavy Cleaning (1 Hour Minimum) (Wall Washing, Window Cleaning, Rug Shampoo)	\$ -
5	Lawn Maintenance (1 Hour Minimum)	\$ -
6	Snow Shoveling (1 Hour Minimum)	\$ -
7	Lawn Crew Services (1 Hour Minimum)	\$ -
8	Snow Crew Services (1 Hour Minimum)	\$ -
9	Air Conditioner Install or Removal (1 Hour Minimum)	\$ -
10	Annual Administrative Fee	\$ -

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Recreation - Golf Courses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Chedoke Green Fees-Beddoe (Effective January 1, 2021)</b>		
1	Monday to Thursday - 18 Holes	\$ 40.77
2	Fri/Sat/Sun/Holidays - 18 Holes	\$ 47.42
3	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 36.04
4	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 40.77
5	Junior (18&under) - after 11 am	\$ 26.55
6	Twilight - Monday to Thursday	\$ 28.45
7	Twilight - Fri/Sat/Sun/Holidays	\$ 33.19
8	9 Hole - Monday to Thursday	\$ 23.70
9	9 Hole - Fri/Sat/Sun/Holidays	\$ 26.55
10	9 Hole Senior (60&up) - Monday to Thursday	\$ 20.86
11	9 Hole Senior (60&up)- Fri/Sat/Sun/Holidays	\$ 22.76
12	Sunset - after 6pm	\$ 23.70
13	Spring/Fall Green Fees (walking) - Effective April 1, 2021	\$ 30.97
14	League Fee with cart (9 holes) - Effective April 1, 2021	\$ 26.55
15	League Fee with cart (18 holes) - Effective April 1, 2021	\$ 30.97
16	Tournament Green Rate (Monday - Thursday) - Effective April 1, 2021	\$ 51.33
17	Tournament Green Rate (Friday - Sunday) - Effective April 1, 2021	\$ 57.52
18	Sell off Rate (18 holes) - Effective April 1, 2021	\$ 23.89
<b>Chedoke Green Fees - Martin (Effective January 1, 2021)</b>		
19	Monday to Thursday - 18 Holes	\$ 31.29
20	Fri/Sat/Sun/Holidays - 18 Holes	\$ 36.04
21	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 27.50
22	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 30.35
23	Junior (18&under) - after 11 am	\$ 20.86
24	Twilight - Monday to Thursday	\$ 21.81
25	Twilight - Fri/Sat/Sun/Holidays	\$ 25.60
26	9 Hole - Monday to Thursday	\$ 18.01
27	9 Hole - Fri/Sat/Sun/Holidays	\$ 19.91

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Recreation - Golf Courses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
28	9 Hole Senior (60&up) - Monday to Thursday	\$ 16.12
29	9 Hole Senior (60&up)- Fri/Sat/Sun/Holidays	\$ 17.07
30	Sunset - after 6pm	\$ 18.01
31	Spring/Fall Green Fees (walking) - Effective April 1, 2021	\$ 22.12
32	League Fee with cart (9 holes) - Effective April 1, 2021	\$ 22.12
33	League Fee with cart (18 holes) - Effective April 1, 2021	\$ 26.55
34	Tournament Green Rate (Monday - Thursday) - Effective April 1, 2021	\$ 43.36
35	Tournament Green Rate (Friday - Sunday) - Effective April 1, 2021	\$ 47.79
36	Sell off Rate (18 holes) - Effective April 1, 2021	\$ 18.58
37	Winter Golf Green Fee - Effective April 1, 2021	\$ 20.35
<b>Chedoke Beddoe (only) Advantage Packs (Effective January 1, 2021)</b>		
38	12 Rounds	\$ 446.20
39	24 Rounds	\$ 839.00
<b>Chedoke Golf Memberships (Effective January 1, 2021)</b>		
40	Beddoe & Martin - Adult - any day	\$ 1,891.92
41	Beddoe & Martin - Couples - any day	\$ 3,310.85
42	Beddoe & Martin - Junior (18 & under) - any day	\$ 474.17
43	Beddoe & Martin - Senior (60 & over) - Monday to Friday only, excluding holidays	\$ 1,418.94
44	Beddoe & Martin - Weekday (excluding holidays)	\$ 1,418.94
45	Martin-Adult	\$ 1,232.83
46	Martin-Couples	\$ 2,157.44
47	Martin-Junior (18 & under) - any day	\$ 331.91
48	Martin-Senior (60 & over) - Monday to Friday only, excluding holidays	\$ 924.62
49	Martin-Weekday - excluding holidays	\$ 924.62
50	City Wide - Adult	\$ 2,460.00
51	City Wide - Couples	\$ 4,125.22
52	City Wide - Senior	\$ 1,789.10
53	City Wide - Weekday - excluding holidays	\$ 1,863.64

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Recreation - Golf Courses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
54	City Wide - Intermediate Membership (19 - 34) - Any day	\$ 945.54
55	City Wide - Intermediate Membership (19 - 35) - Effective April 1, 2021	\$ 1,297.49
56	City Wide - Junior (18 and under) - Effective April 1, 2021	\$ 617.11
<b>Flex Pass - Chedoke - Beddoe (Effective January 1, 2021)</b>		
<i>Flex Pass Characteristics - ADULT</i>		
57	Activation Fee to Purchase Pass - One Time Fee	\$ 272.95
58	Peak Green Fee (25% off before 11am)	\$ 31.90
59	Non-Peak Green Fee (40% off)	\$ 25.52
60	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
<i>Flex Pass Characteristics - SENIOR (60+)</i>		
61	Activation Fee to Purchase Pass - One Time Fee	\$ 231.75
62	Peak Green Fee (25% off before 11am)	\$ 27.35
63	Non-Peak Green Fee (40% off)	\$ 21.88
64	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
<i>Flex Pass Characteristics - ADULT</i>		
65	Activation Fee to Purchase Pass - One Time Fee	\$ 272.95
66	Peak Green Fee (25% off before 11am)	\$ 19.14
67	Non-Peak Green Fee (40% off)	\$ 19.14
68	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
<i>Flex Pass Characteristics - SENIOR (60+)</i>		
69	Activation Fee to Purchase Pass - One Time Fee	\$ 231.75
70	Peak Green Fee (25% off before 11am)	\$ 16.41
71	Non-Peak Green Fee (40% off)	\$ 16.41
72	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
<b>Golf Carts - All Courses (Effective January 1, 2021)</b>		

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation - Golf Courses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
73	9 hole pull cart	\$ 2.73
74	18 hole pull cart	\$ 4.55
75	18 hole power cart	\$ 30.99
76	18 hole power cart - single rider	\$ 17.31
77	9 hole power cart	\$ 18.23
78	9 hole power cart - single rider	\$ 9.12
79	Sunset (After 6pm) Power cart	\$ 9.12
80	Sunset (After 6pm) Pull cart	\$ 2.73
<b>Notes:</b>		
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 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation - Golf Courses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>King's Forest Green Fees (Effective January 1, 2021)</b>		
1	Monday to Thursday - 18 Holes	\$ 56.90
2	Fri/Sat/Sun/Holidays - 18 Holes	\$ 64.49
3	Senior (60&up) - Monday to Thursday - 18 Holes	\$ 43.63
4	Senior (60&up) - Fri/Sat/Sun/Holidays - 18 Holes	\$ 50.26
5	Junior (18&under) - after 11 am	\$ 30.35
6	Twilight - Monday to Thursday	\$ 36.98
7	Twilight - Fri/Sat/Sun/Holidays	\$ 40.77
8	9 Hole - Any day	\$ 30.35
9	9 Hole Senior (60&up) - Any day	\$ 25.60
10	Spring/Fall Green Fees (walking) - Effective April 1, 2021	\$ 39.82
11	League Fee with cart (9 holes) - Effective April 1, 2021	\$ 35.40
12	League Fee with cart (18 holes) - Effective April 1, 2021	\$ 39.82
13	Tournament Green Rate (Monday - Thursday) - Effective April 1, 2021	\$ 66.37
14	Tournament Green Rate (Friday - Sunday) - Effective April 1, 2021	\$ 73.45
15	Sell off Rate (18 holes) - Effective April 1, 2021	\$ 32.74
<b>King's Forest (only) Advantage Packs (Effective January 1, 2021)</b>		
16	12 Rounds	\$ 608.19
17	24 Rounds	\$ 1,177.14
<b>King's Forest Golf Memberships (Effective January 1, 2021)</b>		
18	King's Forest -Adult	\$ 1,990.81
19	King's Forest -Couples	\$ 3,582.58
20	King's Forest -Junior (18&under) - any day	\$ 475.23
21	King's Forest -Senior (60 & over) Monday to Friday only, excluding holidays	\$ 1,420.75
22	King's Forest -Weekday	\$ 1,467.89
23	City Wide - Adult	\$ 2,461.10
24	City Wide - Couples	\$ 4,125.22
25	City Wide-Senior	\$ 1,789.10

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation - Golf Courses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
26	City Wide - Weekday	\$ 1,863.64
27	City Wide - Intermediate Membership (19 - 34) - Any day	\$ 1,050.60
28	City Wide - Junior (18 and under) - Effective April 1, 2021	\$ 617.11
29	City Wide - Immediate (19-35) - Effective April 1, 2021	\$ 1,297.49
30	Lower banquet room rental per hour	\$ 52.53
31	Main banquet room rental per hour	\$ 78.80
32	Lower banquet room rental - Special Event - Effective April 1, 2021	\$ 75.22
33	Main banquet room rental - Special Event - Effective April 1, 2021	\$ 150.44
<b>Flex Pass - King's Forest (Effective January 1, 2021)</b>		
<i>Flex Pass Characteristics - ADULT</i>		
34	Activation Fee to Purchase Pass - One Time Fee	\$ 272.95
35	Peak Green Fee (25% off before 11am)	\$ 45.58
36	Non-Peak Green Fee (40% off)	\$ 36.46
37	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
<i>Flex Pass Characteristics - SENIOR (60+)</i>		
38	Activation Fee to Purchase Pass - One Time Fee	\$ 231.75
39	Peak Green Fee (25% off before 11am)	\$ 37.37
40	Non-Peak Green Fee (40% off)	\$ 30.08
41	Merchandise and Food and Beverage Discount (Excluding Alcohol)	10% off
<b>Golf Carts - All Courses (Effective January 1, 2021)</b>		
42	9 hole pull cart	\$ 2.73
43	18 hole pull cart	\$ 4.55
44	18 hole power cart	\$ 30.99
45	18 hole power cart - single rider	\$ 17.31
46	9 hole power cart	\$ 18.23
47	9 hole power cart - single rider	\$ 9.12
48	Sunset (After 6pm) Power cart	\$ 9.12

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation - Golf Courses**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
49	Sunset (After 6pm) Pull cart	\$ 2.73
<p><b>Notes:</b></p> <p>Golf Assoc of Ont (GOA) Fee is added on top of regular fee.</p> <p>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.</p>		

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>User Group Ice Rates (Hourly) (Effective July 1, 2021)</b>		
1	Prime Time Non Subsidized	\$ 292.49
2	Prime Time Subsidized	\$ 158.08
3	Non Prime Time	\$ 219.37
4	Tournaments (Subsidized Groups Only)	\$ 219.37
5	Summer Ice Non Subsidized	\$ 316.16
6	Summer Ice Subsidized	\$ 219.37
7	Last Minute Ice (48 Hours Prior to Use, Non-Refundable)	\$ 158.08
8	Shooter Pad (1 Hour)	\$ 27.12
9	Shooter Pad (1 Hour) (Block Booking >50 hours)	\$ 20.34

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
	<b>Admission fees applied to patrons upon entering Recreation Centres, Outdoor Pools, Arenas and Seniors' Facilities for non-registered drop-in programming.</b>	
	<b>Infant - 0 to 36 months (Free)</b> <b>Child/Youth - 3 to 17 years</b> <b>Adult - 18 to 54 years</b> <b>Seniors - 55+ years</b>	
	<b>Family - 1 to 2 adults and/or their dependent children under 18 years of age living at the same address</b>	
	<b>Recreation Centre &amp; Pool Admission Fees (Effective July 1, 2021)</b>	
	<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
2	Single Admit (Adult)	\$ 4.60
3	Single Admit (Family)	\$ 9.39
4	Single Admit (Fitness)	\$ 7.56
5	Single Admit (Fitness Specialty)	\$ 9.02
6	Single Admit (Fun Night)	\$ 6.09
7	Single Admit (Initiative Program)	\$ 2.01
8	Aqua Bike Rental	\$ 5.58
9	10 Visit Clip Card (Child/Youth/Senior)	\$ 22.46
10	10 Visit Clip Card (Adult)	\$ 34.54
11	10 Visit Clip Card (Family)	\$ 70.45
12	Monthly Pass (Child/Youth/Senior) - Effective April 1, 2021	\$ 12.32
13	Monthly Pass (Adult) - Effective April 1, 2021	\$ 18.40
14	Monthly Pass (Family) - Effective April 1, 2021	\$ 37.56
15	Yearly Pass (Child/Youth/Senior)	\$ 42.75
16	Yearly Pass (Senior RFAP Clients)	\$ 10.69
17	Yearly Pass (Adult)	\$ 101.34
18	Yearly Pass (Adult RFAP Clients)	\$ 25.34
19	Yearly Pass (Family)	\$ 157.34
20	Yearly Pass (Replacement Card)	\$ 4.83
21	Non-Resident Fee Applied to Clip Cards & Yearly Pass Rates Above	\$ 14.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
22	Promotional Pass (Youth) (20 pack with expiration date)	\$ 10.00
<b>Waterfit Admission Fees (Effective July 1, 2021)</b>		
<i>Applied to instructor lead drop-in water fitness programs.</i>		
23	Single Admit (Senior)	\$ 2.24
24	Single Admit (Adult)	\$ 5.06
25	Single Admit (Warm Water Exercise) (Adult)	\$ 6.33
26	Single Admit (Warm Water Exercise) (Senior)	\$ 5.07
27	Warm Water Exercise (Senior Centre Partnership)	\$ 2.97
28	Monthly Pass (Senior)	\$ 7.40
29	Monthly Pass (Adult)	\$ 20.98
30	25 Visit Clip Card (Senior)	\$ 28.89
31	25 Visit Clip Card (Adult)	\$ 82.27
32	Yearly Pass (Senior)	\$ 74.65
33	Yearly Pass (Senior RFAP Clients)	\$ 37.33
34	Yearly Pass (Adult)	\$ 192.34
35	Yearly Pass (Adult RFAP Clients)	\$ 96.17
36	Yearly Pass (Replacement Card)	\$ 4.83
37	Non-Resident Fee Applied to Clip Cards, Yearly and Monthly Pass Rates Above	\$ 14.00
<b>Arena Admission Fees (Effective July 1, 2021)</b>		
<i>Applied to drop-in skating programs which are staff supervised but not lead by an instructor.</i>		
38	Single Admit (Child/Youth/Senior)	\$ 3.08
39	Single Admit (Adult)	\$ 4.60
40	Shinny (Adult)	\$ 7.12
41	Shinny (Youth/Senior)	\$ 4.76
42	Single Admit (Family)	\$ 9.39
43	Figure Skating Ticket Ice	\$ 12.23
44	10 Visit Clip Card Shinny (Adult)	\$ 53.38
45	10 Visit Clip Card Shinny (Youth/Senior)	\$ 35.69

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
46	10 Visit Clip Card Figure Skating Ticket Ice	\$ 91.70
47	Yearly Pass (Child/Youth/Senior)	\$ 38.63
48	Yearly Pass (Adult)	\$ 59.27
49	Yearly Pass (Family)	\$ 87.40
50	Yearly Pass (Replacement Card)	\$ 4.83
51	Non-Resident Fee Applies to Yearly Pass Rates Above	\$ 14.00
52	Promotional Pass (Youth) (20 pack with expiration date)	\$ 10.00
<b>Senior Facility Admission Fees (Effective July 1, 2021)</b>		
<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>		
53	Single Admit	\$ 2.37
54	Yearly Pass (Senior Centre)	\$ 32.07
55	Non-Resident Fee Applies to Yearly Pass Rates Above	\$ 14.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy & Safe Communities**

**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
	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	
	<b>Aquatic Programs (Effective July 1, 2021)</b>	
1	Adult - Fitness Aqua Spinning (1 Hour Class)	\$ 8.39
2	Learn to Swim Program - Parented (30 Minute Class)	\$ 6.19
3	Learn to Swim Program (30 Minute Class)	\$ 6.97
4	Learn to Swim Program (45 Minute Class)	\$ 7.69
5	Learn to Swim Program (45 Minute Class) (Senior)	\$ 6.16
6	Private Lesson - Semi (30 Minute Class)/per class	\$ 20.61
7	Private Lesson - Tri (30 Minute Class)/per class	\$ 15.46
8	Private Lesson (30 Minute Class)/per class	\$ 25.76
9	Swim Patrol Program (1 Hour Class)	\$ 7.69
10	Non-Resident Fee Applies to All of the Above Rates	\$ 1.56
	<b>Aquatic Leadership Programs (Effective July 1, 2021)</b>	
	<i>Any material costs and exam fees by the applicable service providers, are passed on to the client as an extra fee.</i>	
11	Bronze Cross	\$ 105.35
12	Bronze Medallion with Emergency First Aid	\$ 124.23
13	Bronze Medallion/Bronze Cross Recertification	\$ 65.36
14	Bronze Star	\$ 91.04
15	Lifesaving Society Aquatic Safety Inspector	\$ 75.29
16	Lifesaving Society Aquatic Supervisor Training (AST)	\$ 84.08
17	Lifesaving Society Aquatic Supervisor Training (AST) Instructor	\$ 87.85
18	Lifesaving Society Assistant Instructors	\$ 148.89

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy & Safe Communities**  
**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
19	Lifesaving Society Combined Instructors	\$ 211.34
20	Lifesaving Society Examiner	\$ 41.72
21	Lifesaving Society First Aid Instructor	\$ 105.10
22	Lifesaving Society Safeguard	\$ 25.10
23	Lifesaving Society SEE Auditor	\$ 25.10
24	Lifesaving Society Standard First Aid	\$ 84.08
25	Lifesaving Society Standard First Aid (Senior)	\$ 67.26
26	Lifesaving Society Standard First Aid Recertification	\$ 61.50
27	Lifesaving Society Trainer	\$ 132.09
28	National Lifeguard	\$ 211.34
29	National Lifeguard Instructor Course	\$ 74.10
30	National Lifeguard Recertification	\$ 46.62
31	Swim for Fitness 13+	\$ 68.71
32	Swim for Fitness 6-12 years	\$ 69.25
33	Swim Abilities (12 Weeks) (1 Hour Class)	\$ 81.92
34	Synchro Routines/Diving Competition (1 Day)	\$ 9.19
35	Synchro/Diving (45 Minute Class)	\$ 72.15
36	Synchro/Diving (45 Minute Class) (Senior)	\$ 57.72
37	Synchro/Diving Program - Add-on Fee (45 Minute Class)	\$ 2.01
38	Withdrawal Fee	\$ 25.00
39	Non-Resident Fee Applies to All of the Above Rates	\$ 14.00
<b>Programs (Effective July 1, 2021)</b>		
<i>All Facilities - Applied to all facilities unless otherwise identified</i>		
40	Adult - Art/Music Program (1 Hour Class)	\$ 5.10
41	Adult - Dance/Fitness Program - Specialty (1 Hour Class)	\$ 7.52
42	Adult - Dance/Fitness Program (1 Hour Class)	\$ 6.30
43	Adult - Friday Framers Program (2 Hour Class)	\$ 2.88
44	Adult - Sport Program (Non-Instructed) (2 Hour Class)	\$ 5.98
45	Camp without trip – Camp Kidaca Base Fee (5 day)	\$ 26.16

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy & Safe Communities**

**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
46	Camp Specialty Add-On Fee (per day)	\$ 17.10
47	Camp Trip Add-On Fee (per trip)	\$ 25.75
48	Child - Cycling Program (15 Hours)	\$ 129.11
	Child - Home Alone Course (online)	
49	Child - Music (Piano) (1 Hour Class)	\$ 13.92
50	Child - Program (1 Hour)	\$ 3.82
51	Child - Red Cross Babysitting (8 Hour Class)	\$ 46.40
52	Child - Smash Volleyball League (1.5 Hour Class)	\$ 9.39
53	High Five (PHCD) Certification (8 Hour Class - includes manual)	\$ 63.13
54	Preschool - Parented Program (1 Hour Class)	\$ 3.72
55	Preschool - Program (1 Hour Class)	\$ 5.10
56	Senior - Dance/Fitness Program (1 Hour Class)	\$ 5.04
57	Senior - Dance/Fitness Program - Specialty (1 Hour Class)	\$ 6.02
58	Senior - Art/Music Program (1 Hour Class)	\$ 4.08
59	Senior - Sport Program (Non-Instructed) (2 Hour Class)	\$ 4.78
60	Special Needs (3 Hours, 12 Weeks)	\$ 11.26
61	Special Needs Fitness/Cooking (3 Hours, 6 Weeks)	\$ 15.25
62	Youth - Leadership (8 Hours)	\$ 43.26
63	Youth - Fitness Program (1 Hour Class)	\$ 4.91
64	Late Pick-Up Fee (Per Each Half Hour)	\$ 10.00
	Program Unenrollment Fee	
65	Withdrawal Fee (Camps)	\$ 25.00
66	Withdrawal Fee (Registered Programs)	\$ 10.00
67	Non-Resident Fee Applies to All of the Above Rates	\$ 1.56
	<b>Coach Leadership Programs (Effective April 1, 2021)</b>	
	<i>Any material costs and exam fees by the applicable service providers, are passed on to the client as an extra fee.</i>	
	Making Ethical Decisions	
	Planning a Practice	
	Basic Mental Skills	

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Sports Field Rentals (Effective January 1, 2021)</b>		
1	Field/Diamond-Premium (Hourly)	\$ 43.52
2	Field/Diamond-Premium-Youth Affiliated (Hourly)	\$ 22.90
3	Field/Diamond-A (Hourly)	\$ 38.52
4	Field/Diamond-A-Youth Affiliated (Hourly)	\$ 19.26
5	Field/Diamond-B (Hourly)	\$ 26.74
6	Field/Diamond-B-Youth Affiliated (Hourly)	\$ 13.37
7	Field/Diamond-C (Hourly)	\$ 4.55
8	Field/Diamond-C-Youth Affiliated (Hourly)	\$ 2.42
9	Field-MINI (Hourly)	\$ 3.14
10	Field-MINI-Youth Affiliated (Hourly)	\$ 1.81
11	Class A Artificial Turf (Hourly)	\$ 130.34
12	Class A Artificial Turf - Youth/Outdoor Affiliated (Hourly)	\$ 65.17
<b>Hall Rentals (Effective July 1, 2021)</b>		
<b>Category A - Premium Community Rooms/Auditorium/Lobby/Gymnasium</b>		
13	Hourly Rate - Subsidized	\$ 20.89
14	Hourly Rate - Standard	\$ 49.16
15	Hourly Rate - Commercial/Non-Resident	\$ 73.76
<b>Category B - Standard Community Rooms</b>		
16	Hourly Rate - Affiliate (Arena Only)	\$ 11.94
17	Hourly Rate - Subsidized	\$ 16.72
18	Hourly Rate - Standard	\$ 35.82
19	Hourly Rate - Commercial/Non-Resident	\$ 59.70
<b>Category C - Basic Community Rooms</b>		
20	Hourly Rate - Affiliate (Arena Only)	\$ 2.39
21	Hourly Rate - Subsidized	\$ 4.78
22	Hourly Rate - Standard	\$ 14.33

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
23	Hourly Rate - Commercial/Non-Resident	\$ 23.89
	<b>Gym Rentals (Effective July 1, 2021)</b>	
	<b>Category A - Premium Gym 6000 Sq Ft+ (ARC Double, WMT Double, Central, BMRC Double)</b>	
	Hourly Rate - Subsidized	
	Hourly Rate - Standard	
	Hourly Rate - Commercial/Non-Resident	
	<b>Category B - Gym 3500-6000Sq Ft+ (Ancaster Single, Dundas, Huntington, Bennetto, WMT Single)</b>	
	Hourly Rate - Subsidized	
	Hourly Rate - Standard	
	Hourly Rate - Commercial/Non-Resident	
	<b>Category C - Gym - 3000-3499 (BMRC single, Winona)</b>	
	Hourly Rate - Subsidized	
	Hourly Rate - Standard	
	Hourly Rate - Commercial/Non-Resident	
	<b>Parks (Effective July 1, 2021)</b>	
24	Parks - Hamilton Pavilion (Per Booking)	\$ 74.88
25	Parks - Hamilton (Per Booking)	\$ 105.45
	Parks - Hamilton (Hourly)	
26	Parks - Hamilton Premium (Per Booking)	\$ 343.81
27	Parks - Hamilton - Wedding Ceremony/Photos (Per Booking)	\$ 181.95
28	Parks - Special Event Exclusive Use Fee (Select Locations Only) (Per Booking)	\$ 789.34
	<b>Pool Rentals (Effective July 1, 2021)</b>	
	<b>Category A - Specialty Pools (With 2 Lifeguards) (Stoney Creek, Westmount, Valley Park)</b>	
29	Hourly Rate - Subsidized	\$ 133.89
30	Hourly Rate - Standard	\$ 214.23

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
31	Hourly Rate - Commercial/Non-Resident	\$ 332.78
32	Slide Rental (Hourly)	\$ 99.88
<b>Category B - Traditional Pools (With 2 Lifeguards) (All Other Facilities)</b>		
33	Hourly Rate - Subsidized	\$ 63.64
34	Hourly Rate - Standard	\$ 133.89
35	Hourly Rate - Commercial/Non-Resident	\$ 214.23
<b>Category C - Hot/Teach Pool (With 1 Lifeguard)</b>		
36	Hourly Rate -Subsidized	\$ 33.62
37	Hourly Rate - Standard	\$ 73.25
38	Hourly Rate - Commercial/Non-Resident	\$ 117.20
<b>Arena Floor Rates (Effective July 1, 2021)</b>		
39	Arena Floor Hamilton (Hourly)	\$ 50.10
40	Arena Special Event - Standard (Hourly)	\$ 108.17
41	Arena Special Event - Commercial/Non-Resident (Per Booking)	\$ 1,250.00
<b>Extra Rental Fees (Effective July 1, 2021)</b>		
42	Arena Event Cleaning Charge (Per Booking)	\$ 187.39
43	Arena Overtime (Per Booking)	\$ 375.12
44	Field & Park - Lights (Hourly)	\$ 13.92
45	Field & Park - Lights - Subsidized (Hourly)	\$ 7.73
46	Field & Park - Lights - Key Deposit	\$ 29.42
47	Field & Park - Hydro Access Fee (Per Booking)	\$ 6.49
48	Field & Park - Staff Maintenance OT (Per Booking)	\$ 399.13
49	Field & Park - Staff Maintenance OT Hourly (Hourly)	\$ 79.83
50	Flat Fee Damage Charge (Per Booking)	\$ 355.47
51	Gym/Kitchen Equipment (Hourly)	\$ 10.16
52	Flat Fee Kitchen Sanitization	\$ 61.80

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Recreation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
53	Flat Fee Set-up Full Gym (Per Booking)	\$ 224.21
54	Flat Fee Set-up Half Gym (Per Booking)	\$ 112.25
55	Flat Fee Set-up Meeting Room (Per Booking)	\$ 58.13
56	Locker Key Replacement Fee	\$ 11.25
57	Parking Lot (Spot/Day) (Special Events Only)	\$ 6.75
58	Rental Amendment	\$ 5.63
59	Insurance Fee	\$ 5.47
60	Staff - Monitor/Additional Staffing (Hourly)	\$ 27.15
61	Staff - Supervisor - Onsite/Extra Lifeguard/Waterfit Instructor (Hourly)	\$ 41.21

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**

**Division: Public Health Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
<b>Reproductive Health</b>		
1	Prenatal Complete Class	\$ 47.79
<b>Epidemiology, Wellness and Communicable Disease Control</b>		
<b>Inspection Fees (in addition to fees collected for Planning and/or Fire)</b>		
2	Personal Services Settings Fee	\$ 119.47
<b>Healthy Environments</b>		
3	Property Status Reports (Work Orders) - No Inspection	\$ 53.10
4	Rezoning By-Law & Official Plan Amendment - Inspection	\$ 119.47
5	Land Severance - Inspection	\$ 119.47
6	Migrant Farm Worker Housing	\$ 130.97
7	Disinterment Inspections	\$ 132.74
8	Funeral Home Inspection	\$ 64.60
9	Letters of Compliance-Variou s Agencies	\$ 37.17
10	Special Events/Festivals - (per vendor/per event) - Inspection	\$ 36.28
11	Food Handlers Course (per person) - No Inspection	\$ 53.10
12	Special Events Late Fee - Inspection	\$ 27.43
13	Food Handler Training Challenge Exam - No Inspection	\$ 10.62
<b>Inspection Fees (in addition to fees collected for Planning and/or Fire)</b>		
14	Lodging House	\$ 113.27
15	Residential Care Facilities - annual/per bed	\$ 66.37
16	Food Safety Fee - High Risk	\$ 214.16
17	Food Safety Fee - Medium Risk	\$ 98.23
18	Food Safety Fee - Low Risk	\$ 49.56
19	Adult Entertainment Parlour	\$ 119.47
20	Body Rub Parlour Owner	\$ 119.47
21	Bed and Breakfast	\$ 98.23
22	Mobile Home Park - per site	\$ 143.36

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Healthy and Safe Communities**  
**Division: Public Health Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
23	Public Halls	\$ 49.56
24	Places of Amusement - Carnivals	\$ 41.59
25	Places of Amusement - Circus	\$ 49.56
26	Proprietary Club	\$ 49.56
27	Refreshment Vehicle - Class A	\$ 98.23
28	Refreshment Vehicle - Class B	\$ 98.23
29	Refreshment Vehicle - Class C	\$ 49.56
30	Recreational Camping Establishment	\$ 143.36
31	Seasonal Food Vendors	\$ 49.56
32	Tobacco Vendors - Inspection per Licence	\$ 199.12
33	Electronic Cigarettes - Inspection per Licence	\$ 64.60

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Engineering Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Map C - Engineering Drawings (24 x 36)	\$ -
2	Map C - Engineering Drawings (12 x 18)	
3	NEW FEE - Digital Records Fee per image	\$ 30.00
4	NEW FEE - Annual Login Account fee to Engineering/Consultants	\$ 300.00
5	City Specification Manual	\$ 96.10
6	Reports - Environmental Assessments and Master Plans	\$ 15.20
7	- plus fee/page	\$ 0.11
	Intrusive Environmental Investigations on City Owned Property:	
8	General Administration Fee - Application Review by SEP	\$ 265.80
9	General Administration Fee - Application Workplan Review by Design	\$ 265.80
10	Agreement Preparation Fee	\$ 135.20
11	Field Review (Utility Co-ordinator Call Out)	\$ 246.80
12	Compliance Requests	\$ 107.10
13	Lawyer Fees - Inquiries	cost + 7%
14	Road Cut Permit Fees (EP)	\$ 605.30
15	Municipal Consent permit fees (MC) Short Stream	\$ 605.30
16	Municipal Consent permit fees (MC) Long Stream	\$ 1,210.40
17	Access Permits - Commercial or Multiple Dwelling	\$ 123.80
18	Overland Permit Annual - Overdimensional	\$ 135.80
19	Overload Permit Annual- Per tonne Overweight	\$ 212.80

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Engineering Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
20	Administration Invoice Processing Fee	\$ 66.60
21	Overload Permit Single Trip	\$ 67.90
22	Encroachments on Road Allowance - Application Fee (excludes Outdoor Boulevard Cafes)	\$ 334.10
23	Encroachments - Annual Fee (excludes Outdoor Boulevard Cafes and Areaways)	\$ 64.40
24	Encroachments - Outdoor Blvd. Cafes - Application Fee	\$ 1,624.00
25	Encroachments - Annual Fee - Areaways-% of Market Value	\$ -
26	Encroachments - Compliance Requests & Discharge Agreements	\$ 107.10
27	Active Encroachments - Annual Fee - Utility Corridors	<b>Cost + 7%</b>
28	Permanent Road Closure Application Fee + Cost of Advertisement (AD) + Cost of Environmental Assessment (EA)	<b>\$4,868.50 + Cost of AD + Cost of EA</b>
29	Formal Consultation for Permanent Road Closure	\$ 1,082.50
30	Temporary Lane Closure	\$ 53.60
31	Temporary Sidewalk Closure	\$ 116.10
32	Temporary Road Closure - FULL Special Events & Filming (one time fee)	\$ 707.10
33	Temporary Road Closure - FULL Construction (one time fee)	\$ 1,519.90
<b>Note:</b>		
<p>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.</p>		

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Environmental Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Mum Show Admissions - Adult (13 - 54 years old)	\$ 6.64
2	Mum Show Admissions - Seniors (55+ years old) and Children (6 - 12 years old)	\$ 5.75
3	Mum Show Admissions - Family Rate ( 2 Adults, 2 Children)	\$ 19.47
4	Mum Show Admissions - Week Pass	\$ 19.47
5	Mum Show Admissions - Tour Group (20 people)	\$ 97.35
6	Mum Show School Tour - Full Class	\$ 97.35
7	Roadway tree trimming - per tree	<b>Full Cost Recovery</b>
8	Work done for others Forestry - Priced per job	<b>Full Cost Recovery</b>
9	New Development Tree Installation (and minimum replacement value of tree)	\$ 657.80
<b><i>Permit for work performed on, in or under a public tree (#10-#11):</i></b>		
10	- Minor: small scale project not requiring review of a Tree Management Plan	\$ 55.80
11	- Major: larger scale project requiring review of a Tree Management Plan	\$ 278.80
12	Removal of a public tree for a private individual or entity	<b>Cost + 7% Admin Fee</b>
13	"Loss of Canopy calculations using the Trunk Formula technique from the Guide for Plant Appraisal, 10th Edition"	<b>Cost + 7% Admin Fee</b>
14	Wedding photos in Greenhouse - before 5 pm (2 hour block)	\$ 236.40
15	Wedding photos in Greenhouse - after 5 pm (2 hour block)	\$ 315.20
16	Work done for others by Horticulture - Priced per job	<b>Full Cost Recovery</b>
17	Gage Park Electronic Sign (Programming)	\$ 105.10
18	Gage Park Tropical Greenhouse Rental - half day (4 hrs.) between 9am and 5pm	\$ 336.60

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Environmental Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
19	Gage Park Tropical Greenhouse Rental - full day (7 hrs.) between 9am and 5pm	\$ 472.80
20	Gage Park Tropical Greenhouse Rental - Evening between 5pm and 11pm.	\$ 567.40
21	Park/Pavilion Rental - Bleacher Rental - First Day**	\$ 562.83
22	Park/Pavilion Rental - Bleacher Rentals - Additional Days**	\$ 374.90
23	Work done for others Parks Maintenance - Priced per Job	<b>Cost + 7% Admin Fee</b>
24	Park amenity donation - Priced per job	<b>Full Cost Recovery</b>
25	Temporary Parks Access Permit Application Fee - per application	\$ 178.50
26	Cost to Repair Damage	<b>Full Cost Recovery</b>
27	Temporary Parks Access Permit Security Deposit - per application	\$ 1,000.00
28	Stage Rental -Priced per job	<b>Full Cost Recovery</b>
29	Per parking space per day	\$ 15.30
30	Picnic Table Rental-6 pack/72hours: per booking	\$ 367.80
31	Garbage Can Rental 10pack/72hours; per booking	\$ 315.20
32	Fence Cost Share Program - Application Fee	\$ 178.50
33	Banner Installations - Main Street West	\$ 335.00
34	Banner Installations - King Street West (Dundas)	<b>Full Cost Recovery</b>
	** In addition to the fees noted with a **, users pay 100% of the cost of delivery, set-up and takedown of bleachers	

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Environmental Services - Cemeteries**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Interment of an Adult at Standard Depth (6-ft)	\$ 1,142.00
2	Interment of an Adult at Double Depth (8-ft)	\$ 1,423.00
3	Entombment in a Mausoleum Crypt - includes sealing	\$ 680.00
4	Interment of a Child - Stillborn - Case up to 24"	\$ 235.00
5	Interment of a Child - Case 25" to 72" - Standard Depth (6-ft)	\$ 710.00
6	Interment of a Child - Case 25" to 72" - Double Depth (8-ft)	\$ 956.00
7	Interment of Cremated Remains - Urn Garden Grave	\$ 457.00
8	Interment of Cremated Remains - Columbarium Niche	\$ 389.00
9	Interment of Cremated Remains - Cremorial (Woodland Only)	\$ 389.00
10	Interment - Second set of cremated remains with another burial	\$ 105.00
11	Interment Rights purchased before January 1, 1955 - Care & Maintenance	\$ 247.00
12	Interment Late Fee (for Funeral arriving > 30 minutes after ETA)	\$ 207.00
13	Interment on Saturday - Traditional Burial - 8:30am to 11:00am	\$ 836.00
14	Interment on Saturday - Cremated Remains - 8:30am to 11:00am	\$ 661.00
15	Interment on Non-Statutory Holiday - Traditional Burial 8:30am to 11:00am	\$ 1,470.00
16	Interment on Non-Statutory Holiday - Cremated Remains - 8:30am to 11:00am	\$ 803.00
17	Interment on Statutory Holiday - Traditional Burial - 8:30am to 11:00am	\$ 2,154.00
18	Interment on Statutory Holiday - Cremated Remains - 8:30am to 11:00am	\$ 1,457.00
19	Interment - Lowering: Adult - from 6ft to 8 ft - Shell	\$ 4,244.00
20	Interment - Lowering: Adult - from 6ft to 8 ft - Vault or Crypt	\$ 3,539.00

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Environmental Services - Cemeteries**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
21	Interment - Lowering: Child - from 6ft to 8 ft - Shell	\$ 1,853.00
22	Interment - Lowering: Child - from 6ft to 8 ft - Vault or Crypt	\$ 1,541.00
23	Interment - Scattering (Woodland Tranquility Gardens and Mount Hamilton Natural Burial Section only) - includes \$25.00 Care and maintenance fee as per BAO	\$ 408.00
24	Interment - Scattering + Memorialization (Woodland Tranquility Gardens and Mount Hamilton Natural Burial Section only) - includes \$25.00 care and maintenance fee as per BAO	\$ 663.00
25	Interment - Removal: Adult - 6-ft No Outer Container (Shell)	\$ 3,716.00
26	Interment - Removal: Adult - 8-ft No Outer Container (Shell)	\$ 4,608.00
27	Interment - Removal: Adult - 6-ft Outer Container (Vault or Crypt)	\$ 3,052.00
28	Interment - Removal: Adult - 8-ft Outer Container (Vault or Crypt)	\$ 3,742.00
29	Interment - Removal: Child - 6-ft No Outer Container (Shell)	\$ 1,121.00
30	Interment - Removal: Child - 8-ft No Outer Container (Shell)	\$ 1,515.00
31	Interment - Removal: Child - 6-ft Outer Container (Vault or Crypt)	\$ 915.00
32	Interment - Removal: Child - 8-ft Outer Container (Vault or Crypt)	\$ 1,389.00
33	Disinterment of Cremated Remains - Urn Garden Grave	\$ 457.00
34	Disinterment of Cremated Remains - Columbarium Niche	\$ 389.00
35	Lot Sale - Singles-in-a-Row (At Need Only)	\$ 1,163.00
36	Lot Sale - single flat marker only	\$ 2,030.00
37	Lot Sale- green/natural section	\$ 2,091.00
38	Lot Sale -preferred single premium lot	\$ 3,015.00
39	Lot Sale - two grave flat marker only	\$ 4,060.00
40	Lot Sale - three grave flat marker only	\$ 6,089.00

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Environmental Services - Cemeteries**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
41	Lot Sale - four grave flat marker only	\$ 8,119.00
42	Lot Sale - monument	\$ 2,193.00
43	Lot Sale - two grave monument	\$ 4,386.00
44	Lot Sale - three grave monument	\$ 6,579.00
45	Lot Sale - four grave monument	\$ 8,772.00
46	Lot Sale - Veteran's Grave Section 18 - Woodland Only	\$ 1,076.00
47	Lot Sale - Child: Stillborn - Case up to 24": C&M Portion	\$ 150.00
48	Lot Sale - Child 72"	\$ 536.00
49	Lot Sale - Mausoleum Crypt	\$ 3,111.00
50	Lot Sale - Cremation Urn Garden Grave	\$ 1,046.00
51	Lot Sale - Cremation Urn Garden Grave - (Woodland and Premium)	\$ 1,382.00
52	Lot Sale - Garden Stone interment right	\$ 1,382.00
53	Lot Sale - 6 ft Burials ONLY	\$ 3,177.00
54	Lot Sale - two grave lot Premium (Woodland Sec 14)	\$ 6,395.00
55	Lot Sale - three grave monument (Woodland Sec 14)	\$ 9,593.00
56	Lot Sale - four grave monument (Woodland Sec 14)	\$ 12,791.00
57	Niche Sale - Bronze Wreath Plaque	\$ 3,075.00
58	Niche Sale - Monument engraved plaque	\$ 2,377.00
59	Niche Sale - Cremorial (Woodland only)	\$ 1,749.00
60	Niche Sale - Lower Level (Rows 1, 2, 6)	\$ 2,259.00
61	Niche Sale - Upper Level (Rows 3-5)	\$ 2,978.00

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Environmental Services - Cemeteries**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
62	Niche Sale - Woodland Tranquility Gardens - Rows 3, 4 (bottom)	\$ 5,335.00
63	Niche Sale - Woodland Tranquility Gardens - Rows 1, 2 (top)	\$ 5,891.00
64	Niche Sale - Premium (Hamilton Cemetery)	\$ 3,958.00
65	Cremation Bench Sale (Tranquility Gardens) interment rights (for 2)	\$ 2,627.00
66	Cremation bench Sale (Tranquility Gardens) granite bench	\$ 5,771.00
67	Non-Resident Surcharge	25%
68	Markers and Foundations - Concrete Foundation Pouring - per square inch of surface area to a depth of 5-ft	\$ 143.00
69	Markers and Foundations - Foundation Removal Fee	<b>Full Cost Recovery</b>
70	Markers and Foundations - Marker Setting Fee: 12" x 10" - Flat Marker (No C&M)	\$ 158.00
71	Markers and Foundations - Marker Setting Fee: Child's 18" x 14" Flat Marker (Plus C&M)	\$ 184.00
72	Markers and Foundations - Marker Setting Fee: All other size Flat Marker - maximum size 24" x 18" (Plus C&M)	\$ 255.00
73	Markers and Foundations - Marker Setting Fee: DVA Flat Marker: plus C&M	\$ 221.00
74	Markers and Foundations - Marker Setting Fee: Bronze Vase	\$ 255.00
75	Markers and Foundations - Marker Setting Fee: DVA Upright Marker: plus C&M	\$ 197.00
76	Care & Maintenance - Flat Marker (173 inches or greater)	\$ 50.00
77	Care & Maintenance - DVA Flat Marker	\$ 50.00
78	Care & Maintenance - Small Foundations (up to 38" x 14" or 532 sq. inches)	\$ 100.00
79	Care & Maintenance - Large Foundations (greater than 532 sq. inches)	\$ 200.00
80	Care & Maintenance - DVA Upright Marker	\$ 100.00
81	Cemetery license fees	\$ 12.00

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Environmental Services - Cemeteries**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
82	Columbarium Niche Bronze Plaque	\$ 670.00
83	Columbarium Niche Bronze Plaque - Date scroll	\$ 145.00
84	Columbarium Niche - Companion Vase (Plastic)	\$ 168.00
85	Columbarium Niche - Companion Vase (Bronze)	\$ 195.00
86	Cremorial Bronze Plaque	\$ 350.00
87	Merchandise / Miscellaneous Services - Flower Beds - Supply, install & maintain Flower Bed - per grave to a maximum of three graves	\$ 635.00
88	Merchandise / Miscellaneous Services - Duplicate Deed/Interment Rights Certificate/Transfer of Rights (copy)	\$ 32.00
89	Merchandise / Miscellaneous Services - Genealogical Research	\$ 40.00
90	Merchandise / Miscellaneous Services - Memorial Tree Planting (12"x10" stone; 6"x8" bronze plaque)	\$ 1,219.00
91	Merchandise / Miscellaneous Services - Memorial Tree Planting (14" X 14" stone; inscription)	\$ 1,525.00
92	Merchandise / Miscellaneous Services - Memorial Bench (bench; 8" x 5" bronze plaque with 3 lines)	<b>Starting at \$1795</b>
93	Merchandise / Miscellaneous Services - Temporary Marker (permitted for up to one year)	\$ 112.00
94	Merchandise / Miscellaneous Services - Columbarium Plaque or Vase Installation	\$ 158.00
95	Outer Container - Concrete Crypt - Youth	\$ 801.00
96	Outer Container - Concrete Crypt - Intermediate	\$ 872.00
97	Outer Container - Concrete Crypt - Oversize	\$ 1,051.00
98	Temporary Access Permit from Cemetery Lands onto Private Property	\$ 135.00
99	Administrative Fee: Third Party Resale and/or Property Exchange; Family Authorization Fee	\$ 248.00
100	Tent Rental 10'x10' per use and Chair Rental 4 chairs per use	\$ 265.00
101	Vaults - Various: Starting Prices	\$ 1,290.00

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Environmental Services - Cemeteries**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
102	Urn Vaults - Various: Starting Prices	\$ 875.00
103	Inscription Dateline: Flat Charge	\$ 320.00
104	Additional Charge per letter	\$ 7.40
105	Monument/Marker cleaning - Various: Starting Prices	\$ 367.00
106	Repainting of letters on monument/marker - Various: Starting Prices	\$ 367.00
107	Urns - Various: Starting Prices	\$ 300.00
108	Markers - Various: Starting Prices	\$ 575.00
109	Monuments - Various: Starting Prices	\$ 2,950.00
110	Porcelain Pictures - b/w	\$ 337.00
111	Porcelain Pictures - colour	\$ 388.00
112	Vigil Lights - Various: Starting Prices	\$ 495.00
113	Turf Repair fee	<b>Full Cost Recovery</b>
114	Green/Natural Section Memorialization	\$ 627.00
115	Access Fee - for Photo shoots, birdwatching etc. - per day	\$ 12.00
116	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Inscription only	\$ 27.00
117	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Flat Memorial	\$ 53.00
118	Outside Inscription & Memorial Application, Documentation & Inspection Fees - Upright Memorial	\$ 105.00
119	Garden Stones ( 24 x 24 X 16 ) (stone/carving/delivery)	\$ 2,550.00
120	Shrub removal - less than 4 ft tall	\$ 25.00
121	Private Columbarium Unit	<b>starting at \$3500</b>

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Environmental Services - Cemeteries**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
122	Shrub removal - 4ft tall or larger	\$ 50.00
123	Lot Sale - Green/Natural Section - Cremation Grave	\$ 1,046.00
124	Interment on Sunday - Traditional Burial or Created Remains - Only on Approval of Appropriate Authority	<b>Full Cost Recovery + 7% Admin Fee</b>

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Environmental Services - Waste Management**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Non-Residential Recycling Blue Box Container	<b>Full Cost Recovery</b>
2	Non-Residential Recycling Blue Carts	<b>Full Cost Recovery</b>
3	Non-Residential Green Cart	<b>Full Cost Recovery</b>
4	Non-Residential Kitchen "Mini-bin" Organics Container	<b>Full Cost Recovery</b>
<b><i>Waste Management Per Event Fee for Non-Funded Festivals and Events (#5-#11):</i></b>		
5	- Recycling (up to 25 barrels)	<b>Full Cost Recovery</b>
6	- Garbage - per roll off bin (plus tipping fees)	<b>Full Cost Recovery</b>
7	- Organics (up to 25 green carts)	<b>Full Cost Recovery</b>
8	- Administrative Fee per event	<b>Full Cost Recovery</b>
9	- Recycling Containers - replacement of damaged blue barrels	<b>Full Cost Recovery</b>
10	- Organics Containers - replacement of damaged green carts	<b>Full Cost Recovery</b>
11	- Garbage Containers - replacement of damaged containers	<b>Full Cost Recovery</b>
12	Waste Removal - Non Compliance Fee (plus tipping fees)	<b>\$ 359.90</b>
13	Backyard Composters	<b>Full Cost Recovery</b>
14	Tipping Fee per 100 kilograms	<b>\$ 12.10</b>
15	Minimum Vehicle Fee	<b>\$ 10.00</b>
<b><i>Deposit Fees at Transfer Stations (#16-#20):</i></b>		
16	- 0-2500kg	<b>\$ 50.00</b>

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Environmental Services - Waste Management**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
17	- 2501-3000 kg	\$ 100.00
18	- 3001-6000 kg	\$ 200.00
19	- 6001-9000 kg	\$ 300.00
20	- Over 9000 kg	\$ 400.00
21	Impacted Soil Fee (per tonne)	\$ 12.60
22	Waste Site Searches	\$ 50.00
23	Special Event Waste Containers - replacement of damaged containers	<b>Full Cost Recovery</b>
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	\$ 302.65
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	\$ 154.87
26	Fee for Commercial Vehicles possessing a signed affidavit transporting Waste for personal use. One trip per month (for the first 100 kg)	\$ 10.00
27	Recreational Vehicle Liquid Waste	\$ 8.75
28	Septic Waste (per 100 kg)	\$ 0.90
29	Weight verification	\$ 5.10
30	Alternate Minimum Fee for Private Haulers and Commercial Vehicles in the event that the weigh scales become inoperative	\$ 20.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Transportation Operations & Maintenance**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Damage to Traffic Property (i.e.. Traffic posts, traffic signs, signal poles) Priced per job. Direct job costs	<b>Cost + 7% Admin Fee</b>
2	Banner/Sign Fabricating - external requests - Priced per Job	<b>Cost + 7% Admin Fee</b>
3	Municipal Numbering Fees - Full installation by City Forces	\$ 192.00
4	Municipal Numbering Fees - Materials for Homeowner Installation (including delivery)	\$ 34.00
5	Traffic Signal Timing Plans - Inquiries	\$ 272.00
6	Traffic Signal Timing Plans - Drawings	\$ 64.00
7	Traffic Count Fee - provision of count data on file, on request	\$ 69.40
8	Traffic Warning Boards - install and remove	<b>Cost + 7% Admin Fee</b>
9	Traffic Signs - remove and replace	<b>Cost + 7% Admin Fee</b>
10	Publication Box Permit - Initial Fee	\$ 52.00
11	Publication Box Annual Permit Renewal	\$ 35.00
12	Culvert Installation - Roads - Priced per job	<b>Full Cost Recovery</b>
13	Culvert Installation - Inspection Only - Priced per job	<b>Full Cost Recovery</b>
14	Repair-Replace Property on City Roads - Priced per job	<b>Full Cost Recovery</b>
15	Approach Ramp Installation	<b>Full Cost Recovery</b>
16	Personal Item Retrieval (Catch Basin Retrieval)	\$ 117.00
17	Street Flushing/Sweeping/Mud-Tracking - Developers - Priced per job	<b>Full Cost Recovery</b>
18	Snow Removal - Public School Board - Sidewalks - Cost Actuals	<b>Full Cost Recovery</b>

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**  
**Division: Transportation Operations & Maintenance**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
19	Snow Removal - Separate School Board - Sidewalks - Cost Actuals	<b>Full Cost Recovery</b>
20	Temporary Road Access Permit Application Fee - per application	\$ <b>123.00</b>
21	Temporary Road Access Permit Security Deposit - per application	\$ <b>1,051.00</b>
22	Street Lighting Subdivision Review and Evaluation Fee	\$ <b>6,550.00</b>

## 2021 APPROVED 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	2021 Approved Fee
<b>RENTAL RATES</b>		
<b>Community Sport Programming</b>		
1	Adults & Non-affiliated Youth (Hourly)	\$ 136.50
2	Youth Affiliated (Hourly)	\$ 68.30
3	Lights when required (Hourly)	\$ 28.50
<b>Community Room Rentals - Level 1</b>		
<b>Room 1E501 - Alumni Room (1,800 sq ft.)</b>		
4	Commercial/Non-resident (Hourly)	\$ 136.70
5	Resident (Hourly)	\$ 82.00
6	Community Group (Hourly)	\$ 38.30
7	Affiliate Group (Hourly)	\$ 27.40
8	<b>Caretaker's Club (Soccer Warm-up Area) (Hourly Rate)</b>	<b>\$ 82.00</b>
<b>Community Room Rentals - Level 2</b>		
<b>Room 2W 600 - City Lounge (1,625 sq ft.)</b>		
9	Commercial/Non-resident (Hourly)	\$ 56.90
10	Resident (Hourly)	\$ 34.20

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED 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	2021 Approved Fee
11	Community Group (Hourly)	\$ 16.00
12	Affiliate Group (Hourly)	\$ 11.40
<b>Room 2W 336 - Community Video Room (194 sq ft.)</b>		
13	Commercial/Non-resident (Hourly)	\$ 22.80
14	Resident (Hourly)	\$ 13.70
15	Community Group (Hourly)	\$ 4.60
16	Affiliate Group (Hourly)	\$ 2.30
<b>Room 2W 601 - Community Room (280 sq ft.)</b>		
17	Commercial/Non-resident (Hourly)	\$ 22.80
18	Resident (Hourly)	\$ 13.70
19	Community Group (Hourly)	\$ 4.60
20	Affiliate Group (Hourly)	\$ 2.30
<b>Room 2W 602 - Community Room (280 sq ft.)</b>		
21	Commercial/Non-resident (Hourly)	\$ 22.80
22	Resident (Hourly)	\$ 13.70
23	Community Group (Hourly)	\$ 4.60
24	Affiliate Group (Hourly)	\$ 2.30

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED 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	2021 Approved Fee
	<b>Room 2W 603 - Community Room (366 sq ft.)</b>	
25	Commercial/Non-resident (Hourly)	\$ 22.80
26	Resident (Hourly)	\$ 13.70
27	Community Group (Hourly)	\$ 4.60
28	Affiliate Group (Hourly)	\$ 2.30
	<b>Amateur Sport Events - Spectator Events</b>	
	<b>(not-for-profit and charitable organizations)</b>	
29	Lower Bowl - west side only per Hour	\$ 133.80
30	Upper & Lower Bowl - west side only (Daily)*	\$ 5,100.00
31	Full Stadium (Daily)*	\$ 7,650.00
32	<b>Film Shoots</b>	<b>Negotiable</b>
33	<b>Photography (Commercial Rate)</b> Flat Fee - First 4 Hours	\$ 1,781.90
34	Hourly fee beyond 4 hours	\$ 432.50
35	<b>Photography (Wedding Photography Only) (2 hour maximum)</b>	\$ 191.30
	<b>Concerts</b>	
36	West Stands Only	<b>Negotiable</b>

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED 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	2021 Approved Fee
37	Full Stadium	<b>Negotiable</b>
	<b>Corporate Gatherings/Professional Sports</b>	
38	Upper & Lower Bowl - west side only (Daily)*	<b>\$ 10,200.00</b>
39	Full Stadium (Daily)*	<b>\$ 15,300.00</b>
	<b>Corporate Room Rentals - Level 4</b>	
	<b>Room 4W 300 (1,012 sq ft.) - Club Room 1</b>	
40	Social/Corporate - Day Rate *	<b>\$ 334.50</b>
41	Social/Corporate - Evening Rate *	<b>\$ 334.50</b>
42	Social/Corporate - Day & Evening Rate *	<b>\$ 602.10</b>
43	Community Groups (not-for-profit) - Day Rate *	<b>\$ 200.70</b>
44	Community Groups (not-for-profit) - Evening Rate *	<b>\$ 200.70</b>
45	Community Groups (not-for-profit) - Day & Evening*	<b>\$ 361.30</b>
46	City of Hamilton - Day Rate *	<b>\$ 100.40</b>
47	City of Hamilton - Evening Rate *	<b>\$ 100.40</b>
48	City of Hamilton - Day & Evening Rate *	<b>\$ 180.70</b>
	<b>Room 4W 301 (1,410 sq ft.) - Club Room 2</b>	
49	Social/Corporate - Day Rate *	<b>\$ 501.80</b>

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED 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	2021 Approved Fee
50	Social/Corporate - Evening Rate *	\$ 501.80
51	Social/Corporate - Day & Evening Rate *	\$ 903.10
52	Community Groups (not-for-profit) - Day Rate *	\$ 301.10
53	Community Groups (not-for-profit) - Evening Rate *	\$ 301.10
54	Community Groups (not-for-profit) - Day & Evening*	\$ 541.90
55	City of Hamilton - Day Rate *	\$ 150.60
56	City of Hamilton - Evening Rate *	\$ 150.60
57	City of Hamilton - Day & Evening Rate *	\$ 271.00
<b>Room 4W 313 (5,952 sq ft.) - Club Room 3</b>		
58	Social/Corporate - Day Rate *	\$ 1,560.90
59	Social/Corporate - Evening Rate *	\$ 1,560.90
60	Social/Corporate - Day & Evening Rate *	\$ 2,809.60
61	Community Groups (not-for-profit) - Day Rate *	\$ 936.60
62	Community Groups (not-for-profit) - Evening Rate *	\$ 936.60
63	Community Groups (not-for-profit) - Day & Evening*	\$ 1,685.80
64	City of Hamilton - Day Rate *	\$ 468.30
65	City of Hamilton - Evening Rate *	\$ 468.30
66	City of Hamilton - Day & Evening Rate *	\$ 842.90
<b>Room 4W 314 (1,410 sq ft.) - Club Room 4</b>		

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED 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	2021 Approved Fee
67	Social/Corporate - Day Rate *	\$ 501.80
68	Social/Corporate - Evening Rate *	\$ 501.80
69	Social/Corporate - Day & Evening Rate *	\$ 903.10
70	Community Groups (not-for-profit) - Day Rate *	\$ 301.10
71	Community Groups (not-for-profit) - Evening Rate *	\$ 301.10
72	Community Groups (not-for-profit) - Day & Evening*	\$ 541.90
73	City of Hamilton - Day Rate *	\$ 150.60
74	City of Hamilton - Evening Rate *	\$ 150.60
75	City of Hamilton - Day & Evening Rate *	\$ 271.00
	<b>Room 4W 315 (1,012 sq ft.) - Club Room 5</b>	
76	Social/Corporate - Day Rate *	\$ 334.50
77	Social/Corporate - Evening Rate *	\$ 334.50
78	Social/Corporate - Day & Evening Rate *	\$ 602.10
79	Community Groups (not-for-profit) - Day Rate *	\$ 200.70
80	Community Groups (not-for-profit) - Evening Rate *	\$ 200.70
81	Community Groups (not-for-profit) - Day & Evening*	\$ 361.30
82	City of Hamilton - Day Rate *	\$ 100.40
83	City of Hamilton - Evening Rate *	\$ 100.40
84	City of Hamilton - Day & Evening Rate *	\$ 180.70

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED 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	2021 Approved Fee
<b>Club Level - includes all rooms noted above (10,796 sq ft.)</b>		
85	Social/Corporate - Day Rate *	\$ 2,285.60
86	Social/Corporate - Evening Rate *	\$ 2,285.60
87	Social/Corporate - Day & Evening Rate *	\$ 4,114.00
88	Community Groups (not-for-profit) - Day Rate *	\$ 1,371.40
89	Community Groups (not-for-profit) - Evening Rate *	\$ 1,371.40
90	Community Groups (not-for-profit) - Day & Evening*	\$ 2,468.40
91	City of Hamilton - Day Rate *	\$ 687.90
92	City of Hamilton - Evening Rate *	\$ 687.90
93	City of Hamilton - Day & Evening Rate *	\$ 1,234.20
<b>South Plaza - outside gates SE corner</b>		
94	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 546.60
95	(<4 hour rental - flat fee) - Resident	\$ 328.00
96	(<4 hour rental fee - flat fee) - Community Group	\$ 153.30
97	(4< hour rental fee - flat fee) - Affiliate Group	\$ 109.40
<b>Coors Banquet Patio - East Side 2nd Floor &amp; Concourse</b>		
98	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 546.60
99	(<4 hour rental - flat fee) - Resident	\$ 328.00
100	(<4 hour rental fee - flat fee) - Community Group	\$ 153.30

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED 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	2021 Approved Fee
101	(4< hour rental fee - flat fee) - Affiliate Group	\$ 109.40
<b>Coors Light Patio - North End</b>		
102	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 546.60
103	(<4 hour rental - flat fee) - Resident	\$ 328.00
104	(<4 hour rental fee - flat fee) - Community Group	\$ 153.30
105	(4< hour rental fee - flat fee) - Affiliate Group	\$ 109.40
<b>Stipley BBQ Area - South Plaza inside the gates</b>		
106	(<4 hour rental - flat fee) - Commercial/Non-resident	\$ 546.60
107	(<4 hour rental - flat fee) - Resident	\$ 328.00
108	(<4 hour rental fee - flat fee) - Community Group	\$ 153.30
109	(4< hour rental fee - flat fee) - Affiliate Group	\$ 109.40
** All additional operational expenses are to be added to the above noted rates.		

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Transit**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Cash Fare	\$ 3.25
2	Adult Ticket	\$ 2.55
3	Elementary / Secondary Ticket	\$ 2.10
4	Adult Monthly Pass	\$ 112.20
5	Elementary / Secondary Monthly Pass	\$ 92.40
6	Summer Youth Pass	\$ 92.40
7	Senior Single Ride	\$ 2.10
8	Senior Monthly Pass	\$ 35.50
9	Senior Annual Pass	\$ 355.00
10	Golden Age Pass (80 years+)	Free
11	University College Transit Pass (UCTP)	\$ 199.35
12	McMaster Undergraduate UCTP	\$ 228.52
13	McMaster Graduate Student Association (GSA) UCTP	\$ 288.55
14	Day Pass	\$ 15.30
15	Columbia International College Transit Pass (off campus residence)	\$ 70.00
16	Columbia International College Transit Pass (on campus residence)	\$ 25.00
17	Columbia International College Transit Pass (non residence)	\$ 80.00
18	Employee Commuter Pass	\$ 107.10
19	School Hour Only Pass	\$ 65.57
20	School Plus Pass	\$ 26.00
21	Affordable Transit Pass	\$ 56.10

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Public Works (Tax)**

**Division: Transit**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
22	TransCab	<b>Regular Fare + \$0.50</b>
23	Urban Charters	<b>\$ 147.45</b>
24	HSR Photo ID - Elementary/Secondary School Students	<b>\$ 5.25</b>
25	HSR Replacement Photo ID - Senior, EC Pass, SHO, School Plus Pass	<b>\$ 15.76</b>
26	Document Requests on CD's (Mobility Programs and Transportation Planning)	<b>\$ 4.64</b>
27	Event Impact – Advertisement Charge for route diversion/route impact (per Pole Card)	<b>\$ 3.68</b>
28	Event Coverage – PER Supervisory Charge for event related activities including crowd disbursement, operational needs, and other customer related event needs	<b>\$ 235.75</b>
	Minimum: First 4 Hours	
29	Additional \$/Hr beyond 4 Hours	<b>\$ 58.94</b>

## 2021 APPROVED USER FEES & CHARGES

**Department: Corporate Services**

**Division: Financial Services**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Tenders and RFPs	\$ 49.29
2	Tenders and RFPs - Complex	\$ 169.65
3	Change in Banking Information (Note 1)	\$ 27.43
<b>Consideration of assignment/corporate change requests (Note 2)</b>		
4	Simple	\$ 387.39
5	Standard	\$ 696.02
6	Complex	\$ 927.92
<b>Notes:</b>		
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 APPROVED USER FEES & CHARGES

**Department: Corporate Services**

**Division: City Clerk's**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Marriage Licence Fee	\$ 163.00
2	Death Registration Administration Fee	\$ 48.00
3	Certified Copies	\$ 28.60
4	Photocopies per page (8.5x11 or 8.5x14)	\$ 0.40
5	Photocopies large scale drawings (greater than 8.5x14)	\$ 10.00
6	Commissioner of Oaths	\$ 23.01
7	Proof of Residence Letter	\$ 26.50
8	Commissioner of Oaths - Pension Forms	\$ 18.50
9	Civil Marriage Ceremony	\$ 306.19
10	Renewal of Vows Ceremony	\$ 51.11
11	Fee for Witnesses	\$ 25.50

## 2021 APPROVED USER FEES & CHARGES

**Department: Corporate Services**  
**Division: Financial Services - Taxation**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Registration of Delinquent Accounts - Phase 1	\$ 1,160.90
2	Registration of Delinquent Accounts - Carried to Tax Sale	\$ 1,482.60
3	Extension Agreements	\$ 214.70
4	Tax Certificate (manual and on-line)	\$ 64.40
5	Tax Letters (Analysis, Income Tax, Paid in Full) - per year	\$ 28.40
6	Ownership change fee	\$ 15.30
7	Mortgage Company - on-line account balance/status (annual fee per property account)	\$ 6.05
8	Mortgage Company - payout statement / account detail (per account)	\$ 12.35
9	Tax Transfer Fee - Balances transferred to City tax roll	\$ 36.02
10	NSF Fee - Processing fee on all 'returned' payments	\$ 36.02
11	Admin Fee for Arrears Notices (on arrears > \$50)	\$ 3.15
12	Admin Fee for 3 Years Arrears Letter (Pending Lien Registration)	\$ 10.20
13	New tax roll account fee	\$ 18.95
14	Apportionment fee - Current year	\$ 63.10
15	On-line Tax Certificate - delinquent account turn off/on	\$ 36.02
16	Misapplied Payments - payment transfer (Taxpayer or Financial Institution error)	\$ 36.02
17	Reprint of prior year tax bill (no charge for current year tax bill) - per bill	\$ 12.35
18	Full Tax Deferral Program - application fee	\$ 200.00
19	Full Tax Deferral Program - annual renewal fee	\$ 100.00
20	Debit Authorizations from Financial Institutions	\$ 36.02

HST is not included in the Fees; it is collected where applicable.

## 2021 APPROVED USER FEES & CHARGES

**Department: Corporate Services**  
**Division: Financial Planning, Administration & Policy**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Subdivision Agreement Finance Processing Flat Fee	\$ 1,552.30
2	Subdivision Agreement Finance Processing Per Lot Fee	\$ 16.20
3	Subdivision Agreement Finance Processing Best Efforts Fee	\$ 1,552.30
4	Subdivision Compliance Fee	\$ 73.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Corporate Services**

**Division: Various**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Manual searches for records (per 15 minutes)	\$ 13.00
2	Preparation of Records for release (per 15 minutes)	\$ 13.00
3	Developing computer programs or other methods of producing a record from a machine (per 15 minutes)	\$ 20.90
4	Encrypted USB Charge	\$ 30.00
5	Routine Disclosure Administration fee	\$ 10.00

## 2021 APPROVED USER FEES & CHARGES

**Department: Corporate Services**  
**Division: POA**

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
1	Administrative review cost recovery fee	\$ 61.20
2	Collection cost recovery fee	<b>Varies</b>
3	Court Documents (POA) - per page	\$ 2.60
4	Certified Court Documents (POA) - per page	\$ 4.80

## 2021 APPROVED USER FEES & CHARGES

Department: City Manager

Division: Human Resources

#	Service or Activity Provided or Use of City Property	2021 Approved Fee
	Employee File Duplication:	
1	Base rate (0-10 pages)	\$ 126.40
2	Greater than 10 pages (per page)	\$ 1.31

**Authority:** Item 5, Planning Committee  
Report 21-011 (PED21111)  
CM: July 9, 2021  
Ward: 11

**Bill No. 120**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-**

#### **To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands Located at 3140 and 3150 Binbrook Road (Glanbrook)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the *City of Hamilton Act, 1999* provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 5 of Report 21-011 of the Planning Committee at its meeting held on the 9<sup>th</sup> day of July, 2021, recommended that Zoning By-law No. 464 (Glanbrook), be amended as hereinafter provided; and,

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Schedule "H", appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:
  - (a) By changing the zoning from Existing Residential "ER" Zone to Residential 4 – Holding "H-R4-320" Zone, Modified, for lands comprised in Block 1; and,
  - (b) By changing the zoning from Existing Residential "ER" Zone to Residential Multiple "RM3-321" Zone, Modified, for the lands comprised in Block 2.

The extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Section 44 “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying the “R4” Zone provisions as follows:

**H-R4-320**

That the “H” symbol applicable to the lands zoned “H-R4-320” shall not be removed until such time that the landowner demonstrate to the satisfaction of the Director of Planning and Chief Planner, City of Hamilton, that sufficient land assembly has occurred to achieve the minimum lot area requirement and lot frontage requirement in accordance with the “R4” Zone.

and

The Owner agrees to pay for any outstanding costs associated with Valiant Circle to the satisfaction of the Manager of Development Engineering approvals.

3. That Section 44, “Exceptions to the Provisions of the By-law”, as amended, of Zoning By-law No. 464, is hereby further amended by modifying **SECTION 19.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS)**, provisions (a), (b), (d), (e), (f), (j), and (m):

**RM3-321**

- |                                |   |
|--------------------------------|---|
| 19.2 (a) Minimum Lot Frontage: | 6.0 metres per dwelling unit  |
| (b) Minimum Lot Area:          | 160 square metres per dwelling unit, except:  |
|                                | (a) On an end lot which does not abut a flanking street, the minimum lot area shall be 205 square metres; and |
|                                | (b) On a corner lot which abuts a flanking street, the minimum lot area shall be 350 square metres.           |
| (d) Maximum Density:           | 40 dwelling units per hectare   |
| (e) Minimum Front Yard:        | 7.0 metres  |
| (f) Minimum Rear Yard and Side | 6.5 metres except 7.0 metres  |

Yard: where the abutting lands are zoned Existing Residential "ER" or Residential "R1", "R2", "R3" "R4" or "RM1".

The minimum side yard shall be:

- (a) 2 metres where an end dwelling unit is not abutting a flanking street; and,
- (b) 5 metres where an end dwelling unit is on a corner lot abutting a flanking street.

(j) Minimum Landscaped Area: 40 percent of lot area, which may include the required privacy area.

(m) Minimum Amenity Area: Shall not apply.

In addition to the regulations of **SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, Sub-Section 19.2 – REGULATIONS FOR USES PERMITTED IN PARAGRAPH (A) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLING)**, the following shall apply:

- (o) For the purpose of the lot frontage, lot area, front yard, and side yard requirements only, a condominium road shall be deemed to be a public street.
- (p) Visitor Parking and Landscaping may be provided in a common element condominium.

Notwithstanding the regulations of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-section 7.35 - MINIMUM PARKING REQUIREMENTS – Clause (a)(xii), the following provision shall apply:

(a) General Provisions

- (xii) A minimum 1.5 metre planting strip shall be provided where a parking area abuts a Residential Zone or where the adjoining land is used for residential or institutional purposes.

That regulation **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, Sub-section 7.23 - SPECIAL SETBACK REQUIREMENTS FROM STREETS shall not apply.

4. That no building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Residential 4 "R4-320" Zone provisions and the Residential Multiple "RM3-321" Zone, subject to the special requirements as referred to in Sections 2 and 3 of this By-law.
5. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

**PASSED** this 9<sup>th</sup> day of July, 2021.

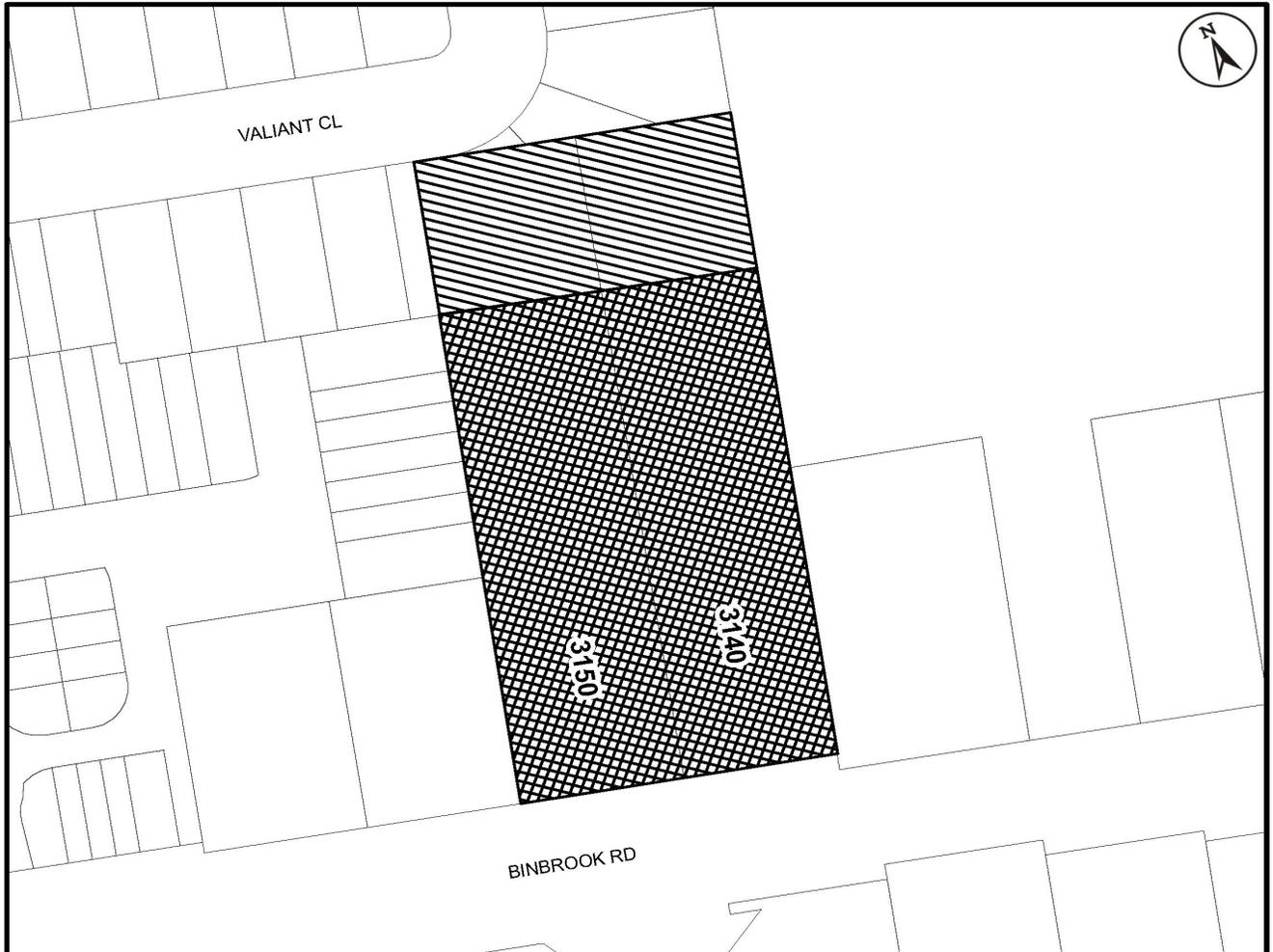
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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

ZAC-19-039  
25CDM-202002



This is Schedule "A" to By-law No. 21-  
 Passed the ..... day of ....., 2021

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 Mayor  
 -----  
 Clerk

**Schedule "A"**  
**Map forming Part of**  
**By-law No. 21-\_\_\_\_\_**  
**to Amend By-law No. 464**

**Subject Property**  
 3140 and 3150 Binbrook Road, Glanbrook (Ward 11)

-  Block 1: Changing the zoning from Existing Residential "ER" zone to the Residential 4 – Holding "H-R4-320" Zone
-  Block 2: Changing the zoning from Existing Residential "ER" zone to the Residential Multiple "RM3-321" Zone

Scale: N.T.S	File Name/Number: ZAC-19-039/25CDM-202002
Date: May 21, 2021	Planner/Technician: AB/NB



**Authority:** Item 10, Planning Committee  
Report 21-011 (PED21110)  
CM: July 9, 2021  
Ward: City Wide

**Bill No. 121**

**CITY OF HAMILTON**

**BY-LAW NO. 21-**

**Being A By-law to Regulate Off-Road Vehicles**

**WHEREAS** Section 191.8 (3) (b) of the *Highway Traffic Act*, R.S.O. 1990, c. H.8, authorizes municipalities to pass a by-law prohibiting the operation of off-road vehicles on any highway within the municipality that is under the jurisdiction of the municipality, or on any part or parts of such highway;

**AND WHEREAS** Council of the City deems it advisable to prohibit the operation of off-road vehicles on any highway within the municipality that is under the jurisdiction of the municipality;

**AND WHEREAS** the *Off-Road Vehicles Act*, R.S.O. 1990, c.O.4 ("*Off-Road Vehicles Act*") regulates the operation of off-road vehicles on property other than highways;

**AND WHEREAS** Council of the City deems it appropriate to prohibit and regulate certain public nuisances in relation to off-road vehicles on property and highways within the City pursuant to section 128 of the *Municipal Act, 2001* as amended;

**AND WHEREAS** in the opinion of Council for the City, the operation of off-road vehicles in the City of Hamilton is or could become a public nuisance;

**AND WHEREAS** Section 10 of the *Municipal Act, 2001*, as amended, authorizes municipalities to pass by-laws respecting the environmental well-being of the municipality, the health and safety and well-being of Persons, and the protection of Persons and property;

**NOW THEREFORE** the Council of the City enacts as follows:

**PART I - INTERPRETATION**

**Definitions**

1. In this By-law:

**"All-terrain Vehicle"** shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has four wheels, the tires of which are all in contact with the ground,
- b) has steering handlebars,
- c) has a seat that is designed to be straddled by the driver, and
- d) is designed to carry,

- i) a driver only and no passengers, or
- ii) a driver and only one passenger, if the vehicle,
  - A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
  - B) is equipped with foot rests for the passenger that are separate from the foot rests for the driver;

**“Boulevard”** means that part of the Highway situated between the curb line and the property line of the lot abutting the Highway, but does not include a sidewalk, driveway apron or shoulder;

**“By-law”** shall refer to this by-law, being a By-law to Regulate Off-Road Vehicles;

**“City”** means City of Hamilton or the geographic area of the City of Hamilton as the context requires;

**“Conservation Authorities Act”** means the *Conservation Authorities Act*, R.S.O., 1990, c. C.27;

**“Director”** means the Director of Licensing and By-law Services for the City and their designate or successor;

**“Extreme Terrain Vehicle”** shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has six or eight wheels, the tires of which are all in contact with the ground,
- b) has no tracks that are in contact with the ground,
- c) has seats that are not designed to be straddled, and
- d) has a minimum cargo capacity of 159 kilograms;

**“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

**“Highway Traffic Act”** means the *Highway Traffic Act*, R.S.O. 1990, c. H. 8;

**“Multi-purpose Off-highway Utility Vehicle”** shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has a minimum cargo capacity of 159 kilograms;

**“Municipal Act, 2001”** means the *Municipal Act, 2001*, S.O. 2001, c. 25;

**“Occupier”** includes,

- (a) a Person who is in physical possession of the land, or

(b) a Person who has responsibility for and control over the condition of land or the activities there carried on, or control over persons allowed to enter the land,  
even if there is more than one occupier of the same land;

“**Officer**” means a Police Officer, or a Municipal Law Enforcement Officer appointed under any City by-law or any other Person assigned or appointed by Council of the City to administer or enforce this By-law and includes a person employed by the City whose duties are to enforce this By-law;

“**Off-Road Motorcycle**” shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle, designed primarily for recreational use that,

- a) has steering handlebars,
- b) has two wheels, the tires of which are all in contact with the ground,
- c) has a minimum wheel rim diameter of 250 millimetres,
- d) has a minimum wheelbase of 1,016 millimetres,
- e) has a seat that is designed to be straddled by the driver,
- f) is designed to carry a driver only and no passengers, and
- g) does not have a sidecar;

“**Off-Road Vehicle**” means a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel,

- (a) on not more than three wheels, or
- (b) on more than three wheels and being of a prescribed class of vehicle under the regulations made under the *Off-Road Vehicles Act*;

“**Off-Road Vehicles Act**” means the *Off-Road Vehicles Act*, R.S.O. 1990, c. O. 4;

“**Park**” means a private or public park or recreational area that is open to the general public, whether or not a fee is charged, for sports, recreational uses and like activities and includes open space, campgrounds and picnic areas;

“**Permitted Use**” means driving a Vehicle on a Highway under the following circumstances:

- a) directly across a Highway; or
- b) on a Highway, if the Vehicle is designed to travel on more than two wheels and the driver is,
  - (i) a farmer, as defined under the *Farming and Food Production Protection Act*, 1998, S.O. 1998, c. 1, using the Vehicle for agricultural purposes (“**Farmer**”), or
  - (ii) a person licensed under the Fish and Wildlife Conservation Act, 1997 to trap furbearing mammals, if the person is using the Vehicle for trapping purposes (“**Trapper**”),

and the Vehicle or a vehicle drawn by it bears a slow-moving vehicle sign, pursuant to the Highway Traffic Act.

“**Person**” shall include a corporation, as the context requires;

**“Public Property”** includes a Highway and any lands owned by the City, the provincial or federal government or a Conservation Authority, as defined under the *Conservation Authorities Act*;

**“Public Centre”** means a parcel of land on which is situated a cemetery, place of worship, public hall, community centre, day nursery, community sports facility, hospital, school or golf course;

**“Public Trail”** means a managed pathway or designated travel corridor which is open to use by the general public for the purpose of walking, biking, hiking, cross country skiing or other means of travel; and

**“Recreational Off-highway Vehicle”** shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has an engine displacement equal to or less than 1,000 cubic centimetres;

**“Restricted Area”** shall include the areas listed in Section 8 of this By-law; and

**“Vehicle”** shall mean an All-terrain Vehicle, Extreme Terrain Vehicle, Multi-purpose Off-highway Utility Vehicle, Off-Road Motorcycle, Off-Road Vehicle, or Recreational Off-highway Vehicle.

## **Application**

2. This By-law applies to all Persons and properties in the City.
3. Where the provisions of this By-law conflict with the regulations or requirements of any provincial or federal government or agency established by the provincial or federal government, the regulations or requirements of that government or agency shall prevail.

## **Exemptions**

4. The following are exempt from this By-law:
  - a) Officers who are actively enforcing this By-law;
  - b) all police officers while performing their duties;
  - c) all fire department personnel while performing their duties;
  - d) all paramedics or other medical rescue personnel while performing their duties;
  - e) all employees of the City while performing their duties;
  - f) Hydro One or power employee(s) and their contractors while performing their duties;
  - g) Ministry of Natural Resources employees while performing their duties; and

- h) Farmers(s), Trapper(s), public utility worker(s), and commercial snow removal operator (s) while performing their duties.

## **PART II - RESTRICTIONS**

- 5. No Person shall operate, or permit to be operated a Vehicle:
  - a) in such a way as to disturb the natural environment including, but not limited to, fish habitats, property, and any flora or fauna;
  - b) without due care and attention or without reasonable consideration for other Persons or property;
  - c) on any Highway in the City unless for a Permitted Use; or
  - d) on private property in the City without the land owner or Occupier's written consent, if the person operating the Vehicle or the Person who is the registered owner of the Vehicle is not the owner or Occupier of the land.
- 6. With regards to Subsection 5 (d), it is not an exemption to subsection 5 (a) or (b) to claim that the operator of the Vehicle, or the registered owner of the Vehicle who permitted the operator to use the Vehicle, had the written consent of the land owner or Occupier.
- 7. Where a contravention of this By-law has occurred, every owner or Occupier of land shall take reasonable precautions to prevent the continuation or repetition of the contravention on such land.
- 8. Unless such lands form part of a trail route approved and maintained by a recognized agency for the use of a Vehicle, no Person shall operate or permit to be operated a Vehicle over or upon the following Restricted Areas:
  - a) a Public Trail;
  - b) a Park;
  - c) a Public Centre;
  - d) Public Property;
  - e) any sand dune or beach area under the jurisdiction of the City;
  - f) any shoreline road allowance under the jurisdiction of the City; or
  - g) along any sidewalk or boulevard within the City.

## **PART III – OWNER LIABILITY**

- 9. The registered owner of a Vehicle may be charged with and convicted of an offence under this By-law for which the driver of the Vehicle is subject to be charged and on conviction, the registered Vehicle owner is liable to the penalty prescribed for the offence.

10. Section 9 does not apply where, at the time of the offence, the Vehicle was in the possession of a person other than the registered owner without the registered owner's consent.

#### **PART IV - ADMINISTRATION**

11. (1) The Director is authorized to administer and enforce this By-law including,
  - a) arranging for:
    - i. the assistance or work of City staff, City agents or the assistance of police officers;
    - ii. the making of orders or other requirements;
    - iii. the obtaining of court orders or warrants as may be required; and
    - iv. the commencement of such actions on behalf of the City to recover costs or restrain contravention of this By-law as deemed necessary;
  - b) prescribing the format and content of any forms or other documents required under this By-law.
- (2) The Director may assign Officers to enforce this By-law and Officers so assigned or appointed by Council to enforce this By-law shall have the authority to:
  - a) carry out inspections;
  - b) make orders under this By-law; and
  - c) give immediate effect to any orders made under this By- Law.
- (3) The Director may assign duties or delegate tasks under this By-law to be carried out in the Director's absence or otherwise.

#### **PART V - ENFORCEMENT**

12. Any person other than a corporation who contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$10,000 for a first offence, and a maximum fine of \$20,000 for a subsequent offence, recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, or any successor legislation thereto.
13. Any corporation which contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$50,000 for a first offence and \$100,000 for any subsequent offence, recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, or any successor legislation thereto.

14. Despite section 12, every director or officer of a corporation who knowingly contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$50,000 for a first offence and \$100,000 for any subsequent offence, recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, or any successor legislation thereto.
15. If a Person is convicted of an offence under this By-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
16. (1) An Officer may enter upon land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
  - a) this By-law;
  - b) a direction or order made under the *Municipal Act, 2001* or this By-law;(2) An Officer carrying out an inspection under subsection (1) may:
  - a) require the production and inspection of documents or things relevant to the inspection;
  - b) inspect and remove documents or things relevant to the inspection for the purpose 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.
17. (1) If an Officer is satisfied that a contravention of this By-law has occurred, the Officer may make an order requiring the Person who contravened the By-law, or who caused or permitted the contravention to:
  - a) discontinue the contravening activity, or
  - b) do work to correct or prevent the contravention.(2) An order made under subsection (1) shall set out:
  - a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
  - b) the date on which there must be compliance with the order.

- (3) An order issued under subsection (1) shall be served personally or by registered mail to the last known address on the Person whom the Officer believes is contravening this By-law.
18. (1) No Person shall contravene an order made pursuant to this By-law.
- (2) If a Person fails to comply with an order under this By-law, the City may do the thing required by the order at the Person's expense.
- (3) The City may recover the costs of doing any thing or matter under subsection (2) by action or by adding the costs to the tax roll and collecting in like manner as taxes.
19. No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct an officer who is exercising a power or performing a duty under this By-law, including refusing to identify themselves when requested to do so by an officer.

## **PART VI – MISCELLANEOUS**

### **Severability**

20. Where a court of competent jurisdiction declares any provision of this By-law invalid, or to be of no force or effect, the provision shall be deemed conclusively to be severable from the By-law and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

### **Plural/Singular**

21. In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural and further, the converse of the foregoing also applies where the context requires.

### **Short Title**

22. The short title of this By-law is the "Hamilton Off-Road Vehicle By-law".

### **Enactment**

23. This By-law comes into force and effect on the day it is passed.

**PASSED** this 9<sup>th</sup> day of July, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 10, Planning Committee  
 Report 21-011 (PED21110)  
 CM: July 9, 2021  
 Ward: City Wide  
**Bill No. 122**

**CITY OF HAMILTON  
 BY-LAW NO. 21-**

**To Amend 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

**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 No. 17-225 is amended by adding a new Table 27 titled Off-Road Vehicle By-law No. 21-121

<b>TABLE 27: BY-LAW NO. 21-121 OFF-ROAD VEHICLE BY-LAW</b>				
<b>ITEM</b>	<b>COLUMN 1 DESIGNATED BY-LAW &amp; SECTION</b>		<b>COLUMN 2 SHORT FORM WORDING</b>	<b>COLUMN 3 SET PENALTY</b>
<b>1</b>	<b>21-121</b>	5 (a)	Operate a Vehicle to disturb the environment	\$500
<b>2</b>	<b>21-121</b>	5 (a)	Permit operation of a Vehicle to disturb the environment	\$500
<b>3</b>	<b>21-121</b>	5 (b)	Operate a Vehicle without care and attention	\$600
<b>4</b>	<b>21-121</b>	5 (b)	Permit operation of Vehicle without care and attention	\$600
<b>5</b>	<b>21-121</b>	5 (c)	Operate a Vehicle on a Highway	\$500
<b>6</b>	<b>21-121</b>	5 (c)	Permit operation of a Vehicle on a Highway	\$500
<b>7</b>	<b>21-121</b>	5 (d)	Operate a Vehicle on private land without consent	\$500
<b>8</b>	<b>21-121</b>	5 (d)	Permit operation of a Vehicle on private land without consent	\$500
<b>9</b>	<b>21-121</b>	8	Operate a Vehicle in a Restricted Area	\$500

<b>10</b>	<b>21-121</b>	8	Permit operation of a Vehicle in a Restricted Area	\$500
<b>11</b>	<b>21-121</b>	19 (1)	Disobey an order	\$500
<b>12</b>	<b>21-121</b>	20	Obstruct an officer	\$500

**PASSED** this 9<sup>th</sup> day of July, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 10, Planning Committee  
Report 21-011 (PED21110)  
CM: July 9, 2021  
Ward: City Wide

**Bill No. 121**

## **CITY OF HAMILTON**

### **BY-LAW NO. 21-**

#### **Being A By-law to Regulate Off-Road Vehicles**

**WHEREAS** Section 191.8 (3) (b) of the *Highway Traffic Act*, R.S.O. 1990, c. H.8, authorizes municipalities to pass a by-law prohibiting the operation of off-road vehicles on any highway within the municipality that is under the jurisdiction of the municipality, or on any part or parts of such highway;

**AND WHEREAS** Council of the City deems it advisable to prohibit the operation of off-road vehicles on any highway within the municipality that is under the jurisdiction of the municipality;

**AND WHEREAS** the *Off-Road Vehicles Act*, R.S.O. 1990, c.O.4 (“*Off-Road Vehicles Act*”) regulates the operation of off-road vehicles on property other than highways;

**AND WHEREAS** Council of the City deems it appropriate to prohibit and regulate certain public nuisances in relation to off-road vehicles on property and highways within the City pursuant to section 128 of the *Municipal Act, 2001* as amended;

**AND WHEREAS** in the opinion of Council for the City, the operation of off-road vehicles in the City of Hamilton is or could become a public nuisance;

**AND WHEREAS** Section 10 of the *Municipal Act, 2001*, as amended, authorizes municipalities to pass by-laws respecting the environmental well-being of the municipality, the health and safety and well-being of Persons, and the protection of Persons and property;

**NOW THEREFORE** the Council of the City enacts as follows:

### **PART I - INTERPRETATION**

#### **Definitions**

1. In this By-law:

“**All-terrain Vehicle**” shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has four wheels, the tires of which are all in contact with the ground,
- b) has steering handlebars,
- c) has a seat that is designed to be straddled by the driver, and
- d) is designed to carry,

- i) a driver only and no passengers, or
- ii) a driver and only one passenger, if the vehicle,
  - A) has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
  - B) is equipped with foot rests for the passenger that are separate from the foot rests for the driver;

**“Boulevard”** means that part of the Highway situated between the curb line and the property line of the lot abutting the Highway, but does not include a sidewalk, driveway apron or shoulder;

**“By-law”** shall refer to this by-law, being a By-law to Regulate Off-Road Vehicles;

**“City”** means City of Hamilton or the geographic area of the City of Hamilton as the context requires;

**“Conservation Authorities Act”** means the *Conservation Authorities Act*, R.S.O., 1990, c. C.27;

**“Director”** means the Director of Licensing and By-law Services for the City and their designate or successor;

**“Extreme Terrain Vehicle”** shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has six or eight wheels, the tires of which are all in contact with the ground,
- b) has no tracks that are in contact with the ground,
- c) has seats that are not designed to be straddled, and
- d) has a minimum cargo capacity of 159 kilograms;

**“Highway”** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

**“Highway Traffic Act”** means the *Highway Traffic Act*, R.S.O. 1990, c. H. 8;

**“Multi-purpose Off-highway Utility Vehicle”** shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has a minimum cargo capacity of 159 kilograms;

**“Municipal Act, 2001”** means the *Municipal Act, 2001*, S.O. 2001, c. 25;

**“Occupier”** includes,

- (a) a Person who is in physical possession of the land, or

(b) a Person who has responsibility for and control over the condition of land or the activities there carried on, or control over persons allowed to enter the land,  
even if there is more than one occupier of the same land;

“**Officer**” means a Police Officer, or a Municipal Law Enforcement Officer appointed under any City by-law or any other Person assigned or appointed by Council of the City to administer or enforce this By-law and includes a person employed by the City whose duties are to enforce this By-law;

“**Off-Road Motorcycle**” shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle, designed primarily for recreational use that,

- a) has steering handlebars,
- b) has two wheels, the tires of which are all in contact with the ground,
- c) has a minimum wheel rim diameter of 250 millimetres,
- d) has a minimum wheelbase of 1,016 millimetres,
- e) has a seat that is designed to be straddled by the driver,
- f) is designed to carry a driver only and no passengers, and
- g) does not have a sidecar;

“**Off-Road Vehicle**” means a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel,

- (a) on not more than three wheels, or
- (b) on more than three wheels and being of a prescribed class of vehicle under the regulations made under the *Off-Road Vehicles Act*;

“**Off-Road Vehicles Act**” means the *Off-Road Vehicles Act*, R.S.O. 1990, c. O. 4;

“**Park**” means a private or public park or recreational area that is open to the general public, whether or not a fee is charged, for sports, recreational uses and like activities and includes open space, campgrounds and picnic areas;

“**Permitted Use**” means driving a Vehicle on a Highway under the following circumstances:

- a) directly across a Highway; or
- b) on a Highway, if the Vehicle is designed to travel on more than two wheels and the driver is,
  - (i) a farmer, as defined under the *Farming and Food Production Protection Act*, 1998, S.O. 1998, c. 1, using the Vehicle for agricultural purposes (“**Farmer**”), or
  - (ii) a person licensed under the Fish and Wildlife Conservation Act, 1997 to trap furbearing mammals, if the person is using the Vehicle for trapping purposes (“**Trapper**”),

and the Vehicle or a vehicle drawn by it bears a slow-moving vehicle sign, pursuant to the Highway Traffic Act.

“**Person**” shall include a corporation, as the context requires;

**“Public Property”** includes a Highway and any lands owned by the City, the provincial or federal government or a Conservation Authority, as defined under the *Conservation Authorities Act*;

**“Public Centre”** means a parcel of land on which is situated a cemetery, place of worship, public hall, community centre, day nursery, community sports facility, hospital, school or golf course;

**“Public Trail”** means a managed pathway or designated travel corridor which is open to use by the general public for the purpose of walking, biking, hiking, cross country skiing or other means of travel; and

**“Recreational Off-highway Vehicle”** shall have the same definition as under Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways, which means an off-road vehicle that,

- a) has four or more wheels, the tires of which are all in contact with the ground,
- b) has a steering wheel for steering control,
- c) has seats that are not designed to be straddled, and
- d) has an engine displacement equal to or less than 1,000 cubic centimetres;

**“Restricted Area”** shall include the areas listed in Section 8 of this By-law; and

**“Vehicle”** shall mean an All-terrain Vehicle, Extreme Terrain Vehicle, Multi-purpose Off-highway Utility Vehicle, Off-Road Motorcycle, Off-Road Vehicle, or Recreational Off-highway Vehicle.

## **Application**

2. This By-law applies to all Persons and properties in the City.
3. Where the provisions of this By-law conflict with the regulations or requirements of any provincial or federal government or agency established by the provincial or federal government, the regulations or requirements of that government or agency shall prevail.

## **Exemptions**

4. The following are exempt from this By-law:
  - a) Officers who are actively enforcing this By-law;
  - b) all police officers while performing their duties;
  - c) all fire department personnel while performing their duties;
  - d) all paramedics or other medical rescue personnel while performing their duties;
  - e) all employees of the City while performing their duties;
  - f) Hydro One or power employee(s) and their contractors while performing their duties;
  - g) Ministry of Natural Resources employees while performing their duties; and

- h) Farmers(s), Trapper(s), public utility worker(s), and commercial snow removal operator (s) while performing their duties.

## **PART II - RESTRICTIONS**

- 5. No Person shall operate, or permit to be operated a Vehicle:
  - a) in such a way as to disturb the natural environment including, but not limited to, fish habitats, property, and any flora or fauna;
  - b) without due care and attention or without reasonable consideration for other Persons or property;
  - c) on any Highway in the City unless for a Permitted Use; or
  - d) on private property in the City without the land owner or Occupier's written consent, if the person operating the Vehicle or the Person who is the registered owner of the Vehicle is not the owner or Occupier of the land.
- 6. With regards to Subsection 5 (d), it is not an exemption to subsection 5 (a) or (b) to claim that the operator of the Vehicle, or the registered owner of the Vehicle who permitted the operator to use the Vehicle, had the written consent of the land owner or Occupier.
- 7. Where a contravention of this By-law has occurred, every owner or Occupier of land shall take reasonable precautions to prevent the continuation or repetition of the contravention on such land.
- 8. Unless such lands form part of a trail route approved and maintained by a recognized agency for the use of a Vehicle, no Person shall operate or permit to be operated a Vehicle over or upon the following Restricted Areas:
  - a) a Public Trail;
  - b) a Park;
  - c) a Public Centre;
  - d) Public Property;
  - e) any sand dune or beach area under the jurisdiction of the City;
  - f) any shoreline road allowance under the jurisdiction of the City; or
  - g) along any sidewalk or boulevard within the City.

## **PART III – OWNER LIABILITY**

- 9. The registered owner of a Vehicle may be charged with and convicted of an offence under this By-law for which the driver of the Vehicle is subject to be charged and on conviction, the registered Vehicle owner is liable to the penalty prescribed for the offence.

10. Section 9 does not apply where, at the time of the offence, the Vehicle was in the possession of a person other than the registered owner without the registered owner's consent.

#### **PART IV - ADMINISTRATION**

11. (1) The Director is authorized to administer and enforce this By-law including,
- a) arranging for:
    - i. the assistance or work of City staff, City agents or the assistance of police officers;
    - ii. the making of orders or other requirements;
    - iii. the obtaining of court orders or warrants as may be required; and
    - iv. the commencement of such actions on behalf of the City to recover costs or restrain contravention of this By-law as deemed necessary;
  - b) prescribing the format and content of any forms or other documents required under this By-law.
- (2) The Director may assign Officers to enforce this By-law and Officers so assigned or appointed by Council to enforce this By-law shall have the authority to:
- a) carry out inspections;
  - b) make orders under this By-law; and
  - c) give immediate effect to any orders made under this By- Law.
- (3) The Director may assign duties or delegate tasks under this By-law to be carried out in the Director's absence or otherwise.

#### **PART V - ENFORCEMENT**

12. Any person other than a corporation who contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$10,000 for a first offence, and a maximum fine of \$20,000 for a subsequent offence, recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, or any successor legislation thereto.
13. Any corporation which contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$50,000 for a first offence and \$100,000 for any subsequent offence, recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, or any successor legislation thereto.

14. Despite section 12, every director or officer of a corporation who knowingly contravenes any provision of this By-law or who fails to comply with an order made under this By-law or who obstructs or attempts to obstruct an officer in carrying out his or her duties under this By-law is guilty of an offence and on conviction is liable to a maximum fine of \$50,000 for a first offence and \$100,000 for any subsequent offence, recoverable under the provisions of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended, or any successor legislation thereto.
15. If a Person is convicted of an offence under this By-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
16. (1) An Officer may enter upon land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- a) this By-law;
  - b) a direction or order made under the *Municipal Act, 2001* or this By-law;
- (2) An Officer carrying out an inspection under subsection (1) may:
- a) require the production and inspection of documents or things relevant to the inspection;
  - b) inspect and remove documents or things relevant to the inspection for the purpose 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.
17. (1) If an Officer is satisfied that a contravention of this By-law has occurred, the Officer may make an order requiring the Person who contravened the By-law, or who caused or permitted the contravention to:
- a) discontinue the contravening activity, or
  - b) do work to correct or prevent the contravention.
- (2) An order made under subsection (1) shall set out:
- a) reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
  - b) the date on which there must be compliance with the order.

- (3) An order issued under subsection (1) shall be served personally or by registered mail to the last known address on the Person whom the Officer believes is contravening this By-law.
18. (1) No Person shall contravene an order made pursuant to this By-law.
- (2) If a Person fails to comply with an order under this By-law, the City may do the thing required by the order at the Person's expense.
- (3) The City may recover the costs of doing any thing or matter under subsection (2) by action or by adding the costs to the tax roll and collecting in like manner as taxes.
19. No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct an officer who is exercising a power or performing a duty under this By-law, including refusing to identify themselves when requested to do so by an officer.

## **PART VI – MISCELLANEOUS**

### **Severability**

20. Where a court of competent jurisdiction declares any provision of this By-law invalid, or to be of no force or effect, the provision shall be deemed conclusively to be severable from the By-law and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

### **Plural/Singular**

21. In this By-law, unless the context otherwise requires, words imparting the singular number shall include the plural and further, the converse of the foregoing also applies where the context requires.

### **Short Title**

22. The short title of this By-law is the "Hamilton Off-Road Vehicle By-law".

### **Enactment**

23. This By-law comes into force and effect on the day it is passed.

**PASSED** this 9<sup>th</sup> day of July, 2021.

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk