



City of Hamilton

CITY COUNCIL AGENDA

21-016

Wednesday, September 15, 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

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. August 13, 2021

3.2. August 26, 2021

4. COMMUNICATIONS

4.1. Correspondence respecting Encampments:

4.1.a. Matthew Higginson

4.1.b. Gabriel Baribeau

4.1.c. Sarah Dawson

4.1.d. Katie McCrindle

4.1.e. Elke Taylor

4.1.f. Josiah Witt

4.1.g. Pedro Parkman

4.1.h. Deanna Rylott

4.1.i. Fernando Lennertz

Recommendation: Be received and referred to Item 6.1, Encampment Response Strategy.

4.2. Correspondence from Robert Brosius respecting the Ontario Big Cities Mayors unanimous resolution calling on the CRTC to reinstate its 2019 wholesale internet rate decision.

Recommendation: Be received.

4.3. Correspondence from the Municipality of Chatham-Kent requesting support for their resolution supporting affordable internet.

Recommendation: Be received.

4.4. Correspondence from James R. Charlton requesting that the City of Hamilton set aside one day a year to celebrate "Isaac Buchanan" Day.

Recommendation: Be received.

4.5. Correspondence from the County of Perth requesting support for their resolution respecting their relationship with Municipal Property Assessment Corporation (MPAC).

Recommendation: Be received.

4.6. Correspondence from the Township of Springwater requesting support for their resolution respecting a petition to include the PSA test for men into the National Health Care system.

Recommendation: Be received.

- 4.7. Correspondence from the Ministry of Environment, Conservation and Parks thanking the municipalities and conservation authorities who submitted exception requests Minister of the Ministry of Environment, Conservation and Parks regarding new governance provisions of the *Conservation Authorities Act (CAA)*.
Recommendation: Be received.
- 4.8. Correspondence from Paul Dube, Ombudsman of Ontario respecting Hamilton's process for assessing tax adjustment applications.
Recommendation: Be received.
- 4.9. Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting the third intake under the Audit and Accountability Fund in 2019
Recommendation: Be received and referred to the Senior Leadership Team for appropriate action.
- 4.10. Correspondence from Bryan Smith, President, Gravel Watch Ontario respecting Land Use Compatibility.
Recommendation: Be received and referred to the General Manager of Planning and Economic Development.
- 4.11. Correspondence from the Advisors to the Great Lakes Fishery Commission requesting support for their resolution addressing Great Lakes Fishery Commission funding, offshore productivity, Lake Trout Stocking in Lake Huron, and Canadian Legislation.
Recommendation: Be received.
- 4.12. Correspondence from Kerry Radigan, President, Ancaster Tennis Club requesting a minor amendment to the loan schedule of repayment approved by Council on June 9, 2021.
Recommendation: Be received and referred to the consideration of Item 7.1.
- 4.13. Correspondence from the Honourable Doug Downey, Attorney General in response to the Mayor's correspondence regarding municipal insurance costs and joint and several liability ("JSL").
Recommendation: Be received.
- 4.14. Correspondence from the City of Brantford requesting support for their resolution respecting participation in the "Year of the Garden" in 2022.
Recommendation: Be received.

- 4.15. Correspondence from the Native Women's Centre respecting Council's decision respecting the Sir John A. Macdonald statue at Gore Park.

Recommendation: Be received.

- 4.16. Correspondence from Robert Edmondson, Chair, Source Protection Committee for the Halton-Hamilton Pre-consultation on the Source Protection Plan - Halton-Hamilton Source Protection Region respecting the Source Protection Plan Pre-Consultation, Section 36

Updates. Deadline for comments is October 4, 2021 with Comments being forwarded to: sourceprotection@hrca.on.ca

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

- 4.17. Correspondence from the City of Port Colborne requesting support for their resolution phasing out Ontario's gas plants.

Recommendation: Be received.

5. COMMITTEE REPORTS

- 5.1. Planning Committee Report 21-013, September 7, 2021
- 5.2. Selection Committee Report 21-004, September 8, 2021
- 5.3. General Issues Committee Report 21-017, September 8, 2021
- 5.4. Audit, Finance and Administration Committee Report 21-013, September 9, 2021
- 5.5. Emergency and Community Services Committee Report 21-009, September 9, 2021
- 5.6. Public Works Committee Report 21-012, September 10, 2021
- 5.7. Hamilton Street Railway Company Shareholder Annual General Meeting Report 21-001, September 13, 2021
- 5.8. Hamilton Renewable Power Inc. Shareholder Annual General Meeting Report 21-001, September 13, 2021
- 5.9. Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 21-002, September 13, 2021

6. MOTIONS

- 6.1. Encampment Response Strategy - WITHDRAWN

- 6.2. Amendment to Item 11 of the Public Works Committee Report 21-004 respecting Installation of Traffic Calming Measures at Various Locations throughout Ward 6
- 6.3. Amendment to sub-section (a) to Item 5 of the Audit, Finance and Administration Committee Report 21-007, respecting the Council/Staff Relationship Policy (FCS21045 / CM21005) (City Wide)

7. NOTICES OF MOTIONS

- 7.1. Reconsideration of Item 4 of Audit, Finance & Administration Committee Report 21-009 respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12)

- 7.1.a. Amendment to Item 4 of Audit, Finance & Administration Committee Report 21-009 respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12)

8. STATEMENT BY MEMBERS (non-debatable)

9. COUNCIL COMMUNICATION UPDATES

- 9.1. August 6, 2021 to September 9, 2021

10. PRIVATE AND CONFIDENTIAL

- 10.1. Closed Council Minutes - August 26, 2021

Pursuant to Section 9.1, Sub-sections (d), (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and Section 239(2), Sub-Sections (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to 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.

- 10.2. Appointment to the Advisory Committee for Persons with Disabilities for the 2018-2022 Term

Pursuant to Section 9.1, Sub-section (b) of the City's Procedural By-law 21-021, as amended 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. 151
To Amend By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment
Ward: City Wide
- 11.2. 152
To Permanently Close and Sell a Portion of Utter Place, being Blocks 9 and 13 on Plan 62M-1256
Ward: 9
- 11.3. 153
Respecting Removal of Part Lot Control, Part of Block 68, Registered Plan No. 1057, municipally known as 99 Springstead Drive, Stoney Creek
PLC-21-006
Ward: 10
- 11.4. 154
Respecting Removal of Part Lot Control, Lots 112-151 and 288-291, Registered Plan of Subdivision 62M-1266, municipally known as 110, 112, 114, 116, 118, 120, 122, 124, 128, 130, 134, and 136 Skinner Road, 75, 77, 81, 83, 87-90, 93-96, 99-102 and 105-108 Kenesky Drive, 13, 15, 19, 21, 25, 27, 31, 33, 34, 36, 40-43, 46-49, and 52-55 Granite Ridge Trail, 77-80, 84-86, 90-93, 96-99, 102, and 104 Great Falls Boulevard, and 3, 5, 9, 11, 15, 17, 21, 23, 36, 38, 42, 44, 48, 50, 54, and 56 Ebenezer Drive
PLC-21-005
Ward: 15
- 11.5. 155
To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking
Schedule 8 (No Parking Zones)
Schedule 12 (Permit Parking Zones)
Schedule 13 (No Stopping Zones)
Schedule 14 (Wheelchair Loading Zones)
Schedule 16 (Taxi Zones)
Ward: 1, 2, 3, 4, 5, 7, 12, 15

11.6. 156

To Amend By-law No. 01-215, Being a By-law to Regulate Traffic

Schedule 4 (Yield Control)

Schedule 5 (Stop Control)

Ward: City Wide

11.7. 157

To Confirm the Proceedings of City Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 21-014

9:30 a.m.
August 13, 2021
Council Chamber
Hamilton City Hall
71 Main Street West

Present: Mayor F. Eisenberger
Councillors M. Wilson, J. Farr, N. Nann, T. Jackson, J.P. Danko, B. Clark, M. Pearson, L. Ferguson, B. Johnson, J. Partridge, A. VanderBeek and S. Merulla.

Absent: Councillor T. Whitehead – Leave of Absence
Councillor E. Pauls – Personal
Councillor C. Collins (Deputy Mayor) - Personal

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

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.2 August 9, 2021 – Emergency Council Meeting

4. COMMUNICATIONS

Added Communications:

4.21 Correspondence respecting License Rental Housing:

- (a) Vicki Coughlan
- (b) Robert Cooper
- (c) Tyler Kam

- (d) Gina Pin
- (e) Ann Lawton-Barry
- (f) Todd Prior
- (g) Victor Hannah
- (h) Brian Folkes
- (i) J. Zita
- (j) Les Toronto
- (k) Joanne Zissopoulos
- (l) Lyn Folkes
- (m) Jim Folkes
- (n) Barb McKean and John Hannah
- (o) Susan Hammond
- (p) Helen Sherriff
- (q) Brenda Zsiros
- (r) Diane Elliott
- (s) S. Ewoniak
- (t) Joann Carrothers
- (u) Boris Krasevich
- (v) Catherine Mlekuz
- (w) Frank Criminisi
- (x) Barbara Bohm-Lee and Graham Lee
- (y) Andrew Stassen

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-012.

4.22 Correspondence respecting Encampments:

- (a) Ani Chenier
- (b) Councillor Farr's response to Ani Chenier's email (Item 4.22 (a))
- (c) Maya Lyn
- (d) Theo DiTommaso
- (e) Emma Ditchburn
- (f) Ben Robinson
- (g) Simon Lebrun
- (h) Craig Leonard
- (i) Montana Mellett
- (j) Alex Berze
- (k) Katie McCrindle
- (l) Jim Fitzgerald Jr.
- (m) Michelle Hruschka, Steel City Rising Against Poverty (SCRAP)
- (n) Kelly Wolf
- (o) Amber C. Boyle
- (p) Olivia Watkin-McClurg
- (q) Sarah Bennett
- (r) Kathleen Moore
- (s) Kara Jongeling
- (t) Mary-Elizabeth Gallacher

Recommendation: Be received and referred to the consideration of Item 3.2,

August 9, 2021 Emergency Council Meeting Minutes.

4.23 Correspondence GRIDS 2 & Municipal Comprehensive Review - Consultation Update & Evaluation Framework & Phasing Principles:

- (a) Alida Wilson
- (b) Alana Didur
- (c) Brian Cumming
- (d) Maxine Morris-Zecchini

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 21-015.

Changes to the disposition of Communication Items:

4.3 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution supporting the Big City Mayors (OBCM) call for action on ambitious mental health and addiction plan.

Recommendation: Be **endorsed**.

4.9 Correspondence from the City of Woodstock requesting support for their resolution calling on the Provincial government to immediately work together on both short and long term solutions, complete with funding, to take proper responsibility and action to address the affordable housing, homelessness, and addiction crisis.

Recommendation: Be **endorsed**.

7. NOTICES OF MOTION

7.1 Issuance of a Demolition Permit for 582 and 584 Highway No. 8, Stoney Creek

7.2 Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy

7.3 Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13)

7.4 Speed Cushion Traffic Calming Locations Ward 2

7.5 Encampment Response Strategy

10. PRIVATE AND CONFIDENTIAL

10.2 Closed Emergency Council Minutes August 9, 2021

11. BY-LAWS AND CONFIRMING BY-LAW

Bill 124 was renumbered to Bill 139:

- 139** To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Ward: 2,3,6,7 and 13
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 14 – Wheelchair LZ

Added Bills:

- 134 To Adopt Official Plan Amendment No. 29 to the Rural Hamilton Official Plan Respecting 822 and 914 Book Road West and 1376 Shaver Road (Ancaster)
Ward: 12
- 140 To Authorize the Execution of the Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream between the City of Hamilton and Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario
Ward: City Wide
- 141 To Establish City of Hamilton Land Described as Part 2 on Plan 62R-21169 as Part of Rachel Drive
- 142 To Extend the Time Period of the Interim Control By-laws respecting lands in the former Town of Dundas, generally in the area bounded by Patterson road to the north, Cootes Paradise to the south, Highway No. 6 to the east, and Valley Road/York road to the west (Pleasantview)
Ward: 13
- 143 To Amend Zoning By-law No. 05-200 with respect to an extension of the Temporary Use By-law for Outdoor Commercial Patios and an addition to and extension of the Temporary Use By-law for Temporary Tents
Ward: City Wide
- 144 To Amend Property Standards By-law No. 10-221, as Amended, a By-law to Prescribe Standards for the Maintenance and Occupancy of Property
Ward: City Wide
- 145 To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties
Ward: City Wide

- 146 To Amend City of Hamilton By-law 09-190, Being a By-law Requiring the Supply of Vital Services and To Amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 147 A By-law to Authorize the Use of Optical Scanning Vote Tabulators and to Authorize Use of a Special Vote by Mail as an Alternative Voting Method and to repeal By-law 17-059 and By-law 03-200
Ward: City Wide
- 148 To Amend By-law No. 21-021, the Council Procedural By-law
Ward: City Wide

Bills 134 to 137 were renumbered to accommodate the addition of a new Bill 134:

- 135 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 822 and 914 Book Road West and 1276 Shaver Road, Hamilton
Ward: 12
- 136 To Adopt: Official Plan Amendment No. 154 to the Urban Hamilton Official Plan
Respecting: 10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road (Flamborough)
Ward: 15
- 137 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 10, 39 and 40 Mallard Trail and 488 Dundas Street East (Flamborough)
Ward: 15
- 138 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 585 Skinner Road (Flamborough)
Ward: 15

(Pearson/Partridge)

That the agenda for the August 13, 2021 meeting of Council be approved, ***as amended.***

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

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

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

DECLARATIONS OF INTEREST

Councillor B. Johnson declared an interest to Item 4 of General Issues Committee Report 21-015 respecting Report LS16029(e)/PED16248(e), Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans – Urban Boundary Expansion, as her Administrative Assistant’s family is a party to the Appeal.

Councillor B. Clark declared a potential interest to Item 17 of General Issues Committee Report 21-016 respecting Report LS21030 – Indemnification of Legal Fees.

Councillor M. Pearson declared a conflict with Communication Item 4.21 respecting correspondence respecting License Rental Housing, as she is a landlord of rental properties.

Councillor M. Pearson declared a conflict with Item 9 of Planning Committee Report 21-012 respecting License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14), as she is a landlord of rental properties.

Councillor M. Pearson declared a conflict with Item 8 of Planning Committee Report 21-012 respecting Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide), as she is a landlord of rental properties.

Councillor A. VanderBeek declared a conflict with Communication Item 4.21 respecting correspondence respecting License Rental Housing, as she is a landlord of rental properties.

Councillor A. VanderBeek declared a conflict with Item 9 of Planning Committee Report 21-012 respecting License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14), as she is a landlord of rental properties.

Councillor A. VanderBeek declared a conflict with Item 8 of Planning Committee Report 21-012 respecting Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide), as she is a landlord of rental properties.

Councillor S. Merulla declared a conflict with Communication Item 4.21 respecting correspondence respecting License Rental Housing, as he is a landlord of rental properties.

Councillor S. Merulla declared a conflict with Item 9 of Planning Committee Report 21-012 respecting License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14), as he is a landlord of rental properties.

Councillor S. Merulla declared a conflict with Item 8 of Planning Committee Report 21-012 respecting Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide), as he is a landlord of rental properties.

APPROVAL OF MINUTES OF PREVIOUS MEETING
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3. July 9, 2021 (Item 3.1) and August 9, 2021**(Pearson/Farr)**

That the Minutes of the July 9, 2021 and August 9, 2021 meetings of Council be approved, as presented.

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

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

COMMUNICATIONS

(Merulla/Farr)

That Council Communications 4.1 to 4.23 be approved, *as amended*, as follows:

- 4.1 Correspondence from the City of Mississauga requesting support for their resolution marking this years Canada Day virtually and calling upon the Government of Canada to terminate its appeal of the 2019 Human Rights Tribunal Ruling, ordering Ottawa to pay compensation to First Nations Children and their families.

Recommendation: Be received.

- 4.2 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution urging the Government of Ontario to immediately provide funding sources for Municipalities for the ongoing maintenance and preservation repair of abandoned cemeteries in their care.

Recommendation: Be received.

- 4.3 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution supporting the Big City Mayors (OBCM) call for action on ambitious mental health and addiction plan.

Recommendation: Be endorsed.

- 4.4 Correspondence from Viv Saunders requesting that Committee consider reviewing and/or establishing guidelines for basic core amenities and locational criteria for the Soupie Program locations.

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

- 4.5 Correspondence from the City of Kitchener requesting support for their resolution advocating to the Federal and Provincial Governments to review actions that could be taken to help mitigate or offset the impacts related to the rising cost of building materials.

Recommendation: Be received.

- 4.6 Correspondence from the Township of Georgian Bay requesting support for their resolution respecting the implementation of the remaining 84 Truth and Reconciliation Commission of Canada: Calls to Action.

Recommendation: Be received.

- 4.7 Correspondence from Bob Berberick respecting Vacant property example.

Recommendation: Be received and referred to the General Manager of Finance and Administration for appropriate action.

- 4.8 Correspondence from Grant Bivol, NPCA Clerk / Board Secretariat, Niagara Peninsula Conservation Authority respecting the NPCA Water Quality Summary Report for the Year 2020.

Recommendation: Be received.

- 4.9 Correspondence from the City of Woodstock requesting support for their resolution calling on the Provincial government to immediately work together on both short and long term solutions, complete with funding, to take proper responsibility and action to address the affordable housing, homelessness, and addiction crisis.

Recommendation: Be endorsed.

- 4.10 Correspondence in response to Council's July 9, 2021 decision respecting the removal of the Sir John A. MacDonald Statue from Gore Park, Hamilton:

- (a) Rose Janson and Family
- (b) Equity Network of Dundas

Recommendation: Be received.

- 4.11 Correspondence from Uzma Qureshi respecting the NCCM Recommendations brought forward by the National Council of Canadian Muslims (NCCM) released July

19, 2021.

Recommendation: Be received and referred to the consideration of Item 6.2, Support for the NCCM Recommendations brought forward by the National Council of Canadian Muslims.

- 4.12 Correspondence from the Town of Cobourg requesting support for their resolution in support of Bill C-6, being an act to amend the Criminal Code of Canada (Conversion Therapy).

Recommendation: Be received.

- 4.13 Correspondence from Elke Taylor requesting action to remedy the encampment on the beach.

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

- 4.14 Correspondence from Grant Bivol, NPCA Clerk / Board Secretariat, Niagara Peninsula Conservation Authority requesting support and collaboration of their partner municipalities to include the provision of native pollinator habitat with specialized native plant species through future development and redevelopment processes.

Recommendation: Be received.

- 4.15 Correspondence from Grant Bivol, NPCA Clerk / Board Secretariat, Niagara Peninsula Conservation Authority respecting Report FA-45021, Compliance and Enforcement 2021 Q2 Statistics.

Recommendation: Be received.

- 4.16 Correspondence from the Honourable Steve Clark, Minister of Transportation in response to the Mayor's letter respecting concerns around the impacts of the COVID19 outbreak on renters and residential evictions.

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

- 4.17 Correspondence from Carole-Ann Durran respecting GRIDS 2 & Municipal Comprehensive Review - Consultation Update & Evaluation Framework & Phasing Principles.

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 21-015.

- 4.18 Correspondence respecting 1269 Mohawk Road, Ancaster ZAC-19-006:

- (a) Sarbjit Juneja
- (b) Mridula and Thidula Ganatra

- (c) Nick Dobler
- (d) Alice Dobler
- (e) Harsukh Ganatra
- (f) Shalini Sharma
- (g) Rajeev Sharma
- (h) Yaser Rahim
- (i) Vurdhaan Prinza
- (j) Thomas Kurian
- (k) Sunanda Jadon
- (l) Sumbal Malik
- (m) Shahnaz Tehseen
- (n) Shilpa Sanjeev and Sanjeev Sreenivasan
- (o) Sanjay Kumar Sharma
- (p) Rhian Thomas-Parasu
- (q) Rama Sharma
- (r) Nasser Malik
- (s) Nalin Amin
- (t) Komil Bhalla
- (u) Jyoti Hansra
- (v) Dr. Jasdev Bhalla
- (w) Sergio and Domenica Succi
- (x) Rajeev Sharma
- (y) Abhishek Sharma
- (z) Hassan Alayche
- (aa) Garvit Sharma
- (ab) Ashish Sharma

Recommendation: Be received and referred to the consideration of Bill 128.

- 4.19 Correspondence from the Honourable Deputy Minister Kate Manson-Smith, Ministry of Municipal Affairs respecting *Main Street Recovery Act*: Proclamation of Amendments to the *Municipal Act* and *City of Toronto Act*.

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

- 4.20 Correspondence from the City of Toronto requesting support for their resolution respecting Building the Early Learning and Child Care System Toronto Needs.

Recommendation: Be endorsed ***with the Mayor forwarding a letter to the Association of Municipalities of Ontario, Federation of Canadian Municipalities, municipalities in Ontario and Provincial and Federal Governments with the City of Hamilton's similar position on this matter.***

- 4.21 Correspondence respecting License Rental Housing:

- (a) Vicki Coughlan
- (b) Robert Cooper
- (c) Tyler Kam
- (d) Gina Pin

- (e) Ann Lawton-Barry
- (f) Todd Prior
- (g) Victor Hannah
- (h) Brian Folkes
- (i) J. Zita
- (j) Les Toronto
- (k) Joanne Zissopoulos
- (l) Lyn Folkes
- (m) Jim Folkes
- (n) Barb McKean and John Hannah
- (o) Susan Hammond
- (p) Helen Sherriff
- (q) Brenda Zsiros
- (r) Diane Elliott
- (s) S. Ewoniak
- (t) Joann Carrothers
- (u) Boris Krsevich
- (v) Catherine Mlekuz
- (w) Frank Criminisi
- (x) Barbara Bohm-Lee and Graham Lee
- (y) Andrew Stassen

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-012.

4.22 Correspondence respecting Encampments:

- (a) Ani Chenier
- (b) Councillor Farr's response to Ani Chenier's email (Item 4.22 (a))
- (c) Maya Lyn
- (d) Theo DiTommaso
- (e) Emma Ditchburn
- (f) Ben Robinson
- (g) Simon Lebrun
- (h) Craig Leonard
- (i) Montana Mellett
- (j) Alex Berze
- (k) Katie McCrindle
- (l) Jim Fitzgerald Jr.
- (m) Michelle Hruschka, Steel City Rising Against Poverty (SCRAP)
- (n) Kelly Wolf
- (o) Amber C. Boyle
- (p) Olivia Watkin-McClurg
- (q) Sarah Bennett
- (r) Kathleen Moore
- (s) Kara Jongeling
- (t) Mary-Elizabeth Gallacher

Recommendation: Be received and referred to the consideration of Item 3.2, August 9, 2021 Emergency Council Meeting Minutes.

4.23 Correspondence GRIDS 2 & Municipal Comprehensive Review - Consultation Update & Evaluation Framework & Phasing Principles:

- (a) Alida Wilson
- (b) Alana Didur
- (c) Brian Cumming
- (d) Maxine Morris-Zecchini

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 21-015.

Due to declared conflicts, Item 4.21 was voted on separately:

4.21 Correspondence respecting License Rental Housing:

- (a) Vicki Coughlan
- (b) Robert Cooper
- (c) Tyler Kam
- (d) Gina Pin
- (e) Ann Lawton-Barry
- (f) Todd Prior
- (g) Victor Hannah
- (h) Brian Folkes
- (i) J. Zita
- (j) Les Toronto
- (k) Joanne Zissopoulos
- (l) Lyn Folkes
- (m) Jim Folkes
- (n) Barb McKean and John Hannah
- (o) Susan Hammond
- (p) Helen Sherriff
- (q) Brenda Zsiros
- (r) Diane Elliott
- (s) S. Ewoniak
- (t) Joann Carrothers
- (u) Boris Krasevich
- (v) Catherine Mlekuz
- (w) Frank Criminisi
- (x) Barbara Bohm-Lee and Graham Lee
- (y) Andrew Stassen

Recommendation: Be received and referred to the consideration of Item 9 of Planning Committee Report 21-012.

Result: Motion on the Communication Item 4.21, CARRIED by a vote of 10 to 0, as follows:

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

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

Result: Motion on the balance of the Communication Items, as Amended, CARRIED by a vote of 13 to 0, as follows:

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

(Merulla/Farr)

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

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

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

SPECIAL GENERAL ISSUES COMMITTEE REPORT 21-015

(Merulla/Farr)

That Special General Issues Committee Report 21-015, being the meeting held on Wednesday, August 4, 2021, be received and the recommendations contained therein be approved.

2. GRIDS 2 and Municipal Comprehensive Review – Employment Land Review (PED17010(k)) (City Wide) (Item 8.2)**(Pearson/Jackson)**

WHEREAS, based on the broader community needs that these lands will meet;

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (a)(i) of Report PED17010(k), respecting the GRIDS 2 and Municipal Comprehensive Review – Employment Land Review, be **amended** by deleting the figure of “49.5” and replacing with the with figure of “**56.8**”; and by adding the words “**as amended**” to read as follows:
 - (a) That the Employment Land Review Report, dated August 4, 2021, attached as Appendix “C”, **as amended**, to Report PED17010(k), and the following conversions of Employment Lands, be approved by Council for implementation through the Municipal Comprehensive Review process:
 - (i) The conversion of ~~49.5~~ha **56.8 ha** of Employment Lands to non-employment designations as identified in Appendices “A” to “C”, **as amended**, attached to Report PED17010(k);
- (c) That sub-section (b) of Report PED17010(k), respecting the GRIDS 2 and Municipal Comprehensive Review – Employment Land Review, be **amended** by deleting the word “five” and replacing it with the word “**six**” and, by adding a new sub-section (vi), to read as follows:
 - (b) That the following ~~five~~ **six** privately-initiated conversion requests be deferred for consideration to later in the Municipal Comprehensive Review process to allow for additional information to be provided and evaluated; and, for the requests to be considered as part of the GRIDS 2 / MCR review of growth options:
 - (i) McMaster Innovation Park lands within the West Hamilton Innovation District, Hamilton (approximate area of conversion request 3.1 ha);

- (ii) 70 – 100 Frid Street (West Hamilton Innovation District “ANNEX precinct”), Hamilton (approximate area of conversion request 2.24 ha);
- (iii) Lands in the vicinity of Twenty Road West, bounded by Upper James Street, Twenty Road West, Dickenson Road and Glancaster Road, Glanbrook (approximate area of conversion request 55.2 ha);
- (iv) 700 Garner Road East, Ancaster (approximate area of conversion request 26.6 ha);
- (v) 1725 Stone Church Road East (approximate area of conversion request 7.38 ha); and,
- (vi) 1400 South Service Road.**

Result: Motion on Item 2, as Amended of the Special General Issues Committee Report 21-015, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 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 4 was voted on separately, as follows:

4. Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) Appeals of Rural and Urban Hamilton Official Plans (LS16029(d)/PED16248(d)) (City Wide) (Item 14.1)

- (a) That the direction provided to staff in Closed Session, respecting Report LS16029(d)/PED16248(d), respecting Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) appeals of Rural and Urban Hamilton Official Plans, be approved; and,

- (b) That Report LS16029(d)/PED16248(d), respecting Update regarding Ontario Land Tribunal (formerly Local Planning Appeal Tribunal) appeals of Rural and Urban Hamilton Official Plans and its appendices, remain confidential.

Result: Motion on Item 4 of the Special General Issues Committee Report 21-015, CARRIED by a vote of 12 to 0, as follows:

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

1. GRIDS 2 and Municipal Comprehensive Review - Consultation Update and Evaluation Framework and Phasing Principles (PED17010(I)) (City Wide) (Item 8.1)

(Clark/Wilson)

That Report PED17010(I), respecting GRIDS 2 and Municipal Comprehensive Review - Consultation Update and Evaluation Framework and Phasing Principles, be **amended** by adding a new sub-section (e) to read as follows:

- (e) That staff be directed to conduct a greenhouse gas comparison between the growth options under the MCR/GRIDS2 evaluation criteria.**

Result: Motion on the Amendment to Item 1 of the Special General Issues Committee Report 21-015, CARRIED by a vote of 12 to 1, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 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 Special General Issues Committee Report 21-015, as Amended CARRIED by a vote of 13 to 0, as follows:

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

(Merulla/Farr)

That Section 5.8(2) of the City's Procedural By-law 21-021, which provides that a minimum of 2 days shall pass before the Report of a Standing Committee, the Selection Committee, or other Committee that reports directly to Council is presented to Council to provide adequate opportunity for review, be waived in order to consider the General Issues Committee Report 21-016; Planning Committee Report 21-012; Board of Health Report 21-008, Public Works Committee Report 21-011 and Audit, Finance and Administration Committee Report 21-012.

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

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

GENERAL ISSUES COMMITTEE REPORT 21-016

(Merulla/Farr)

That General Issues Committee Report 21-016, being the meeting held on Monday, August 9, 2021, be received and the recommendations contained therein be approved.

At Council's request, Item 3 was voted on separately, as follows:

- 3. Feasibility of Creating a Technology Hub on South City Hall Lands (PED21109) (Ward 2) (Item 10.1)**
- (a) That staff be directed to prepare a land disposition strategy, through either a land sale or long-term land lease, for the City Hall Precinct Lands;
 - (b) That staff be directed to prepare all relevant technical due-diligence studies required for executing the land disposition strategy including the following:
 - (i) Land-use, zoning, heritage planning, massing, parks and open space, environmental assessment, sustainable design, and functional servicing studies;
 - (ii) Assessment of municipal corporate requirements, including capital and operational parking impact analysis;
 - (iii) Highest and Best Use determination;
 - (iv) Property appraisal, based on highest and best use; and,
 - (v) Review of municipal financial implications;
 - (c) That staff be directed to prepare options for Committee's consideration on a process to facilitate the land disposition for the City Hall Precinct lands;
 - (d) That Reserve Account #112221 entitled "Economic Development Investment Reserve" be approved for up to \$100,000, for any technical due diligence and expertise necessary to complete the approved direction; and establish a project ID;
 - (e) That staff be directed to report back to the General Issues Committee with recommendations for consideration, regarding the disposition for the City Hall Precinct lands, in first quarter of 2022; and,
 - (f) That staff be directed to consider the inclusion of a tower to accommodate staff located in other downtown locations in the review of the City Hall Precinct lands.

Result: Motion on Item 3 of the General Issues Committee Report 21-016, DEFEATED by a vote of 6 to 7, as follows:

NO - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 NO - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
 NO – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 NO - 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
 YES - Ward 9 Councillor Brad Clark

11. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) (Item 10.10)

(Merulla/Farr)

(a) That Item 11 of the General Issues Committee Report 21-016, respecting Report CM21010 - Hamilton's Federal Election Priorities 2021, be **amended** by deleting sub-section (b) in its entirety and replacing it with the following in lieu thereof:

~~(b) That staff be directed to report back to the General Issues Committee to provide relevant supplementary materials that will support election related meetings with candidates and campaign teams.~~

(b) That staff be directed to provide relevant supplementary materials to members of Council that will support election related meetings with candidates and campaign teams.

(b) That the word “and” be deleted from (a)(v) to read as follows:

(v) Championing rural and northern communities by committing to universal internet access and modernizing, streamlining funding tools; **and,**

Result: Motion on the Amendment to Item 11 of the General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins

YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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

(Wilson/Nann)

That sub-section (a)(iv), be **amended** to include the Muslim and Asian communities, to read as follows:

- (iv) Equity, Diversity and Inclusion – support for marginalized communities that have been impacted by hate related incidents, namely, the Black, Jewish, 2S-LGBTQIA+, **Muslim, Asian** and Indigenous communities;

Result: Motion on the Amendment to Item 11 of the General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

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

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

11. Hamilton's Federal Election Priorities 2021 (CM21010) (City Wide) (Item 10.10)

- (a) That the following Hamilton Priorities, be approved in advance of the Federal election:
 - (i) Supportive Housing & Tackling Poverty – addressing the economic impact of COVID-19 on vulnerable populations through supports for homelessness and an affordable housing strategy;

- (ii) Impacts of Climate Change – disaster mitigation and adaption support for areas either impacted or at risk of being impacted by the effects of Climate Change;
 - (iii) Strong Economic Recovery – investment in critical infrastructure to support economic development and continued support for workers and businesses recovering from COVID-19;
 - (iv) Equity, Diversity and Inclusion – support for marginalized communities that have been impacted by hate related incidents, namely, the Black, Jewish, 2S-LGBTQIA+, **Muslim, Asian** and Indigenous communities;
 - (v) Championing rural and northern communities by committing to universal internet access and modernizing, streamlining funding tools;
- (b) ***That staff be directed to provide relevant supplementary materials to members of Council that will support election related meetings with candidates and campaign teams.***

Result: Motion on Item 11, as Amended of the General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 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 17 was voted on separately as follows:

17. Indemnification of Legal Fees (LS21030) (City Wide) (Item 14.7)

- (a) That the direction provided to staff in Closed Session, respecting Report LS21030 - Indemnification of Legal Fees, be approved; and,
- (b) That Report LS21030, respecting the Indemnification of Legal Fees, remain confidential.

Result: Motion on Item 17 of the General Issues Committee Report 21-016, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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
CONFLICT - Ward 9 Councillor Brad Clark

Result: Motion on the balance of the General Issues Committee Report 21-016, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-012

(Danko/Johnson)

That Planning Committee Report 21-012, being the meeting held on Tuesday, August 10, 2021, be received and the recommendations contained therein be approved.

Councillor Jackson assumed the Chair so that the Mayor could move the following amendment to Planning Committee Report 21-012.

9. License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14) (Item 10.2)

(Eisenberger/Danko)

That Item 9 of the Planning Committee Report 21-012, respecting Report PED21097/LS21022 - License Rental Housing be **amended** to include the following sub-section (e) and renumber the existing sub-section (e) to (f):

- (e) That Staff report back to Planning Committee with an update every 6 months on the pilot project in Wards 1, 8 and parts of Ward 14; and**
- (f) That the contents of Appendix "C" to Report PED21097/LS21022 remain confidential under solicitor-client privilege.**

Result: Motion on the Amendment to Item 9 of the Planning Committee Report 21-012, CARRIED by a vote of 10 to 0, as follows:

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

The Mayor assumed the Chair.

Due to declared conflicts, Item 9, as **Amended** was voted on separately, as follows:

9. License Rental Housing (PED21097/LS21022) (Wards 1, 8 and parts of Ward 14) (Item 10.2)

- (a) That the draft By-law "Rental Housing Units" (Schedule 31) attached as Appendix "A" to Report PED21097/LS21022, which has been prepared in a form satisfactory to the City Solicitor be referred to the September 21st, 2021 Planning Committee meeting to satisfy the public notice requirement for implementation;**
- (b) That Staff prepare a transition plan to inform business property owners and tenants of the requirements of the pilot by-law, provide owners with**

adequate time and information to gain compliance and avoid displacement of tenants;

- (c) That Staff prepare a fee schedule to achieve full cost recovery with no net levy impact for the implementation of the 2 year pilot project in Wards 1, 8 and parts of Ward 14 at a total cost of \$2,014,992 with the creation of 10 temporary FTEs as follows: three full-time temporary zoning Staff to be funded from zoning verification fees; four full-time temporary Fire Inspectors to be funded from inspection fees; and one full-time temporary Licensing Administrator and two full-time temporary Licensing Compliance Officers to be funded from licensing fees;
- (d) That Staff report back to Planning Committee after the “Rental Housing Units” (Schedule 31) has been enacted for 18 months with an update on the pilot project; and,
- (e) ***That Staff report back to Planning Committee with an update every 6 months on the pilot project in Wards 1, 8 and parts of Ward 14; and***
- (f) That the contents of Appendix “C” to Report PED21097/LS21022 remain confidential under solicitor-client privilege.

Result: Motion on Item 9 of the Planning Committee Report 21-012, CARRIED, as Amended, by a vote of 10 to 0, as follows:

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

Due to declared conflicts, Item 8 was voted on separately, as follows:

8. Amendments to the Property Standards and Vital Services By-law (PED21049(a)) (City Wide) (Item 10.1)

- (a) That the amendment to the City of Hamilton Property Standards By-law 10-221 with respect to improvements and maintenance involving rental properties and apartments described in Report PED21049(a) and detailed

in the proposed amending By-law attached as Appendix "A" to Report PED21049(a) be approved;

- (b) That the amendment to Table 14 to the City of Hamilton Administrative Penalties By-law 17-255 described in Report PED21049(a) and detailed in the proposed amending By-law attached as Appendix "B" to Report PED21049(a) be approved;
- (c) That the amendment to the City of Hamilton Vital Services By-law 09-190 and the City of Hamilton Administrative Penalty By-law 17-255 described in Report PED21049(a) and detailed in the proposed amending By-law attached as Appendix "C" to Report PED21049(a) be approved; and,
- (d) That the amending By-laws attached as Appendix "A", Appendix "B", and Appendix "C" to Report PED21049(a), which has been prepared in a form satisfactory to the City Solicitor be enacted by Council.

Result: Motion on Item 8 of the Planning Committee Report 21-012, CARRIED by a vote of 10 to 0, as follows:

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

Result: Motion on the balance of the Planning Committee Report 21-012, CARRIED by a vote of 13 to 0, as follows:

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

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 21-008

(Wilson/Johnson)

That Board of Health Report 21-008, being the meeting held on Wednesday, August 11, 2021, be received and the recommendations contained therein be approved.

Councillor Merulla assumed the Chair so that the Mayor could move the following amendment to Board of Health Report 21-008.

2. Mandatory COVID-19 Vaccines and Vaccine Passport Programs (Added Item 11.1)

(Eisenberger/Farr)

That Item 2 of the Board of Health Report 21-012, respecting Mandatory COVID-19 Vaccines and Vaccine Passport Programs be **amended** to read as follows:

- (a) That the Mayor correspond with the **Prime Minister, Federal Minister of Health, Premier of Ontario, Ontario** Minister of Health and the Attorney General expressing Hamilton's desire for **Canada and** the Province of **Ontario** to institute Mandatory COVID-19 Vaccines, where permissible by law, and a Vaccine Passports Program with a copy being forwarded to local municipalities, **Federation of Canadian Municipalities** and the Association of Municipalities of Ontario; **and**
- (b) **That this resolution be shared with all local MPs and MPPs.**

Result: Motion on the Amendment to Item 2 of the Board of Health Report 21-008, CARRIED by a vote of 13 to 0, as follows:

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

The Mayor assumed the Chair.

Result: Motion on the Board of Health Report 21-008, as Amended, CARRIED by a vote of 13 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 21-011

(VanderBeek/Nann)

That Public Works Committee Report 21-011, being the meeting held on Wednesday, August 11, 2021, be received and the recommendations contained therein be approved.

2. Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Item 7.2)

(Farr/Danko)

That Item 2 respecting Report PW14107(a), Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study, be referred to the Public Works Committee for further discussion:

That staff be directed to apply to the Ministry of Environment, Conservation and Parks (MECP) for the installation of stormwater overflow into Ancaster Creek.

Result: Motion on the referral of Item 2 to the Public Works Committee, CARRIED by a vote of 13 to 0, as follows:

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

NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Public Works Committee Report 21-011,
CARRIED by a vote of 13 to 0, as follows:**

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

(Ferguson/Jackson)

That Council recess at 12:23 p.m.

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

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

Council reconvened at 12:55 p.m.

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-012
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(Ferguson/Pearson)

That Audit, Finance and Administration Committee Report 21-012, being the meeting held on Thursday, August 12, 2021, be received and the recommendations contained therein be approved.

2. Governance Review Sub-Committee Report 21-004 - June 25, 2021 (Item 10.1)

(Johnson/Partridge)

- (a) That Item 2 (b) (iv) respecting Governance Review Sub-Committee Report 21-004, Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide), be **amended** to refer the amendment to Sub-Section 3.4 (7) in Appendix A to the Audit, Finance and Administration Committee Report 21-012 to the Governance Review Sub-Committee for further discussion:

3.4 Special Meetings of Council

- (1) In addition to scheduled Council meetings, the Mayor may, at any time, summon a special meeting of Council by giving written direction to the Clerk stating the date, time, and purpose of the special meeting.
- (2) The Clerk shall summon a special meeting of Council when requested to do so in writing by a majority of Members of Council.
- (3) The Clerk shall give each Member of Council, or their designated staff, notice of a special meeting of Council at least 2 days before the time appointed for such meeting by:
 - (a) delivering a written notice personally;
 - (b) delivering such notice at their residence or place of business; or
 - (c) facsimile transmission or electronic mail to such residence or place of business.
- (4) The written notice to be given under subsection 3.4(3) shall state the nature of the business to be

considered at the special meeting of Council and no business other than that which is stated in the notice shall be considered at such meeting.

- (5) Notwithstanding subsection 3.4(4), other business may be considered at a special meeting with at least two-thirds of the Members of Council present and voting in the affirmative.
- (6) The Clerk shall prepare the Order of Business for a special meeting of Council with the appropriate selection of agenda categories from subsection 3.11.
- (7) ***Notwithstanding subsection 3.4(3), on urgent and extraordinary occasions, with the consent of the majority of all the Members of Council, recorded in the Minutes, a special meeting of the Council may be called by the Mayor without notice to consider and deal with such urgent and extraordinary matters.***

Result: Motion on the *Amendment* to Item 2 of the Audit, Finance and Administration Committee Report 21-012, CARRIED by a vote of 12 to 0, as follows:

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

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

2. Governance Review Sub-Committee Report 21-004 - June 25, 2021 (Item 10.1)

(a) Poll Results – Recording of Advisory Committee Meetings (FCS21054) (City Wide) (Outstanding Business List Item) (Item 7.1)

That Report FCS21054, respecting Poll Results – Recording of Advisory Committee Meetings, be received.

- (b) Virtual Participation of a Member of Council at Council, Standing Committee, Sub-Committee, Local Board, and Advisory Committee Meetings Outside of an Emergency (FCS21058) (City Wide) (Outstanding Business List Item) (Item 10.1)**
- (i) That Council approve the request for two (2) additional FTEs to support the provision of ongoing virtual participation of Members of Council and virtual delegations at Standing Committee and Sub-Committee meetings supported by the Office of the City Clerk, be referred to the 2022 budget deliberations for consideration;
 - (ii) That staff be directed to acquire the technology (equipment and the programming of software) to reconfigure the Council Chamber in order to conduct Hybrid meetings on an ongoing basis, to be funded from the Tax Stabilization Reserve at a cost not exceed \$30,000;
 - (iii) That staff be directed to acquire the technology (equipment and the programming of software) to reconfigure Room 264 in order to conduct Hybrid meetings on an ongoing basis, to be funded from the Tax Stabilization Reserve at a cost not exceed \$30,000; and,
 - (iv) That Council approve the amendments to the Procedural By-Law 21-021 outlined in **REVISED** Appendix “A” to Audit, Finance & Administration Report 21-012 to permanently allow Virtual Participation for Members of Council, Standing Committees, Sub-Committees, Citizen Advisory Committees, and delegations.

Result: Motion on Item 2 of the Audit, Finance and Administration Committee Report 21-012, as Amended, CARRIED by a vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
 YES – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
 YES – Ward 6 Councillor Tom Jackson
 NOT PRESENT - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 YES - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 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 Audit, Finance and Administration Committee Report 21-012, CARRIED by a vote of 12 to 0, as follows:

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

That the Committee of the Whole Rise and Report.

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

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

MOTIONS

6.1 Amendment to Item 2 of the Audit, Finance & Administration Committee Report 21-006, respecting Report FCS20069(b) – Tax and Rate Operating Budget Variance Report as at December 31, 2020 and Budget Control Policy

(Ferguson/Pearson)

WHEREAS, Council at its meeting of April 28, 2021, approved Item 2 of the Audit, Finance & Administration Committee Report 21-006, which was subject to finalization of the 2020 audited financial statements; and,

WHEREAS, the 2020 audited financial statements have now been finalized an amendment is required to reflect the total Hamilton Police Services' Surplus.

THEREFORE, BE IT RESOLVED:

- (a) That Sub-section (d) to Item 2 to the Audit, Finance & Administration Committee Report 21-006, respecting Report FCS20069(b) – Tax and Rate Operating Budget Variance Report as at December 31, 2020 and Budget Control Policy, be **amended** by removing the words “subject to finalization of the 2020 audited financial statements”, to read as follows:
 - (d) That , ~~subject to finalization of the 2020 audited financial statements~~, the Disposition of 2020 Year-End Operating Budget Surplus / Deficit, be approved as follows:
- (b) That the Table depicting the Disposition / Reconciliation of Year End Surplus (Deficit) referred to in Sub-Section (d) to Item 2 to the Audit, Finance & Administration Committee Report 21-006, respecting Report FCS20069(b) – Tax and Rate Operating Budget Variance Report as at December 31, 2020 and Budget Control Policy, be **amended** as follows:
 - (i) Corporate Surplus from Tax Supported Operations – deleting \$55,325,707 and replacing it with **\$54,763,630**;
 - (ii) Disposition to/from Self-Supporting Programs & Agencies - deleting \$(6,063,995) and replacing it with **\$(5,501,918)**; and,
 - (iii) Less: Police (Transfer to Police Reserve) – deleting \$(2,690,482) and replacing it with **\$(2,128,405)**;

DISPOSITION / RECONCILIATION OF YEAR-END SURPLUS/ (DEFICIT)	\$	\$
Corporate Surplus from Tax Supported Operations		\$ 54,763,630
Disposition to/from Self-Supporting Programs & Agencies		\$ (5,501,918)
Less: Police (Transfer to Police Reserve)	\$ (2,128,405)	
Less: Library (Transfer to Library Reserve)	\$ (3,333,841)	
Less: Farmers Market (Transfer to Hamilton Farmers Market Reserve)	\$ (39,672)	
Balance of Corporate Surplus		\$ 49,261,712
Less: Transfer to Social Housing Stabilization Reserve		\$ -
Less: Transfer for Ontario Summer Student Jobs Services		\$ -
Less: Transfer of HUC Dividend to Unallocated Capital Levy Reserve		\$ -
Less: Transfer for Concessionary Loans		\$ -
Less: Transfer to Tax Stabilization Reserve		\$ (2,000,000)
Less: Transfer to Early Years System Reserve		\$ (3,000,000)
Add: Transfer from HEF Capital Project Reserve		\$ 903,318
Less: Transfer to fund 2021 "Rent Ready" Program		\$ (1,000,000)
Less: Transfer to fund Menstrual Products Affordability Pilot Program		\$ (121,000)
Less: Transfer to Climate Change Reserve		\$ (1,500,000)
Less: Transfer to 2022 Capital Budget - Recreation Facilities Discretionary Block (Unallocated Capital Levy Reserve)		\$ (700,000)
Less: Transfer to ATS Reserve for PRESTO Agreement		\$ (162,872)
Less: Transfer to fund Red Hill Creek Inquiry		\$ (5,000,000)
Less: Transfer to Sick Leave Liability - General Reserve		\$ (1,300,000)
Less: Transfer to fund shortfall in Development Charge Exemptions		\$ (15,100,000)
Less: Hamilton Status of Women Advisory Committee - Donation of Remaining 2020 Budget Allocation		\$ (3,996)
Less: Transfer to COVID-19 Emergency Reserve		\$ (20,277,162)
Balance of Tax Supported Operations		\$ -
Corporate Deficit from Rate Supported Operations		\$ (4,592,662)
Add: Transfer from the Rate Supported Water Reserve		\$ 10,211,949
Less: Transfer to the Rate Supported Wastewater Reserve		\$ (5,619,287)
Less: Transfer to the Rate Supported Stormwater Reserve		\$ -
Balance of Rate Supported Operations		\$ -

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

- YES - Ward 1 Councillor Maureen Wilson
- YES – Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
- YES – Ward 6 Councillor Tom Jackson
- NOT PRESENT - Ward 7 Councillor Esther Pauls
- YES - Ward 8 Councillor John-Paul Danko
- YES - Mayor Fred Eisenberger
- YES - Ward 15 Councillor Judi Partridge
- 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 Support for the NCCM Recommendations brought forward by the National Council of Canadian Muslims

(Farr/Clark)

WHEREAS, Council was requested to respond to the City of Hamilton's Muslim leaders respecting the municipal portion of the NCCM Recommendations brought forward by the National Council of Canadian Muslims (NCCM) released July 19, 2021 and attached as Appendix A to this motion;

WHEREAS, the City of Hamilton's Muslim leaders are requesting endorsement and commitments to several of the recommendations within NCCM Recommendations;

WHEREAS, there is city-wide concern after the Islamophobic attack, in the City of Hamilton, allegedly by a Cambridge man, on the wife and daughter of Imam, Kamal Gurgi of our cherished downtown mosque;

WHEREAS, the National Council of Canadian Muslims has called a National Summit on Islamophobia taking place on Thursday, July 22, 2021, which is designed to engage all levels of government to take action on dismantling Islamophobia; and

WHEREAS, in order to reassure the National Council of Canadian Muslims that City of Hamilton is in support of the NCCM Recommendations at the municipal level.

THEREFORE, BE IT RESOLVED:

- (a) That the Director of By-Law Enforcement be directed to report back to Planning Committee on options to create and/or amend a by-law(s) to undertake NCCM Recommendation 55:
 55. Pass municipal street harassment bylaws that are proportional and constitutional such as the approach now being adopted in Edmonton after the NCCM initiative. Bylaws should also address clearly hateful verbal assaults and give authorities the ability to ticket and fine when necessary.
- (b) That the Director of Government Relations and Community Engagement be directed to meet with local leaders of the National Council of Canadian Muslims and report back to the General Issues Committee on a plan that celebrates the history of local Muslims and assists in directing these leaders to existing programs, such as the City Enrichment Fund, to undertake NCCM Recommendation 59:
 59. Invest in celebrating the history of local Canadian Muslims and initiatives through a concrete program that brings these figures and names to the forefront of local-level recognition. Municipalities should fund events and spaces where their accomplishments are celebrated in a way that clearly shows that Muslims have made real contributions to Canadian society and are far from the violent caricatures that constantly make the news.

- (c) That the Director of Government Relations and Community Engagement be directed to work with local leaders of the National Council of Canadian Muslims to determine what dedicated local funding may be required to fulfil community-based anti-Islamophobia initiatives and report back to the Audit, Finance and Administration Committee, to undertake NCCM Recommendation 56:
56. Municipalities provide dedicated funding for local community-based anti-Islamophobia initiatives.
- (d) That the Director of Government Relations and Community Engagement be directed to report back to the Audit, Finance and Administration Committee on local anti-Islamophobic public awareness campaigns and options respecting a potential program(s) for training young Muslim leaders for the future, to undertake NCCM Recommendations 58 and 61:
58. Municipalities dedicate specific funding for anti-Islamophobia public awareness campaigns.
61. Develop models for training young Muslim leaders for the future such as Youth Fellowship program in Toronto.
- (e) That NCCM Recommendation 60, be referred to the Hamilton Police Services Board for consideration:
60. Redirect funding towards alternative measures to policing in municipal budgets.

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

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

6.3 Supporting Community Resilience through the Powell Park Community Garden in Ward 3**(Nann/Jackson)**

WHEREAS, the Powell Park Community Garden is run by a group of Ward 3 resident volunteers who grow food to support local community food access; and

WHEREAS, the COVID-19 pandemic has resulted in an increase need for access to fresh, nutritious food.

THEREFORE, BE IT RESOLVED:

- (a) That \$675 from the Ward 3 Bell Tower Fund (Account #3301609603) be allocated to the GALA Community Planning Team to assist in covering the costs associated with the Powell Park Community Garden; 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.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Block Party Assistance Program**(Farr/Eisenberger)**

WHEREAS, the COVID-19 pandemic has taken its toll on citizens to various degrees, which for so many includes an absence in socializing safely with friends and neighbours;

WHEREAS, there is an interest from some residents during phase three of reopening to safely hold block parties on streets where they live and within the parameters and guidelines of Ontario's Roadmap to Reopen;

WHEREAS, Council has been a leader in ensuring that the safe return to events in Hamilton is incentivized with many incentives and supports derived from the unprecedented work of the Mayor's Task Force on Economic Recovery, which included approving amendments to previous policies and fee reductions where applicable in an effort to bring our communities back to life in both work and play;

WHEREAS, the costs to host a block party can far exceed \$2,000.00, which includes but is not limited to, a street closure permit at approximately \$700 and contracting of a 3rd party company to close the street at approximately \$1,000, in addition to the current requirement for the these types of street closures to go through a Special Events Advisory Team process, which creates the potential for delays and further restrictions.

THEREFORE, BE IT RESOLVED:

That the appropriate staff be requested to report back to the next Emergency and Community Services Committee meeting with options for residents wishing to hold safe block parties that are less costly and more efficiently approved.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Commemorating the 75th Anniversary of the Stelco Strike in Woodlands Park in Ward 3

(Nann/Wilson)

WHEREAS, Ward 3 residents have initiated a historical and artistic placemaking project to commemorate the 75th Anniversary of the Stelco workers strike in Woodlands Park;

WHEREAS, this placemaking project aims to commemorate Woodlands Park historical role as the "Workers' Park," a place for organizing; and

WHEREAS, the project aims to speak to the past and ongoing community resilience and strength of residents in the area while also inspiring local involvement in future park renewal.

THEREFORE, BE IT RESOLVED:

- (a) That \$1500 from the Ward 3 Bell Tower Fund (Account # 3301609603) be allocated to the Barton Village BIA to assist in covering the costs of the project works; 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.

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 Issuance of a Demolition Permit for 582 and 584 Highway No. 8, Stoney Creek

(Pearson/Farr)

WHEREAS the owner/developer of the above-mentioned properties is in the process of bringing forward a development proposal to Planning Committee in due course; and

WHEREAS there have been ongoing issues with security of the two vacant homes creating ongoing safety and property standards concerns for the surrounding neighbours and owner.

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 582 and 584 Highway No. 8, Stoney Creek in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of the *Planning Act* as amended, without having to comply with the conditions of 6(a), (b), and (c) of the Demolition Control By-law 09-208.

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

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

6.7 Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy

(Nann/Jackson)

WHEREAS at its meeting of May 8th and 9th, 2019 the Council of the City approved Item 10.1 of Emergency and Community Services Committee Report No. 19-004 thereby authorizing and directing the General Manager of Healthy and Safe Communities (“GM”), or his designate, to enter into and execute an Agreement with Employment and Social Development Canada to administer the Reaching Home Program as of April 1, 2019 and any ancillary agreements required to give effect thereto in a form satisfactory to the City Solicitor;

WHEREAS, an agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of Employment and Social Development Canada Employment and Social Development Canada (the “Minister”) was signed by the General Manager on March 22, 2019 (the “Agreement”) which provided for \$29,462,653.00 to be used over the course of 5 years 2019 to 2024;

WHEREAS the Agreement was amended on June 13, 2019 to provide for an increase in funding of \$522,840.00;

WHEREAS the Minister has agreed to provide additional funding in the amount of \$4,242,360.00 to be used in the 2021 fiscal year subject to the Agreement being further amended to provide for the increased funding;

WHEREAS the amended Agreement would contain the same terms and conditions as the original agreement except for the additional funding and the requirement that it be used in the 2021 fiscal year; and

WHEREAS the authority and direction to the General Manager provided by Council at its meeting of May 8th and 9th did not include the authority or direction for the General Manager to enter into and execute an amended Agreement;

THEREFORE, BE IT RESOLVED:

- (a) That Sub-section (a) to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy, be **amended**, to read as follows:
- (a) That the General Manager of Healthy and Safe Communities, or **their** designate, be authorized and directed to enter into and execute **an amendment to the agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of Employment and Social Development Canada, signed by the General Manager on March 22, 2019 and amended on June 13, 2019 (the "Agreement") to provide for additional funding in the amount of \$4,242,360.00 to be used in the 2021 fiscal year** to administer the Reaching Home Program as of April 1, 2019 in a form satisfactory to the City Solicitor;
- (b) That Sub-section (d) to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy, be included, to read as follows:
- (d) **That the General Manger be authorized and directed to enter into and execute any further amendments to the Agreement in order to obtain additional funding on such terms and conditions satisfactory to the GM and in a form satisfactory to the City Solicitor.**

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

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

YES - Ward 15 Councillor Judi Partridge
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

6.8 Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13)

(VanderBeek/Wilson)

WHEREAS, the heavy rain event on August 7 and 10, 2021, caused basement flooding at properties within Ward 13 in the City of Hamilton.

THEREFORE, BE IT RESOLVED:

- (a) That for the purpose of invoking the Residential Relief Assistance Program for Basement Flooding, City Council declare the heavy rain event of August 7 and 10, 2021, as a “Disaster” for all affected properties within Ward 13 in the City of Hamilton;
- (b) That payment of claims be based on compassionate grounds only and not be construed as an admission of liability on the part of the City of Hamilton;
- (c) That the Eligibility Criteria for the Residential Municipal Disaster Relief Assistance Program as previously approved in report FCS06007 be applied;
- (d) That the costs associated with these claims be funded from the Storm Sewer Reserve 108010; and,
- (e) That staff be authorized, if necessary, to retain an independent adjusting service for the administration of claims under the Residential Municipal Disaster Relief Assistance Program and that these administrative costs be funded from the Storm Sewer Reserve 108010.

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

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

6.9 Speed Cushion Traffic Calming Locations Ward 2

(Farr/Jackson)

WHEREAS, as a direct result of resident engagement respecting safer roads for all road and sidewalk users, speed cushions have been requested.

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on the following roadways as part of the 2021 Traffic Calming Program (Fall 2021 Installation):
 - (i) Young Street (three cushions), between Ferguson Street South and Hughson Street South.
 - (ii) Duke Street, between Hess Street and Queen Street
 - (iii) Bold Street, between Hess Street and Queen Street
 - (iv) Caroline Street North (two cushions), between Barton and Central Park
 - (v) Liberty Street, between Grove Street and Grange Street
 - (vi) Park Street South, between Markland and Herkimer
- (b) That all costs associated with the installation of traffic calming measures at the identified locations throughout Ward 2 be funded from the ward 2 minor maintenance Account (Account # 4031911602) at a total cost not to exceed \$88,000 (including contingency); and,
- (c) That the Mayor and Clerk be Authorized and directed to execute any required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor

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

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

YES - Ward 15 Councillor Judi Partridge
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

NOTICES OF MOTION

7.1 Issuance of a Demolition Permit for 582 and 584 Highway No. 8, Stoney Creek

(Pearson/Farr)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Issuance of a demolition permit for 582 and 584 Highway No. 8, Stoney Creek.

Result: Motion CARRIED by a 2/3 vote of 12 to 0, as follows:

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

7.2 Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy

(Nann/Jackson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting an Amendment to Item 5 of the Emergency & Community Services Committee Report 19-004, respecting Report HSC19008(a) – Reaching Home: Canada's Homelessness Strategy.

Result: Motion CARRIED by a 2/3 vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 6.7 for further disposition of this item.

7.3 Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13)

(VanderBeek/Wilson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Residential Municipal Relief Assistance Program for Basement Flooding for the Heavy Rain Event of August 7 and 10, 2021 (Ward 13).

Result: Motion CARRIED by a 2/3 vote of 12 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
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 6.8 for further disposition of this item.

7.4 Speed Cushion Traffic Calming Locations Ward 2

(Farr/Jackson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Speed Cushion Traffic Calming Locations Ward 2.

Result: Motion CARRIED by a 2/3 vote of 11 to 0, as follows:

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - 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 6.9 for further disposition of this item.

7.5 Encampment Response Strategy

Councillor Wilson introduced the following Notice of Motion respecting Encampment Response Strategy:

WHEREAS on August 9, 2021 Hamilton City Council voted to repeal its Encampment Response Protocol that permitted unhoused individuals to shelter in public spaces for up to 14 days;

WHEREAS the City of Hamilton will return to pre-pandemic enforcement levels that prevents anyone from sheltering on city property including public park areas effective Aug 30, 2021;

WHEREAS the city of Hamilton’s pre-pandemic enforcement level resides within the domain of Municipal Bylaw Enforcement with support from the Hamilton Police Service;

WHEREAS the guiding principles and approach of the Encampment Response Protocol enabled an assessment of the individual health and social needs of those living in an encampment and an approach during the 14 day period that would provide supports including but not limited to the following:

- engagement that treats every individual from a rights-based approach, ensuring dignity and confidentiality is maintained;
- An assessment of health and social needs of individual with consent;
- Immediate work on a personalized housing plan with consent;
- Determine previous (if any) barriers affecting access into the system and attempt to resolve them;
- Informing individuals of the timeline for encampment removal taking into consideration location and individual health and social circumstances;
- Assist with the movement to shelter/housing including but not limited to transportation, financial assistance, and storage of possessions.
- Ensures abandoned belongings and litter are cleared and the site is cleaned.

WHEREAS there is no formal, publicly established approach to how the pre-pandemic enforcement level will operate and the role of the encampment response team (includes representatives from the City of Hamilton Housing Services Division and Street Outreach Team, Municipal Law Enforcement, Public Works and Hamilton Police Services Social Navigator Program) is undefined;

WHEREAS the City of Hamilton recognizes the rise in unsheltered homelessness during COVID-19 continues to highlight ongoing systemic health, social and economic inequities and remains an ongoing concern for the City;

WHEREAS in its Housing and Homelessness Action Plan (HHAP) the city of Hamilton committed to taking an individualized, person-centred approach to housing by connecting those experiencing homelessness with the available community resources and supports;

WHEREAS the Housing and Homelessness Action does not include an approach of responding homeless individuals living in encampments;

WHEREAS the City of Hamilton has formally acknowledged that all actions and decisions relating to housing and homelessness policy, programs and services must use a formalized equity, diversity and inclusion framework and Gender Based Analysis (GBA+) to ensure they are effectively meeting the specific needs of a diversity of individuals;

WHEREAS the Hamilton Board of Health has acknowledged that trauma-informed services must be designed and delivered in a way that will not cause further traumatization or retraumatization;

WHEREAS the City of Hamilton through its Urban Indigenous Strategy (2019) committed to developing and strengthening its relationship with Indigenous Peoples;

WHEREAS action Item #24 in the city of Hamilton's Urban Indigenous Strategy Implementation Plan is to enable city staff to deliver city services in a culturally-appropriate way;

WHEREAS Indigenous Peoples experience homelessness at a higher rate than the general population and that homelessness amongst Indigenous Peoples is a colonial legacy;

WHEREAS the city of Hamilton has stated that its homeless servicing system must account for systemic over-representation of Indigenous Persons experiencing homelessness and aim to design a system that not only responds to Indigenous homelessness but also respects, honours and promotes the strength and resiliency of Indigenous Peoples (Coming Together to End Homelessness, July 2019)

WHEREAS the City of Hamilton has acknowledged that homelessness is a gendered experience, impacting single women, trans and non-binary individuals differently than single men or families;

WHEREAS the City of Hamilton unanimously declared an opioid overdose emergency in November 2019 in recognition that Hamilton's opioid-related death rate was more than double the provincial rate;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to report to Emergency and Community Services Committee the following:
 - (i) define encampment response strategy within the Housing and Homelessness Action Plan
 - (ii) define how encampment response strategy will be informed by an individualized, person-centred and Gender Based Analysis approach to ensure it effectively meets the specific needs of a diversity of individuals;
 - (iii) to respect, honour and promote the strength and resiliency of Indigenous Peoples experiencing homelessness
 - (iv) clarify the role and responsibility of the encampment response team following Council's termination of the Encampment Response Protocol
 - (v) identify the process to be followed once an encampment is identified
- (b) That staff consult with all necessary community and health organizations that currently serve homeless groups and individuals prior to.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Farr/Clark)

That the listing of Council Communication Updates from July 2, 2021 to August 5, 2021, be received.

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

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

NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - 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

PRIVATE AND CONFIDENTIAL

Council determined that discussion of Item 10.1 and 10.2 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

Closed Session Minutes – July 9, 2021 (Item 10.1) and August 9, 2021 (Item 10.2)

(Pearson/Nann)

That the Closed Session Minutes dated July 9, 2021 and August 9, 2021 be approved, as presented, and remain confidential.

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

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

BY-LAWS AND CONFIRMING BY-LAW

(Farr/Danko)

That Bills No. 21-125 to No. 21-149, as **Amended** 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:

- 125 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Schedule 5 – Parking Meters
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 14 – Wheelchair LZ
Schedule 16 – Taxi
Ward: 1, 2, 3, 4, 5, 8, 9, 11, 15

- 126 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 191 King Street West, Hamilton
Ward: 2
ZAD-20-021

- 127 To Repeal and Replace By-law No. 21-094, Respecting Removal of Part Lot Control Block “A”, Registered Plan No. 865, 270 Melvin Avenue, Hamilton
Ward: 4
PLC-21-002

- 128 To Amend Zoning By-law No. 87-57 Respecting Lands located at 1269 Mohawk Road (Ancaster)
Ward: 14
ZAC-19-006

- 129 To Amend Zoning By-law No. 90-145-Z Respecting Lands located at 585 Skinner Road, in the Former Town of Flamborough, now in the City of Hamilton
Ward: 15
ZAH-21-013

- 130 To Adopt Official Plan Amendment No. 152 to the Urban Hamilton Official Plan Respecting 15, 17 and 21 Stone Church Road East (Hamilton)
Ward: 8

- 131 To Amend Zoning By-law No. 05-200, Respecting Lands Located at 15, 17 and 21 Stone Church Road East, Hamilton
Ward: 8
ZAC-20-028

- 132 To Adopt Official Plan Amendment No. 153 to the Urban Hamilton Official Plan Respecting 466, 478, 482 and 490 Highway No. 8 (Stoney Creek)
Ward: 10

- 133 To Amend Zoning By-law No. 05-200 respecting lands located at 466 to 490 Highway No. 8, Stoney Creek
Ward: 10
ZAC-18-059
UHOPA-18-25

- 134 To Adopt Official Plan Amendment No. 29 to the Rural Hamilton Official Plan Respecting 822 and 914 Book Road West and 1376 Shaver Road (Ancaster)
Ward: 12
- 135 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 822 and 914 Book Road West and 1276 Shaver Road, Hamilton
Ward: 12
RHOPA-20-028
ZAR-20-045
- 136 To Adopt Official Plan Amendment No. 154 to the Urban Hamilton Official Plan Respecting 10, 39, and 40 Mallard Trail, 488 Dundas Street East and 585 Skinner Road (Flamborough)
Ward: 15
- 137 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 10, 39 and 40 Mallard Trail and 488 Dundas Street East (Flamborough)
Ward: 15
ZAC-19-046
- 138 To Amend Zoning By-law No. 90-145-Z (Flamborough), Respecting Lands Located at 585 Skinner Road (Flamborough)
Ward: 15
ZAC-19-046
- 139 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking
Ward: 2,3,6,7 and 13
Schedule 8 – No Parking
Schedule 12 – Permit
Schedule 13 – No Stopping
Schedule 14 – Wheelchair LZ
Ward: 2, 3, 6, 7, 13
- 140 To Authorize the Execution of the Transfer Payment Agreement for the Investing in Canada Infrastructure Program (ICIP): Public Transit Stream between the City of Hamilton and Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario
Ward: City Wide
- 141 To Establish City of Hamilton Land Described as Part 2 on Plan 62R-21169 as Part of Rachel Drive
- 142 To Extend the Time Period of the Interim Control By-laws respecting lands in the former Town of Dundas, generally in the area bounded by Patterson road to the north, Cootes Paradise to the south, Highway No. 6 to the east, and Valley Road/York road to the west (Pleasantview)
Ward: 13

- 143 To Amend Zoning By-law No. 05-200 with respect to an extension of the Temporary Use By-law for Outdoor Commercial Patios and an addition to and extension of the Temporary Use By-law for Temporary Tents
Ward: City Wide
- 144 To Amend Property Standards By-law No. 10-221, as Amended, a By-law to Prescribe Standards for the Maintenance and Occupancy of Property
Ward: City Wide
- 145 To Amend By-law 17-225, a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 146 To Amend City of Hamilton By-law 09-190, Being a By-law Requiring the Supply of Vital Services and To Amend City of Hamilton By-law 17-225, being a By-law to Establish a System of Administrative Penalties
Ward: City Wide
- 147 A By-law to Authorize the Use of Optical Scanning Vote Tabulators and to Authorize Use of a Special Vote by Mail as an Alternative Voting Method and to repeal By-law 17-059 and By-law 03-200
Ward: City Wide
- 148 To Amend By-law No. 21-021, the Council Procedural By-law, as **Amended**
Ward: City Wide
- 149 To Confirm the Proceedings of City Council

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

YES - Ward 1 Councillor Maureen Wilson
YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - Ward 5 Councillor Chad Collins
YES – Ward 6 Councillor Tom Jackson
NOT PRESENT - Ward 7 Councillor Esther Pauls
YES - Ward 8 Councillor John-Paul Danko
YES - Mayor Fred Eisenberger
YES - Ward 15 Councillor Judi Partridge
NOT PRESENT - Ward 14 Councillor Terry Whitehead
NOT PRESENT - 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 2:07 p.m.

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

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



CITY COUNCIL MINUTES 21-015

9:30 a.m.

August 26, 2021
Council Chamber
Hamilton City Hall
71 Main Street West

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

Absent: Councillor T. Whitehead – Leave of Absence
Councillor C. Collins – Deputy Mayor - Personal

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

APPROVAL OF THE AGENDA

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

(Partridge/Farr)

That the agenda for the August 26, 2021 meeting of Council be approved, as presented.

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

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

- YES - Ward 15 Councillor Judi Partridge
- 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

DECLARATIONS OF INTEREST

There were no declarations of interest.

(Merulla/Farr)

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

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

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

STAFF REPORTS

4.1 Mandatory COVID-19 Vaccination Verification Policy (HUR21008) (City Wide)

(Wilson/Johnson)

- (a) That Council approve the recommendation that the City implement the Mandatory COVID-19 Vaccination Verification Policy attached as Appendix “A” requiring proof of vaccination in the workplace, including a comprehensive testing, education and communication plan for unvaccinated staff.
- (b) That the Mandatory COVID-19 Vaccination Verification Policy applies to all City employees, including permanent, temporary, full-time, part-time, casual, volunteers, students, members of Council; and members of Council appointed committees.
- (c) That Appendix “B” to Report HUR21008, remain confidential and not be released publicly.

(Partridge/Pearson)

That the consideration of Report HUR21008, be deferred until after Council rises from Closed Session.

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

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

PRIVATE AND CONFIDENTIAL**(Ferguson/Clark)**

That Council move into Closed Session respecting Item 5.1, pursuant to Section 9.1, Sub-sections (d), (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and Section 239(2), Sub-Sections (d), (e), (f) and (k) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to 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.

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

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

STAFF REPORTS (CONTINUED)

4.1 Mandatory COVID-19 Vaccination Verification Policy (HUR21008) (City Wide)

(Wilson/Johnson)

- (a) That Council approve the recommendation that the City implement the Mandatory COVID-19 Vaccination Verification Policy attached as Appendix "A" requiring proof of vaccination in the workplace, including a comprehensive testing, education and communication plan for unvaccinated staff.
- (b) That the Mandatory COVID-19 Vaccination Verification Policy applies to all City employees, including permanent, temporary, full-time, part-time, casual, volunteers, students, members of Council; and members of Council appointed committees.
- (c) That Appendix "B" to Report HUR21008, remain confidential and not be released publicly.

(Clark/Pearson)

That the Terms and Conditions, first bullet of Section 1. Mandatory COVID-19 Vaccinations (Page 3 of 10 of Appendix "A"), be **amended** to add **"/or"**, to read as follows:

1. Mandatory COVID-19 Vaccinations

- All City of Hamilton employees are required to receive both doses of the COVID-19 vaccine and any subsequent recommended boosters to access a City facility for the purpose of conducting work, unless it is medically contraindicated, and/or they have completed the vaccination education and declared in writing that they do not want to be vaccinated.

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

YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 – Acting Deputy Mayor - Councillor Sam Merulla

NOT PRESENT - Deputy Mayor - 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

(Clark/Pearson)

That Report HUR21008 respecting the Mandatory COVID-19 Vaccination Verification Policy, be **amended** by adding a new sub-section (d) to read as follows:

- (d) That the City of Hamilton request the Province to provide legislation or regulatory guidance enabling municipalities to implement consistent Mandatory COVID-19 Vaccine Verification policies.**

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

YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr

YES - Ward 3 Councillor Nrinder Nann

YES - Ward 4 – Acting Deputy Mayor - Councillor Sam Merulla

NOT PRESENT - Deputy Mayor - 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

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

4.1 Mandatory COVID-19 Vaccination Verification Policy (HUR21008) (City Wide)

- (a) That Council approve the recommendation that the City implement the Mandatory COVID-19 Vaccination Verification Policy attached as Appendix “A”, **as Amended**, requiring proof of vaccination in the workplace, including a comprehensive testing, education and communication plan for unvaccinated staff.
- (b) That the Mandatory COVID-19 Vaccination Verification Policy applies to all City employees, including permanent, temporary, full-time, part-time, casual, volunteers, students, members of Council; and members of Council appointed committees.
- (c) That Appendix “B” to Report HUR21008, remain confidential and not be released publicly; and
- (d) That the City of Hamilton request the Province to provide legislation or regulatory guidance enabling municipalities to implement consistent Mandatory COVID-19 Vaccine Verification policies.**

Result: Main Motion, as Amended CARRIED by a vote of 13 to 1, as follows:

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

(Merulla/Jackson)

That the Committee of the Whole Rise and Report.

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

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

BY-LAWS AND CONFIRMING BY-LAW

(Merulla/Farr)

That Bill No. 21-150 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:

150 To Confirm the Proceedings of City Council

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

- YES - Ward 1 Councillor Maureen Wilson

YES – Ward 2 Councillor Jason Farr
YES - Ward 3 Councillor Nrinder Nann
YES - Ward 4 – Acting Deputy Mayor - Councillor Sam Merulla
NOT PRESENT - Deputy Mayor - 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/Partridge)

That, there being no further business, City Council be adjourned at 12:08 p.m.

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

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

Janet Pilon
Acting City Clerk

4.1 (a)

Pilon, Janet

Subject: Please Improve the Encampment Protocol, Not Remove It.

From: Matthew Higginson

Sent: August 13, 2021 3:21 PM

To: clerk@hamilton.ca; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Spadafora, Gemma <Gemma.Spadafora@hamilton.ca>; Office of the Mayor <mayor@hamilton.ca>

Subject: Please Improve the Encampment Protocol, Not Remove It.

Hello Councillor Nann, Clerk Holland and Mayor Eisenberger,

I am writing in response to the emergency meeting and the resulting announcement that Hamilton will be returning to the “pre-pandemic enforcement of camping bylaws.”

Since moving here in 2019 I have learned a lot about the history of this place, the ongoing housing crisis, and the obstacles that would lead folks to feel that living in a tent is their best option.

Mayor, you said recently that “the pandemic has underscored the increasing need for access to safe, humane, and affordable housing.” While I agree with this in principle, removing homes that people currently live in before we can deliver on the promise of future housing is very troubling.

As pointed out by the Hamilton Encampment Support Network, we have somewhere around 11,350 homes vacant across the city - many of which I pass by daily. And as the Stop Sprawl campaign, which visited city hall a couple of weeks ago highlighted, there are many more vacant lots that could be transformed into middle density housing, connecting the issues of our climate emergency with the current housing crisis. But instead we see unaffordable condos on the rise as we make our way downtown.

So, do I tell my kids that this is the housing you are referring to? When they ask where our neighbours in tents will go after the city workers clear them away, how do I answer them? And what specifically is the plan to get folks in the door of these “safe[er], [more] humane” places - or to make them “affordable”?

According to the Toronto Star, estimates put the vacancy rate of Toronto’s condos at about 5.6%. If this is a risk when we build condos - that they may well remain empty - are we not actively pushing marginalized folks out of our city for seeing the writing on these towers and trying to make it on their own?

As noted by the Hamilton Encampment Support Network (HESN), “[e]ncampment evictions have been and continue to be dehumanizing, insidious displays of violence in a sustained municipal war on Black, Indigenous, racialized, disabled, poor, and unhoused communities, both in so-called Hamilton as well as across Turtle Island.”

I understand that the Ward in which I live also has one of the lowest vaccination rates in this province - right as we are set to face a fourth and unpredictable wave of a global pandemic. This presents an even more pressing reason to support our neighbours who live in encampments rather than threaten to marginalize them further.

I am disappointed at the speed with which this was brought to a decision and that it happened behind closed doors without public input. I believe this is unjust and lacks compassion and I do not believe it reflects the values of our city.

We can and must do better.

We must listen to the people who will be directly affected - listen to the voices of the people this policy seeks to remove.

Where will they go?

Do they feel safe?

Is this a humane approach?

And what is affordable, actually?

Sincerely,

Matthew Higginson

Pilon, Janet

Subject: Encampment protocol

From: Gabriel Baribeau

Sent: August 12, 2021 1:01 PM

To: clerk@hamilton.ca

Cc: Hamilton Encampment Support Network <info@hesn.ca>

Subject: Encampment protocol

Dear City Clerk,

The vote to remove the encampment protocol is abhorrent, and senseless. While there is not enough appropriate housing available for the community currently existing in encampments, policing the houseless populations existing on public property is malevolent and abusive. What makes this moment in time different then the point at which this protocol was installed? Was more housing built? Have landlords holding empty buildings been held accountable? What numbers have changes to show that these people have somewhere to go that is safe?

Let me know your thoughts

And please pass this on to whom it may concern

Gabriel

Pilon, Janet

Subject: End encampment evictions in Hamilton

From: Sarah Dawson

Sent: August 13, 2021 5:52 PM

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

Cc: Hamilton Encampment Support Network <info@hesn.ca>

Subject: End encampment evictions in Hamilton

Hello,

I am a Hamilton resident (ward 2) and I am opposed to the city's decision to end the bylaw enforcement protocol. More importantly, I am opposed to the ongoing encampment evictions in the middle of a pandemic and an opioid epidemic, in one of the most unaffordable cities on the continent, and in which the alternatives are totally inadequate. This shocking cruelty is not going unnoticed.

Sarah Dawson

Pilon, Janet

Subject: End encampment evictions

From: Katie McCrindle

Sent: August 10, 2021 3:26 PM

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

Cc: info@hesn.ca

Subject: End encampment evictions

To whom it may concern,

Encampment evictions need to end and safe, affordable housing needs to be provided to every person needing them. I find it atrocious that Council is evicting people from the only place they have to go. Shelters are at max capacity and are difficult/dangerous places to be anyways. Why are there numerous buildings going up in Hamilton and tons of empty places and yet housing can't be provided? Shameful.

Sincerely,
Katie McCrindle

Pilon, Janet

Subject: Encampments - More Information

From: Elke

Sent: Tuesday, August 24, 2021 3:32 PM

To: Pilon, Janet <Janet.Pilon@hamilton.ca>

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

Subject: 4.1 (e) Encampments - More Information

- Van Wagner's Beach. I applaud your recent decision regarding encampments. It seems we are being held hostage by small groups who feel it is their right to set up camp anywhere, to rob us, threaten us and attack us. I have been a target. Members of these groups feel it is their right to deface and destroy public property.
- There is an encampment of blue tents - not easily seen - close to the pavilion at Parking Lot 3 at Van Wagner's Beach. In addition, the beach is still littered with clothing and garbage in the bushes and on the beach.
- Gage Park. There has been a gradual deterioration of this beautiful park by small groups of people. Single tents have been erected, garbage etc. left behind. I had a conversation with one of the groundskeepers a while ago who told me park benches have been set on fire. As far as I know this is a park for everybody to enjoy, and not a campground. I saw tents close to picnic tables, where families bring their children. There are people who don't want to frequent the park anymore because of what is happening.

Elke Taylor

Pilon, Janet

Subject: On returning to pre-pandemic enforcement of camping bylaws

From: Josiah Witt
Sent: Sunday, August 22, 2021 7:57 AM
To: Farr, Jason <Jason.Farr@hamilton.ca>
Cc: clerk@hamilton.ca; info@hesn.ca
Subject: On returning to pre-pandemic enforcement of camping bylaws

Hello Councillor Farr,

As a Ward 2 resident, I'm emailing you to voice my disagreement and ask you reconsider your position supporting amending the city camping bylaws.

While I understand that having many residents camped out across the city may not be the ideal situation, I believe that your approach to this will actively cause more harm to these individuals as well as the community as a whole. Please do not rush into this and listen carefully to what the many wise advocates around the city are telling you.

Josiah Witt

Pilon, Janet

From: Pedro Parkman

Sent: Tuesday, August 31, 2021 4:59 AM

To: clerk@hamilton.ca

Subject:

I Pedro Parkman disagree with the encampment bylaw . Your going after people that already have a tough enough time with day to day living food clothing running water restrooms. Exe. Being harassed by bylaw officers and police will only make this much harder for them

Pilon, Janet

Subject: Reverse Encampment Protocol Decision

From: Deanna R

Sent: Monday, August 30, 2021 6:56 PM

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

Cc: info@hesn.ca

Subject: Reverse Encampment Protocol Decision

Hello and good evening,

I am a resident of Ward 1 in Hamilton, and am writing to express my concern, and quite frankly outrage, at the City's decision to end the encampment protocol and return to the violent pre-pandemic routine of evicting my unhoused neighbours immediately when setting up camp in a park.

It is absolutely shameful that you have decided to go back on the 14-day encampment protocol, especially given the fact that we are **still in the midst of a global pandemic** -- and a 4th wave in Hamilton at that.

I'd like to know why I can spend the whole day at the park with my loved ones in peace - but when my unhoused neighbours do so, they get the police called on them and their belongings thrown in the trash by the City's Encampment Response Team? This incredibly violent response has not only caused more harm to those who are already holding a vast amount of trauma due to being unhoused, but will only continue to perpetuate further harm now that this protocol has been lifted.

I am calling on you to immediately reinstate the encampment protocol throughout the City of Hamilton, and do what is expected of you by the public.

--

Deanna Rylott

Resident of Hamilton, Ward 1

Pilon, Janet

Subject: An appeal to stop the encampment evictions

From: Fernando Lennertz

Sent: Monday, August 30, 2021 5:04 AM

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

Cc: info@hesn.ca

Subject: An appeal to stop the encampment evictions

Dear Councillor Maureen Wilson and Mayor Fred Eisenberger,

I am writing to urge you to provide a more meaningful response to our housing crisis than the repeal of the Bylaw Enforcement Protocol. As Mayor Eisenberger recently underscored, more needs to be done to increase the access to safe, humane, and affordable housing in Hamilton. The encampments right now are one of the few forms of resistance in progress that provides for the basic needs of our most vulnerable citizens. The pandemic is not over yet and evicting people out of the precarious housing they could afford goes against the goal of better protecting the basic human right of housing. I urge you to please reconsider repealing the Bylaw Enforcement Protocol and to stop the evictions while no other solution to the housing crisis is secured.

Sincerely,

Fernando Lennertz

Pilon, Janet

Subject: CRTC

From: Robert Brosius

Sent: August 13, 2021 6:17 PM

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

Cc: clerk@hamilton.ca

Subject: CRTC

Dear Mayor Eisenberger,

I understand that by unanimous resolution, the Ontario Big Cities Mayors have called upon the CRTC to reinstate its 2019 wholesale internet rate decision. The CRTC chair Ian Scott has been instrumental in overturning the 2019 decision, and in my view has acted on behalf of big telecom companies, and against the interests of Canadians across the country. He should be fired.

Ontario big Cities Mayors have shown direct support for their constituents by supporting this unanimous resolution. Thank you for your support of this resolution, and for taking whatever additional action you can on behalf of your constituents, many of whom are, like me, struggling to survive the manifold impacts of an extended pandemic.

Yours respectfully,

Robert Brosius

4.3

August 11, 2021

The Right Honourable Justin Trudeau
Prime Minister of Canada
Justin.Trudeau@parl.gc.ca

Federal Cabinet
[Via email to each Minister](#)

The Honourable François-Philippe Champagne
Minister of Innovation, Science and Industry
Francois-Philippe.Champagne@parl.gc.ca

Re: Council Resolution Supporting Affordable Internet

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on August 9, 2021 passed the attached resolution.

Internet is a necessity, not a luxury for the vast majority of Canadians – a fact that has been highlighted throughout the ongoing COVID-19 pandemic. However, despite being an essential utility, too many people are struggling to afford reliable internet services, while some don't have access to broadband internet at all. Ontario residents, and Canadians from coast to coast to coast, should never have to choose between paying their internet bill and other essentials such as food, medication, or housing expenses.

On May 27th, the Canadian Radio-television and Telecommunications Commission (CRTC) arbitrarily reversed its 2019 Rates Order concerning wholesale internet rates charged by Canada's largest carriers to smaller companies. This decision was devastating for consumers as it effectively guarantees internet prices will continue to rise despite the fact that Canadians already pay some of the highest internet prices in the world. Additionally, this decision directly impacts many smaller internet service providers (ISPs) and threatens hundreds of well-paying jobs and tens of millions in investments that would benefit communities in Ontario.

Issued in August of 2019, the CRTC's 2019 Rates Order confirmed the large carriers [systematically broke](#) rate-setting rules to grossly inflate their costs of providing network access. The CRTC set new rates and ordered the large carriers to repay amounts they overcharged competitors during its proceeding. The 2019 Rates Order was based on a rigorous, evidence-based, 4-year long regulatory process. It was upheld on appeals by the Federal Court of Appeal, the Supreme Court of Canada, and the Federal Cabinet and was widely expected to be implemented this year. Instead, the CRTC arbitrarily and completely reversed the 2019 Rates Order, a decision that harms competition, reduces customer choice, and ignores the real and urgent need for affordable internet in Canada.

Not only do rural and remote communities continue to struggle to gain access to affordable broadband internet, the digital divide and lack of affordability remain an issue across all communities in Ontario, and Canada. For example, [a recent report by the Brookfield Institute at Ryerson University](#) found that more than a third of households in Toronto are worried about paying their home internet bills over the next few months. More than half of the city's low-income households also have download speeds below the national target of 50 megabits per second. Many rural and remote communities don't have access to broadband, or any internet services, at all. This would be problematic in the best of times, but is even more so now as the pandemic has made high-speed, affordable internet a necessity for education, work, and health care.

[A 2020 price study prepared by Wall Communications Inc.](#) for ISED found that internet prices increased across all service baskets over 2019, making Canada an international outlier among its peer countries. Without intervention from the federal government, who in 2019 promised to reduce internet prices for all Canadians, there is no doubt that this trend will continue.

The Federal Cabinet must overturn the decision now to ensure that affordable internet becomes a reality, not just an ideal. We are sharing this letter and Council resolution with representatives of, and leaders in, communities across Canada. We urge you and them to make this important issue your own, as it directly affects the people in their regions, and across Canada. As you all know, internet is now a necessary utility to all Canadians similar to gas, hydro, water and electricity. The CRTC decision has impacted over 1,200 small ISP's across Canada, thousands of jobs in your communities and negatively impacts millions of Canadians ability to receive affordable internet.

We would welcome the opportunity to discuss this critical issue with you at your earliest convenience, and to work together in making our concerns heard in support of affordable internet for all.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Canniff', written in a cursive style.

Darrin Canniff, Mayor/CEO
Municipality of Chatham-Kent

Attachment: Council Resolution Supporting Affordable Internet

C: (via email)
Honourable Doug Ford, Premier of Ontario
Dave Epp, MP, Chatham-Kent-Leamington
Lianne Rood, MP, Lambton-Kent-Middlesex
Rick Nicholls, MPP, Chatham-Kent-Leamington
Monte McNaughton, MPP, Lambton-Kent-Middlesex
Association of Municipalities of Ontario (AMO)
Federation of Canadian Municipalities (FCM)
All Ontario Municipalities

Whereas internet connectivity is a basic necessity and essential utility for the vast majority of Canadians;

Whereas too many Canadians struggle to afford reliable, high-speed internet services, or do not have access to broadband internet at all;

Whereas the need for high-speed and affordable internet is always critical, but is even more so now as the COVID-19 pandemic has shown it is required for education, work, and health care;

Whereas independent studies have consistently shown that Canadians pay some of the highest prices for internet in the world and that internet prices have increased year over year;

Whereas the Canadian Radio-television and Telecommunications Commission's (CRTC) 2019 Rates Order set wholesale internet prices that would facilitate greater competition and promote innovative broadband services and more affordable prices for consumers;

Whereas the 2019 Rates Order was based on a rigorous, evidence-based, 4-year long regulatory process, and was upheld on appeal by unanimous decision of the Federal Court of Appeal, while the Supreme Court of Canada and the Federal Cabinet declined to review it;

Whereas on May 27, 2021, the CRTC decided to reverse its 2019 Rates Order, effectively guaranteeing that internet prices will continue to rise for consumers;

Now therefore be it resolved that the Municipality of Chatham-Kent call on the Federal Cabinet, Prime Minister Justin Trudeau, and ISED Minister Francois-Phillippe Champagne to overrule the CRTC's reversal and immediately implement the evidence-based 2019 Rates Order.

Be it further resolved that the Premier of Ontario, Ontario Minister of Industry, local MPPs, the Association of Municipalities of Ontario, all 444 Ontario municipalities and the Federation of Canadian Municipalities be sent correspondence of Council's resolution along with the attached letter.

JAMES R. CHARLTON

4.4[REDACTED]
HAMILTON ONT.,
[REDACTED]

Good morn Mr. Eisenberger:

I do trust that all is well for you Sir and your staying safe. The reason for this letter to you is to ask you to give some serious consideration to this great city setting aside one day a year to celebrate "ISAAC BUCHANAN," day in this city. Mr. Buchanan was a very instrumental & influential man in Hamilton when it was a growing city, when the depression of 1850 hit the city Mr. Buchanan helped to reorganize the city's finances and, in some part, helped stave off what could have been worse. He was very influential in business and promoted the city and its business people, by creating jobs and places of employment. He built beautiful Auchmar a truly beautiful piece of architecture that should be promoted more. In many ways Mr. Eisenberger Hamilton today would not be what it is without the influence of Mr. Isaac Buchanan and his own vision.

AUG 09 2021

I really do think that you and the city council should give this some serious thought as it would teach younger generations the importance of history and the people who came before us that were allowed to work freely and create freely the things, they did that shows us today what we have in this great city of Hamilton. Thank you for taking time for my humble letter and do have a great day.

Sincerely

James R. Charlton

MPP Randy Pettapiece
randy.pettapiece@pc.ola.org

August 16, 2021

RE: Relationship with MPAC

Dear MPP Pettapiece,

At the regular meeting of Council held on August 5, 2021, Perth County Council passed the following resolution brought forward from a Notice of Motion:

WHEREAS municipal governments in Ontario are obliged to receive property assessment services from the Municipal Property Assessment Corporation (MPAC); and

WHEREAS municipalities are funding the mandatory services of MPAC; and

WHEREAS the work of MPAC directly affects the equitability of property taxation in Perth County and in Ontario; and

WHEREAS the Government of Ontario has announced in its 2021 Ontario Budget, that it will be undertaking a Property Assessment and Taxation Review which will address MPAC's performance and will seek the input from all benefiting municipalities; and

WHEREAS the Council of the County of Perth endorses Ontario's expressed intention for a review, including a review of the accuracy and stability of property assessments and the strengthening of governance and accountability of MPAC; and

WHEREAS the County of Perth acknowledges that an evaluation of MPAC is warranted given there have been a number of performance and level of service concerns that need to be addressed;

NOW THEREFORE, be it resolved by the Council of the County of Perth:

THAT Staff be given direction to research and prepare a report in anticipation of the Province's request for input that achieves the following:

- Reviews the details of the financial performance (e.g., balance sheet and income statement reviews) of the Municipal Property Assessment Corporation to support our understanding of the viability of the Corporation and its alignment of spend and assets for their defined mission, mandate and objectives;

- Reviews level of service parameters and performance levels (e.g., key indicators related to accuracy, timeliness, process efficiencies, consistency of outcomes, land use classification revisions, and missed properties) of MPAC efforts in Perth County, collaborating with the lower tier municipalities of Perth County to support with data collection; and
- Clarifies the current governance model and accountabilities of MPAC's Board of Directors, including accountabilities for their performance and means of complaint submission and resolution.

AND THAT, a letter, including a copy of this resolution, be distributed to MPP Randy Pettapiece, Perth-Wellington; Hon. Steve Clark, the Minister of Municipal Affairs and Housing; and all municipalities in Ontario.

We thank you for your advocacy on this matter and look forward to supportive responses from our municipal counterparts and officials from all levels of government.

Sincerely,



Jim Aitcheson, Warden
The Corporation of the County of Perth

CC:

Hon. Steve Clark – Steve.Clark@pc.ola.org
Ontario Municipalities

August 13, 2021

Sent Via Email

To: Hon. Justin Trudeau, Prime Minister of Canada

RE: Petition to include the PSA test for men into the National Health Care system

At its regular meeting on August 4, 2021, Council of the Township of Springwater passed the following resolution:

C402-2021

Moved by: Cabral

Seconded by: Chapman

That Council for the Township of Springwater endorse the resolution from the Town of Cochrane petitioning the Federal and Provincial Government to include the PSA test for men into the National Health Care system; and,

That this resolution be sent to the Hon. Justin Trudeau, Prime Minister of Canada; the Hon. Doug Ford, Premier of Ontario; the Hon. Patty Hajdu, Minister of Health (Canada); the Hon. Christine Elliott, Minister of Health (Ontario); MP Doug Shipley, Barrie - Springwater - Oro-Medonte; the Hon. Doug Downey, Attorney General and MPP Barrie - Springwater - Oro-Medonte; all Ontario Municipalities and all First Nation Communities.

Carried.

Please do not hesitate to contact me should you have any questions.

Yours Truly,

Don Allen
Mayor, Township of Springwater

Cc:

Hon., Doug Ford, Premier of Ontario;

Hon. Patty Hajdu, Minister of Health (Canada);

Hon. Christine Elliott, Minister of Health (Ontario);

MP Doug Shipley, Barrie - Springwater - Oro-Medonte;

Hon. Doug Downey, Attorney General and MPP Barrie - Springwater - Oro-Medonte;

All Ontario Municipalities

Pilon, Janet

Subject: Guidance on submitting requests for Minister 'exceptions' under the Conservation Authorities Act

From: ca.office (MECP) <ca.office@ontario.ca>

Sent: August 16, 2021 3:51 PM

Subject: Guidance on submitting requests for Minister 'exceptions' under the Conservation Authorities Act

Good afternoon,

I would like to thank those municipalities and conservation authorities who submitted exception requests to the Minister of Environment, Conservation and Parks (Minister) regarding new governance provisions of the *Conservation Authorities Act* (CAA). I appreciate that there are a number of aspects of transition on the conservation authorities file, and as a result, adjustments will be required and clarification needed.

As a result of the exception requests the ministry has processed to date, we would like to provide additional information to inform future decision making as it relates to the Chair and Vice Chair positions. Please note that time served prior to February 2, 2021 by existing Chair and Vice Chairs does apply when determining eligibility for reappointment under section 17 of the CAA. We ask that you bear this in mind for future determinations.

Given the new rules in sections 14 (regarding appointment of members of the authority) and 17 (Chair, vice-chair provisions), we encourage participating municipalities and conservation authorities submitting applications for exception to these sections to make them well in advance of the expiry of current appointments (whether that be for Chair, Vice Chair or members) and with consideration given to the Ministry's review timelines.

Please feel free to contact ca.office@ontario.ca if you have any further questions or concerns, and I look forward to continuing to work with you.

Sincerely,

Chloe Stuart

Assistant Deputy Minister, Lands and Waters Division

Ministry of the Environment, Conservation and Parks



August 20, 2021

BY EMAIL

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

Dear Ms. Holland:

Re: Hamilton's process for assessing tax adjustment applications

This letter is further to the recent conversation between Ombudsman staff and staff for the City of Hamilton regarding the City's process for assessing tax adjustment applications. As discussed, my Office received a complaint that staff acting under delegated authority held an improper closed meeting contrary to the *Municipal Act* (the Act) on April 27, 2021. The meeting was not live-streamed and the public was not able to attend in person due to the pandemic. The complaint also alleged that the City's council did not have the legal authority to delegate these tax adjustment powers to staff.

My Office has completed our review and will not be taking further steps regarding these concerns.

Ombudsman jurisdiction

The Ontario Ombudsman is appointed under the *Ombudsman Act* as an independent and impartial Officer of the Ontario Legislature. My Office's role is to review and investigate complaints about public sector administration, including whether decision-makers complied with relevant policies and procedures. The Ombudsman has authority to address complaints about the administrative conduct of over a thousand public sector bodies, including municipalities and their committees and local boards. When problems are identified, the Ombudsman may make recommendations to improve processes and strengthen governance and accountability.

The *Municipal Act* gives citizens the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public.¹ Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own. My Office is the closed meeting investigator for the City of Hamilton.

My 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 the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/digest.

Review

Ombudsman staff made enquiries with the City Clerk, Tax Manager, and Legal Counsel in our review of the complaint. We reviewed information supplied by the City, relevant sections of the *Municipal Act*, and the practices of other municipalities.

Delegation of authority for Municipal Act tax adjustments

According to information supplied by the City and our review of the *Municipal Act*, the Act establishes numerous instances in which people are entitled to apply for a tax adjustment.² The Act requires that council hold a meeting at which the applicant may make representations to council.³ We understand that the City has severally delegated to staff the authority to hold meetings, hear representations from applicants, and make decisions about certain types of tax adjustments.

This delegated authority is set out in by-law no. 19-098. The preamble to the by-law provides that the delegation is in accordance with sections 23.1 and 23.2 of the *Municipal Act*, which allow municipalities to delegate powers and duties subject to various restrictions. Although not cited in the preamble, section 23.5 of the Act also applies "when a municipality is required by law to hold a hearing or provide an opportunity to be heard before making a decision or taking a step...." This section

¹ *Municipal Act*, s. 239.1.

² See, for example, *Municipal Act*, ss. 334, 357, 357.1, 358, 359 and 359.1.

³ *Municipal Act*, ss. 334(2), 357(5), 357.1(3), 358(9), 359(3), and 359.1(2).

provides that municipalities are specifically authorized to delegate this power to municipal staff, among others.

Regarding the City's authority to delegate these powers to staff, our review indicates that the *Municipal Act* specifically contemplates that municipalities can delegate quasi-judicial powers, as well as the power to hold a hearing or provide an opportunity to be heard. Our review indicates that the City of Hamilton, like other large Ontario municipalities, has chosen to delegate this power to staff through by-law.

Meeting practices of staff with delegated authority

We were told that prior to the pandemic, staff with delegated authority to consider *Municipal Act* tax adjustments met at City Hall in a public meeting room. Property owners whose matters were being considered were provided notice of the meeting and allowed to attend. Notice of these meetings was not otherwise provided to the public, although members of the public would have been able to attend if they were interested in doing so. During the pandemic, we were told the meetings have instead occurred virtually and the City posts a public notice and agenda in advance of each meeting. Minutes are also posted afterwards.

However, we understand that the meetings are not livestreamed and members of the public need to make special arrangements to register to attend the virtual meetings. The City's website states: "Meet(s) as per their delegated authority – Meetings are not livestreamed." Information about registering to attend the meetings is in the individual meeting agendas along with specific contact details. We were told that the City started posting notice/agendas of the meetings during the pandemic after a review the City conducted of its meeting practices, and that the City will continue posting these notices once in-person meetings resume.

Regarding the specific meeting on April 27, 2021, the City confirmed that notice and an agenda were posted online, but that the meeting was not livestreamed. Staff indicated that the agenda told members of the public they could contact City staff if they wished to register to attend the meeting.

Open meeting complaint

The *Municipal Act's* open meeting rules apply to municipal councils, local boards, and their committees. Under the Act, committees are defined as consisting of 50% or more

members of one or more councils or local boards.⁴ A municipality's procedure by-law may also specify that a body is a committee of council and subject to the open meeting requirements under the by-law. The Act defines a local board as, among other things, "any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities," subject to various exceptions.⁵

In this case, a few members of City staff have been severally delegated authority to exercise the City's power and authority regarding tax adjustments. While these staff members meet as a group when exercising their delegated authority, they are not a board, commission, committee, body or local authority as required by the definition of "local board" under the *Municipal Act*. Further, this group is not considered to be a committee under the City's procedure by-law, and none of its members are members of a council or local board, as required by the definition of "committee" under the Act.

Accordingly, the meetings of staff considering *Municipal Act* tax appeals are not subject to the open meeting rules.

During this review, Ombudsman staff noted that the City includes information related to these *Municipal Act* appeal meetings on an alphabetical list of "committees" it maintains online. In the interest of further clarity, the City may wish to specifically indicate on its website that these are not meetings of a committee or local board, and thus not subject to the *Municipal Act*'s open meeting requirements.

Conclusion

For these reasons, my Office will not be taking further steps regarding these concerns. I would like to thank the City for its co-operation during our review.

Sincerely,



Paul Dubé
Ombudsman of Ontario

⁴ *Municipal Act*, s. 238(1).

⁵ *Municipal Act*, ss. 1(1) and 238(1).



August 16, 2021

Dear Head of Council:

The Ontario government is committed to helping municipalities improve local service delivery and ensure taxpayers' dollars are being used efficiently. That is why we launched the Audit and Accountability Fund in 2019.

At the Association of Municipalities of Ontario 2021 Conference, I announced a third intake under the Audit and Accountability Fund. Impacts of the COVID-19 pandemic have highlighted the importance of efficient municipal services that are financially sustainable. Even as municipalities continue to face challenges, there are opportunities to transform services and stimulate new ways of doing business.

The third intake of the program will support Ontario's large municipalities so they can benefit from further provincial funding to conduct service delivery and administrative expenditure reviews, with the goal of finding efficiencies while protecting and modernizing front-line services. Applications related to any area of municipal service delivery will be considered, but I encourage you to submit proposals that support the following priorities:

- Digital modernization
- Service integration
- Streamlined development approvals

To apply, submit a completed Expression of Interest form with supporting documents via the Transfer Payment Ontario system by **October 28, 2021**. Visit www.Ontario.ca/getfunding to access program guidelines and the Expression of Interest form. If you have questions on the program, or would like to discuss a proposal, I encourage you to contact your [Municipal Services Office](mailto:municipal.services@ontario.ca) or e-mail municipal.programs@ontario.ca.

By continuing to work together to deliver modern, efficient local services, we are continuing to chart a path to a strong recovery and getting Ontario back on track.

Sincerely,

A handwritten signature in blue ink that reads "Steve Clark".

Steve Clark
Minister

c. Chief Administrative Officers and Treasurers

Audit and Accountability Fund

Intake 3 Program Guidelines

WHAT YOU NEED TO KNOW

Ontario is committed to helping municipalities improve local service delivery and ensure taxpayers' dollars are being used efficiently.

Large urban municipalities can apply to Intake 3 of the *Audit and Accountability Fund* for funding to undertake third party reviews with the goal of finding service delivery efficiencies.

Eligible municipalities can apply individually or collectively, with other eligible municipalities, to undertake independent third-party reviews.

ELIGIBILITY CRITERIA

To be eligible under Intake 3, the proposed review project must:

1. Be a review of municipal service delivery or administrative expenditures by an independent third-party reviewer for the purpose of finding savings and efficiencies. The review project could take a number of forms including:
 - a line-by-line review of the municipality's entire budget;
 - a review of service delivery and modernization opportunities; or
 - a review of administrative processes to reduce costs.
2. Result in a final report by the independent third-party reviewer that provides specific and actionable recommendations for cost savings and efficiencies.
3. Begin field work no earlier than August 16, 2021 with a final report completed and posted publicly on the municipal website by October 17, 2022.

Project proposals will be reviewed on a case-by-case basis. Only third-party service provider fees will be eligible. Municipal administrative costs, such as staff time, are not eligible.

The program will not cover review projects where:

- the object of the review project is to identify opportunities for revenue generation or reductions in front line services; or

- the review does not result in a formal report prepared by a third party that the municipality is prepared to make publicly available online; or
- the object of the review extends beyond municipal accountability; or
- the review is related to requirements under the asset management regulation.

PRIORITY AREAS

The impacts of the COVID-19 pandemic continue to make it more important than ever that municipalities deliver modern, efficient services that are financially sustainable. We encourage applicants to consider submitting proposals that support the following priorities:

- Digital modernization
- Service integration
- Streamlined development approvals

HOW TO APPLY

1. Log onto the Transfer Payment Ontario (TPON) system ([Ontario.ca/getfunding](https://ontario.ca/getfunding)) and select the *Audit and Accountability Fund: Intake 3 Expression of Interest* form.
2. Complete all required fields of this Expression of Interest.
 - Ensure that the completed Expression of Interest includes an attestation made by the appropriate municipal staff.
 - Attach an outline of your project costs and timelines in TPON. Draft procurement documents, project charters, workplans, or other similar documents detailing your proposed review project are examples that would be sufficient to meet this requirement.
3. If the municipal council passed a resolution in support of the project, attach a copy to your TPON submission along with your form and other documents. (Note: a resolution of council is not a requirement for the program.)
4. Submit your completed application(s) through TPON by **October 28, 2021**.

HOW IT WORKS

The ministry expects to advise municipalities of the outcomes of their applications in January 2022. If your application is approved, a proposed transfer payment agreement with the ministry will be sent to confirm the funding amount and set out the terms, including reporting requirements and a payment schedule. Municipalities can expect to receive an initial payment following execution of a transfer payment agreement.

PROGRAM TIMELINE

October 28, 2021	<ul style="list-style-type: none"> • Submit your Expression of Interest and any supporting documentation through Transfer Payment Ontario (TPON) at www.ontario.ca/getfunding
January 2022	<ul style="list-style-type: none"> • Learn whether your application is approved. If it is approved, enter into a transfer payment agreement for project funding, and receive an initial payment once the agreement is executed.
October 17, 2022	<ul style="list-style-type: none"> • Post the third-party reviewer's final report online and submit your final report. The final report will include: a hyperlink to the publicly posted third-party reviewer's report; the amount paid to the third-party reviewer and a copy of the invoice; a statement of the total amount of expenditures reviewed and the total amount identified as potential savings; and a 250-word abstract of the project and its findings.

FOR MORE INFORMATION

Please direct program questions to your [Municipal Services Office Municipal Advisor](#) or Municipal.Programs@ontario.ca.

For support with the Transfer Payment Ontario (TPON) system contact the Transfer Payment Ontario Client Care from Monday to Friday 8:30 a.m. to 5:00 pm, except for statutory holidays:

- [Tel: 416-325-6691](tel:416-325-6691)
- [Toll-free: 1-855-216-3090](tel:1-855-216-3090)
- [TTY: 416-325-3408](tel:416-325-3408)
- [Toll-free TTY: 1-800-268-7095](tel:1-800-268-7095)
- Email: TPONCC@ontario.ca

Pilon, Janet

Subject: Land Use Compatibility Guideline

From: info@gravelwatch.org

Sent: August 22, 2021 2:08 PM

To: info@gravelwatch.org

Subject: Land Use Compatibility Guideline

Dear Mayor and Council,

Land Use Compatibility is a significant concern for municipalities engaged in the planning of their communities. When the Ministry of the Environment, Conservation and Parks posted a consultation, ERO 019 – 2785 in May, there was an early July date for responses, later extended to early August.

Gravel Watch Ontario is sharing our response to the document for your information. We are also attaching the commentary by professional planner Mark Dorfman, with his permission.

Gravel Watch Ontario's view is that the guideline, as it currently stands, instead of simplifying the work of municipalities will instead have potential to

- increase confusion, and conflict over land use planning in particular between 'sensitive receptors' and 'major facilities'
- add to the burden of municipalities in managing those conflicting parties, recording and responding to 'spills' into the environment
- increase costs for municipalities in providing the required reports around land use compatibility.

While aware that the consultation is now closed, Gravel Watch knows that municipalities can continue to engage in dialogue with both staff and elected officials at the provincial level. Your reading of our response as relates to aggregate, as well as of those by AMO and other municipalities, by provincial and Canada-wide organizations may have already led you to similar conclusions.

Gravel Watch Ontario's mandate is to be vigilant, to education and to advocate. We know you do this in your own community and hope the documents will assist you.

Sincerely,

Bryan Smith, President
Gravel Watch Ontario
www.gravelwatch.org
info@gravelwatch.org



August 4, 2021

Sanjay Coelho
Ministry of the Environment, Conservation and Parks - Environmental Policy Branch
40 St Clair Avenue West, Floor 10
Toronto, ON M4V1M2
mecp.landpolicy@ontario.ca

RE: ERO 019-2785

Dear Mr. Coelho

The following is the submission from Gravel Watch Ontario (GWO; gravelwatch.org) in response to the request for comments on the Proposed Land Use Compatibility Guideline, Ministry of Environment, Conservation and Parks (March 2021) ERO 019-2785.

About Gravel Watch Ontario

Gravel Watch Ontario is a province-wide coalition of citizen groups and individuals that acts in the interests of residents and communities to protect the health, safety, quality of life of Ontarians and the natural environment in matters that relate to aggregate resources.

GWO recognizes the obligation to protect agricultural lands, water resources and the natural environment, all of which are essential for building a climate-resilient Ontario for future generations. GWO works with and on behalf of our members and communities throughout the province to advocate that policies regulating aggregate extraction not result in permanent loss of farmland or rural landscape amenities and do not damage the integrity of the water resources supplied by the rural landscape. Gravel Watch Ontario has commented on government planning and aggregate policies for over 15 years.

We understand that ERO notice 019-2785 links to four separate compliance initiatives. GWO's submission focuses on aggregate resources as it pertains to these draft Land Use Compatibility Guidelines. In general, GWO found the information regarding aggregate to be scattered throughout various sections of the document, often unclear or contradictory, making it particularly onerous on the reviewer to sift through and sort out the intent and nature of land use compatibility as it relates to aggregate operations. The ensuing discussion has *italicized and indented* the instructions identified in the Guideline with GWO's comments following thereafter for ease of reference.

1. INTRODUCTION & CONTEXT

1.1 Overview

GWO Concern/Issue – Preferential Treatment of Aggregate Class 3 Major Facilities over Sensitive Land Uses

*The objective of the current EPA D-6 Guideline is to “prevent or minimize the encroachment of sensitive land use upon industrial land and **vice versa**, as these two types of land uses are normally incompatible due to possible adverse effects on sensitive land use created by industrial operations.”*

The overview of the Land Use Compatibility Guideline states that “the Guideline is to be applied to achieve and maintain land use compatibility between major facilities and sensitive land uses when a planning approval under the Planning Act is needed in the following circumstances:

- *A new or expanding sensitive land use is proposed near an existing or planned major facility, **or***
- *A new or expanding major facility is proposed near an existing or planned sensitive land use.”*

Although the Compatibility Guideline requires equal application by both a major facility and a sensitive land use, they are not treated equally throughout the document. For example, Section 2.8 of the Guideline, demonstration of need is to be carried out by proponents of sensitive land uses only. In Appendix D, the Area of Influence (AOI) and the Minimum Distance Separation (MDS) for are not applicable to land use decisions for new or expanding aggregate operations.

The Guideline also identifies aggregates as a sector which has had a history of ongoing and frequent complaints. Situating aggregate operations near sensitive land uses under exempted and exclusive rules does not achieve compatibility.

GWO Recommendation #1

- Apply the Guideline in the same manner for new or expanding aggregate operations as for sensitive land uses.

1.2 General Approach to Planning for Land Use Compatibility

GWO Concern/Issue -- Co-existence and Compatibility Not Conceptually Related

“Land Use compatibility is achieved when major facilities and sensitive land uses can co-exist and thrive for the long-term within a community through planning that recognizes the locational needs of both.”

The terms compatibility and co-existence are not conceptually the same. Compatibility denotes relations that are well-suited, friendly and harmonious. Co-existence, on the other hand, denotes tolerance and forbearance. Inferring these terms are correlated sets the stage for further conflict, lengthy appeals and increased costs for all parties.

In Section 3.8, the concept of co-existence as meaning tolerance is confirmed.

“.....after a major facility has obtained its necessary planning approvals to be located in an area that may be close to a sensitive land use (e.g. a residential development), or vice versa..... the tools available to the Ministry (MECP) to deal with contaminants from the facility as well as technical solutions may be limited..... which may result in a situation where the sensitive land use has to co-exist with ‘minor impacts’ from the major facility over the long term..... and subsequent complaints about adverse affects (noise, dust and odour) may be directed to the municipality”.

Minor impacts are not defined but the sensitive land use is expected to tolerate the resulting adverse effects for the long term. Long term consequences can result in societal costs associated with health and safety or environmental degradation. It’s an unfair practice to expect the public to tolerate long term consequences.

Use of the term co-existence does not align with federal international agreements regarding sustainable development and climate change which strive for a balance between the various sectors of society. This balance is also reflected in Ontario’s environment, climate change and planning frameworks.

GWO Recommendation #2:

- Maintain the conceptual distinction between compatibility and co-existence.
- Distinguish between minor and major impacts.
- Ensure the MECP Guideline aligns with national and international agreements as well as the provinces’ social, environmental and climate change responsibilities.

1.3 Guiding Hierarchy for Land Use Compatibility Planning

GWO Concerns/Issues – The PPS not being read in its’ entirety.

“Separation of incompatible land uses is the preferred approach to avoiding land use compatibility issues. The Guideline state that this approach is consistent with PPS 1.1.5.6”

The PPS speaks to the incompatibility of sensitive residential land use with existing aggregate operations. GWO believes that the reverse is also true as per Case Law - Capital Paving v Wellington (County) 2010 Carswell Ont. Paragraph 6....

“it is fair to say the PPS speaks to incompatibility of sensitive residential use with earlier operations, and the reverse is also true, that a proposed pit may be incompatible with prior residential use”.

Although the Guideline in Section 1.7.1 generally supports fulfillment of provincial interests identified in the PPS, missing throughout the document is identification to the pertinent PPS clauses which direct consideration for development to (1) consider social and environmental impacts, and (2) only permit development once potential impacts have been addressed.

GWO Recommendation #3:

- Apply the same requirement for new or expanding major facilities near established and planned sensitive land uses as for sensitive land uses being proposed near major facilities.
- Consistently apply all relevant PPS clauses.

GWO Concern/Issue – Ambiguous Terminology and Lack of Meaningful Public Involvement

“When avoidance (i.e. separation) alone is not possible, minimizing and mitigating potential impacts may provide a basis for a proposal. If minimization is not viable, the proposed incompatible land use should not be enabled, and related planning or development applications should not be approved”

GWO supports this Guideline. The term ‘should’, however, is indefinite and subject to interpretation and ambiguity.

GWO Recommendation #4:

- Change the word ‘should’ to ‘shall’ to provide clear direction to ensure incompatible uses are not enabled nor approved.

“Planning authorities, proponents and the surrounding communities ‘should work together’ to achieve land use compatibility”.

Working together is a viable approach to achieving compatibility. ‘Should work together’ implies relationship building, collaboration and compromise. Appendix C, however, outlines best practices for relationship building as merely communicating with members of the public. Communication relates to the informing stage of planning engagement conventions as depicted on Step 3 of the Arnstein’s Ladder of Public Participation (<https://www.citizenshandbook.org/arnsteinsladder.html>.) ‘Informing’ is generally a one-way communication strategy that rarely results in even minor adjustments. Informing does not denote, nor reflect the concept of ‘working together’. Society’s legal and institutional framework that sanctions planning decisions has increasingly recognized the benefit of various engagement measures for practical deliberations that include various perspectives and encourages dialogue to promote understanding among stakeholders’ values and interests. The role of the public to bring forth community values is critical. It is also critical to consider the concept of ‘working together’ as relationship building and collaboration in regards to the Duty to Consult with Indigenous Peoples.

GWO Recommendation #5:

- Change ‘should work together’ to ‘shall work together’.
- Enable collaboration to achieve the desired outcome of compatibility.
- Clearly identify the government’s responsibility for the Duty to Consult with Indigenous Peoples and ensure it is implemented at the outset of development when changes in land use are being considered.

1.6 Roles and Responsibilities

1.6.1 Planning Authorities

Planning authorities must not approve development proposals where there are irreconcilable incompatibilities (i.e. adverse effects with no feasible required mitigation measures). Land use planning decisions that result in incompatibility may create ongoing issues for all parties, including municipalities to address noise and odour complaints and other impacts.

GWO supports the above guideline.

GWO Concern/Issue – Increased responsibility on the planning authorities

Planning authorities also undertake planning exercises which must address land use compatibility, such as comprehensive reviews of OPs, development of secondary plans and reviews of zoning by-laws. To address land use compatibility, OP policies and land use designations....must be up-to-date and in accordance with this Guideline.

Updating OPs and zoning by-laws is a daunting task which puts pressure on planning authorities' capacity requirements and ultimately for increasing property taxes. Although mandated under the same Planning Act as municipalities, Local Planning Authorities in rural and unorganized territories do not have the corresponding human and financial resources to carry out basic planning functions, let alone up-dates to OPs and zoning by-laws in regards to this Guideline.

GWO Recommendation #6:

- Do not overburden planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to carry out high level planning functions.

2. TOOLS TO ASSESS LAND USE COMPATIBILITY

2.1.1-3 Areas of Influence and Minimum Set Back Distances

GWO Concern/Issue – Preferential Treatment Given to Aggregate Operations

An influence area approach to minimize land use conflicts for aggregate resource extraction has long been recognized. The 1986 Guideline on Implementation of the Mineral Aggregate Resources Policy Statement (Ministry of Natural Resources) states that:

“An influence area is the area surrounding a pit or quarry where the impacts of the operation may be felt on the environment, nearby residents and land uses. The influence area concept is intended to protect existing or designated sensitive land uses from proposed pits or quarries and existing or designated pits or quarries from encroachment by sensitive uses ...”

Guideline Section 1.2 recognizes that sensitive land uses located too close to a major facility could experience environmental impacts as well as risks to public health and safety. Similarly, Section 2.1.3 states that:

“proposals should not result in sensitive land uses being located in MSDs as adverse effects are highly likely to occur.”

While a planning authority may determine that an Area of Influence may be smaller (based on supporting studies), it must never be smaller than the MSD in the Guideline. However, while recognizing that some above-ground equipment such as crushers, ready-mix concrete plants and asphalt plants may require ECA's, the Guideline states:

The AOI and MSD in the Guideline are not applicable to land use decisions for new or expanding aggregate operations proposed near sensitive land use.

And, Section 2.2 states:

Aggregate Operations (Aggregate extraction, Resource Extraction, Other mineral quarries) identified as Class 3 (AOI 1,000 m/MSD 500 m) AOI and MSD only applies to new or expanding sensitive land use proposals near major facility aggregate operations.

In addition, the Aggregate Resources Ontario Provincial Standards (AROPS) refers to measurement of separation as the distances to sensitive receptors, not to the property boundary of a sensitive land use as recommended in Section 2.4 and in relation to Section 3.3 “At-receptor mitigation is not recognized by the Ministry to mitigate odour and dust impacts” and in Appendix B.1 “the Ministry-developed AOIs in this Guideline should address both noise and vibration...separation distances for noise are larger than vibration so covering noise impacts will cover vibration impacts” which fails to account for any future expansions of the aggregate operation or changes to the site plan.

Although Guideline Section 4 recommends planning mechanisms to assist in the implementation of land use compatibility, Section 66 of the ARA is highly restrictive of municipal authority such as municipal site plan controls and development permits. Both the PPS (Section 2.5.2.4) as well as the ARA (Section 12.1 (1.1) prohibit municipalities from issuing zoning by-laws to restrict the depth of extraction while Guideline Section 4.1 recommends adverse impacts on sensitive land uses to be considered at the Official Plan (OP) and zoning stage. Section 13 of the ARA, however, allows the Minister, at any time, to rescind or vary a condition of a licence, amend a licence or require a licensee to amend the site plan. A licensee may also make the same requests of the Minister at any time. These unknown operational impacts cannot be adequately assessed or determined at the planning/approval stage. The question then becomes...how can a planning authority be responsible for approvals of an industrial extractive zoning when site plans can be changed at the licensing stage and throughout the life of the license for which the planning authority has no control?

GWO Recommendation #7:

- For new or expanding aggregate operations:
 - Apply the prescribed AOI and MSD required for Class 3 Major Industrial Facilities proposed near Sensitive Land Uses,
 - Measure separation distances (AOI and MSD) from the property boundary of the proposed aggregate operation (Class 3 Major facility) and from the property boundary of the existing sensitive land use to accommodate future expansions of the major facility,

- Adhere to the Guideline for a Class 3 Major Facility (as identified in Section 2.2 Table 1) with the understanding that some aggregate operations may cause adverse effects beyond the MSD of 500 M and in some cases, beyond the AOI of 1000 M
- Be subject to the steps in Section 2.5 for a proposed or expanding major facility that is within the AOI or MSD of an existing or planned sensitive land use.
- Recognize Section 2.9 of the Decision Tree for Land Use Compatibility that may result in a proposed Major Facility not going ahead if expected adverse effects cannot be minimized and/or mitigated to the level of no adverse effects.

2.8 Demonstration of Need

GWO Concern/Issue – Preferential Treatment Given to Aggregate Producers – no balance

The demonstration of need.....is only required by proponents of sensitive land uses.

When considering new sensitive land uses near mineral aggregate areas, planning authorities must consider active aggregate operations, zoning which permits future aggregate operations and, where provincial information is available, deposits of mineral aggregate resources.

The concern in this Section is the nature and regional distribution of aggregate since there are areas throughout the province where distribution of aggregate is ubiquitous. “Freezing” land has the potential to restrict settlement to narrow confines. This situation does not take into consideration future generations, which is antithetical to the United Nations concepts and definitions pertaining to ‘development that meets the needs of the present without compromising the needs of future generations’¹. Freezing land also creates the risk for mega-quarry development that can lead to long term and irreversible impacts. There is little data available regarding aggregate reserves yet the focus is to open up new lands closer to market as a means to reduce transportation costs for the producer. Lands nearest to market are also lands nearest or adjacent to residential or farm lands which places the risk of long term and irreversible impacts onto the sensitive land use.

An unbalanced approach to demonstration of need will perpetuate conflict, constrained relations, and more appeals, thereby increasing costs for government, the proponent and the general public which is contradictory to the stated purpose of this Guideline.

GWO Recommendation #8

- Apply the same requirement for Demonstration of Need in the same manner to new or expanding major facilities as for sensitive land uses being proposed near major facilities.
- Ensure compatibility is a two way process.

The Guideline further states:

Compatibility studies should be prepared by the proponent.....the planning authority is responsible to review compatibility....If in house expertise is not available, the planning authority should consider having a peer review of studies at the expense of the proponent.

¹ World Commission on Environment and Development. Our Common Future, Oxford, UK. Oxford. University Press. 1987.

GWO Recommendation #9

- Should a planning authority conduct a review of a proponent's compatibility study with in-house expertise, the expense should be borne by the proponent.

3. COMPLIANCE

GWO Concern/Issue – The public is expected to tolerate impacts for the long term Increased municipal responsibility to deal with complaints

“Per its compliance framework, the Ministry may refer incidents related to compatibility issues that stem from planning decision to a more appropriate level of government or agency (e.g. municipality).....after a major facility has obtained its necessary planning approvals to be located in an area that may be close to a sensitive land use (e.g. a residential development), or vice versa..... the tools available to the Ministry (MECP) to deal with contaminants from the facility as well as technical solutions may be limited..... may result in a situation where the sensitive land use has to co-exist with ‘minor impacts’ from the major facility over the long term..... and subsequent complaints about adverse affects (noise, dust and odour) may be directed to the municipality”.

Conceptual alignment regarding co-existence as being compatible is applicable here. Refer to Section 1 regarding terminology. Co-existence and compatibility are not conceptually the same and compatibility is a two-way process.

Refer to page 3 regarding the discussion pertaining to Section 1.2 and the lack of distinction between minor and major impacts. Shifting EPA compliance to the planning authority puts pressure on municipal capacity requirements which ultimately puts pressure on increasing municipal property taxes thereby shifting the financial responsibility to the public. In areas outside municipal boundaries, the role of Local Planning Boards is not mentioned and the public in these areas have no avenue available to have their concerns or complaints dealt with appropriately given the capacity limitations of Planning Boards. Similar to Section 2, how can planning authorities be responsible for compliance issues when site plans can be changed at the licensing stage and throughout the life of the aggregate operations which is outside the planning authorities' jurisdiction?

GWO Recommendation #10

- Ensure compatibility goes both ways.
- Do not overburden planning authorities with EPA compliance issues.
- Review the viability and effectiveness of Local Planning Boards to deal with EPA complaints and compliance issues.

4.0 IMPLEMENTATION AND PLANNING TOOLS

4.3.1 Municipal By-laws

GWO Concern/Issue

- **Increased workload for planning authorities and risk of increasing property tax burden**
- **Lack of reference to fly rock as a contaminant**

Onus is on the municipality to enforce by-laws that would prevent and respond to land use compatibility issues.

Development and enforcement of by-laws regarding EPA compatibility issues puts further pressure on planning authorities' capacity requirements and risk of increase to local property taxes. As stated above, once the license has been approved, the planning authorities' oversight is limited by the PPS and the ARA. In addition, Local Planning Boards do not have the capacity for by-law enforcement. The public in these areas must rely on the good will of the self-reporting aggregate producers to comply with compatibility issues.

GWO Recommendation #11:

- Do not overburden planning authorities' capacity and planning budgets.
- The province needs to review the viability and effectiveness of Local Planning Boards to not only develop by-laws but to carry out their enforcement.

GWO Recommendation #12:

- MECP to take responsibility for monitoring and compliance regarding their mandate for the environment as it relates to major facilities.

APPENDIX - D – SECTOR SPECIFIC RELATED TO AGGREGATES

GWO Concern/Issue

- **Preferential Treatment of Aggregate Industry**
- **PPS not being referred to in its entirety**
- **Recognition of the differences between planning and licensing stages**

Overall, aggregate operations are depicted as having priority over sensitive land uses. This imbalance includes the following:

- AOIs and MSDs are not applicable to land use decisions for new or expanding aggregate operations proposed near sensitive land uses,
- Not requiring demonstration of need,
- PPS clauses are not being applied consistently, and
- Grey areas exist between the planning and licensing functions.

The PPS favours a balanced approach regarding the potential for social and environmental impacts. Pertinent PPS clauses that consider the EPA state that development is to only be permitted when public health & safety, air quality and climate change have been addressed. Incompatibility in terms of noise, air, contaminants and vibration relate to public health and safety or environmental degradation and

although they are potential impacts of aggregate operations, they are not fully addressed by this Guideline.

Within this section, the planning authority is to consider compatibility as per the PPS and the ARA.

Planning authorities....should also take into consideration that through the licensing process under the Aggregate Resource Act (ARA), MNR also has requirements to assess potential impacts on existing nearby land uses and whether it is feasible to mitigate potential impacts through that process.

The ARA is not a feasible mechanism to address compatibility because it is proponent driven. Although addressing public concerns regarding potential impacts from operations are the proponent's responsibility under the ARA, the purposes of the ARA are to manage, control and regulate aggregate resources and operations to "minimize" the adverse impact on the environment. Compatibility between land uses is a government planning function and a responsibility that relates to public interest and community well-being. As a business, the proponent's corporate responsibility is to their shareholders and business profitability. The ARA and accompanying AROPS are not planning but operational documents and focus on the merits of the proposed pit's operations.

GWO Recommendation #13

- Be explicit regarding all compatibility requirements.
- Clearly identify that the PPS is to be read in its' entirety.
- Aggregate operations should not take precedence over municipal planning.
- Recognize the difference between the planning and licensing functions.

GWO Concern/Issue – Preferential Treatment of Aggregate Operations

"Planning authorities must consider the potential for adverse effects from aggregate operations (including existing, planned and potential future operation), such as traffic to and from the facilities, and noise and dust from blasting, crushing or other operations, for proposals that require a planning approval."

The Guideline also requires planning authorities to consider impacts for future aggregate operations where zoning is approved, deposits of mineral aggregate resources where provincial information is available, as well as dormant, licenced pits and quarries and un-rehabilitated "legacy" sites. Although the surficial geology maps identify location and extent of aggregates, quality is not always well defined, only the range and nature of the deposit. Determining quality requires further testing through bore holes and analysis of the material. Under this Guideline aggregate operations can freeze land for potential (not predicted) development even though the operation may not be permitted or even feasible given the quality or quantity of the material in particular locations. Freezing land would be detrimental to a cohesive society, compatible relations and future generations.

GWO Recommendation #14:

- Consider equity and the balance of land uses and opportunities for future generations.

Appendix D does not consider other potential adverse effects from aggregate operations such as the potential for groundwater and surface water contamination. Since these adverse effects on sensitive

land uses are not specified in the Guidelines, there may be confusion for planning authorities when considering approvals for rezoning of aggregate operations.

GWO Recommendation #15:

- Clearly indicate that MECP Guidelines relate to noise, dust, odour and vibrations only.
- Clearly indicate that planning authorities need to consider all adverse effects when considering planning proposals.

WHAT'S MISSING IN THE GUIDELINES

1. Fly Rock

The Guideline does not include fly rock as a discharge from quarry blasting and the adverse effect on sensitive land uses. Ontario Regulation 244/97 under the ARA which pertains to fly rock was approved on November 2020 and should be addressed in the Guideline.

2. Cumulative Effects

Aggregate extraction is often described as a temporary or interim use even though aggregate licenses are granted with no end date (in perpetuity) and gravel pits and quarries can lie dormant for decades. It is the local property owners, residents and communities which are in the location for the long term and will have to live with the consequences. MNRF's siloed approach to assessing aggregate operations and pit licenses is maladaptive to deal with the long term consequences that can result from the expansion of aggregate operations. A project specific lens is not adequate to determine the incremental effects from past, present and future human actions. It is misleading to not consider the full potential of social and environmental impacts from all development occurring in a region, not merely from one operation but how that operation relates within the locational context.

GWO Recommendation #16:

- Include land use compatibility provisions to protect sensitive land uses and the environment from the adverse impacts of fly rock.
- Consider the cumulative effects of past, current and future developments before there are unsightly and irreversible effects.

CONCLUSION

The long standing recognition of the inherent incompatibility between sensitive land uses and industrial lands goes back in history to when land use activities that generated noise, smell, unsanitary or hazardous conditions were walled off from civic activities and living spaces as a means to regulate compatibility. Whether a sensitive land use proposes to expand near an existing aggregate operation, or whether an aggregate operation proposes to expand near an existing sensitive land use, the effects will be the same. Planning was and is the mechanism to provide guidance to reduce the risk for social and environmental impacts and/or conflicts associated with land use decisions.

Compatibility is a two-way process and must be reflected throughout the document. Aggregate extraction, by its very nature, is not a renewable resource and therefore cannot be considered a

sustainable resource. The Guideline should align with global concepts of sustainable development and the underlying tenants of corporate social responsibility and adherence to good planning. The Guideline should be applied by the municipality when considering planning applications for new and expanding pits and quarries near sensitive land uses where the effects on and of climate change and the health and safety of communities and future generations can be considered. The ARA proponent-driven, site-specific studies of the aggregate licencing process should not be substituted for good planning. Unless the Guideline is applied to aggregate operations as Class III industrial facilities without exemption, and planning authorities are given the tools and human and financial resources to carry out the expectations in this Guideline, land use compatibility and the potential for conflict with nearby sensitive land uses cannot be resolved.

SUMMARY OF RECOMMENDATIONS

GWO Recommendation #1

- Apply the Guideline in the same manner for new or expanding aggregate operations as for sensitive land uses.

GWO Recommendation #2:

- Maintain the conceptual distinction between compatibility and co-existence.
- Distinguish between minor and major impacts.
- Ensure the MECP Guideline aligns with national and international agreements as well as the provinces' social, environmental and climate change responsibilities.

GWO Recommendation #3:

- Apply the same requirement for new or expanding major facilities near established and planned sensitive land uses as for sensitive land uses being proposed near major facilities.
- Consistently apply all relevant PPS clauses.

GWO Recommendation #4:

- Change the word 'should' to 'shall' to provide clear direction to ensure incompatible uses are not enabled nor approved.

GWO Recommendation #5:

- Change 'should work together' to 'shall work together'.
- Enable collaboration to achieve the desired outcome of compatibility.
- Clearly identify the government's responsibility for the Duty to Consult with Indigenous Peoples and ensure it is implemented at the outset of development when changes in land use are being considered.

GWO Recommendation #6:

- Do not overburden planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to carry out high level planning functions.

GWO Recommendation #7

- That new or expanding aggregate operations:
 - Apply the prescribed AOI and MSD required for Class 3 Major Industrial Facilities proposed near Sensitive Land Uses,
 - Measure separation distances (AOI and MSD) from the property boundary of the proposed aggregate operation (Class 3 Major facility) and from the property boundary of the existing sensitive land use to accommodate future expansions of the major facility,
 - Adhere to the Guideline for a Class 3 Major Facility (as identified in Section 2.2 Table 1) with the understanding that some aggregate operations may cause adverse effects beyond the MSD of 500 M and in some cases, beyond the AOI of 1000 M
 - Be subject to the steps in Section 2.5 for a proposed or expanding major facility that is within the AOI or MSD of an existing or planned sensitive land use.
 - Recognize Section 2.9 of the Decision Tree for Land Use Compatibility that may result in a proposed Major Facility not going ahead if expected adverse effects cannot be minimized and/or mitigated to the level of no adverse effects.

GWO Recommendation #8

- Apply the same requirement for Demonstration of Need in the same manner to new or expanding major facilities as for sensitive land uses being proposed near major facilities.
- Ensure compatibility is a two way process.

GWO Recommendation #9

- Should a planning authority conduct a review of a proponent's compatibility study with in-house expertise, the expense should be borne by the proponent.

GWO Recommendation #10

- Ensure compatibility goes both ways.
- Do not overburden planning authorities with EPA compliance issues.
- Review the viability and effectiveness of Local Planning Boards to deal with EPA complaints and compliance issues.

GWO Recommendation #11:

- Do not overburdening planning authorities' capacity and planning budgets.
- Review the viability and effectiveness of Local Planning Boards to not only develop by-laws but to carry out their enforcement.

GWO Recommendation #12:

- MECP to take responsibility for monitoring and compliance regarding their mandate for the environment as it relates to major facilities.

GWO Recommendation #13

- Be explicit regarding all compatibility requirements.
- Clearly identify that the PPS is to be read in its' entirety.
- Aggregate operations should not take precedence over municipal planning.
- Recognize the difference between the planning and licensing functions.

GWO Recommendation #14:

- Consider equity and the balance of land uses as well as opportunities for future generations.

GWO Recommendation #15:

- Clearly indicate that MECP Guidelines relate to noise, dust, odour and vibrations only.
- Clearly indicate that planning authorities need to consider all adverse effects when considering planning proposals.

GWO Recommendation #16:

- Include land use compatibility provisions to protect sensitive land uses and the environment from the adverse impacts of fly rock.
- Consider the cumulative effects of past, current and future developments before there are unsightly and irreversible effects.

REFERENCES:

Arnstein's Ladder of Public Participation, found at:

(<https://www.citizenshandbook.org/arnsteinsladder.html>.)

EPA D-Series Guidelines

- D-1 Land Use and Compatibility
- D-1-1 Land Use Compatibility: Procedure for Implementation
- D-1-2 Land Use Compatibility: Specific Applications
- D-1-3 Land Use Compatibility: Definitions
- D-6 Compatibility between Industrial Facilities
- D-6-1 Industrial Categorization Criteria
- D-6-3 Separation Distances

Government Documents:

- Aggregate Resources Act Regulations, Amendments 2020
- Aggregate Resources of Ontario Provincial Standards, Amendments 2020
- Provincial Policy Statement 2020
- Ontario Planning Act
- Mineral Aggregate Resources Policy Statement and Guideline on Implementation
- Ontario Environmental Protection Act (EPA)

World Commission on Environment and Development. Our Common Future, Oxford, UK. Oxford. University Press. 1987.

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June 21, 2021

Report to: Township of Ramara Committee of the Whole
Subject: Proposed Land Use Compatibility Guideline
Ministry of Environment, Conservation and Parks (MECP)

Recommendations

1. That the Committee of the Whole receive the Report, 'Proposed Land Use Compatibility Guideline', dated June 21, 2021, as presented by Mark Dorfman; and
2. The Township of Ramara shall submit this Report and Recommendations to the Ontario Ministry of the Environment, Conservation and Parks under Environmental Registry of Ontario Number 019-2785, prior to July 3, 2021, to mecp.landpolicy@ontario.ca

At its meeting held on June 7, 2021, the Committee of the Whole passed a motion requesting "A report regarding the Aggregate sections of the proposed Land Use Compatibility Guidelines".

On May 4, 2021, MECP published the proposed Guidelines for public consultation. This is one of four initiatives that were issued at the same time. These initiatives are intended "to strengthen compliance tools that hold polluters accountable and create consistent guidelines to prevent and address noise and odour issues."

Submissions to MECP are to be made on or before July 3, 2021.

EXISTING D-SERIES GUIDELINES

The MECP intends to update and replace the D-Series Guidelines related to land use compatibility that has existed since July 1995. The existing Guideline D-6, "Compatibility Between Industrial Facilities and Sensitive land uses" applies to the land use planning process "to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another".

The D-6 Guideline does not apply to pits and quarries if there are site specific studies related to an aggregate application. Otherwise, as I understand, when an official plan/ amendment and zoning bylaw/amendment are considered for new sensitive land uses encroaching on an existing pit or quarry, the D-6 Guideline should be used by the municipality. Although not clearly enunciated in the D-6 Guideline, I believe that the D-6 Guideline should be used when the municipality is considering planning applications for new and expanding pits and quarries.



THE PROPOSED LAND USE COMPATIBILITY GUIDELINE

Overview

The proposed Guideline focuses on official plan and zoning bylaw updates; applications to amend the official plan, the zoning bylaw, site plan applications, and plan of subdivision applications. It is clearly stated that the municipality should use the Guideline where a new or expanding sensitive land use is proposed near an existing or planned major facility and where a new or expanding major facility is proposed near and existing or planned sensitive land use.

A **Major Facility** includes Resource Extraction Activities. A **Sensitive Land Use** is a building, amenity area or outdoor space, such as dwellings, day care centres, health and education facilities, public parks, harbours.

The Guideline is used to enable certain land uses to coexist in the long-term. Compatibility is two ways: it means that adverse effects such as noise, dust, odour and vibration from Major Facilities on Sensitive Land uses can be achieved, and that complaints from nearby Sensitive Land Uses do not add costs to Major Facilities for mitigation after the fact.

COMPATIBILITY METHODOLOGY

- (a) Municipalities are guided to determine **Areas of Influence ("AOIs")** and **Minimum Separation Distances ("MSDs")** surrounding existing or planned Major Facilities that are established by the Province. The AOI for Aggregate Operations is 1,000 metres. The MSD for Aggregate Operations is 500 metres. **The AOI and the MSD only apply to new or expanding Sensitive Land Use proposals near a Major Facility aggregate operation.** (See Table 1, pages 23 to 25).
- (b) The Municipality is directed to undertake a **Compatibility Study** if a development proposal is in an AOI of 1,000 metres. The Compatibility Study assesses where potential noise, dust, odour and vibration adverse effects are very likely to occur and incompatible development should not normally take place in the minimum 500 metre MSD.
- (c) A **Demonstration of Need Study** is required by the municipality to determine whether there is an identified need for the proposed Sensitive Land Use in the proposed location in the AOI, and if alternative locations outside the AOI have been evaluated and there are no reasonable alternative locations. Mitigation Measures would be needed to ensure no adverse effects or potential impacts and no Sensitive Land Use in the MSD.

The Township of Ramara recommends:

1. **that the Land Use Compatibility Guideline should apply to new or expanding Aggregate Operations that are near existing and planned Sensitive Land Uses, as well as new or expanding Sensitive Land Uses.**



2. that the Minimum AOIs and the Minimum MSD should apply where there are new or expanding Aggregate Operations near existing or planned Sensitive Land Uses, as well as new or expanding Sensitive Land Uses.
3. that if the Municipality is required to undertake a Compatibility Study, the Municipality should not be required to pay for the total cost of a Compatibility Study where there are planning applications for new or expanding Aggregate Operations and new or expanding Sensitive Land Uses.
4. that if the Municipality is required to undertake a Demonstration of Need Study, the Municipality should not be required to pay for the total cost of a Demonstration of Need Study for proposed Sensitive Land Uses in the AOI and MSD of the existing Aggregate Operations.
5. that if the Municipality is required to pay for the required Compatibility and Need Studies, it is appropriate that the Municipality may deny the acceptability of planning applications.
6. that the Land Use Compatibility Guideline shall be used by the Municipality to assess the appropriateness of licence and planning applications under the *Aggregate Resources Act* and the *Planning Act* and approve or deny according to good planning, conformity and consistency.

AGGREGATE SECTOR CONSIDERATIONS (APPENDIX D)

In the existing Ramara Official Plan, Schedule "D" identifies in the order of 12,560 hectares of land as "High Potential Mineral Aggregate Resource Areas" (HPMARAS). This represents 30% of the Ramara's total land area. The total HPMARA consists of predominately bedrock resources. The HPMARA excludes designated Settlement Areas. The boundary of the HPMARA is located a minimum of 1,000 metres from existing and planned Sensitive Land Uses such as designated Settlement Areas, designated Shoreline Residential Areas, First Nation Reserve lands, and Provincially Significant Wetlands. The HPMARA is consistent with the spirit of the D-6 Guideline.

There are 14 licenced Quarries and 8 licenced Pits in Ramara that annually produce in the order of 3 million tonnes of aggregate on 1,660 hectares. Ramara is one of the top 10 producers in the provincial Growth Plan Area.

In Ramara, 13 of the 14 licenced quarries are located within the identified HPMARAs, thereby achieving the objective of land use compatibility with designated residential sensitive land use areas. The only quarry that is not within an HPMARA is currently proposing to expand its aggregate operation within the 1,000 metre AOI and the 500 metre MSD. This matter is scheduled to be heard by the Ontario Land Tribunal.



Following from the above recommendations, the following issues arising from Appendix D - Aggregate Sector Considerations raise several issues and recommendations for improvements to the proposed Land Use Compatibility Guideline.

Issues Regarding Noise, Dust and Odour Emissions and Other Adverse Effects

- (a) On page 77, it is suggested that municipalities “will also need to consider other potential *adverse effects*, such as the potential for groundwater and surface water contamination, which are not discussed specifically in this section”. This statement is very general and applies to all Major Facilities proposed in a municipality. Ramara understands that there are other adverse effects or impacts on Sensitive Land Uses and that these are not included as considerations in these proposed Guidelines. This raises confusion when considering Major Facilities in general and Aggregate Operations specifically.

7. The Township of Ramara recommends that the second paragraph on page 77 should be deleted.

- (b) On page 79, there is a caution addressed to municipalities when considering Aggregate Operations:

It is important to plan land uses surrounding aggregate resources in a way that both prevents adverse impacts to *sensitive land uses* and ensures the long-term protection of aggregate resources.

The Township of Ramara Official Plan policies implement this approach by keeping Aggregate Operations away from settlement areas, shoreline residential areas and First Nation Reserves and provides opportunities within the identified HPMARAs for continued Aggregate Operations in the long-term.

8. The Township of Ramara agrees with this caution and recommends that the proposed Guideline include the Ramara Official Plan case as one successful example for achieving this land use objective.

- (c) On page 79, the second sentence in the first paragraph, as stated, raises a major concern for the Township of Ramara:

Planning authorities must consider the potential for *adverse effects* from aggregate operations (including existing, planned and potential future operations), such as traffic to and from the facilities, and noise and dust from blasting, crushing or other operations, for properties that require a planning approval.

I interpret this to mean that the Municipality is directed when assessing a planning application for Sensitive Land Uses, such as residential, that the Municipality is responsible for determining adverse effects as defined in the *Environmental Protection Act*. It is evident from this statement that the province expects that existing, planned and potential Aggregate Operations should have priority over Sensitive Land Uses. The



direction to the Municipality is onerous since it implies that an environmental impact assessment is required for any planning approval including a consent, minor variance or even one dwelling.

9. The Township of Ramara disagrees that the Aggregate Operations should take precedence in municipal planning. Since the Aggregate Operation is the potential source of adverse effects, the adverse effect assessment must be undertaken by the aggregate proponent whether an Aggregate Operation is new or it is expanding near Sensitive Land Uses.

- (d) On page 79, the second paragraph reiterates the provincial interest in Provincial Policy Statement 2020. In particular, policy 1.2.6.1 in PPS2020 sets out the provincial interest to balance the planning and development of Major Facilities and Sensitive Land Uses in order to avoid, minimize or mitigate adverse effects of Major Facilities. The effects are broader and include contaminants other than odour and noise and also the policy is to minimize risk to public health and safety, and to always ensure economic viability of Major Facilities.

Policies 2.5.2.4 and 2.5.2.5 in PPS2020 direct Municipalities to protect *mineral aggregate operations* and under certain "requirements" allow development and activities within identified mineral aggregate resource areas. These provincial policies are well understood. The paragraph continues with the caution that "these requirements are in addition to what is recommended in this Guideline."

This is interpreted to always mean that Aggregate Operations and Aggregate Resource protection take precedence over development of sensitive uses.

10. The Township of Ramara reiterates that Aggregate Operations should not take precedence in municipal planning. Ramara has realized the balance between land uses and provides 12,560 hectares for protected Mineral Aggregate Resources.

- (e) On page 79, paragraph 3 confirms that the onus is on the Municipality to demonstrate that new or expanding Sensitive Land Uses conform with the provincial AOIs and MSDs for existing or planned Aggregate Operations. This implies that if the Municipality has identified protected provincial Mineral Aggregate Resources required for planned Aggregate Operations, these areas essentially are unavailable for other development such as residential.

In many Municipal Official Plans, Mineral Aggregate Resources are identified as an overlay of existing designated settlement areas and built-up areas. This Guideline should be clear that to avoid potential adverse effects, the Ramara Official Plan model should be encouraged in all Municipalities



11. The Township of Ramara recommends that paragraph 3 on page 79 should be modified to add an option that municipalities should identify protected Mineral Aggregate Resources in appropriate areas beyond designated settlement areas and residential clusters in order to avoid potential adverse effects and land use incompatibility.

(f) On pages 79 and 80, the first sentence in paragraph 4 clearly enunciates the provincial objective:

The AOI and MSD in the Guideline are not applicable to land use decisions for new or expanding aggregate operations proposed near *sensitive land uses*. *Planning authorities* are required to address land use compatibility with respect to new or expanding operations, as required by the PPS.

This means that when a Municipality receives a planning application to amend the Official Plan and/or the Zoning Bylaw for an Aggregate site, the Municipality cannot use the AOIs and MSDs to separate the new or expanding aggregate operation from existing residential areas. Simply stated, the new or expanding aggregate operation can locate within 1,000 metres or even 500 metres, or less from an existing stable residential area.

In Ramara's experience, this direction is not acceptable and this municipality has already made the planning decision when identifying Mineral Aggregate Resource Areas, that aggregate operations are not appropriate within 1,000 metres of existing and planned residential areas.

12. The Township of Ramara strongly disagrees with the provincial direction that existing and expanding aggregate operations are not required to consider land use compatibility and may locate within 1,000 metres of existing and planned residential areas that are sensitive land uses.

(g) On page 80, reference is made to the role of the MNR "to assess potential impacts on existing nearby land uses and whether it is feasible to mitigate potential impacts through that process". Under the *Aggregate Resources Act* and the aggregate regulation and standards, the proponent for a licence is only required to consider an area of 120 metres surrounding the proposed licenced area for most impacts.

13. The Township of Ramara disagrees that there should never be a distinction between land use compatibility addressed in the *Aggregate Resources Act* and under the *Planning Act*. The AOIs and MSDs should be applied in both directions.



- (h) The proposed Land Use Compatibility Guideline does not include an important contaminant emanating from Aggregate Quarries. The contaminant is fly rock. On January 1, 2022, Rule 22 of subsection 0.13 in Ontario Regulation 244/97 under the *Aggregate Resources Act*, comes into effect. It stipulates that an aggregate licensee shall ensure that the quarry is in compliance with the Rule as follows:

a licensee shall take all reasonable measures to prevent fly rock from leaving the site during blasting if a sensitive receptor is located within 500 metres of the boundary of the site.

Fly Rock discharge from a quarry blasting is a contaminant and it is likely to cause an adverse effect under the *Environmental Protection Act*. The Act requires that the licensee must report forthwith to the MECP if the contaminant may likely cause an adverse effect. The Ministry may issue an order for remediation and preventative measures. Currently, there is no provincial policy, regulation or guideline that protects the environment, people, property and natural heritage features on land and in the air and water from the discharge of fly rock from a quarry.

- 14. The Township of Ramara recommends that the MECP should modify the proposed Guideline to include land use compatibility provisions to adequately protect the environment beyond quarry sites from the possible adverse impacts of fly rock during blasting operations.**

Respectfully submitted,



Mark L. Dorfman, F.C.I.P., R.P.P.



MEDIA ADVISORY

FOR IMMEDIATE RELEASE • JUNE 10, 2021

Contact: Captain Denny Grinold, Chair, U.S. Committee of Advisors: (517) 819-7991
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**ADVISORS TO THE GREAT LAKES FISHERY COMMISSION PASS RESOLUTIONS ADDRESSING
GLFC FUNDING, OFFSHORE PRODUCTIVITY, LAKE TROUT STOCKING IN LAKE HURON, AND
CANADIAN LEGISLATION**

ANN ARBOR, MI—The U.S. and Canadian Advisors to the Great Lakes Fishery Commission (Commission) met over Zoom during the Commission's recent 66th annual meeting to discuss a number of issues pertaining to the Great Lakes fishery. The Committee of Advisors is composed of citizens who represent various interests including recreational and commercial fishing, academia, Indigenous governments, municipalities, Conservation Authorities, environmental NGOs, and the public-at-large. Advisors meet regularly to consider issues, share information, and provide input to the Commission about the management of the shared Great Lakes fishery. Often, the committee is able to act as a whole, reflecting the concerns and opinions of advisors from both countries. This year, the committee passed five binational resolutions pertaining to issues affecting the entire basin, described below.

1. A Resolution in Support of Restoring the Commission's Fiduciary Relationship with Global Affairs Canada—For the past forty years, Fisheries and Oceans Canada, which serves as a contracted agent for the sea lamprey control program, has performed the Commission's fiduciary function. This dual role has resulted in Canada's support to the Commission being too narrowly focused on sea lamprey control, while neglecting the other responsibilities of the commission including facilitating fishery management and implementing its research program. The Canadian and U.S. Committee of Advisors passed a joint resolution calling upon the Government of Canada to move the Commission's fiduciary function from Fisheries and Oceans Canada back to Global Affairs Canada, as it was when the treaty was originally signed in 1955 and the broader treaty commitments were respected. The resolution is available: http://www.glfc.org/pubs/pdfs/resol2021_3.pdf.

2. A Resolution in Support of Implementing the Recommendation of the SAB's Report Entitled Understanding Declining Productivity in the Offshore Regions of the Great Lakes—In June 2020, the International Joint Commission's (IJC) Science Advisory Board (SAB) released a ground-breaking report entitled "Understanding Declining Productivity in the Offshore Regions of the Great Lakes", which discusses the causes of apparent declines in the productivity in offshore regions of the Great Lakes and assesses how these declines are potentially affecting fisheries. The Commission was one of 13 members of a diverse workgroup that provided input to the report. The report presents a number of recommendations, including:

- Further coordination of efforts between water quality and fishery managers is needed to improve knowledge and adaptive management of nutrients in the nearshore and offshore waters of the Great Lakes, given effects on productivity in these areas;
- Targets for phosphorus reductions under the Great Lakes Water Quality Agreement must appropriately balance potential trade-offs in productivity between nearshore and offshore areas, given the stresses in place; and
- Additional support for applied research, such as experimental approaches to control invasive mussels through the Invasive Mussel Collaborative, is needed.

The Canadian and U.S. Committee of Advisors resolution commends the SAB on the quality of the report and thanks all who contributed. Advisors endorsed the findings and recommendations and called on the Commission to work with the Great Lakes Executive Committee to assist with the development of a standing multi-agency Cooperative Ecosystem Monitoring and Modeling Advisory Committee, as recommended in the report, to review all components of the report's eleven recommendations and to consider the eight identified

knowledge gaps. The joint resolution is available:
http://www.glfrc.org/pubs/pdfs/resol2021_4.pdf.

3. A Resolution Calling for a Review of the Strategy For Lake Trout Stocking and its Implementation In Southern Lake Huron

In 2018, the Lake Huron Committee made the decision to cease lake trout stocking in the Michigan waters of southern Lake Huron based on declining relative survival of stocked lake trout and positive trends in wild lake trout reproduction. Yet, since that decision, the current level of natural reproduction is lower than needed to replace lost stocking for the fishery and lake trout biomass has steadily declined. The issue of lake trout stocking is complex and there are multiple scientific unknowns, including impacts on commercial fishers, variability in predation pressure and changes in climate. Recognizing these challenges, the Canadian and U.S. Committee of Advisors passed a resolution urging the Lake Huron Committee to review the Strategy for Reducing Lake Trout Stocking in Lake Huron in consultation with the range of stakeholders (e.g. recreational, commercial and Indigenous fishers, science and environmental communities) concerned with the status of the fishery. The resolution is available:
http://www.glfrc.org/pubs/pdfs/resol2021_1.pdf.

4. A Resolution in Support of the Great Lakes – St. Lawrence Group, a Subcommittee of the Canada-United States Inter-Parliamentary Group

In September 2020 the Great Lakes St. Lawrence Group (GLSLG) was formalized as a subcommittee of the Canada-United States Inter-Parliamentary Group for a trial period ending September 30, 2021. The intent of the GLSLG, similar to the U.S. Great Lakes Task Force, is to focus the attention of Canada's elected officials on facilitating and promoting cross-border and multi-partisan cooperation on legislative and policy issues relating to the protection of the Great Lakes and St. Lawrence River. Noting the successes of the GLSLG during the trial period, the Canadian and U.S. Committee of Advisors passed a resolution calling for the Canada-United States Inter-Parliamentary Group to establish the Great Lakes St. Lawrence Group as either a permanent subcommittee or as an independent group when the trial period ends. The resolution also urges the GLSLG seek support from the Government of Canada comparable to that provided through the U.S. Great Lakes Restoration Initiative (GLRI). The resolution is available: http://www.glfrc.org/pubs/pdfs/resol2021_2.pdf.

5. A Resolution regarding the Establishment of a Canada Water Agency

Water governance in Canada is complex and multi-jurisdictional, currently involving more than twenty federal departments and agencies, as well as the provinces, territories, municipal governments, and Indigenous governments and Treaty Rights. In 2019, the Prime Minister of Canada directed his ministers to create a new Canada Water Agency to coordinate with all involved parties to find ways to keep water safe, clean and well-managed. The Canadian and U.S. Advisors unanimously passed a resolution supporting the creation of a Canada Water Agency, and calling upon the Government of Canada to ensure CWA's mandate is clearly and strongly aligned with fisheries and fish habitat protection and management. The resolution also urges the creation, governance and activities of the CWA be designed to complement and fill gaps in the existing multi-nation management and science governance institutions. The resolution is available:
http://www.glfrc.org/pubs/pdfs/resol2021_5.pdf.

Dr. Tom Whillans of Trent University, chair of the Canadian Committee of Advisors, said, "Despite the extreme challenges of this past year, the Committee of Advisors remained engaged on a variety of legislative and environmental issues. The binational support for these five resolutions, including three that are directed to the Government of Canada, reflects the strength of our cross-border relationships, our diverse areas of interest and expertise, and our shared commitment to science-based management."

"All who serve on the Committee of Advisors are dedicated and driven individuals who are deeply committed to strengthening cooperation, enhancing science, and driving needed legislative actions to protect and rehabilitate the Great Lakes and its world-class fishery," said Captain Denny Grinold, chair of the U.S. Committee of Advisors.

"The Great Lakes Fishery Commission values the input and advice from the Committee of Advisors. Commissioners and staff will take appropriate action on these well-conceived resolutions," said Robert Lambe, executive secretary of the Commission.

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The opinions expressed here are those of the independent committee of advisors and not necessarily those of the Great Lakes Fishery Commission. The Committee of Advisors consists of both U.S. and Canadian representatives, from indigenous, commercial, recreational, academic, agency, environmental, and public fishery interests in the Great Lakes Basin. Advisors provide advice to the Great Lakes Fishery Commission; U.S. advisors are nominated by the State Governors, and appointed by the commission. Canadian advisors are appointed by the commission.

<http://www.glfsc.org/advisors.php>

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emma



4.12

August 31, 2021

Hamilton City Hall
Attn: City Clerk

Mayor Fred Eisenberger and Members of Council,

The Ancaster Tennis Club is asking for a minor amendment to the loan schedule of repayment that was passed by Council on June 9, 2021. We are asking for an extension of the first repayment of the loan based on our expectation of draw on the loan. This amendment will bring the repayment date annually in line with the end of our winter operating system.

The initial loan document requires that the first annual repayment occur 12 months after drawing on the loan. We expect to begin drawing on the loan in October 2021, therefore the first annual repayment would be due in October 2022. The initial draw in October 2021 is required to have the foundation construction completed in a timely manner to ready the club for full winter operations in October 2022.

Our winter operations, where the bulk of our revenue and, therefore, cash flow occur to support the loan repayment, finishes in April of each year. Therefore, our first full year of revenue under the new business model will be completed in April 2023.

We would like the first repayment of the loan to occur in May 2023, assuming we draw on the loan in October 2021 as is anticipated. Subsequently, we would be very appreciative if we could continue our yearly repayment on May 1st of each year.

We thank you for your consideration of our request and we look forward to being able to provide a year-round tennis facility accessible to all residents in the region of Hamilton by October 2022.

Sincerely,

Kerry

Kerry Radigan
President, Ancaster Tennis Club
radigankerry@gmail.com

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

Procureur général
Édifice McMurtry-Scott
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Tél.: 416-326-4000
Télééc.: 416-326-4007



Our Reference #: M-2021-10649

August 27, 2021

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

Email: mayor@hamilton.ca

Dear Mayor Eisenberger:

Thank you for your letter of June 23, 2021, regarding municipal insurance costs and joint and several liability (“JSL”). I appreciate your taking the time to write on this important topic and certainly sympathize with your frustration in having scarce tax dollars diverted to insurance premiums.

JSL, which forms part of Ontario’s civil liability framework, applies to many sectors including municipalities, professional bodies and consumers.

Municipalities have shared with the government concerns about increasing insurance costs and the impact they can have on property taxes and public services.

As you note, in 2019 the government held consultations on municipal insurance costs and JSL with municipalities across Ontario. During these consultations we received useful data from a number of municipalities, including a substantive submission from Hamilton. However, despite the significant amount of material that was received, there remains a lack of evidence that would allow us to confidently draw a causal connection between JSL and municipal insurance costs. For example, there are a number of factors – many of which your 2019 submission notes, such as the current hard insurance market, a lack of competition in the market, and the dramatically expanding scope and scale of environment-related claims (e.g., floods, ice storms) – that make it difficult to know whether JSL materially affects insurance costs.

As a result, we continue to explore how to address these serious issues in a way that balances the concerns of municipalities with the severe consequences that a change to JSL could have for plaintiffs, such as victims of catastrophic accidents.

This will be an ongoing conversation. We need to be confident, if we are to consider changes to the liability framework, that insurance rates would actually fall.

Sincerely,

A handwritten signature in black ink that reads "Doug Downey". The signature is written in a cursive style with a large, stylized "D" at the beginning and a long, sweeping underline.

Doug Downey
Attorney General



August 27, 2021

Federation of Canadian Municipalities

Sent via email: resolutions@fcm.ca

To Whom it May Concern:

Please be advised that the Council of the Corporation of the City of Brantford adopted the following resolution at its City Council meeting held on August 24, 2021:

12.2.14 Year of the Garden 2022

WHEREAS the City of Brantford is committed to being a Garden Friendly City, supporting the development of its garden culture; and

WHEREAS the City has a rich tradition of horticultural excellence with more than 180 floral gardens in municipal parks and along City streets, unique mosaic and carpet bed displays as well as annual plantings that enhance public art and historic monuments throughout the community and within the Downtown; and

WHEREAS Equal Grounds Community Gardens coordinates and supports more than 20 active community gardens throughout the City- an initiative that is maintained fully by community residents and volunteers, to provide places for growing local, healthy and nutritious fruits and vegetables in urban neighbourhoods; and

WHEREAS the City is proud to be home to landscapes that demonstrate a growing commitment to environmental sustainability and climate action including an emphasis on water conservation, and the use of native plants and species providing food and habitat for bees and other pollinators; and

WHEREAS gardens and gardening contribute to the quality of life of our municipality and create safe and healthy places where people can come together, and the entire Country is being asked to proclaim 2022 as the "Year of the Garden";

NOW THEREFORE BE IT RESOLVED:

- A. THAT, the City of Brantford actively PARTICIPATE in the "Year of the Garden" by promoting beautification initiatives, enhancing plantings city wide, encouraging resident engagement and creating a supporting media campaign, and
- B. THAT Staff BE DIRECTED to prepare a plan for 2022 that highlights Brantford's gardening excellence and commitment to environmental sustainability, along with the required budget to be submitted to the

Estimates Committee for consideration through the 2022 budget process,
and

- C. THAT this resolution BE SHARED with the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, The Member of Parliament and Member of Provincial Parliament for Brantford-Brant, the County of Brant, and all Ontario municipalities.

I trust this information is of assistance.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tanya Daniels', with a large, stylized flourish at the end.

Tanya Daniels
City Clerk
tdaniels@brantford.ca

Copy to: Association of Municipalities of Ontario
Phil McColeman, MP Brantford-Brant
Will Bouma, MPP Brantford-Brant
The County of Brant
All Ontario Municipalities



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1-888-308-6559

9 August 2021

Mayor and Council
Hamilton City Hall
2nd floor - 71 Main Street West
Hamilton, Ontario L8P 4Y5

RE: Sir John A. Macdonald Statue at Gore Park

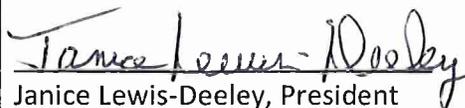
Dear Mayor and City Councilors,

The purpose of this letter is to express our disappointment in your decision of early July 2021 voting in favour of the statue remaining in-situ and status quo. This isn't OK with us nor is it for the majority of the urban indigenous population that call this city 'home'. We are standing in solidarity with our brothers and sisters in this city and calling for you to reverse your decision to remove and decommission this statue permanently.

This isn't just a 'Hamilton' issue. The whole world is watching. In the spirit of reconciliation, we urge you to revisit your decision-making and reflect that of a city wherein it is indeed, *"the best place to raise a child and age successfully"* reflects the kind of city Hamiltonians want to aspire to become. It means having an inclusive community, actively engaged in making Hamilton a better place for everyone."

Our organization has been in this community for forty-five years serving not just 'Indigenous' but any woman with/without children who requires our assistance. We are there for them the same way we support and advocate for our Indigenous families. We will continue to do this work as there is much work to be done. We count on you to be our biggest advocate – especially those Councilors in Wards 5 & 8.

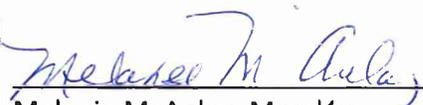
In solidarity,

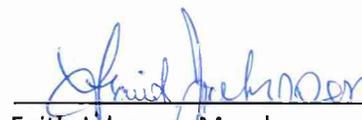

Janice Lewis-Deeley, President


Rae Anne Hill-Beauchamp, Vice-President


Michelle Hill, Treasurer


Eileen Williams, Secretary


Melanie McAulay, Member


Faith Johnson, Member


Sandra Williams, Member


Paula Whitlow, Executive Director



Subject: Source Protection Plan Pre-Consultation, Section 36 Updates

Deadline for Comments: October 4, 2021

Send comments to email: sourceprotection@hrca.on.ca

On behalf of the Source Protection Committee for the Halton-Hamilton Source Protection Region, it is my pleasure to provide **proposed updates to the assessment reports and source protection plan** that result from a review carried out under section 36 of the *Clean Water Act, 2006*. These proposed updates are being provided as part of the **pre-consultation** process required by Regulation 287/07 of the Act, where the Committee must consult with bodies responsible for the implementation of source protection plan policies, before a public consultation period.

Ontario's *Clean Water Act, 2006* provides for a community initiative where municipalities, residents, business owners, provincial agencies, conservation authorities and others work together to protect existing and future municipal drinking water sources. Under the Act, Conservation Halton and the Hamilton Conservation Authority together form the Halton-Hamilton Source Protection Region that supports the multi-stakeholder Committee.

Source Protection Region staff have been leading comprehensive updates to the science and policies over the past two years, working closely with the Committee, municipalities and others. The proposed updates to the source protection plan and assessment reports include:

- Updated drinking water vulnerable areas, vulnerability scores and potential significant threats.
- Updated policy format and updated and new policies of the source protection plan.

See further below for a summary of the proposed updates. Comments received as part of the pre-consultation process will be reviewed by the Source Protection Region staff and the Committee, and possible changes made to the assessment reports and source protection plan policies prior to public consultation.

Clean and tracked-changes versions of the proposed updated source protection plan, explanatory document and assessment reports are available at: <https://bit.ly/38BmKA6>

These documents are for pre-consultation only and not for public sharing.

Source Protection Region staff are available for virtual meetings during the pre-consultation process if necessary. Should questions arise, please contact **Chitra Gowda, Senior Manager, Watershed Planning and Source Protection** by email at sourceprotection@hrca.on.ca or **phone: 905-336-1158 ext. 2237**.

Sincerely,

A handwritten signature in black ink that reads "Robert Edmondson".

Robert Edmondson, Chair

Source Protection Committee for the Halton-Hamilton Source Protection Region

cc:

- Mary Wooding, Liaison Officer, Ministry of the Environment, Conservation and Parks
- Erin Harkins, Program Analyst, Ministry of the Environment, Conservation and Parks
- Barbara Veale, Director, Planning and Watershed Management, Conservation Halton
- Scott Peck, Deputy Chief Administrative Officer/Director, Watershed Planning & Engineering, Hamilton Conservation Authority.

Date of notice: September 3, 2021

Deadline for comments: October 4, 2021.

Halton-Hamilton Source Protection Region Comprehensive Updates to the Source Protection Plan (including Assessment Reports) Per Section 36 of the Clean Water Act

Background

The Clean Water Act, 2006 enables source protection plans and assessment reports to be revised using one of four methods listed below.

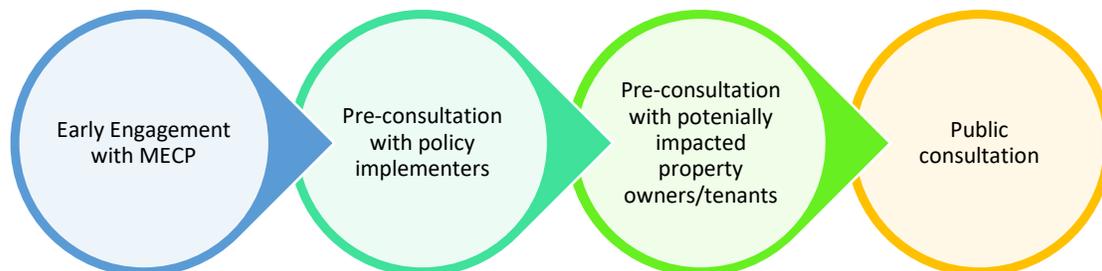
- a locally initiated amendment under section 34;
- a Minister ordered amendment under section 35;
- an update resulting from the review under section 36; or
- an amendment under section 51 of O. Reg. 287/07 for minor/administrative revisions.

Conservation Halton and the Hamilton Region Conservation Authority are the local Source Protection Authorities (SPAs) under the Clean Water Act and are grouped into one source water protection region known as the Halton-Hamilton Source Protection Region (HHSPR).

Upon approval of the first source protection plan for the Halton-Hamilton Source Protection Region (HHSPR) on December 31, 2015, the Minister of the Ministry of the Environment, Conservation and Parks (MECP) issued an order requiring the subsequent submission of a workplan by November 30, 2018 to review source protection plans per Section 36 of the Clean Water Act. These workplans were required across Ontario, leading to the second round of source protection planning across the province.

The HHSPR workplan includes tasks to review both science and policies, to support the continued protection of drinking water sources. It is available at: <https://bit.ly/3k6pyu0>. The HHSPR workplan was reviewed by MECP, resulting in the Minister issuing an amended order in March 2019 pursuant to Section 36 of the Clean Water Act. This amended order specifies the mandatory items from the workplan.

The early engagement and consultation steps are shown below.



The key proposed updates include:

Assessment Reports

- Updated vulnerability scores for the Wellhead Protection Areas of the Campbellville, Kelso, Walkers Line, Carlisle and Greensville municipal drinking water systems (and related background technical studies)
- Updated Wellhead Protection Areas delineation and vulnerability scores for the Freerton municipal drinking water system (and related background technical studies)
- Updated mapping for managed lands, livestock density and impervious surfaces
- Updated potential significant threat activity counts
- Updated Intake Protection Zones and vulnerability scores for the Burlington, Burloak and Oakville municipal drinking water systems and updates scores for the Woodward municipal drinking water system (and related background technical studies)
- Updates to align with the 2017 Technical Rules, including adding the “establishment and operation of a liquid hydrocarbon pipeline” as a prescribed threat (and removed from descriptions as a local threat) and conducting a threats assessment; removal of sodium and chloride references from the circumstances related to on-site sewage systems and holding tanks, etc.

Source Protection Plan

- Updated policy format for the source protection plan.
- Updated and new policies of the source protection plan to address implementation challenges, reflect the updated list of prescribed drinking water threat activities under the *Clean Water Act, 2006*, and address early comments received in July 2021 from the Ministry of the Environment, Conservation and Parks and municipal staff.

The clean and tracked-changes versions of the proposed updated source protection plan, explanatory document and assessment reports are lengthy, large size files and are made available at the large file transfer website indicated on page i. The background technical studies are also available at the same webpage. The documents available at the file transfer website are for pre-consultation purposes only and not for public sharing. Change logs are also provided.

A summary of the key updates are provided in this document, and the relevant changes are highlighted in yellow however other changes may be of interest. Numerous other updates were made to enhance the clarity and content of the assessment reports and source protection plan. These include an updated watershed characterization section in both assessment reports (including land use planning and watershed descriptions, and surface water and groundwater monitoring data trends).

ASSESSMENT REPORTS

CHANGE LOG - Section 36 Updates for the Halton Region Assessment Report

Table 1

No.	Nature of the Change (Proposed Amendment)	Sections (page numbers are approximate)
1	Change to document version number, description, date to reflect a S. 36 update	After the cover page; Appendix A page 335
2	Reference to Technical Rules 2009 updated to Technical Rules 2017	Page 5, 295, bibliography
3	Change MOECC to MECP where appropriate, and Environment Canada to Environment and Climate Change Canada	Throughout
4	Land use section minor updates based on new land use map information	Section 2.2.3, page 44
5	Updated PPS and Greenbelt Plan policy numbers and dates	Section 2.2.1, page 33-34
6	Updated Table 2.1 with the most recent population data	Section 2, page 10
7	Description on Hamilton Harbour Area of Concern is updated	Section 3.11, page 80, Section 4 page 97
8	Permit To Take Water (PTTW) information was updated per S. 36 work	Tables 4.3 and 4.4 pages 105 and 106
9	Updated Surface Water Quantity using most recent data and interpretation	Section 4.2.1 page 89-91
10	Adding charts and editing Surface Water Quality section	Section 4.2.2 page 93-95
11	Minor updates to sections 4.3 Groundwater Monitoring,	Section 4.3 page 104
12	Removal of sodium and chloride references from the circumstances related to on-site sewage systems and holding tanks, per the 2017 Technical Rules	Section 4.3 page ,109 Section 7.1.2 page 248-251
13	Updated section 4.3.2 Water quality, added nitrate and chloride concentration charts (4.4 and 4.5) and edited text	Section 4.3.2 page 109-110
14	Updated section 4.5 text and Table 4.1 using September 2020 PTTW database	Section 4.5 page 115-116
15	Updated Groundwater Levels and Flow - minor addition to groundwater flow characterization	Section 4.3.1 page 108
16	The “establishment and operation of a liquid hydrocarbon pipeline” added as a prescribed threat (and removed as a local threat) per the 2017 Technical Rules. Threats were assessed per the Table of Drinking Water Threats	Section 6.1: 192, 198-199, Section 7.2: 252, 254, 270-272, 279-280, 298
17	Lake Ontario IPZ-2 re-delineation and vulnerability reassessment of IPZ-1 and IPZ-2	Section 6.1: 182 – 191, 195 - 198
18	Technical Study: Lake Ontario intake protection zone re-delineation and vulnerability reassessment	This is a separate technical study

No.	Nature of the Change (Proposed Amendment)	Sections (page numbers are approximate)
19	Transport pathway assessment information updated in Section 6.2	Section 6.2, page 207-208
20	Transport pathways assessment in wellhead protection areas per S. 36 work	Section 6.2.3: 227-230
21	Technical Study: Transport pathways assessment in wellhead protection areas	This is a separate technical study
22	Removal of references to vulnerability scoring in significant groundwater recharge areas (SGRAs), per the 2017 Technical Rules	Section 7.3: Table 7.1 page 267, Section 7.5: page 271, Table 7.5 page 283.
23	Updated Section 7.3 Conditions in terms of criteria (using 2017 Technical Rules), sources of data and conditions assessment results	Section 7.3 page 273-276
24	Table 7.2 updated with the most recent threat count	Section 7.4.1 page 277
25	Table 8.2 updated with the most recent threat count	Section 8.4 page 299
26	Updated Appendix B.1 with the newest data	Appendix B.1 page 348
27	HYDAT Station summary table and hydrographs updated/ replaced with the most current data	Appendix B3 page 350-362
28	Groundwater Quality – PGMN Wells was updated with the most recent available data	Appendix B8 page 397 - 401
29	Groundwater Monitoring Network – PGMN Wells table updated	Appendix B6 page 383
30	Updated Appendix B.4 Surface Water Quality	Appendix B.4, page 363-380
31	Groundwater Level data hydrographs updated up to 2020	Appendix B.7 page 385-395
32	Municipal Raw Water Quality update with the most recent data for Halton Region systems	Appendix B.9 page 402-409

Additional changes to the Halton Region Assessment Report from Early Engagement in summer 2021 with Ministry of the Environment, Conservation and Parks (MECP) and others
Table 2

No.	Nature of the Change (Proposed Amendment)	Sections (page numbers are approximate)
1	Updated threat count for the Freelon municipal system based on County of Wellington and the City of Hamilton staff's verification	Table 7.2 and Table 8.2, page 227 and 239, respectively
2	Corrected Burlington intakes depths to 5 meters from water surface based on Stantec Consulting Ltd. 2008 technical studies and confirmed by Halton Region water treatment plant staff in August 2021	Section 4.5.1 page 117; Table 6.2 page 184 and separate Technical Study
3	Replaced Halton OP write-up with text provided by Halton Region	Section 2.2.1, page 49

No.	Nature of the Change (Proposed Amendment)	Sections (page numbers are approximate)
4	Replaced population distribution and density write-up with text provided by Halton Region	Section 2.2.2, page 50
5	Replaced a paragraph with text provided by Halton Region	Section 2.2.3, page 55
6	Updated estimated number of users in Table 4.2 based on the feedback from Halton Region	Table 4.2, page
7	Minor edits to text based on feedback from Halton Region	Section 4.5.1, page 124
8	Text edits on municipal wastewater treatment plants based on feedback provided by Halton Region	Section 4.6.1, page 127
9	Table 4.5 updates on municipal wastewater treatment plants based on feedback from Halton Region	Table 4.5, page 128
10	Lake Ontario vulnerability reassessment of IPZ-1 and IPZ-2 to address MECP early engagement comments and Technical Study: Lake Ontario intake protection zone re-delineation and vulnerability reassessment	Section 6.1: page 182 – 199, Table 7.2 and separate Technical Study
11	Description on DNAPLs enhanced and list of examples corrected from feedback from Wellington Source Water Protection	Section 7.2.1: page 269
12	Updated general information on biosolids treatment in Halton and Hamilton from feedback from Halton Region and City of Hamilton	Section 7, threat: NASM, page 266

CHANGE LOG - Section 36 Updates for the Hamilton Region Assessment Report

Table 3

No.	Nature of the Change (Proposed Amendment)	Sections (page numbers are approximate)
1	Change to document version number, description, date to reflect a S. 36 update	After the cover page, Appendix A page 199
2	Change MOECC to MECP where appropriate and Environment Canada to Environment and Climate Change Canada	Throughout
3	Reference to Technical Rules 2009 updated to Technical Rules 2017	Section 1.2 page 4, Section 8.2 page 176, bibliography, Appendix A page 193
4	Table 2.1 updated with 2016 Census data	Section 2, page 10
5	Changed PPS and Greenbelt Plan policy numbers and dates	Section 2.2.1 page 29
6	Updated Section 4.2.1 Surface Water Quantity using most recent data and interpretation	Section 4.2.1 page 57-59
7	Adding charts and text to Section 4.2.2 Surface Water Quality	Section 4.2.2 page 60-63
8	Minor updates to Section 4.3 Groundwater Monitoring	Section 4.3 page 71
9	Removal of sodium and chloride references from the circumstances related to on-site sewage systems and holding tanks, per the 2017 Technical Rules	Section 4.3.2 page 74, Section 7.1 page 152
10	Updated section 4.3.2 Groundwater quality, added figures 4.6 and 4.7 and edited text	Section 4.3.2 page 74-75
11	Updated section 4.5 Water Use with the 2020 PTTW data	Section 4.5 page 77
12	The “establishment and operation of a liquid hydrocarbon pipeline” added as a prescribed threat (and removed as a local threat) per the 2017 Technical Rules. Threats were assessed per the Table of Drinking Water Threats	Section 6.1: 130-133; Section 7.2: 153-169, 171
13	Transport pathway assessment information updated in Section 6.2	Section 6.2 page 133
14	Updated Section 7.3 Conditions in terms of criteria (using 2017 Technical Rules) and sources of data	Section 6.3 page 169-170
15	Transport pathways assessment in wellhead protection areas per S. 36 work	Section 6.2.3: 144-146
16	Technical Study: Transport pathways assessment in wellhead protection areas	This is a separate technical study provided.
17	Table 7.1 updated with the most recent threat count	Section 7.4.1 page 221
18	Removal of references to vulnerability scoring in significant groundwater recharge areas (SGRAs), per the 2017 Technical Rules	Section 7.5: Table 7.3 page 172
19	Appendix B.1 edits	Appendix B.1 page 212

No.	Nature of the Change (Proposed Amendment)	Sections (page numbers are approximate)
20	HYDAT station summary table and hydrographs updated with the latest data.	Appendix B.3 page 214-2026
21	PGMN groundwater level hydrographs updated with the most recent available data.	Appendix B.7 page 239-247
22	Groundwater Quality – PGMN Wells updated with the most recent data available.	Appendix B.8 page 248-249
23	Municipal Raw Water Quality updated	Appendix B.9 page 250
24	PWQMN Surface Water Quality table update	Appendix B.4 page 227-236

Additional changes to the Hamilton Region Assessment Report from Early Engagement in summer 2021 with Ministry of the Environment, Conservation and Parks (MECP) and others
Table 4

No.	Nature of the Change (Proposed Amendment)	Sections (page numbers are approximate)
1	Lake Ontario vulnerability reassessment of IPZ-1 and IPZ-2 to address MECP early engagement comments and Technical Study: Lake Ontario intake protection zone re-delineation and vulnerability reassessment	Section 6.1: page 159 – 168; Table 7.3
2	Description on DNAPLs enhanced and list of examples corrected from feedback from Wellington Source Water Protection	Section 7.2: page 214
3	Updated general information on biosolids treatment in Hamilton from feedback from City of Hamilton	Section 7, threat: NASM, page 210

Proposed Updated Wellhead Protection Area (WHPA) Vulnerability Scores

A comprehensive technical study was carried out in 2021 by Conservation Authority staff: Technical Report on the Transport Pathway Assessment for the Halton-Hamilton Source Protection Region, August 30, 2021. A consistent methodology was applied to all WHPA of the source protection region. This led to the identification of a few contaminant transport pathways in some of the WHPAs and the removal of two previously identified transport pathways in one WHPA. Under Ontario's *Clean Water Act, 2006*, a transport pathway to groundwater sources of municipal drinking water is a human-made feature that increases the vulnerability of the sources. Transport pathways bypass the natural protection provided by soil and rock layers and natural processes, resulting in a greater risk of contamination of our water sources. Applicable source protection plan policies would apply.

a) Campbellville drinking water system

In parts of WHPA-B and C, the vulnerability scores were increased as a result of identifying a well transport pathway and delineating an area of influence around it. The Figure 1 shows the updated vulnerability scores (see the Transport Pathway Area of Influence). Based on the land uses, there are **no** policy implications from the identification of transport pathways.

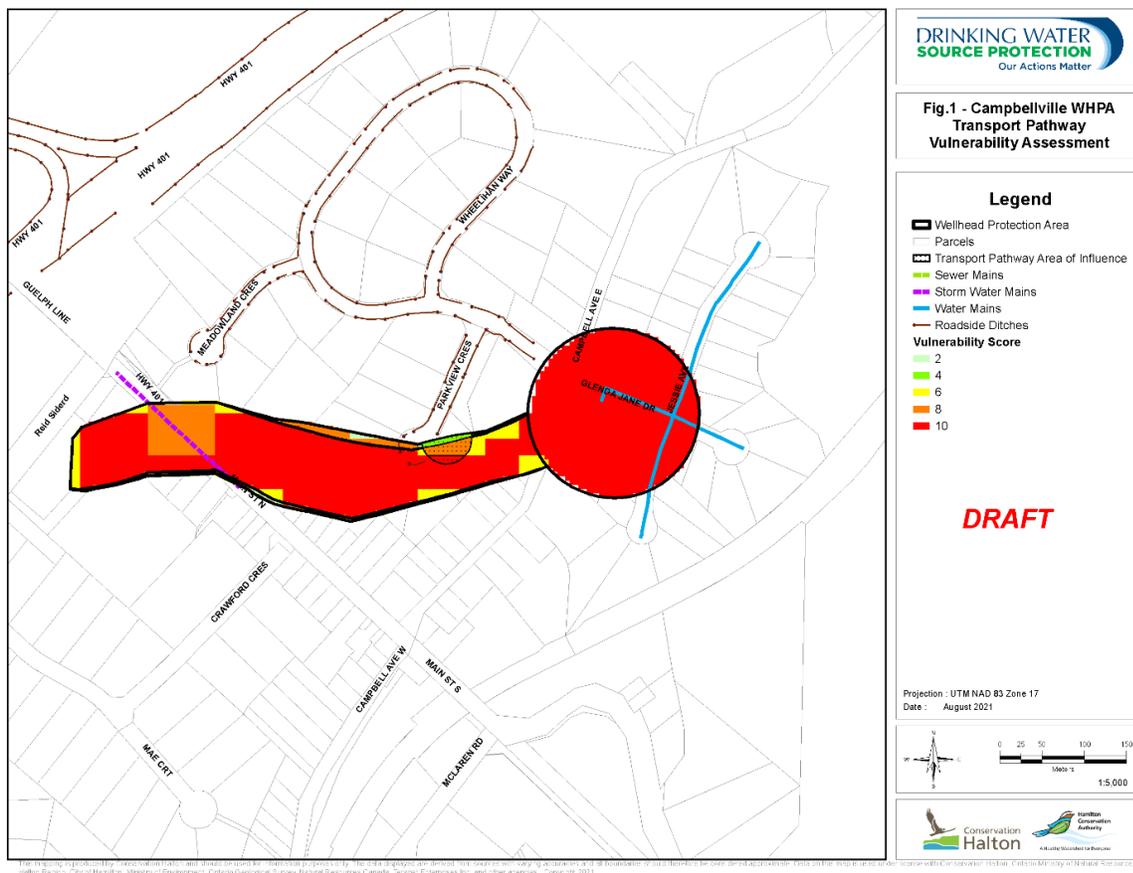


Figure 1: Campbellville Transport Pathway Vulnerability Assessment

b) Kelso drinking water system

In part of WHPA-B, the vulnerability score was increased as a result of identifying a well transport pathway and delineating an area of influence around it. The Figure 2 shows the updated vulnerability scores (see the Transport Pathway Area of Influence). The potential policy implication as a result of technical work is summarized further below in the significant threats counts section.

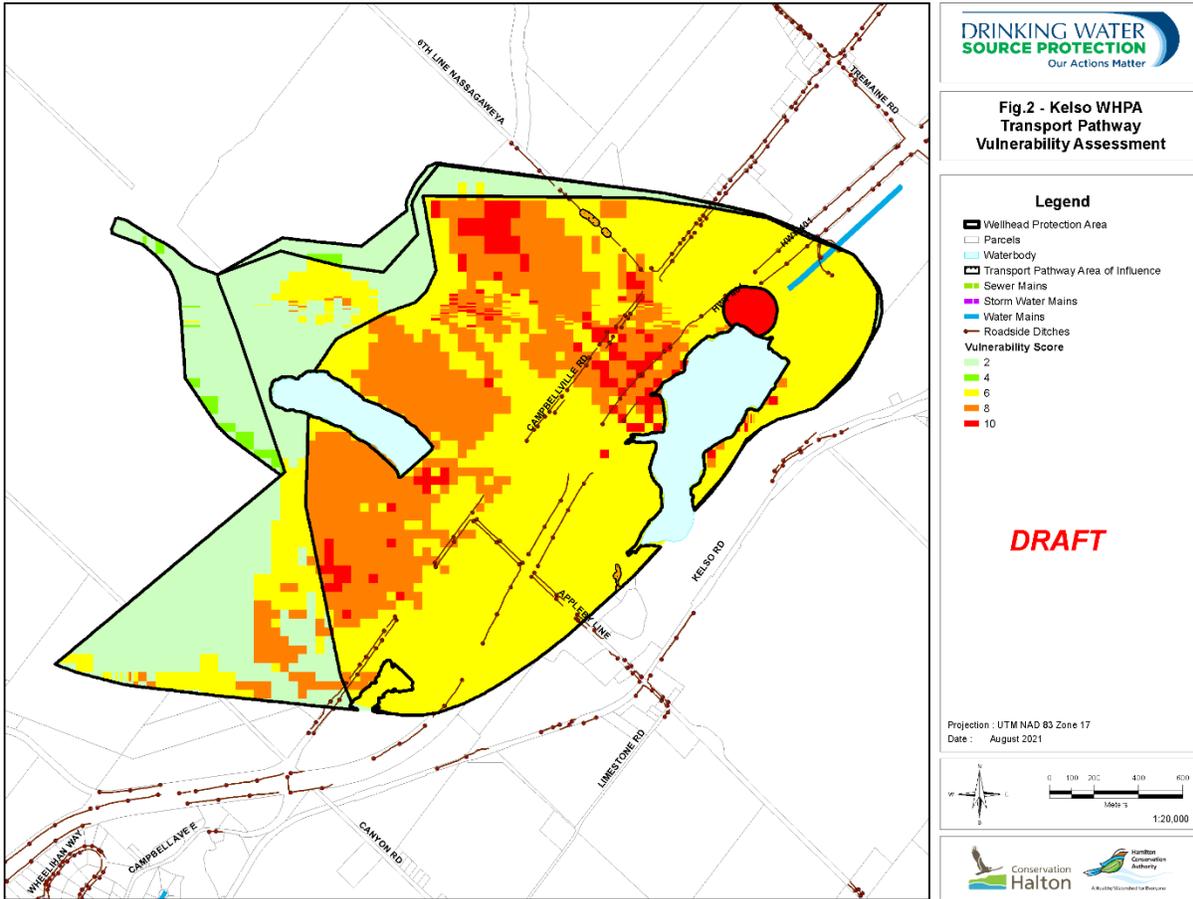


Figure 2: Kelso Transport Pathway Vulnerability Assessment

c) Walkers Line drinking water system

From the transport pathways identification work carried out, vulnerability scores of parts of WHPA-B, C and D were increased. The Figure 3 shows the updated vulnerability scores (see the Transport Pathway Area of Influence). The potential policy implication as a result of technical work is summarized further below in the significant threats counts section.

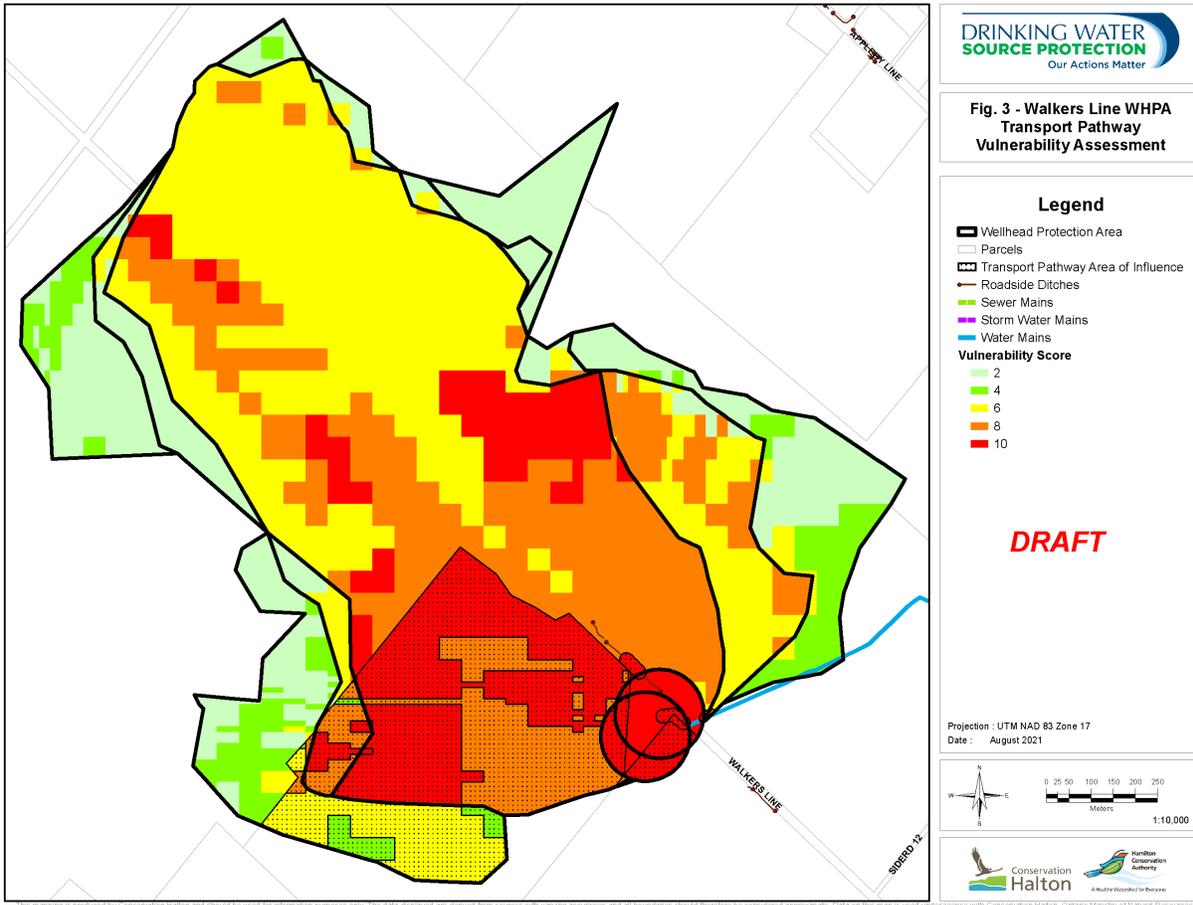


Figure 3: Walkers Line Transport Pathway Vulnerability Assessment

d) Greenville drinking water system

Due to the recent enhanced analysis applying a consistent methodology across all WHPAs of the source protection region, two previously identified wells transport pathways were removed from consideration within the WHPA-B. The vulnerability score in a part of WHPA-B is decreased from 10 to 8 accordingly near Birch Crescent. These wells were previously identified as transport pathways in 2017. Figure 4 shows the updated vulnerability scores. An additional transport pathway was identified in WHPA-A which is already at the highest possible vulnerability score and therefore there are no policy implications within the WHPA-A. The potential policy implication as a result of technical work is summarized further below in the significant threats counts section.

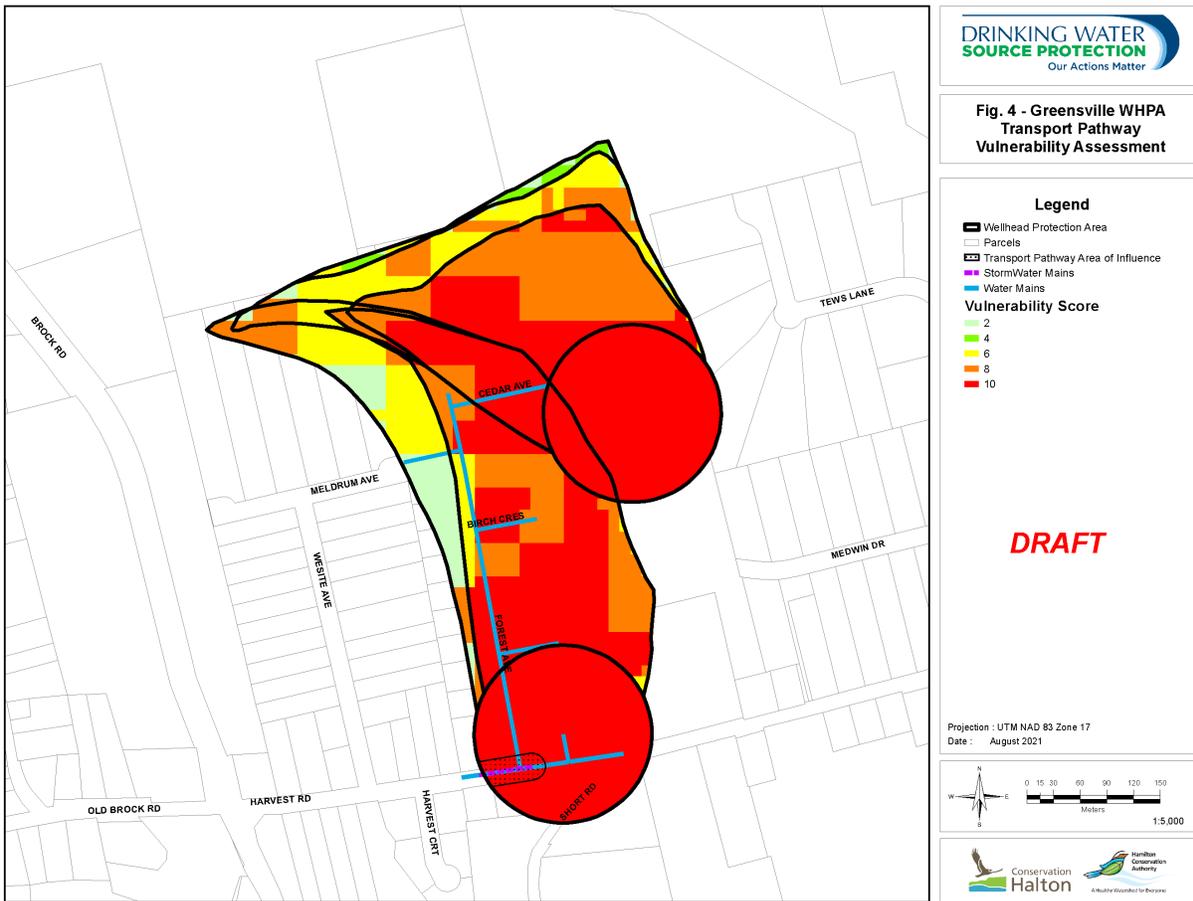


Figure 4: Greenville Transport Pathway Vulnerability Assessment

e) Carlisle drinking water system

The vulnerability score increased in parts of WHPA-B and WHPA-C as a result of the transport pathways analysis. The Figure 5 shows the updated vulnerability scores (see the Transport Pathway Area of Influence). The potential policy implication as a result of technical work is summarized further below in the significant threats counts section.

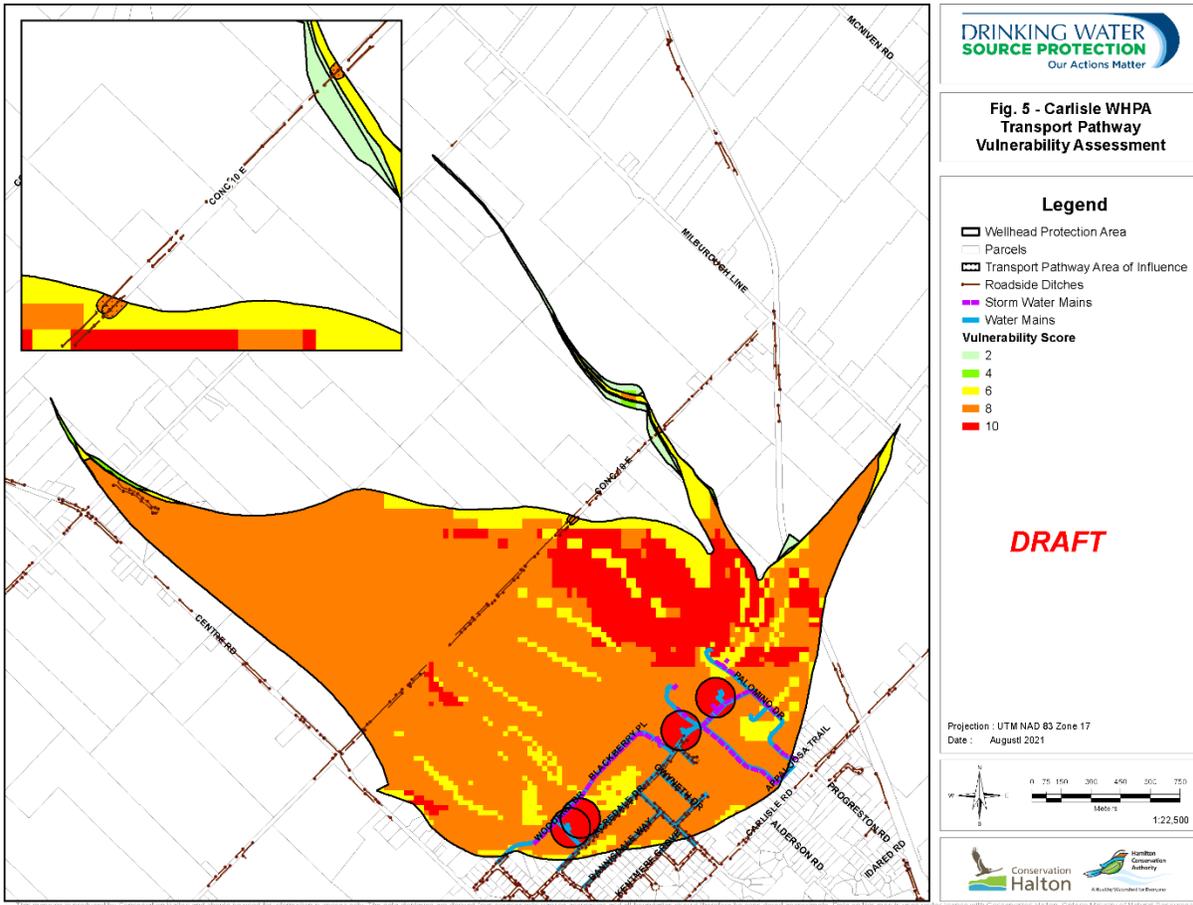


Figure 5: Carlisle Transport Pathway Vulnerability Assessment

f) Freelon drinking water system

The Freelon WHPA was re-delineated and the vulnerability re-assessed as described in the next section. Transport pathways were included in the analysis, applying the same methodology as the other WHPAs.

Proposed Updated Freelon Wellhead Protection Area (WHPA) Delineation and Vulnerability Scores

The Freelon drinking water system is owned by the City of Hamilton and has two wells FDF01 and FDF03. The pumping rate of one of the wells is being increased, to provide operational flexibility and redundancy. The increase is within the amended Permit to Take Water limit. The City of Hamilton retained EarthFx Inc. consulting services to undertake the required WHPA re-delineation technical study.

The draft technical study was commented upon by Halton-Hamilton Source Protection Region staff, MECP and Wellington Source Water Protection during 2020-2021. EarthFx Inc. addressed the comments and finalized the proposed WHPA delineation, which is larger than the current delineation and has a larger area of increased vulnerability scores. In the re-delineated WHPA of well FDF01 (south, smaller WHPA), there are 264 properties, compared to 173 properties from the current approved assessment report. In the re-delineated WHPA of well FDF03, there are 161 properties compared to 145 properties from the current approved assessment report. "Current" refers to the Assessment Reports approved in 2015, and amended in 2017 for edits unrelated to the Freelon WHPA delineation and vulnerability scores.

A number of transport pathways were identified in areas of WHPA-A and WHPA-B of the well FDF01; however, the entire WHPA-A and most of these areas in the WHPA-B have a maximum vulnerability score of 10 with no possibility of further increase. Vulnerability in a few small areas with medium vulnerability was increased to high and the vulnerability score changed accordingly. In the WHPA-A, B, C and D of well FDF03, transport pathways were identified and vulnerability scores increased. See Figure 6 for the re-delineated Freelon WHPA with updated vulnerability scores. The potential policy implication as a result of technical work is summarized further below in the significant threats counts section.

Proposed Updated Managed Lands and Livestock Density Mapping

Managed lands are defined by the *Clean Water Act, 2006* Technical Rules (overarching technical framework) to include lands to which agricultural source material, commercial fertilizer, or non-agricultural source material is applied. Livestock density is an estimate of the number of farm animals on a property, and is equated to nutrient units per acre. The managed lands and livestock density calculations are used to identify potential risks from agricultural activities. The methodology used in the first approved Assessment Report was followed to develop the maps, with the following updates: 2019 Ortho photography, GIS symbology per MECP guidance, and other minor updates such as logos and dates. A summary of changes from the approved assessment reports are provided below, along with Figures 7-9 showing the updated maps.

In the WHPA of Greensville well FDG02, the managed lands percent increased but there are no policy implications based on the land use. In the Kelso WHPA and the Carlisle WHPA, the livestock density increased and the potential policy implication as a result of technical work is summarized further below in the significant threats counts section.

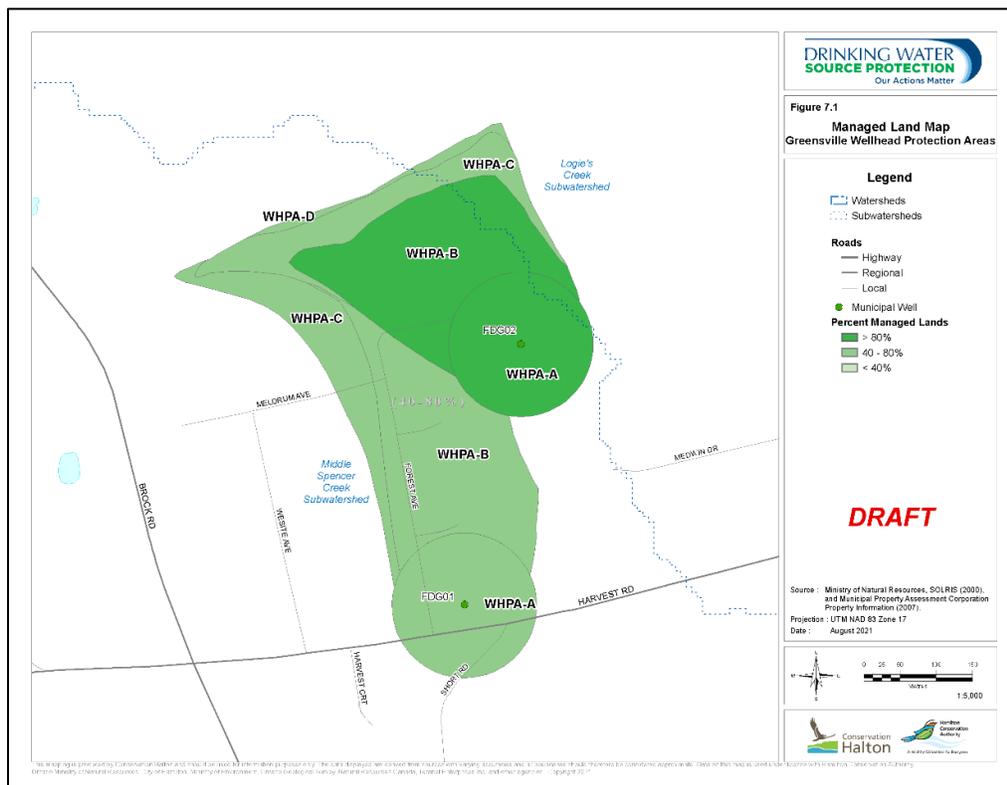


Figure 7: Greensville Managed Lands Map (Figure 7.1 of the Hamilton Assessment Report)

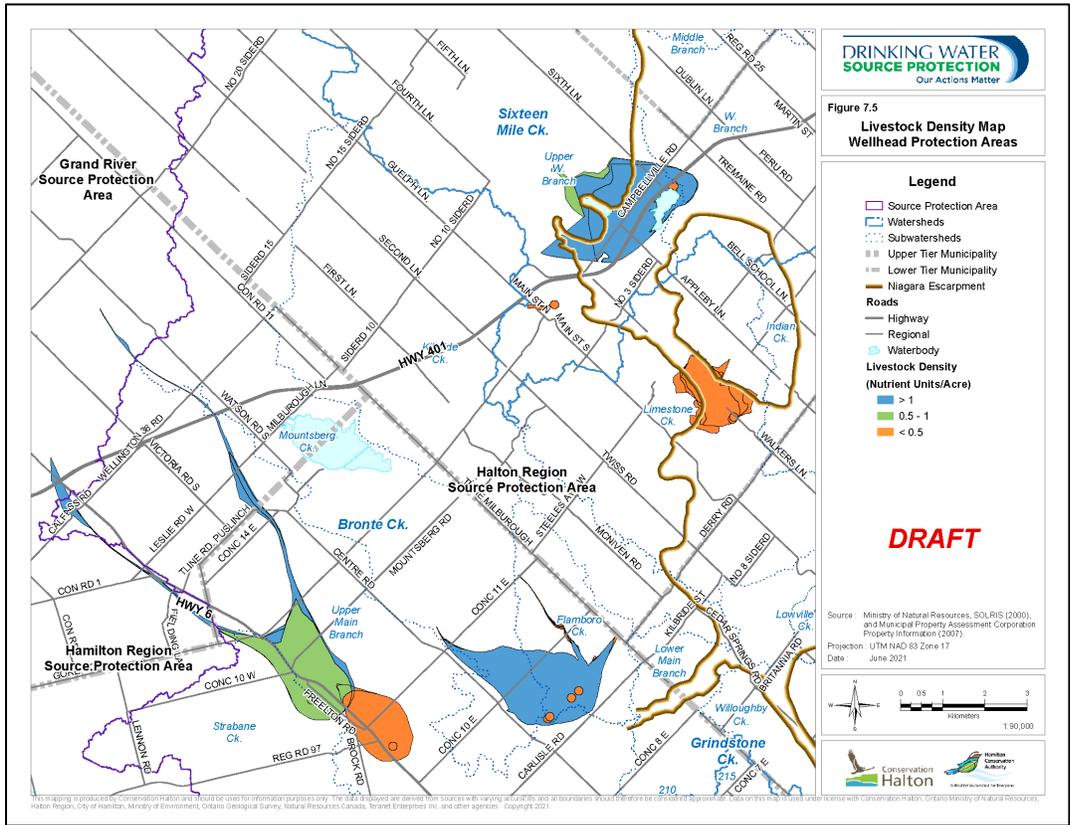


Figure 8: Halton Region Source Protection Area WHPA Livestock Density Map (Figure 7.5 of the Halton Assessment Report; Kelso WHPA overlaps Campbellville Road and Sixth Ln.; Carlisle WHPA overlaps Conc. 10 E)

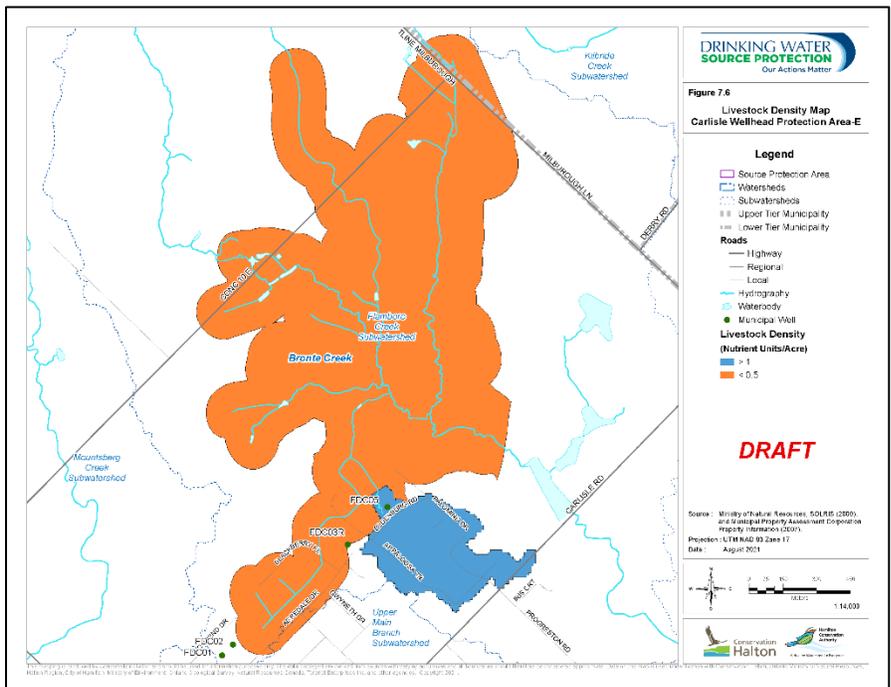


Figure 9: Carlisle WHPA-E Livestock Density Map (Figure 7.6 of the Halton Assessment Report)

Proposed Updated Impervious Surfaces Mapping

Total impervious surface area maps are based on the surface area of all highways and other impervious land surfaces used for vehicular traffic and parking, and pedestrian paths where road salt can be applied. These maps help assess the risks posed to municipal drinking water sources from the application of road salt. The method to develop these maps are provided in the *Clean Water Act, 2006* Technical Rules. Source Protection Region staff updated the impervious surfaces maps to reflect landscape changes since the first approved assessment reports, using 2019 digital ortho photo imagery. In the WHPAs, there are no major landscape changes except for a new subdivision in the City of Hamilton overlapping the Greenville WHPA; however there are **no** new significant risk level road salt application threats identified in WHPAs. In the intake protection zones and highly vulnerable aquifers, there are a few areas where impervious surfaces have changed; however there are **no** new significant risk level road salt application threats identified in these vulnerable areas either.

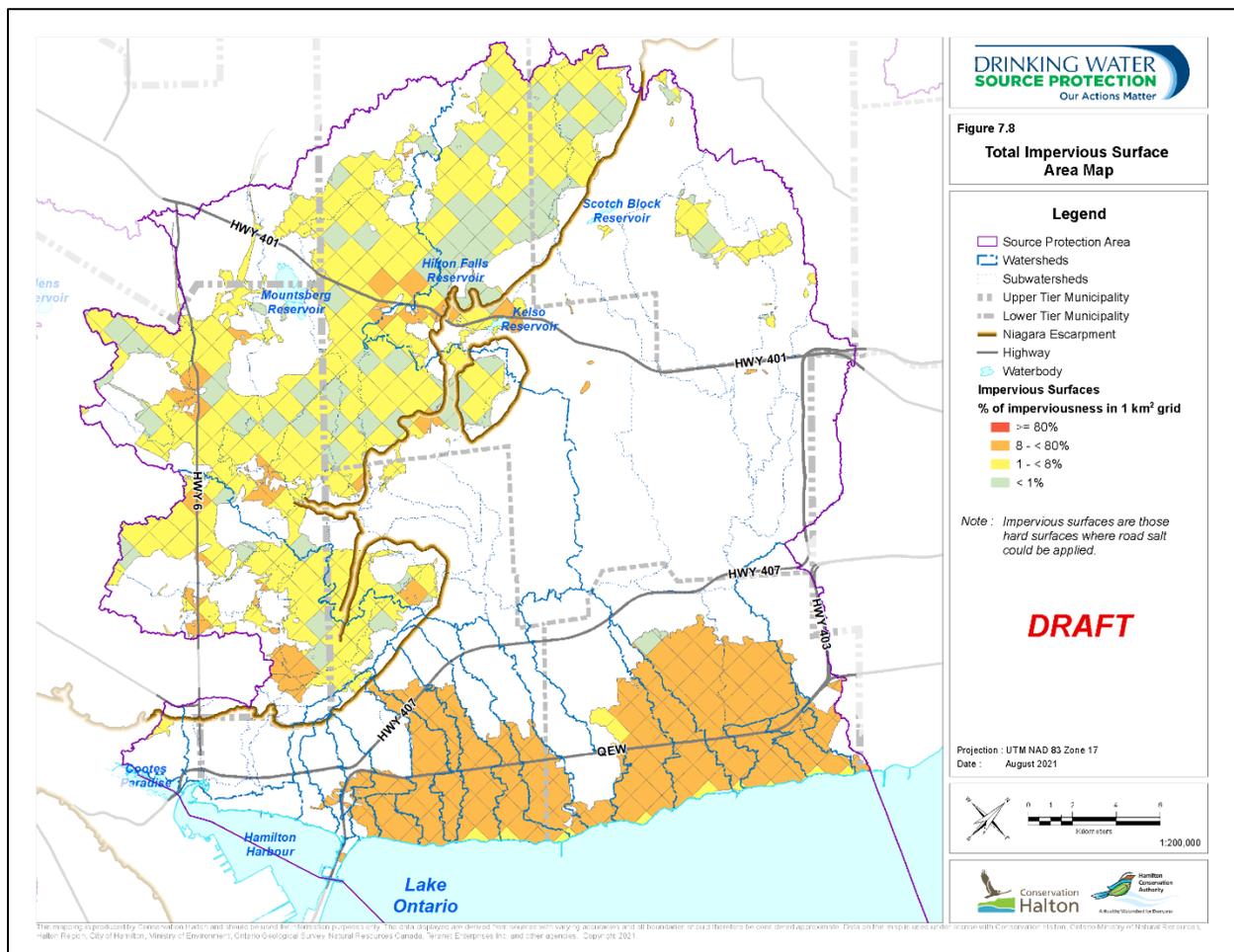


Figure 10: Total Impervious Surfaces Map (Figure 7.8 of the Halton Assessment Report)

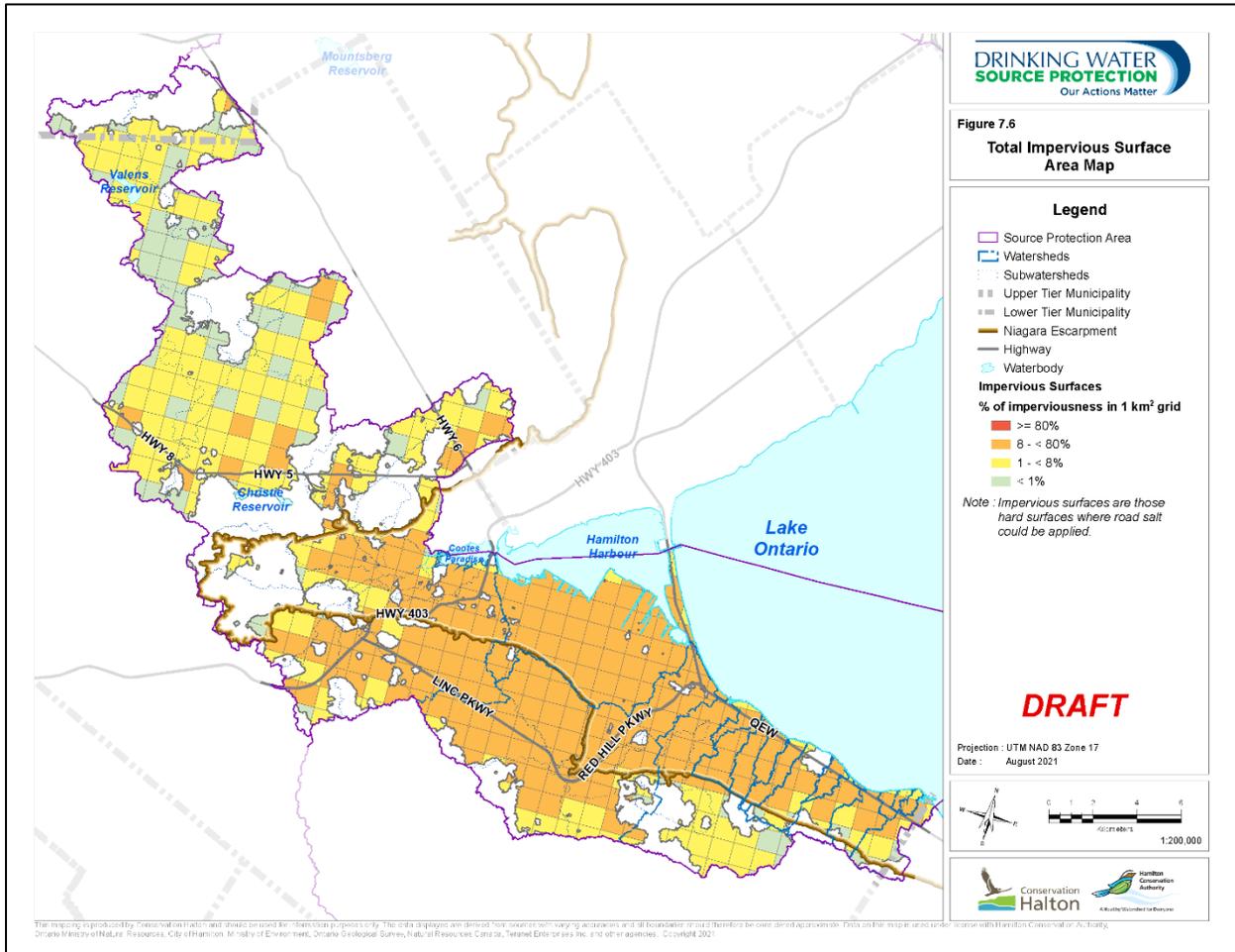


Figure 11: Total Impervious Surfaces Map (Figure 7.6 of the Hamilton Assessment Report)

Proposed Updated Potential Significant Threat Activity Counts

From the technical work conducted for wellhead protection areas (WHPAs), the number of potential significant threat activities has increased in the Freelton, Carlisle, Kelso and Walkers Line WHPAs. In the Greenville WHPA, the number has decreased. The tracked-changes documents are available at the website indicated on page 1. In the Halton Region Assessment Report, please see Table 7.2 on page 277 of the tracked-changes version. In the Hamilton Region Assessment Report, please see Table 7.1 on page 221 of the tracked-changes version. The updated counts are shown in Table 5 below.

In the Freelton WHPA, the large increase in potential significant threat counts is due to the WHPA re-delineation and vulnerability re-assessment. Of the 264 properties in well FDF01 WHPA (south, smaller), approximately 184 properties could have potential significant threat activities occurring. Of the 161 properties in the well FDF03 WHPA, approximately 77 properties could have potential significant threat activities occurring. Applicable source protection policies would apply.

In the Carlisle WHPA, applicable source protection plan policies would apply to three additional properties. In the Kelso WHPA, applicable source protection plan policies would potentially apply to one additional property. In the Walkers Line WHPA, applicable source protection plan policies would potentially apply to one additional property.

In the Greenville WHPA, due to the removal of two previously identified transport pathways through the enhanced, consistent method of analysis applied to all WHPAs in the source protection region, the policy requiring inspections of septic systems would no longer apply to two properties.

The updated threats counts are based on air photos, and a refinement where possible is based on information from municipalities. Several of the properties were field verified for certain types of activities by municipal staff during the first round of source protection planning. This information is being used to inform subsequent pre-consultation followed by public consultation with persons/businesses believed to be engaging in significant threat activities, per consultation requirements of the legislation. Source Protection Region staff continue to work collaboratively and closely with municipal staff to refine the potential significant threats counts where possible.

Table 5: Updated Potential Significant Threat Counts

Drinking Water Threat	Number of Potential Occurrences (Significant Threats)						
	Freelton FDF01	Freelton FDF03	Carlisle	Walkers Line	Campbellville	Kelso	Greenville
Sewage system operation	173P (15P*)	73P (11P*)	36P		33P	4P	34P, 1C (36P, 1C)*
Agricultural source material - application	2C, 4P (0)*	4P (0)*	4C, 4P (0C, 2P)*			2C, 2P (0C, 1P)*	
Agricultural source material - storage	1C, 1P (0)*	4C, 4P (0)*	4C, 4P (0)*			2C, 2P (1C, 2P)*	
Non-agricultural source material - application		4C, 4P (0)*					
Non-agricultural source material - storage	2P (0)*	3P (0)*					
Commercial fertilizer - application	19C (0)*	11C (0)*					
Commercial fertilizer - storage	11C (0)*	12C (0)*				1C	
Pesticide - application	9C (0)*	12C (0)*	4C			1C	
Pesticide - storage	5C (0)*	12C (0)*					
Fuel – handling and storage	175C (0)*	70C (6C)*			1C	3C	
Land associated with livestock		1C, 6P (1C, 1P)*	5C, 5P (1C, 1P)*			2C, 2P (1C, 2P)*	
Road salt - application							5C
Organic solvent - storage	6C (0)*	5C (0)*					
Dense non aqueous phase liquid handling and storage	2C (0)*	4C (0)*	2C (0)*	1C (0)*		1C (0)*	

Notes

C: chemical and P: pathogen circumstances, based on the Table of Drinking Water Threats (2017/2018) under the *Clean Water Act, 2006*, available at:

<https://www.ontario.ca/page/tables-drinking-water-threats>

*The numbers in the brackets are from the current Assessment Reports approved in 2015, and amended in 2017. Where there are no brackets, the counts have not changed.

Proposed Updated Intake Protection Zone (IPZ) Delineations

Municipal drinking water intakes draw from different surface water sources including lakes, rivers, creeks, etc. Under the *Clean Water Act*, they are protected by delineating and assessing intake protection zones (IPZs). There are two IPZs that must be delineated for each municipal intake: IPZ-1 and IPZ-2. A third type, IPZ-3, is optional under the *Clean Water Act* technical framework.

Conservation Halton staff conducted a technical study “Technical Study for the Lake Ontario Intake Protection Zones in the Halton Region and Hamilton Region Source Protection Areas”, August 10, 2021. This technical study provides updates to the certain portions of the Lake Ontario intake protection zone (IPZ) delineations (for three systems of the Halton Region source protection area) and vulnerability assessments for all four systems: Oakville, Burloak, Burlington and Woodward municipal drinking water intakes. The revised inland delineations for Oakville, Burloak, and Burlington IPZ-2 are based on in-stream flow velocities obtained from Conservation Halton hydraulic models developed for a separate floodplain mapping project.

The Table 6 summarize the results of the re-delineation for the intakes of the Oakville, Burloak and Burlington municipal drinking water systems. The updated IPZ maps are below.

Table 6: The 2015 and Re-delineated Lake and Land Areas in the Intake Protection Zones-2

Lake Ontario Intake	2015* IPZ-2 (Land only) km ²	Re-delineated IPZ-2 (Land only) km ²	Summary of Change
Burlington	36.3	41.7	13% more land in the re-delineated IPZ-2: north of Dundas (mainly agricultural) and between Upper Middle Road and QEW at Appleby Line (developed)
Burloak	30.4	38.9	21% more land in the re-delineated IPZ-2: Lakeshore to QEW and at Upper Middle Road and Appleby Line (developed)
Oakville	66.2	53.3	20% less land in the re-delineated IPZ-2: along Upper Middle Road

*The Halton Region Assessment Report was approved in 2015 and amended in 2017 for minor typographical edits.

The modelled IPZ-3s were not changed and threats assessments remain the same as in the current approved assessment reports.

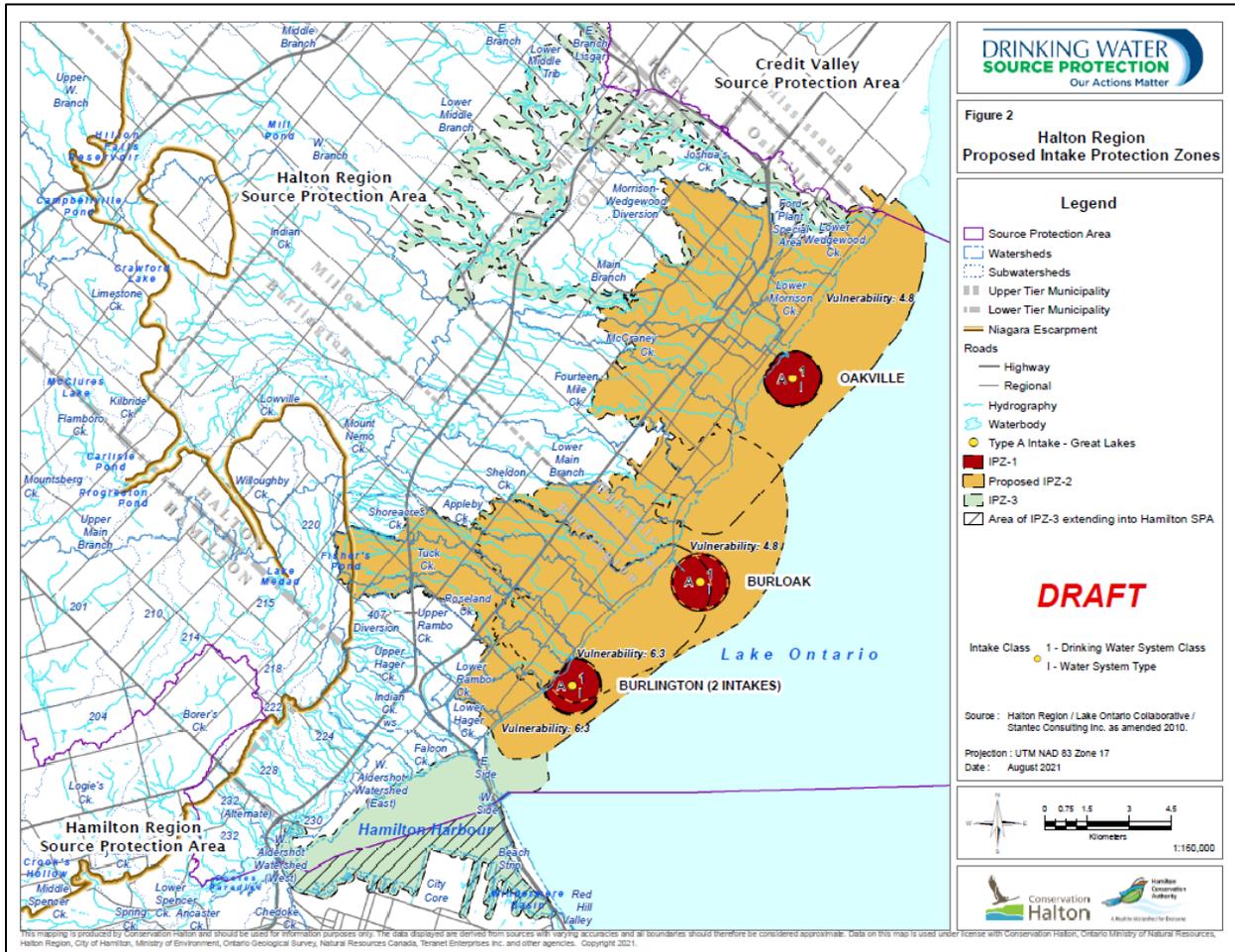


Figure 12: Halton Region Source Protection Area - Intake Protection Zone Delineations (Figure 2 of the Technical Study for the Lake Ontario Intake Protection Zones in the Halton Region and Hamilton Region Source Protection Areas, August 10, 2021)

Proposed Updated Intake Protection Zone (IPZ) Vulnerability Scores

As noted in the previous section, Conservation Halton staff conducted a technical study “Technical Study for the Lake Ontario Intake Protection Zones in the Halton Region and Hamilton Region Source Protection Areas”, August 10, 2021. Staff reassessed the vulnerability of the Lake Ontario intakes in the Halton Region source protection area based on re-delineated IPZ-2 areas and also based on a larger range of source vulnerability factor allowed for IPZ-1 and IPZ-2 of Great Lakes intakes (“type A” intakes), per the 2017 technical rules under the *Clean Water Act, 2006* (specifically, the rule 95.1 which was introduced in 2017).

Vulnerability scores were assigned considering both source and area characteristics, following the 2017 technical rules. The final vulnerability scores are obtained by multiplying a Source Vulnerability Factor (Vsf) with an Area Vulnerability Factor (Vaf), for each zone. The Vsf considers the distance of the intake from shore, the depth of the intake from water surface, and the historical water quality concerns at the intake. The Vaf considers the percentage of the zone that is land, the land characteristics, and the hydrological and hydrogeological conditions around natural or anthropogenic transport pathways.

The Table 7 below shows the revised vulnerability scores for IPZ-1 and IPZ-2. Note that although the revised IPZ-2 vulnerability scores are higher, they are **not** high enough to have significant risk level threats in the re-delineated IPZ-2s.

Table 7: Updated Vulnerability Scores for Intake Protection Zones

Lake Ontario Intake	Reassessed Vulnerability Score of IPZ-1	Reassessed Vulnerability Score of IPZ-2
Burlington	7 (current: 7)	6.3 (current: 5.6)
Burloak	6 (current: 5)	4.8 (current: 4.0)
Oakville	6 (current: 6)	4.8 (current: 4.8)
Woodward	5 (current: 6)	4.0 (current: 4.8)

Note: “current” refers to the Assessment Reports approved in 2015, and amended in 2017 for unrelated edits

SOURCE PROTECTION PLAN (SPP)

For the Halton and Hamilton source protection areas

CHANGE LOG

Table 8

No.	SPP Section or Policy#	SPP Updates
1.	After the cover page	Changes are proposed to the document version number, description, and date to reflect the Section 36 update to the SPP
2.	All policies	<p>As described in the Section 36 workplan, users of the source protection plan requested amendments to provide clarity and to make the plan more easily understood. These include vulnerable area geographic references and legal effect of each policy. Formatting is required to ensure compliance with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).</p> <p>MECP provided early engagement comments to change legal effect of “must comply” to be: “must conform” for Legal Effect Lists G, H and I (Clean Water Act Part IV S. 57, 58 and 59 policies). This change is made throughout the SPP.</p>
3.	Applicable policies	Update MOECC to “Ministry of Environment, Conservation and Parks” where relevant; update Source Protection Department of the Conservation Authorities to “Halton Region and Hamilton Region Conservation Authorities”
4.	Elaboration of “Legal effect”	The concept of “legal effect” is key to elaborate on to help explain how some polices are legally binding and others are non-binding.
5.	Applicable text	The “establishment and operation of a liquid hydrocarbon pipeline” added as a prescribed threat (and removed as a local threat) per the 2017 Technical Rules.
6.	G-1 (legally binding) Enacts timing requirements for implementation of SPP policies.	<p>The assessment reports are updated from time to time through Clean Water Act, 2006 Section 34, 35, or 36 updates, and typographical and other minor edits through an O. Reg. 287/07 Section 51 update. New threats may be identified. Certain policies to address the threats must be implemented within a certain timeframe dependent upon the date that the updated plan takes effect. In preparation for early engagement, staff’s edits to policy G-1 proposed that the:</p> <ul style="list-style-type: none"> (a) timeline for risk management plans be 5 years from when the updated Source Protection Plan (pursuant to Section 34, 35 or 36) comes into full force and effect; and (b) timeline for prescribed instrument amendments be 3 years from when the updated Source Protection Plan (pursuant to Section 34, 35 or 36) comes into full force and effect. <p>The above edits remove the need to update the timeline policy G-1 each time there is a Section 34 or 35 or 36 update (amendment) to the SPP. It ensures that activities identified as being subject to risk management plan (RMP) and prescribed instrument policies do not need to meet the policy requirements by a</p>

No.	SPP Section or Policy#	SPP Updates
		<p>misinterpreted deadline of 2020 or 2021. It does mean that the timeline depends upon a particular amendment coming into full force and effect; therefore different RMPs and prescribed instrument amendments could have different timelines. E.g.: An RMP resulting from a Section 34 in 2022 would have a timeline of ~ 2027. But an RMP resulting from a Section 35 in 2025 would have a timeline of ~ 2030. There is general consensus amongst municipalities with this approach. (Section 51 is not included in the above proposed edits because timeline amendments for risk management plans and prescribed instruments are not considered to be typographical and other minor edits).</p> <p>MECP provided comments during early engagement in July 2021 on the above policy revision. Revisions were made to Section 2.4 to indicate that updates to the SPP occur from time to time and that the effective date would change accordingly. Policy G-1 is edited to indicate both: the effective date of all policies unless otherwise specified, and the exceptions. Reference to s. 58(3) is removed in policy part (a). Policy Part (b) is removed.</p>
7.	<p>G-2 (legally binding) Designates land uses to which the restricted land uses provisions (Section 59) of the Clean Water Act, 2006 apply.</p>	<p>This addresses a requirement related to policy consistency, per the Minister’s Section 36 amended Order for the HHSPR. This policy update would allow risk management officials to provide written direction to municipal staff regarding types of building or planning applications that can be screened out of the Section 59 notice process.</p> <p>County of Wellington provided comments during early engagement to check that wording matches the Wellington County Chapter of the Grand River Plan dated February 3, 2021. Policy WC-CW-1.3 was used, and staff retained the wording “unless identified specifically within a policy” from the first approved SPP for HHSPR.</p>
8.	T-9-C	<p>The MECP’s updates to the tables of drinking water threats circumstances included a change from the term “stormwater retention ponds” to “stormwater management facilities”. There are no policy implications.</p>
9.	<p>T-26-C a and b (legally binding) Policy part a requires OMAFRA to ensure that nutrient management plans manage the application of commercial fertilizer to never become a significant threat.</p> <p>Monitoring policy part b requires OMAFRA to document the number and locations of properties where NMPs were</p>	<p>T-26-C part a: OMAFRA’s actions satisfy the intent of part a and no change is required.</p> <p>T-26-C part b: For the monitoring part b of the policy, OMAFRA indicated that it does not issue (approve) or review NMPs and that their response to the annual reportable of: “# of prescribed instruments approved” will always be zero/not applicable. Staff therefore recommended the removal of T-26-C part b (the monitoring policy), in March 2021.</p> <p>Since a monitoring policy is required to be written, and it is recognized that a continued reliance is placed on monitoring policy T-22-S part b to fill the gap noted above, it is proposed that the wording from T-22-S part b is used to inform the wording for a revised monitoring policy T-26-C part b. This monitoring policy requires that the MECP’s annual report provide the locations of inspections compliant and non-compliant with nutrient management plans and strategies and non-agricultural source material plans, and the actions taken</p>

No.	SPP Section or Policy#	SPP Updates
	reviewed and record measures taken.	for threat activities related to agricultural source materials, non-agricultural source materials, commercial fertilizer and land used for outdoor confinement areas and farm-animal yards.
10.	<p>T-29-S d Requests the Agrichemical Warehousing Standards Association (AWSA) to review their standards to ensure they include appropriate buffer areas to protect municipal drinking water sources and send a response to the Source Protection Authority within six months.</p> <p>New: T-30-S</p>	<p>Staff recommend that this non-legally binding portion part d (directed to the AWSA) be separated from the legally binding portion parts a, b, c. Part d is proposed to be moved into previously repealed policy T-30-S.</p> <p>The AWSA has implemented this non-legally binding policy. Through correspondence in 2019, they indicate that based on their review of the AWSA standards there are adequate policies and procedures established to comply with municipal, provincial and federal regulatory requirements to protect municipal drinking water. There is a 50m buffer from zoned residential lot lines, hospitals, schools, shopping centres, restaurants, processing facilities for feed or food and other buildings of high occupancy. Pre-approval with AWSA is required if there is potential for infringement into the 50 m buffer. Other measures include spills prevention and response. Staff propose edits that request AWSA to review their standards to ensure they include appropriate buffer areas and emergency planning and response measures to protect municipal drinking water sources. Further discussions are ongoing to encourage AWSA to incorporate information into their auditor notes who in turn could potentially advise operators of individual sites; and to send out industry bulletins to the operators.</p>
11.	<p>T-47-C b (legally binding) Requires risk management plans to manage livestock grazing.</p>	<p>Policy T-47-C part b requires a hard regulatory tool of risk management plans (RMPs) to manage livestock grazing, regardless of the number of animals. Implementation challenges and potential solutions were discussed with municipal staff early in 2021. Accordingly, a proposal to modify the policy was brought to the HHSPC at its March 2021 meeting. The SPC reached consensus on using a 5 NU (per farm property) criteria outside of WHPA-A, to determine whether the policy tool would be education and outreach (for less than 5 NU per farm) or RMP (for 5 or greater than 5 NU per farm). Further discussions on factoring in the vulnerability scores were planned with municipal staff.</p> <p>In late March 2021, the HHSPR hosted a municipal working group meeting to discuss contiguous vulnerability scores (especially a score of 10 through a WHPA-B). Generally, it was agreed that WHPA-A should continue to be subject to RMPs. It was agreed that the proposal (hinging on a 5 NU threshold) would be suitable outside WHPA-A (for significant threat activities). Follow up discussions with the City of Hamilton allowed for a closer look at what this means on the ground, and a review of the policy wording. This has allowed for municipal staff to reach the same consensus as the HHSPC.</p>
12.	<p>T-53-S c Requests that MMAH enact regulations under the Planning Act to enable the use of conditional zoning.</p>	<p>Based on public consultation feedback in 2007, the government is not proposing to proceed with a regulation to enable conditional zoning. In 2019 and in 2021, HHSPR contacted MMAH about this policy. Per the 2020 annual progress reporting, MMAH considers source water protection in its review of new land use planning documents (official plans, comprehensive zoning bylaws) and development applications. There appears to be no pressing need by municipalities and not anticipated in the future. Staff recommended the removal of policy T-53-S part (c). Note that part c was the only non-binding part of the policy. With its removal, the policy becomes legally binding.</p>

No.	SPP Section or Policy#	SPP Updates
13.	T-53-C	During early engagement, County of Wellington recommended adding “the proposed storage location, where applicable” to the policy wording. Staff agree that this would further clarify the information disclosure needs to project proponents.
14.	T-29 C/S, T-34-C/S, T-35-C/S, T-52 C/S, T-53 C/S	<p>Some of the source protection plan policies contain both legally binding and non-binding parts, where the former is meant to address significant level threats while the latter addresses moderate and low level threats. It is recommended that these policies be separated out based on the legal effect (and therefore also by threat level) to ensure clarity for policy implementers and help streamline the annual progress reporting process. These policies are: T-29 C/S, T-34-C/S, T-35-C/S, T-52 C/S and T-53 C/S. They are described below.</p> <ul style="list-style-type: none"> • T-29-C/S: Part d was the only non-binding part of the policy. By moving part d to T-30-S (for reasons described in item no. 9 in this table), the policy T-29-C becomes legally binding. • T-34-C/S: This policy is split into legally binding and non-binding policies of T-34-C and new T-60-S. • T-35-C/S: This policy is split into legally binding and non-binding policies of T-35-C and new T-61-S. • T-52-C/S: This complicated policy is split into legally binding and non-binding policies as described in detail in Table 9 below. • T-53-C/S: Part c was the only non-binding part of the policy. With its removal (for reasons described in item No. 11 in this table), the policy becomes legally binding. <p>Although T-36-S, T-49-S address significant, moderate and low threats, they are non-binding policies and can remain the same.</p>
15.	<p>T-62-S (was L-1-S) Requests the Canada Energy Regulator and TSSA to ensure that their regulatory requirements manage liquid hydrocarbon pipelines that are existing significant threats.</p>	<p>Replaces L-1-S (pipeline integrity testing). Addresses hydrocarbon pipelines as new prescribed threat activity added in the Clean Water Act in 2018 and as modelled (event-based) threat. Considers extensive research by CA staff on applicable legislation and insights from discussions with pipeline companies. Redirects policy away from pipeline companies and to regulatory bodies.</p> <p>The monitoring policy directed to CAs is legally binding and moved to T-68-C.</p>
16.	<p>T-63-S (was L-1-S and L-2-S) Recommends that Canada Energy Regulator and Ontario Energy Board use a preventative approach with pipeline applicants for future significant threats.</p>	<p>Replaces L-1-S and L-2-S. Addresses liquid hydrocarbon pipelines as new prescribed threat activity added in the Clean Water Act in 2018. Considers extensive research by CA staff on applicable legislation and insights from discussions with pipeline companies.</p> <p>The monitoring policy directed to CAs is legally binding and therefore moved to T-68-C.</p>
17.	<p>T-64-S (new) Requests pipeline companies to use watershed and source water protection science in their emergency planning.</p>	<p>A new policy to encourage pipeline companies to leverage watershed and source water protection science. Addresses liquid hydrocarbon pipelines as new prescribed threat activity added in the Clean Water Act in 2018 and as modelled (event-based) threat.</p> <p>The monitoring policy directed to CAs is legally binding and moved to T-68-C.</p>

No.	SPP Section or Policy#	SPP Updates
18.	<p>T-65-S (was T-52-C/S part c) Requests liquid hydrocarbon pipeline companies and owners of bulk fuel storage facilities to update their emergency plans.</p>	<p>Uses non-binding part c of T-52-C/S (part c is non-binding when addressed to pipeline and fuel storage facility owners). Addresses liquid hydrocarbon pipelines as new prescribed threat activity added in the Clean Water Act in 2018 and as modelled (event-based) threat. Addresses modelled, event-based threat of the handling and storage of fuel.</p> <p>The monitoring policy directed to CAs is legally binding and moved to T-68-C.</p>
19.	<p>T-66-C (was T-52-C/S part c) Directs municipalities to update their emergency plans.</p>	<p>Uses legally binding part c of T-52-C/S (part c is binding when directed to municipalities).</p> <p>The monitoring policy directed to CAs is legally binding and moved to T-68-C.</p>
20.	<p>T-67-S (was T-52-C/S parts a, d) Recommends MECP Spills Action Centre to incorporate drinking water protection zone maps and modify their procedures.</p>	<p>Uses non-binding parts a and d of T-52-C/S. Addresses liquid hydrocarbon pipelines as new prescribed threat activity added in the Clean Water Act in 2018 and as modelled (event-based) threat. Addresses modelled, event-based threats of discharges from sewage treatment plants and the handling and storage of fuel.</p>
21.	<p>T-68-C (was T-52-C/S part e) Directs CAs to collaboratively liaise with pipeline companies, fuel storage companies, sewage treatment plant owners on several matters.</p>	<p>Uses legally binding part e of T-52-C/S and is the monitoring policy for policies T-62-S, T-63-S, T-64-S, T-65-S, and T-66-C. Addresses liquid hydrocarbon pipelines as new prescribed threat activity added in the Clean Water Act in 2018 and as modelled (event-based) threat. Addresses fuel storage and discharge from sewage treatment plants where they are a significant threat to Lake Ontario. Efficiently brings together all legally binding policy parts directed to CAs to help address liquid hydrocarbon pipelines and modelled sewage and fuel threats.</p> <p>To address an MECP comment received during early engagement, a supporting policy detail for Policy T-68-C is edited to indicate that it is a monitoring policy and its legal effect is List F. It is correctly listed in Appendix C – Compliance Lists.</p>
22.	<p>O-1-S BMPs for transport pathways</p>	<p>During early engagement, County of Wellington recommended the following:</p> <ul style="list-style-type: none"> • Add “maintenance” of municipal infrastructure to the policy wording. Staff agree that this would include the need to have best management practices to protect groundwater sources during maintenance of municipal infrastructure. • Add “in accordance with Ontario Regulation 903” when referring to the decommissioning of wells. Staff agree with this change.
23.	<p>O-4-S Importation of fill - education and outreach (E&O) policy</p>	<p>During early engagement, County of Wellington noted that the SPP section 3.3.4 is titled ‘Disposal’, but there is no mention of disposal in the policy wording. They indicated that, since this is an education and awareness</p>

No.	SPP Section or Policy#	SPP Updates
		<p>policy, there could possibly be consideration to add: “and disposal” if necessary; or change the title to Importation of Fill.</p> <p>HHSPR staff checked the Explanatory Document for the intent of the policy from the first round of source protection planning: “If contaminated fill is <u>used or disposed</u> of on a property, rain and surface runoff percolating through the material could dissolve the contaminants and carry them to watercourses or down to groundwater” (Explanatory Document - Section 4.3.1 page 251). To match the intent, the policy wording is updated accordingly to refer to the “disposal or use of imported fill”. Minor edits are made to the title of Section 4.3 of the Explanatory Document as well. Note that the province regulates soil reuse through phase one of Ontario’s On-Site and Excess Soil Regulation O. Reg. 406/19, which came into force in January 2021.</p>
24.	<p>O-5-S Transportation of hazardous goods - E&O policy.</p>	<p>Part c: The message and materials may not be reaching the intended audience, and outcomes are unknown. Staff recommended that the implementer be changed from municipalities to: Ministry of Transportation Ontario and Transport Canada.</p> <p>Parts a, b, c: During early engagement, County of Wellington recommended that staff training be added to the policy. Staff agree with the recommendation.</p>
25.	<p>O-6-S</p>	<p>During early engagement, County of Wellington recommended that the policy recommends including contact information for the Spills Action Centre in spills action plans of companies that lease space on relevant port lands.</p>
26.	<p>Appendix B: Collaboration and Consultation</p>	<p>During early engagement, MECP provided a reminder to update the consultation summary section of the plan.</p>

Edits made to address comments received during early engagement are highlighted in blue in the source protection plan.

Source Protection Plan Policy T-52 C/S

Table 9

Current Policy Part and Legal Effect	Current Policy	Proposed Policy and Legal Effect
<p>T-52 C/S overarching policy text (C: legally binding; S: non-binding)</p>	<p>Where discharges from sewage treatment plants, the handling and storage of fuel, and the conveyance of oil in a pipeline that crosses an open body of water are existing significant drinking water threats to Lake Ontario municipal intakes,</p>	<p>Overview: T-52-C/S is proposed to be split into legally binding and non-binding policies as described below.</p>
<p>T-52-S parts a and d List K – Non-binding Significant threat policies to be implemented by stakeholders other than municipalities, local boards, or source protection authorities</p>	<p>a) the Ministry of the Environment and Climate Change shall provide mapping of intake protection zones three and the locations of known significant threats to the Spills Action Centre, and if necessary modify procedures to ensure that the operators of all water treatment plants that could be affected by a spill are notified.</p> <p>d) by February 1 of each year, the Ministry of the Environment and Climate Change shall prepare and submit to the Source Protection Authority a report summarizing their actions for the previous year, including the number, type, and location of spills reported within intake protection zones three, adjusted thresholds, and actions taken or recommended to improve the efficiency and effectiveness of the spill reporting system.</p>	<ul style="list-style-type: none"> • New policy T-67-S for liquid hydrocarbon pipelines (event based IPZ-3 and certain WHPAs), and for sewage and fuel threats (event based IPZ-3s). <p>List K – Non-binding (Part b: Legally binding monitoring policy)</p>
<p>T-52-C part b List C - Legally binding - must conform with Significant threat policies that affect prescribed instrument decisions</p>	<p>b) the Ministry of the Environment and Climate Change shall ensure that the environmental compliance approvals that govern the sewage works include appropriate terms and conditions to ensure that the systems do not become significant drinking water threats. As part of its program to review environmental compliance approvals that are affected by source protection plans and in consultation with the municipalities responsible for water services the following conditions shall be considered for inclusion - adjustment of the reporting thresholds for pathogens and chemicals of concern in effluent.</p>	<ul style="list-style-type: none"> • Retain as revised policy T-52-C for sewage threats (event based IPZ-3) <p>List C - Legally binding - must conform with (Part b: Legally binding monitoring policy)</p>
<p>T-52-S part c List K - Non legally binding Significant threat policies to be implemented by stakeholders other</p>	<p>c) the owners of facilities* where these significant drinking water threats have been identified are requested to update emergency preparedness/contingency plans to include the location of municipal intakes, actions to be taken to protect drinking water sources should</p>	<ul style="list-style-type: none"> • New policy T-65-S for liquid hydrocarbon pipelines (event based IPZ-3 and certain WHPAs) and fuel threats (event based IPZ-3) <p>List K - Non legally binding</p>

Current Policy Part and Legal Effect	Current Policy	Proposed Policy and Legal Effect
<p>than municipalities, local boards, or source protection authorities</p> <p>*industries (includes liquid hydrocarbon pipeline owners and bulk fuel storage facilities)</p>	<p>an incident occur, and the requirement for inclusion of the protection of drinking water sources in emergency preparedness exercises.</p>	
<p>T-52-C part c</p> <p>List E - Legally binding - must comply with</p> <p>Significant threat policies that impose obligations on municipalities, source protection authorities and local boards</p> <p>**municipalities</p>	<p>c) the owners of facilities** where these significant drinking water threats have been identified are requested to update emergency preparedness/contingency plans to include the location of municipal intakes, actions to be taken to protect drinking water sources should an incident occur, and the requirement for inclusion of the protection of drinking water sources in emergency preparedness exercises.</p>	<ul style="list-style-type: none"> • New policy T-66-C for sewage threats (event based IPZ-3) <p>List E - Legally binding- must comply with</p>
<p>T-52-C part e</p> <p>List F - Legally binding - must comply with</p> <p>Monitoring policy referred to in subsection 22 (2) of the <i>Clean Water Act, 2006</i></p>	<p>e) the Source Protection Department of the Halton Region and Hamilton Region Conservation Authorities shall consult with the owners of facilities where these significant drinking water threats have been identified to request an invitation to observe the emergency preparedness exercises carried out in the vicinity of the Halton-Hamilton Source Protection Region, and to request to view a copy of the emergency preparedness plans when amended.</p>	<ul style="list-style-type: none"> • New policy T-68-C <p>Legally binding monitoring policy</p>

Proposed Updated Policy Format

The Table 10 shows the updated format of the prescribed drinking water threat and other policies. The “Policy” portion is the legal policy text. All other details are added to provide clarity and to make the plan more easily understood for readers.

Table 10: Format for Prescribed Drinking Water Threat and Other Policies

Policy ID	This is a unique identifier for each policy. It does not form part of the legal policy text.
Threat	A description of the threat activity is provided here, using terminology from the MECP Table of Drinking Water Threats online tool at: www.swpip.ca . It does not form part of the legal policy text.
Policy Tool	An indication of the type of policy tool used is provided here. It does not form part of the legal policy text. See Section 2.7 for a description of the different policy tools.
Policy Implementer	The policy implementing body/bodies are identified here. It does not form part of the legal policy text.
Policy	This is the legal policy text.
Legal Effect	This provides an indication of whether the policy is legally binding or not, and the risk level addressed. It does not form part of the legal policy text. See Appendix C for the full legal effect list as required by the Clean Water Act.
Where Policy Applies	This describes the vulnerable area where the policy applies including the vulnerability score and directs the reader to relevant figure showing policy applicability areas. It does not form part of the legal policy text.
When Policy Applies	This indicates whether the policy applies to existing activities, future activities, or both. It does not form part of the legal policy text.
Notes	This is additional information provided for some policies to enhance clarity. It does not form part of the legal policy text.

Note that the general policies (G-1, 2, 3, and 4) are provided in a modified, shorter table format reflecting the level of detail relevant to them.

Proposed Updated and New Policies

As described in the change log, all policies are updated for the new policy format described above and some policies are updated for minor edits. The following policies have notable updates or are new policies, also described in the change log above.

Policy ID	G-1
Policy	<p>This source protection plan came into effect on December 31, 2015, the effective date specified in the Notice of Approval posted on the Environmental Registry of Ontario. Amendments to the Source Protection Plan are permitted in accordance with the Clean Water Act, 2006, and the General Regulations. The effective date for amended policies, only including but not limited to the addition of future drinking water threats and regulated areas and activities, is the date of posting of the Notice of Approval of the amendment provisions on the Environmental Registry of Ontario. Except as set out below, the policies contained in this Source Protection Plan shall come into effect on the date set out by the Minister.</p> <ol style="list-style-type: none"> a. Risk management plans for existing significant threats must be established within five years of the date that the updated Source Protection Plan (pursuant to Section 34, 35 or 36) comes into full force and effect. b. For the purpose of section 43(2) of the <i>Clean Water Act, 2006</i>, the deadline for amendments to prescribed instruments is three years from the date that the updated Source Protection Plan (pursuant to Section 34, 35 or 36) comes into full force and effect. c. For the purpose of section 40(2) of the <i>Clean Water Act, 2006</i>, the official plans for the Region of Halton, the City of Hamilton, and the County of Wellington must be amended to conform to the significant threat policies no later than the time of the next five year review required by section 26 of the <i>Planning Act</i>. d. For the purpose of section 40(2) of the <i>Clean Water Act, 2006</i>, the official plans for the Town of Milton, the Town of Halton Hills, the Town of Oakville, and the City of Burlington, must be amended to conform to the significant threat policies no later than the time of the next five year review required by section 26 of the <i>Planning Act</i>. e. For the purpose of section 42 of the <i>Clean Water Act, 2006</i>, zoning by-law conformity must be in accordance with the <i>Planning Act</i>.
Legal Effect	<ol style="list-style-type: none"> a. Must conform with - legally binding. List H (see Appendix C - Compliance Lists); b. Must conform with - legally binding. List I; c. Must conform with - legally binding. List C; d, e, f Must conform with - legally binding. List A.
Notes	<p>This policy enacts timing requirements for implementation of Plan policies. The source protection plan is updated from time to time. Some of the policies must be implemented within a timeframe dependent upon the date that the updated plan takes effect.</p>

Policy ID	G-2
Policy	<p>In accordance with Section 59 of the Clean Water Act, 2006, unless identified specifically within a policy, all land uses except solely residential uses, where significant drinking water threat activities have been designated for the purposes of Sections 57 and 58 of the Clean Water Act, 2006 are hereby designated as Restricted Land Uses and a written notice from the Risk Management Official shall be required prior to approval of any Building Permit, Planning Act or Condominium Act application.</p> <p>Despite the above policy, a Risk Management Official may issue written direction specifying the situations under which a planning authority or Chief Building Official may be permitted to make the determination that a site specific land use is, or is not, designated for the purposes of section 59. Where such direction has been issued, a site specific land use that is the subject of an application for approval under the Planning Act or for a permit under the Building Code Act is not designated for the purposes of Section 59, provided that the planning authority or Chief Building Official, as applicable, is satisfied that:</p> <ul style="list-style-type: none"> • The application complies with the written direction issued by the Risk Management Official; and, • The applicant has demonstrated that a significant drinking water threat activity designated for the purposes of Section 57 or 58 will not be engaged in, or will not be affected by the application. <p>Where the Risk Management Official has provided written direction designating a land use for the purpose of section 59, a written Notice from the Risk Management Official shall be required prior to approval of any Building Permit under the Building Code Act, 1992 as amended, in addition to Planning Act and Condominium Act applications in accordance with Section 59 of the Clean Water Act, 2006.</p>
Legal Effect	Must conform with - legally binding. List I (see Appendix C - Compliance Lists).
Notes	This policy designates land uses in accordance with section 59(1) of the <i>Clean Water Act</i> and works in conjunction with section 58(1).

Policy ID	T-26-C
Threat	Application of commercial fertilizer
Policy Tool	Prescribed instrument
Policy Implementer	Part a: Ministry of Agriculture, Food and Rural Affairs Part b: Ministry of the Environment, Conservation and Parks
Policy	Where the future application of commercial fertilizer would be a significant drinking water threat, <ul style="list-style-type: none"> a. the Ministry of Agriculture, Food and Rural Affairs shall ensure that nutrient management plans required under the <i>Nutrient Management Act</i> include measures that, when implemented, will ensure that this activity never becomes a significant drinking water threat. b. the Ministry of the Environment, Conservation and Parks shall document the number and location of inspections that were compliant and non-compliant with nutrient management plans and strategies, and non-agricultural source material plans and the actions taken, and report this information to the Source Protection Authority by February 1 of each year.
Legal Effect	Part a - Must conform with - legally binding. List C (Appendix C - Compliance Lists). (Part b is a monitoring policy)
Where Policy Applies	See Figures 2 to 11. WHPA-A & B – V. score 10; WHPA-E – V. score 9
When Policy Applies	Future

Policy ID	T-29-C
Threat	Handling and storage of a pesticide
Policy Tool	Clean Water Act Part IV – restricted land use and risk management plan
Policy Implementer	Risk Management Official
Policy	<p>Where the future handling and storage of pesticide would be a significant drinking water threat,</p> <ul style="list-style-type: none"> a. a risk management official shall screen all building permit and <i>Planning Act</i> applications in accordance with policy G-2 for properties where there would be a significant drinking water threat. b. a risk management official shall establish risk management plans with persons proposing to undertake the activities of the handling and storage of pesticide. The implementation of these risk management plans shall be overseen by a risk management inspector. c. the risk management official shall document in their annual report, in accordance with section 65 of Ontario Regulation 287/07, action taken regarding risk management plans for the handling and storage of pesticide and submit this report to the Source Protection Authority by February 1 of each year. d. Repealed.
Legal Effect	<p>Part a – Must conform with - legally binding. List I (Appendix C – Compliance Lists);</p> <p>Part b - Must conform with - legally binding. List H.</p> <p>(Part c is a monitoring policy)</p>
Where Policy Applies	<p>See Figures 2 to 11.</p> <p>WHPA-A & B – V. score 10; WHPA-E – V. score 9</p>
When Policy Applies	Future

Policy ID	T-30-S
Threat	Handling and storage of a pesticide
Policy Tool	Best management practice
Policy Implementer	Agrichemical Warehousing Standards Association
Policy	Where the future handling and storage of pesticide would be a significant drinking water threat, <ul style="list-style-type: none"> a. the Agrichemical Warehousing Standards Association is requested to review their standards to ensure they include appropriate buffer areas and emergency planning and response measures to protect municipal drinking water sources. b. the Halton Region and Hamilton Region Conservation Authorities shall request the Agrichemical Warehousing Standards Association annually to confirm that their standards protect municipal drinking water sources.
Legal Effect	Part a - Strategic - non-legally binding. List K (Appendix C – Compliance Lists) (Part b is a monitoring policy)
Where Policy Applies	See Figures 2 to 11. WHPA-A & B – V. score 10; WHPA-E – V. score 9
When Policy Applies	Future

Policy ID	T-47-C
Threat	Agricultural source material (ASM) generation - use of land as an outdoor confinement area or a farm-animal yard; and ASM generation - use of land for livestock grazing or pasturing
Policy Tool	Risk management plan, education and outreach
Policy Implementer	Risk Management Official
Policy	<p>To reduce the risks to drinking water sources where there are existing or potential future significant drinking water threats from the use of land as an outdoor confinement area or a farm-animal yard on farms not phased-in under the <i>Nutrient Management Act</i>, or from the use of land for livestock grazing or pasturing on all farms,</p> <ol style="list-style-type: none"> a. the risk management official shall screen all building permit and <i>Planning Act</i> applications in accordance with policy G-2 for properties zoned for agricultural use within these vulnerable areas. b. where a significant threat is identified, the risk management official shall: <ol style="list-style-type: none"> i. establish risk management plans with the persons using or proposing to use farm lands for livestock outdoors within a wellhead protection area-A of any nutrient units and in a wellhead protection area-B and E where there are 5 nutrients units or greater per farm property. The implementation of these risk management plans shall be overseen by a risk management inspector and their content shall be based upon the regulatory requirements of a nutrient management strategy under the <i>Nutrient Management Act</i> and incorporate the best management practices for livestock grazing and pasturing land as set out in Streamside Grazing (2007 and as amended) including extensive grazing within a wellhead protection area-A, and scoped to address these specific threats. ii. undertake an education and outreach program on nutrient management methods and their potential impacts on drinking water sources, in a wellhead protection area-B and E where there are less than 5 nutrients units per farm property. c. the risk management official shall document in their annual report, in accordance with Section 65 of Ontario Regulation 287/07, action taken regarding risk management plans and education and outreach for the use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard and submit this report to the Source Protection Authority by February 1 of each year.
Legal Effect	<p>Part a - Must conform with - legally binding. List I (Appendix C – Compliance Lists)</p> <p>Part b (i) - Must conform with - legally binding. List H</p> <p>Part b (ii) - Must comply with - legally binding. List E.</p> <p>(Part c is a monitoring policy)</p>
Where Policy Applies	<p>See Figures 2 to 11.</p> <p>WHPA-A & B – V. score 10; WHPA-E – V. score 9 & 8.1</p>
When Policy Applies	Existing and future
Notes	This policy requires risk management plans to be established making use of related standards from the <i>Nutrient Management Act</i> for the specific threat and nutrient units, as well as best management practices from recognized documents.

Policy ID	T-52-C
Threat	Discharges from sewage treatment plants (modelled sewage treatment plant failure)
Policy Tool	Prescribed instrument
Policy Implementer	Ministry of the Environment, Conservation and Parks
Policy	<p>Where discharges from sewage treatment plants are existing significant drinking water threats to Lake Ontario municipal intakes,</p> <p>a. the Ministry of the Environment, Conservation and Parks shall ensure that the environmental compliance approvals that govern the sewage works include appropriate terms and conditions to ensure that the systems do not become significant drinking water threats. As part of its program to review environmental compliance approvals that are affected by source protection plans and in consultation with the municipalities responsible for water services, the following conditions shall be considered for inclusion - adjustment of the reporting thresholds for pathogens and chemicals of concern in effluent.</p> <p>b. by February 1 of each year, the Ministry of the Environment, Conservation and Parks shall prepare and submit to the Source Protection Authority a report summarizing their actions for the previous year to adjust thresholds.</p>
Legal Effect	Part a - Must conform with - legally binding. List C (Appendix C - Compliance Lists) (Part b is a monitoring policy)
Where Policy Applies	See Figure 8. Event-based IPZ-3 (no scores)
When Policy Applies	Existing
Notes	Through modelling of a sewage treatment plant failure (resulting in discharge of contaminants into Lake Ontario), some significant threats to municipal lake-based water intakes were identified. This policy uses a regulatory approach to address the threats.

Policy ID	T-53-C
Threat	Multiple
Policy Tool	Land use planning
Policy Implementer	Municipal planning authorities
Policy	<p>To facilitate the effective implementation of policies for significant drinking water threats and assist in municipal decision-making,</p> <ul style="list-style-type: none"> a. the municipal planning authorities are requested to require proponents to disclose whether any of the following activities are expected to occur on the property where they would be significant drinking water threats, proposed storage location, where applicable, as well as the substances utilized or stored and their volume: <ul style="list-style-type: none"> i. the establishment, operation or maintenance of a system that collects, stores, transmits, treats, or disposes of sewage ii. the application or storage of agricultural source material iii. the application, or handling and storage of commercial fertilizer iv. the application, or handling and storage of pesticide v. the application, or handling and storage of road salt vi. the storage of snow vii. the handling and storage of fuel viii. the handling and storage of a dense non-aqueous phase liquid ix. the handling and storage of an organic solvent x. the use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard xi. the establishment and operation of a liquid hydrocarbon pipeline. b. the City of Hamilton, the Region of Halton, and the County of Wellington are requested to require a full disclosure report as part of a complete application under the <i>Planning Act</i>. c. Repealed. d. the municipal planning authority shall report to the Source Protection Authority by February 1 of each year on actions taken to amend municipal documents/processes to require disclosure of threat activities and the number of disclosure reports that were received in the previous year.
Legal Effect	Parts a and b Must conform with - legally binding. List A (Appendix C - Compliance Lists) (Part d is a monitoring policy)
Where Policy Applies	See Figures 2 to 11.
When Policy Applies	Future

Policy ID	T-60-S
Threat	Application, and handling and storage of road salt (moderate and low threats)
Policy Tool	Education and outreach; same as Policy T-34-C
Policy Implementer	City of Hamilton, Regional Municipality of Halton, Town of Milton, Town of Halton Hills, Town of Oakville, City of Burlington
Policy	<p>Where the existing and future application, or handling and storage of road salt would be a moderate or low drinking water threat in a wellhead protection area, intake protection zone or issue contributing area,</p> <ol style="list-style-type: none"> a. within two years of the date that the Source Protection Plan comes into effect, the City of Hamilton and the Region of Halton, in collaboration with the City of Burlington and Towns of Milton, Halton Hills and Oakville in Halton Region, are requested to develop and implement education and outreach programs for the private and public sector, as well as the general public, about the impacts of road salt on drinking water sources and the use of best management practices. It is recommended that the key messages be the efficient use of road salts and the use of alternatives. b. the City of Hamilton and the Region of Halton shall document the nature of any new or existing education and outreach program established regarding the application, and handling and storage of road salt, the number of persons contacted, and the location of the participants and report this information to the Source Protection Authority by February 1 of each year.
Legal Effect	Part a - Strategic - non-legally binding. List J (Appendix C - Compliance Lists) (Part b is a monitoring policy)
Where Policy Applies	<p>See Figures 12, 13, 14, 15.</p> <ul style="list-style-type: none"> • Moderate threats: WHPA-A -V. score 10; WHPA-B – V. score 10, 8; WHPA-C – V. score 8; WHPA-E - V. score 9, 8.1; IPZ-1 – V. score 7. • Low threats: WHPA-A -V. score 10; WHPA-B – V. score 10, 8, 6; WHPA-C – V. score 8, 6; WHPA-D – V. score 6; WHPA-E - V. score 8.1; IPZ-1 – V. score 7, 6; IPZ-2- V. score 6.3, 5.4, HVA – V. score 6.
When Policy Applies	Existing and future

Policy ID	T-61-S
Threat	Application, and handling and storage of road salt (moderate and low threats)
Policy Tool	Salt management plans; same as Policy T-35-C
Policy Implementer	Municipalities
Policy	<p>Where the existing and future application, or handling and storage of road salt would be moderate or low drinking water threats,</p> <ol style="list-style-type: none"> a. within two years of the date that the Source Protection Plan comes into effect, the municipalities shall amend their salt management plans to identify the location of wellhead protection areas, issue contributing areas, and intake protection zones and to enhance best management practices in these areas. b. the municipalities shall advise the Source Protection Authority of the revision to the salt management plans when completed and provide a status update by February 1 of each year until completed.
Legal Effect	Part a - Strategic - non-legally binding. List J (Appendix C - Compliance Lists) (Part b is a monitoring policy)
Where Policy Applies	<p>See Figures 12, 13, 14, 15.</p> <ul style="list-style-type: none"> • Moderate threats: WHPA-A -V. score 10; WHPA-B – V. score 10, 8; WHPA-C – V. score 8; WHPA-E - V. score 9, 8.1; IPZ-1 – V. score 7. • Low threats: WHPA-A -V. score 10; WHPA-B – V. score 10, 8, 6; WHPA-C – V. score 8, 6; WHPA-D – V. score 6; WHPA-E - V. score 8.1; IPZ-1 – V. score 7, 6; IPZ-2- V. score 6.3, 5.4, HVA – V. score 6.
When Policy Applies	Existing and future

Policy ID	T-62-S
Threat	Establishment and operation of a liquid hydrocarbon pipeline
Policy Tool	Specify Action
Policy Implementer	Canada Energy Regulator, Technical Standards and Safety Authority
Policy	Where the establishment and operation of a liquid hydrocarbon pipeline is an existing significant drinking water threat, the Canada Energy Regulator and Technical Standards and Safety Authority are recommended to ensure that their regulatory requirements manage liquid hydrocarbon pipelines through appropriate design standards (including the location of safety valves), monitoring, maintenance (including integrity management programs) and other relevant practices, such that drinking water sources are protected.
Legal Effect	Strategic - non-legally binding. List K (Appendix C - Compliance Lists). Note: the monitoring policy is T-68-C, directed to Halton Region and Hamilton Region Conservation Authorities.
Where Policy Applies	See Figure 8. Event-based IPZ-3 (no scores)
When Policy Applies	Existing
Notes	This policy leverages regulatory bodies to help manage <u>existing</u> significant threats of liquid hydrocarbon pipelines. The existing significant drinking water threats resulting from spills from a liquid hydrocarbon pipeline are located about two kilometres from the Lake Ontario shore.

Policy ID	T-63-S
Threat	Establishment and operation of a liquid hydrocarbon pipeline
Policy Tool	Specify Action
Policy Implementer	Canada Energy Regulator, Ontario Energy Board
Policy	Where the establishment and operation of a liquid hydrocarbon pipeline could become a significant drinking water threat, the Canada Energy Regulator and Ontario Energy Board in their consideration of a liquid hydrocarbon pipeline application are recommended to ensure that the applicant has complied with and included appropriate design standards (including the location of safety valves), monitoring, maintenance (including integrity management programs) and other relevant practices, that when implemented will prevent a pipeline from becoming a significant drinking water threat.
Legal Effect	Strategic - non-legally binding. List K (Appendix C - Compliance Lists) Note: the monitoring policy is T-68-C, directed to Halton Region and Hamilton Region Conservation Authorities.
Where Policy Applies	See Figures 2 to 11. Event-based IPZ-3 (no scores), WHPA-A & B - V. score 10, WHPA-E – V. score 9
When Policy Applies	Future
Notes	This policy manages <u>future</u> significant threats of liquid hydrocarbon pipelines using a preventative approach.

Policy ID	T-64-S
Threat	Establishment and operation of a liquid hydrocarbon pipeline
Policy Tool	Specify action
Policy Implementer	Liquid hydrocarbon pipeline owners
Policy	Where the establishment and operation of a liquid hydrocarbon pipeline is or could be a significant, moderate or low threat to drinking water sources, liquid hydrocarbon pipeline owners are requested to use threats risk assessment information from assessment reports approved under the Ontario Clean Water Act, 2006 and relevant watershed information while developing and updating emergency planning zones (EPZs) and designated geographical areas (DGAs).
Legal Effect	Significant threats: Strategic - non-legally binding. List K (Appendix C - Compliance Lists); Moderate and low threats: Strategic - non-legally binding. List J. Note: the monitoring policy is T-68-C, directed to Halton Region and Hamilton Region Conservation Authorities.
Where Policy Applies	See Figures 2 to 11. Significant threats: Event-based IPZ-3; WHPA-A & B - V. score 10, WHPA-E – V. score 9 Moderate threats: WHPA-A & B – V. score 10; WHPA-B & C – V. score 8; WHPA-E – V. score 9 & 8.1; IPZ-1 – V. score 7; IPZ-2, score 6.4; WHPA-B, C, D – V. score 6; IPZ-1 – V. score 6; IPZ-2 V. score 6.3 & 5.4; HVAs – V. score 6.
When Policy Applies	Existing and future
Notes	This policy leverages existing watershed and source water protection science to help manage <u>existing and future</u> significant, moderate or low liquid hydrocarbon pipeline threats.

Policy ID	T-65-S
Threat	Establishment and operation of a liquid hydrocarbon pipeline and the handling and storage of fuel
Policy Tool	Specify action – update emergency plans
Policy Implementer	Liquid hydrocarbon pipeline owners and owners of facilities where the handling and storage of fuel occurs
Policy	Where the establishment and operation of a liquid hydrocarbon pipeline is or could be a significant threat to drinking water sources, and where the handling and storage of fuel is an existing significant drinking water threats to Lake Ontario municipal intakes, facility owners are requested to update emergency preparedness/contingency plans to include the location of municipal intakes, actions to be taken to protect drinking water sources should an incident occur, and the requirement for inclusion of the protection of drinking water sources in emergency preparedness exercises.
Legal Effect	Strategic - non-legally binding. List K (Appendix C - Compliance Lists). Note: the monitoring policy is T-68-C, directed to Halton Region and Hamilton Region Conservation Authorities.
Where Policy Applies	See Figures 2 to 11. Pipelines and fuel threats: Event-based IPZ-3 (no scores); Pipelines: WHPA-A, B - V. score 10, WHPA-E – V. score 9
When Policy Applies	Existing and future
Notes	This policy manages <u>existing and future</u> significant threats of liquid hydrocarbon pipeline through emergency response plan updates.

Policy ID	T-66-C
Threat	Discharges from sewage treatment plants
Policy Tool	Emergency plans
Policy Implementer	Municipalities that own sewage treatment plants
Policy	Where discharges from municipal sewage treatment plants are identified as existing significant drinking water threats to Lake Ontario municipal intakes, municipalities that own the sewage treatment plants are requested to update emergency preparedness/ contingency plans to include the location of municipal intakes, actions to be taken to protect drinking water sources should an incident occur, and the requirement for inclusion of the protection of drinking water sources in emergency preparedness exercises.
Legal Effect	Legally binding - must comply with. List E (Appendix C - Compliance Lists) Note: the monitoring policy is T-68-C, directed to Halton Region and Hamilton Region Conservation Authorities.
Where Policy Applies	See Figure 8. Event-based IPZ-3 (no scores)
When Policy Applies	Existing

Policy ID	T-67-S
Threat	Establishment and operation of a liquid hydrocarbon pipeline, discharges from sewage treatment plants and the handling and storage of fuel
Policy Tool	Specify action
Policy Implementer	Ministry of the Environment, Conservation and Parks
Policy	<p>Where the establishment and operation of a liquid hydrocarbon pipeline is an existing significant threat to drinking water sources, and where the discharges from sewage treatment plants and the handling and storage of fuel, are an existing significant threat to Lake Ontario drinking water sources,</p> <ol style="list-style-type: none"> a. the Ministry of the Environment, Conservation and Parks shall provide mapping of intake protection zones three and the locations of known significant threats to the Spills Action Centre, and if necessary modify procedures to ensure that the operators of all water treatment plants that could be affected by a spill are notified. b. by February 1 of each year, the Ministry of the Environment, Conservation and Parks shall prepare and submit to the Source Protection Authority a report summarizing their actions for the previous year, including the number, type, and location of spills reported within intake protection zones three, adjusted thresholds, and actions taken or recommended to improve the efficiency and effectiveness of the spill reporting system.
Legal Effect	Part a - Strategic - non-legally binding. List K (Appendix C - Compliance Lists) (Part b is a monitoring policy)
Where Policy Applies	See Figure 8. Event based IPZ-3 (no scores).
When Policy Applies	Existing
Notes	This policy manages <u>existing</u> significant liquid hydrocarbon pipeline, discharges from sewage treatment plants and the handling and storage of fuel threats through measures at the MECP Spills Action Centre.

Policy ID	T-68-C
Threat	Establishment and operation of a liquid hydrocarbon pipeline, discharges from sewage treatment plants, the handling and storage of fuel
Policy Tool	Education and outreach
Policy Implementer	Halton Region and Hamilton Region Conservation Authorities
Policy	<p>Where the establishment and operation of a liquid hydrocarbon pipeline is or could be a significant threat to Lake Ontario and groundwater municipal drinking water sources and where the discharges from sewage treatment plants and the handling and storage of fuel are existing significant drinking water threats to Lake Ontario municipal intakes, the Halton Region and Hamilton Region Conservation Authorities shall on an annual basis:</p> <ol style="list-style-type: none"> a. provide educational awareness sessions on drinking water source protection to interested liquid hydrocarbon pipeline companies; b. provide relevant website addresses for approved assessment reports and the source protection plan and watershed information if available, to liquid hydrocarbon pipeline companies; c. request the Canada Energy Regulator and Technical Standards and Safety Authority to confirm that their requirements for liquid hydrocarbon pipelines manage existing significant drinking water threats; d. request the Canada Energy Regulator and Ontario Energy Board to confirm that their requirements for pipeline design standards, monitoring, maintenance and other relevant practices in vulnerable areas prevents a pipeline from becoming a significant drinking water threat; e. request information updates including new or changes to liquid hydrocarbon pipelines; f. request an invitation from liquid hydrocarbon pipeline owners, sewage treatment plant owners, and fuel storage facility owners to observe emergency preparedness exercises relevant to the Halton-Hamilton Source Protection Region; and request a copy of their emergency preparedness plans when amended to protect municipal drinking water sources.
Legal Effect	<p>See Figures 2 to 11. Monitoring policy. Must conform with - legally binding. List F (Appendix C - Compliance Lists).</p>
Where Policy Applies	<p>Pipelines, fuel, sewage threats: Event based IPZ-3 (no scores); Pipelines: WHPA-A, B - V. score 10; and WHPA-E - V. score 9.</p>
When Policy Applies	Existing and future
Notes	This policy manages <u>existing and future</u> significant threats of liquid hydrocarbon pipelines through education and outreach.

Policy ID	O-1-S
Threat	Multiple
Policy Tool	Best management practices
Policy Implementer	Municipalities, Ministry of the Environment, Conservation and Parks, Halton Region and Hamilton Region Conservation Authorities
Policy	<p>To achieve the intent of the <i>Clean Water Act, 2006</i>, that drinking water threats identified in the vicinity of a transport pathway cease to be or do not become a significant threat, and that a pathway ceases to endanger the source water of a municipal water supply, the following policies apply:</p> <ol style="list-style-type: none"> a. Municipalities are requested to use best management practices to protect the quantity and quality of groundwater sources during maintenance and the installation of new municipal infrastructure in proximity to municipal wells. b. Municipalities are requested to incorporate conditions of approval for development applications to ensure private wells that are no longer in use are decommissioned in accordance with Ontario Regulation 903. c. The Ministry of the Environment, Conservation and Parks and the municipalities responsible for water services are requested to provide ongoing funding for incentive programs focused on the decommissioning of wells, and for education and outreach programs regarding the decommissioning of wells in accordance with Ontario Regulation 903. d. If funding is provided by the Ministry of the Environment, Conservation and Parks through the Ontario Drinking Water Stewardship Program, the Hamilton and Halton Watershed Stewardship Programs, under the direction of the Halton Region and Hamilton Region Conservation Authorities, shall implement the incentive program to decommission unused wells in accordance with Ontario Regulation 903. e. The municipalities are requested to develop a program to facilitate, where possible and appropriate, the connection to municipal water services of current private well users within the urban area. The users should be required to decommission the unused wells in accordance with Ontario Regulation 903. f. The municipalities are requested to prohibit the construction of new wells and septic systems within the urban area where municipal water and wastewater services are available. g. Repealed h. The Source Protection Authority and Source Protection Committee, upon receipt of a notice from a municipality regarding an application for development of a transport pathway within a wellhead protection area, shall refer the notice to the Halton Region and Hamilton Region Conservation Authorities for follow up and reporting back.
Legal Effect	Strategic - non-legally binding. List J (Appendix C - Compliance Lists).
Where Policy Applies	WHPA and IPZ (all zones and scores)
When Policy Applies	Existing and future

Policy ID	O-4-S
Threat	Other – disposal or use of imported fill
Policy Tool	Education and outreach
Policy Implementer	Halton Region and Hamilton Region Conservation Authorities
Policy	The municipalities and the Halton Region and Hamilton Region Conservation Authorities are requested to develop and implement an education and outreach program for rural landowners, contractors, and developers based on Ministry of the Environment, Conservation and Parks guidance to best protect drinking water sources during the importation of fill for disposal or use.
Legal Effect	Strategic - non-legally binding. List J (Appendix C - Compliance Lists).
Where Policy Applies	Halton-Hamilton Source Protection Region
When Policy Applies	Existing and future
Notes	Soil brought onto a property may contain contaminants such as metals and oil that could be carried by rain water and contaminate drinking water sources. This policy aims to raise awareness.

Policy ID	O-5-S
Threat	Other - transportation corridors
Policy Tool	Emergency plans
Policy Implementer	Municipalities, Ministry of the Environment, Conservation and Parks, <u>The Ministry of Transportation Ontario, Transport Canada</u>
Policy	<p>To ensure spill prevention plans, contingency plans, and emergency response plans are updated for the purpose of protecting drinking water sources with respect to spills that occur within a wellhead protection area or intake protection zone along highways, railway lines, or shipping lanes, the following policies apply:</p> <ol style="list-style-type: none"> a. The municipalities are requested to incorporate the location of wellhead protection areas and intake protection zones into their emergency response plans and train staff, in order to protect drinking water sources when a spill occurs along highways, rail lines, or in shipping lanes. b. The Ministry of the Environment, Conservation and Parks is requested to provide mapping of vulnerable areas and train staff to assist the Spills Action Centre in responding to reported spills along transportation corridors. c. <u>The Ministry of Transportation Ontario and Transport Canada</u> are requested to implement an education and outreach program to encourage all transportation businesses that ship goods through wellhead protection areas and intake protection zones to prepare spill prevention plans and spill contingency plans, to review these plans annually, and to update them, and train staff, as required.
Legal Effect	Strategic - non-legally binding. List J (Appendix C - Compliance Lists).
Where Policy Applies	WHPAs, IPZs (all zones and scores)
When Policy Applies	Existing and future
Notes	Existing legislation often requires facility owners to develop and implement a response plan should a spill into the environment occur. This policy recommends that protection of drinking water sources be considered in prevention, contingency, and emergency response plans.

Policy ID	O-6-S
Threat	Other - shipping
Policy Tool	Spill control plans
Policy Implementer	Hamilton Port Authority
Policy	<p>The Hamilton Port Authority is requested to advise vessel operators using Hamilton Harbour and western Lake Ontario shipping lanes, and the companies that lease space on port lands that the Halton Region and the City of Hamilton municipal drinking water intakes are located near the shore of Lake Ontario in proximity of the Burlington Canal and the shipping lanes and require that they review and/or update their spill control plans to confirm that they include</p> <ul style="list-style-type: none"> i. the location of the municipal drinking water intakes, ii. enhanced best practices for spill containment and cleanup to protect drinking water supplies, and iii. the City of Hamilton, Halton Region and Spills Action Centre emergency contact information.
Legal Effect	Strategic - non-legally binding. List J (Appendix C - Compliance Lists).
Where Policy Applies	Hamilton Harbour, western Lake Ontario shipping lanes, port lands
When Policy Applies	Existing and future



PORT COLBORNE

Corporate Services Department
Clerk's Division

Municipal Offices: 66 Charlotte Street
Port Colborne, Ontario L3K 3C8 • www.portcolborne.ca

T 905.835.2900 ext 106 F 905.834.5746

E amber.lapointe@portcolborne.ca

August 27, 2021

The Honourable Doug Ford, Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1Y7

Sent via E-mail: premier@ontario.ca

Dear Premier Ford:

Re: City of Stratford Resolution – Phase Out Ontario's Gas Plants

Please be advised that, at its meeting of August 23, 2021, the Council of The Corporation of the City of Port Colborne resolved as follows:

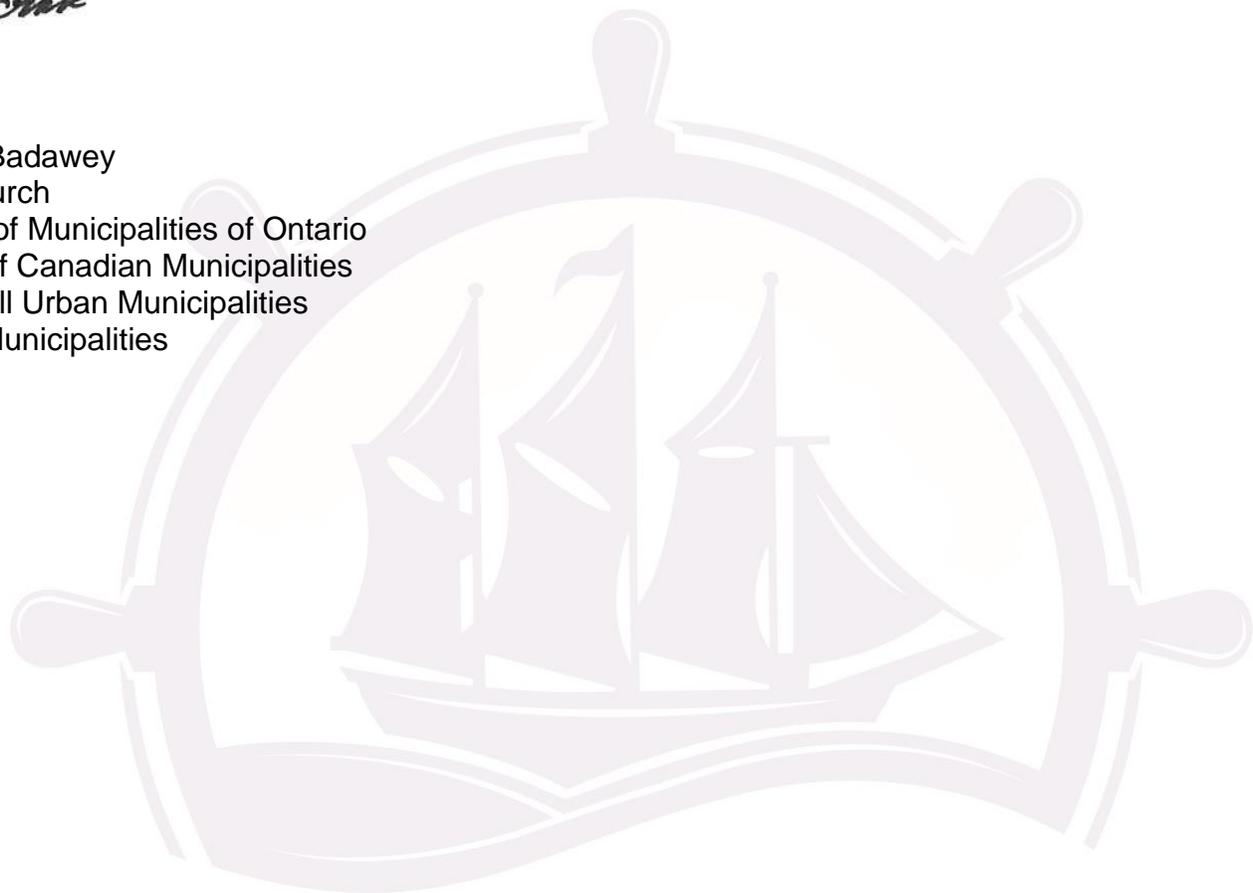
That correspondence from the City of Stratford regarding the Phase Out of Ontario's Gas Plants, be supported.

A copy of the above noted resolution is enclosed for your reference. Your favourable consideration of this request is respectfully requested.

Sincerely,

Amber LaPointe
City Clerk

ec: MP Vance Badawey
MPP Jeff Burch
Association of Municipalities of Ontario
Federation of Canadian Municipalities
Ontario Small Urban Municipalities
All Ontario Municipalities





Corporate Services Department
Clerk's Office
CITY of STRATFORD
City Hall, P.O. Box 818
Stratford ON N5A 6W1

519-271-0250 Ext. 5237
Fax: 519-273-5041
www.stratford.ca

July 23, 2021

Honourable Premier Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

premier@ontario.ca

Dear Premier Ford:

Re: Resolution to Phase Out Ontario's Gas Plants

At their June 28, 2021 Regular Council meeting, Stratford City Council adopted a resolution petitioning the provincial government to immediately take steps to replace gas powered electrical generation with non-carbon-based sustainable alternatives.

A copy of the resolution is attached for your consideration. We kindly request your support and endorsement.

Sincerely,

Tatiana Dafoe
Clerk

Encl.
/ja

cc: MPP Randy Pettapiece
MP John Nater
Association of Municipalities of Ontario
Federation of Canadian Municipalities
All Ontario municipalities



THE CORPORATION OF THE CITY OF STRATFORD

Resolution: Phase Out Ontario's Gas Plants

WHEREAS the Earth is on course toward a climate crisis, unless timely actions are taken to minimize the greenhouse effect;

AND WHEREAS the use of fossil fuels is a major contributor to the greenhouse effect because of the increasing amount of heat trapping Carbon Dioxide in the atmosphere;

AND WHEREAS Stratford, along with other municipalities has declared a "Climate Emergency" and is considering a Carbon Net Zero goal to be achieved by 2050;

AND WHEREAS the 2050 Carbon Net Zero goal has been, and is being adopted by countries and governments at all levels, as well as by industries, social and economic institutions;

AND WHEREAS the most effective way of achieving that goal is through initiatives in reducing carbon footprint, and greening;

AND WHEREAS in the Province of Ontario, Electricity generation fueled by Natural gas contributes substantially to the province's carbon footprint and provides an opportunity for rapid reduction of carbon dioxide emissions through the elimination of this form of generation;

AND WHEREAS in the interest of environmental and economic wellbeing for the province of Ontario, immediate action to replace the gas generators by sustainable zero carbon alternatives should be undertaken;

NOW THEREFORE IT BE RESOLVED that the City of Stratford strongly appeal to the Government of Ontario to immediately take steps to replace gas powered electrical generation with non-carbon based sustainable alternatives;

AND BE IT FURTHER RESOLVED that this resolution be circulated to Ontario municipalities and their organizations including AMO and OSUM for their consideration of support.

Adopted by City Council of The Corporation of the City of Stratford on June 28, 2021

The Corporation of the City of Stratford, P.O. Box 818, Stratford ON N5A 6W1
Attention: City Clerk, 519-271-0250 ext 5329, clerks@stratford.ca



**PLANNING COMMITTEE
REPORT
21-013**

September 7, 2021
9:30 a.m.

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

Present: Councillors J.P. Danko (Chair)
B. Johnson (1st Vice Chair), J. Farr (2nd Vice Chair), M. Pearson,
L. Ferguson, M. Wilson and J. Partridge

Leave of Absence: Councillor C. Collins

Also in Attendance: Councillor A. VanderBeek

**THE PLANNING COMMITTEE PRESENTS REPORT 21-013 AND RESPECTFULLY
RECOMMENDS:**

- 1. Application to Remove Part Lot Control from Part of Block 68, Registered Plan No. 62M-1057, and Further Described as Parts 1 and 2 of Reference Plan 62R-21651, Hamilton (PED21175) (Ward 10) (Item 7.1)**

That Part Lot Control Application PLC-21-006 , Fifty Road Joint Venture Inc., Silvio Guglietti owner, to remove Part Lot Control from Part of Block 68, Registered Plan No. 62M-1057, for the purpose of creating one lot for future lot consolidation (Parts 1 and 2 inclusive) and a maintenance and encroachment easement (Part 2) on lands located at 99 Springstead Avenue, as shown on Appendix "A" to Report PED21175, be approved on the following basis:

- (i) That the draft By-law attached as Appendix "C" to Report PED21175, which has been prepared in a form satisfactory to Corporate Counsel, be enacted by City Council;
- (ii) That the said By-law be restricted to a two-year effective time period, to expire on September 15, 2023.

**2. Final Parking Master Plan Recommendations (PED20051(b)) (City Wide)
(Item 10.1)**

- (a) That the Final Parking Master Plan (PMP) attached as Appendix “A” to Planning Committee Report 21-013 be adopted;
- (b) That Item 21F, directing staff to consult with the public on the Draft Parking Master Plan (PMP) and to report back on the results of the public consultation, with the recommended Final PMP, be identified as complete and removed from the Planning Committee Outstanding Business List.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

The agenda for the September 7, 2021 meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

None declared.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) August 10, 2021 (Item 4.1)

The Minutes of the August 10, 2021 meeting were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Application to Remove Part Lot Control from Part of Block 68, Registered Plan No. 62M-1057, and Further Described as Parts 1 and 2 of Reference Plan 62R-21651, Hamilton (PED21175) (Ward 10) (Item 7.1)

The staff presentation was waived.

For disposition of this matter, refer to Item 1.

(e) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – August 10, 2021 (Item 14.1)

Committee determined they did not need to move into Closed Session.

The Closed Session Minutes dated August 10, 2021 were approved, as presented, and are to remain private and confidential.

(f) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 10:16 a.m.

Councillor J.P. Danko
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator

City of Hamilton Parking Master Plan

Prepared for City of Hamilton
by IBI Group
August 17, 2021

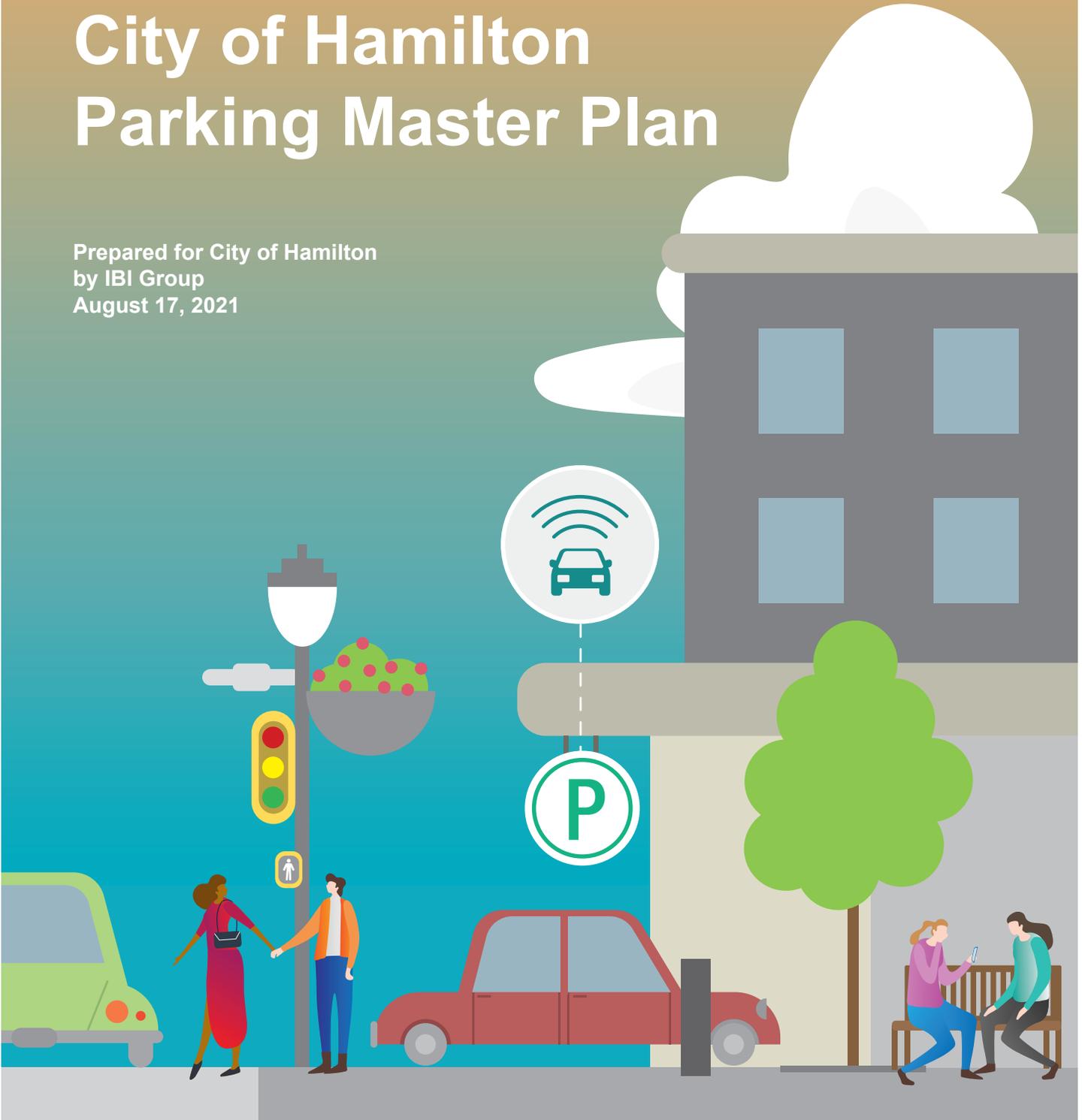
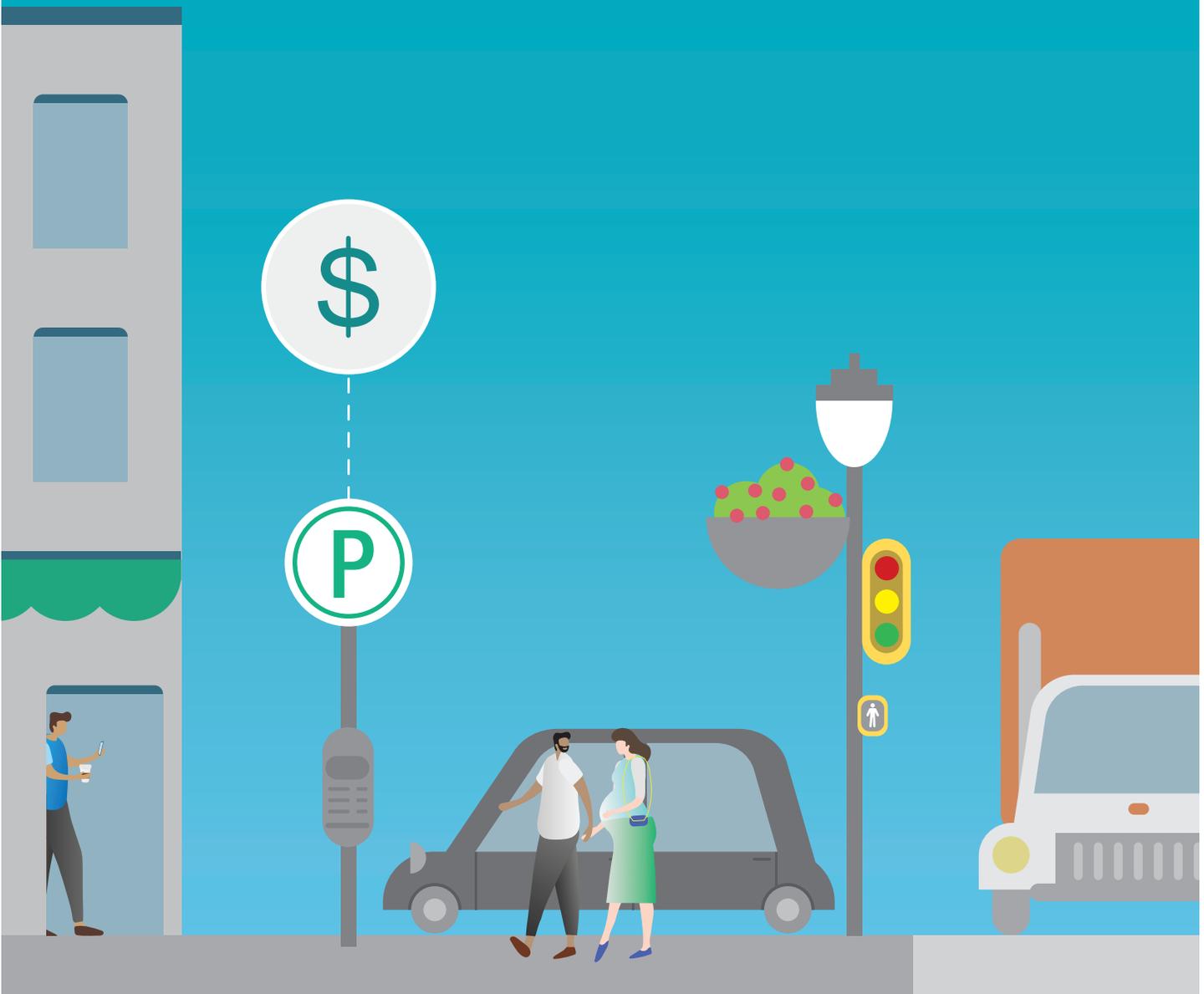


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1. Introduction



1. Introduction

Hamilton has grown and changed significantly since the last citywide review of parking operations in 2005. Even since the last Downtown focused parking review in 2013, Hamilton has undergone an economic revival with an influx of new residents and businesses. Land use downtown has evolved towards higher density developments while maintaining and restoring many of the heritage structures that make Hamilton unique. In many cases, these new developments have replaced existing surface parking lots which in turn has impacted parking supply and demand over a short time. At the same time, outlying communities in Waterdown, Dundas, Ancaster, Binbrook and Stoney Creek have expanded steadily and, in some places, outgrown their existing parking infrastructure.

Travel trends have also changed over the last 15 years. The emergence of Personal Transportation Providers (PTP) such as Uber and Lyft and the popularization of micro mobility services like SoBi have expanded transportation choice and reduced the need for residents to own their own cars. A growing number of Hamiltonians, especially those under 45, are increasingly including non-Single Occupancy Vehicle (SOV) travel methods as a part of their mobility choices. Even more disruption is on the horizon with the emergence of Electric Vehicles (EVs) and Connected and Automated Vehicles (CAVs) which have the potential to completely change every day travel behaviours, and the growing popularity of home delivery for retail services.

The City of Hamilton initiated the Hamilton Parking Master Plan (PMP) to address these developments, provide direction on a strategic approach to parking policy, planning, financial sustainability, and enforcement that will align with other city-wide transportation and land use planning policies, and help address the changing needs faced by the Hamilton Municipal Parking System (HMPS).

The scope of this plan is focused primarily on “public” parking supply and operations. It is not intended to review parking supply requirements for private development which are regulated through the Official Plan and applicable Zoning By-laws, except insofar as to account for these regulations and related trends on public parking needs.

The PMP focuses in particular on the challenges and solutions for Downtown Hamilton and the City’s 13 Business Improvement Areas (BIAs). To gain an understanding of Hamilton’s parking operations, the study examined existing parking supply and demand, consulted stakeholders and the general public on issues they saw and solutions they want to see in Hamilton, reviewed best practices successfully adopted in other Canadian municipalities, and established a range of future scenarios to test potential solutions. Based on the study findings, 25 strategic recommendations were identified to help guide HMPS staff in addressing existing parking issues and meeting future parking needs.

This report presents a summary of the key findings and recommendations of the PMP. More detailed data and analysis is presented in accompanying background reports as follows:

Background Report I – Existing Conditions and Best Practices: This Report includes a detailed summary of the 2019 parking inventory and utilization surveys along with a review of best practices in other jurisdictions.

Background Report II – Future Conditions and Financial Assessment: This report provides a detailed analysis of future conditions including parking demand and supply, along with an analysis of the financial implications for HMPS.

A Note on COVID-19

Over the last year COVID-19 related impacts have dramatically changed travel patterns and parking demand as in-person gatherings were restricted and many workers were required to work remotely. Overall parking demand has decreased, with far fewer people travelling to business areas across Hamilton for work or leisure, resulting in budgetary and operational challenges for many parking systems like HMPS.

But at the same time, the changes brought on by the pandemic have provided an opportunity to re-think the role that parking space can play in a city. Across Canada, on-street curbside spaces have been repurposed to serve as expanded outdoor dining areas or dedicated pick-up spaces to support local businesses. In Calgary, surface parking lots have been converted to parks, and right here in Hamilton

the York Parkade was re-imagined as an open-air concert venue. So while it is not clear what the long term impacts of COVID-19 will be on parking operations, what is clear is that cities like Hamilton can adapt and leverage parking facilities in new and creative ways to support their communities even in the face of significant challenges.

The analysis presented in this report assumes that parking demand will return to near normal levels at some point over 2021, and it is noted that the parking utilization surveys referenced herein were conducted in fall 2019 prior to COVID-19. However, several of the recommendations also envision a different future where some impacts of COVID-19 will remain permanent, or at minimum have changed the discussion around on needs and opportunities.



2. Hamilton Today



2. Hamilton Today

As of the end of 2020, Hamilton Municipal Parking System (HMPS) operated 58 surface lots, 2 parking structures, and approximately 2,700 on-street parking meters across the City. HMPS is responsible for operations across the city from Downtown Hamilton to Stoney Creek, Dundas, Ancaster, Waterdown, Glanbrook, and everywhere in between. Though all of these areas are managed by HMPS, they are distinctly different markets with different travel patterns and parking demands which result in differences in how public parking facilities are operated across the city.

Downtown Hamilton

Downtown Hamilton is the City's central core and the location where many Hamilton residents live, work, and play. It is the centre of a city of over 560,000 residents and 212,000 jobs, and is identified as an Urban Growth Centre in the Province's Growth Plan for the Greater Golden Horseshoe area. Downtown Hamilton is populated by a growing number of residential high rises, popular restaurants and entertainment venues, tourist destinations, and offices.

Downtown Hamilton contains approximately 8,600 parking spaces comprised of on-street curbside spaces (1,158 spaces), municipally owned and operated off-street facilities (2,811 spaces), and publicly accessible privately-owned off-street lots (4,579 spaces). Surveys and site visits conducted in fall 2019 indicated that the current parking supply in Downtown Hamilton is generally adequate to meet current demands. On a typical weekday, usage is approximately 80% of supply with some 1,700 spaces available. However, many individual lots are often at capacity by mid-day meaning that the travelling public must often search for available parking or opt for a location that is not optimal. On weekends, there is generally sufficient parking, but some lots operate near capacity around commercial and retail destinations like Jackson Square. Exhibits 1 and

2 summarize peak weekday and weekend parking utilization based on the fall 2019 surveys.

While total supply is adequate to meet demand, available parking in some key desirable areas was scarce, resulting in a general feeling among some residents and businesses that there is not enough parking downtown. This can lead to inefficient behaviours like cruising for parking and short term parking in no stopping zones. Conversely, periods of low parking utilization can lead to impressions of areas of the Downtown being under-utilized, vacant and unsafe, and they can create undesirable spatial separations between origins and destinations that reduce vibrancy and walkability.

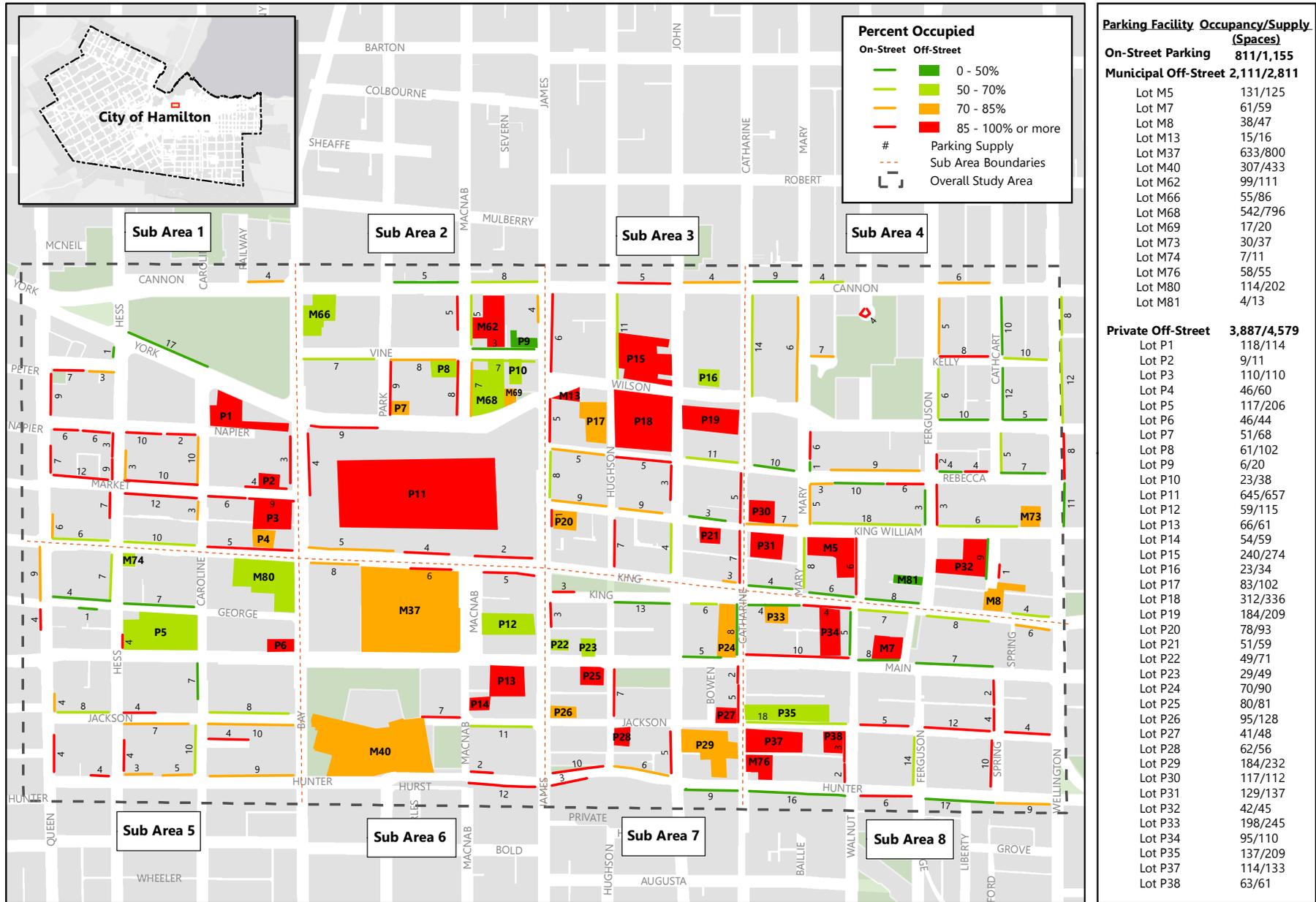
In summary, while there is generally adequate capacity to meet demand overall, the Downtown experiences periods of both acute shortages in key locations during peak periods, as well as periods of oversupply that result in inefficient land use. This suggests a high need and potential for optimizing the use of existing supply, while being strategic in the introduction of any new supply.



Key Facts about Downtown Hamilton Parking

- HMPS manages **4,000 parking spaces** in Downtown Hamilton between on and off-street spaces
- The 1,100 on-street spaces alone represent an area roughly equivalent to the size of 10 NHL-sized ice rinks
- Private parking facilities provide an **additional 4,600 spaces** in Downtown Hamilton
- On-street parking costs **\$2.00 per hour**, while off-street facilities are **\$3.00 per hour**
- Monthly parking permits are available ranging from **\$85 to \$150 per month**
- Paid parking operations are generally in effect 9 AM to 6 PM on Monday, Tuesday, Wednesday, and Saturday, and between 9 AM to 9 PM on Thursday and Friday
- Parking is free on Sundays
- Weekday parking demand peaked with **80% of parking spaces occupied**
- Weekend demand peaked with only **30% of spaces occupied**
- Municipal lots at King William Street/Mary Street (M5), Main Street/Ferguson Avenue (M7), and Catharine Street/Hunter Street (M76) operated above their stated capacities during the weekday business peak period at the time of the fall 2019 surveys
- While there is generally adequate capacity to meet demand overall, the Downtown experiences periods of both acute shortages in key locations during peak periods, as well as periods of oversupply that result in inefficient land use

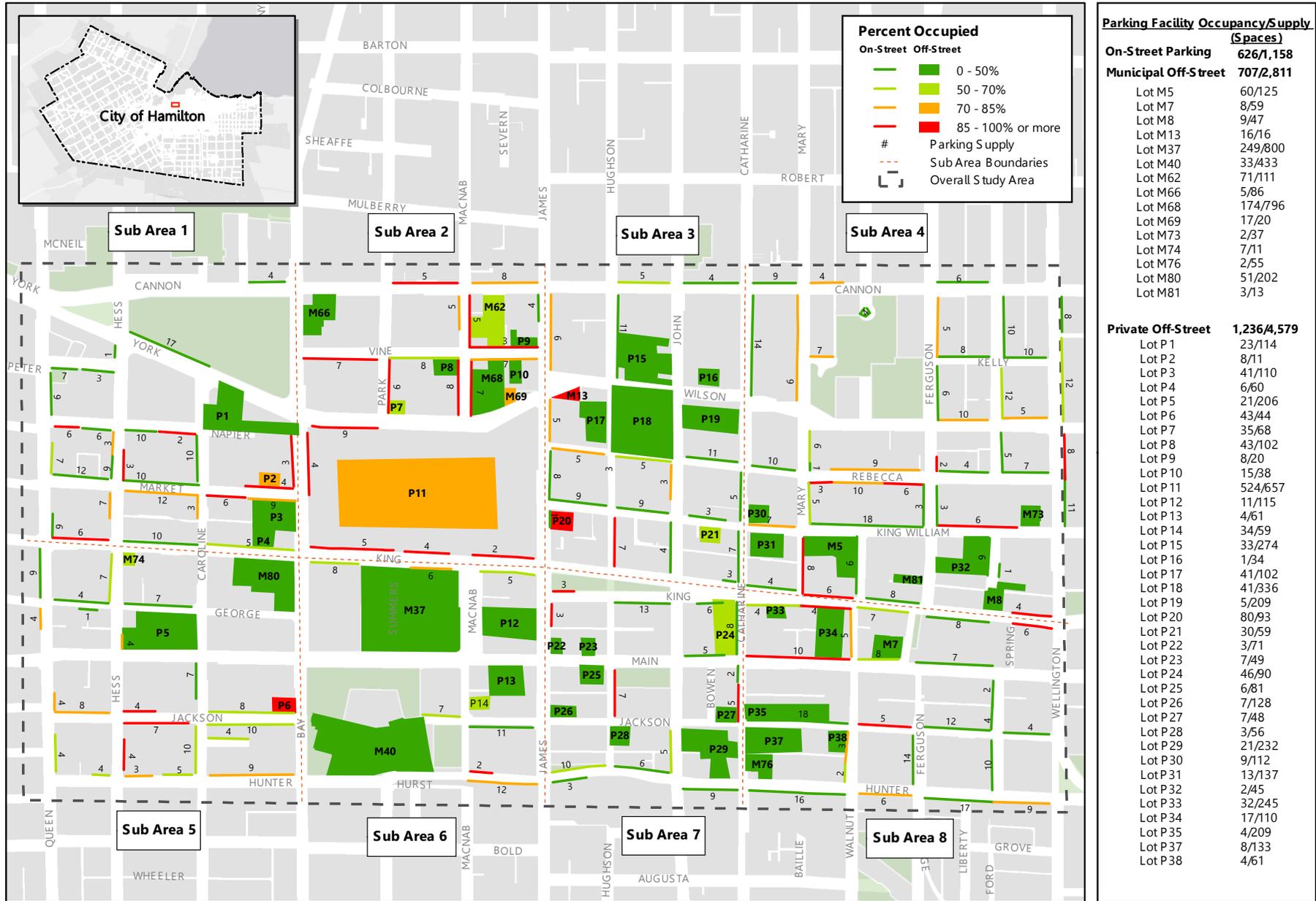




Hamilton Parking Master Plan
Downtown: Peak Occupancy (Weekday 12:00 PM)



Exhibit 1: Downtown Hamilton Parking Supply and Peak Demand, Fall 2019 Weekday



B Hamilton Parking Master Plan
 Downtown Peak Occupancy (Weekend 1:00 PM)



Exhibit 2: Downtown Hamilton Parking Supply and Peak Demand, Fall 2019 Weekend

Business Improvement Areas

Parking operations in each BIA are unique. There are a number of nuances in how parking policies are applied across the city, resulting in some cases in inconsistent access to and availability of publicly operated parking facilities. Some of these issues can be addressed by updating existing policies and regulations across the city, with an eye towards the local context, while others are unique to specific areas and do not lend themselves to one-size-fits-all solutions.

Ancaster Heritage Village



Ancaster Village lies within an area of relatively high personal vehicle mode share (approximately 82% of trips to Ancaster are by automobile). Parking opportunities are generally provided on-site at local businesses with minimal public parking. On-site private parking is complemented by 17 paid on-street parking spaces. During surveys and site visits conducted in fall 2019, 11 of the 17 on-street parking spaces were observed to be occupied at all times. Given the limited amount of on-street parking in the commercial core, one of the main challenges in Ancaster is a lack of clarity on what private parking lots are available for the public.

Barton Village



Barton Village is a mixed use area with a number of businesses fronting Barton Street. HMPS provides 186 on-street and 156 off-street parking spaces within the BIA. However, as Barton Street also functions as a Minor Arterial and truck route, and with high transit bus volumes, many conflicts are known to occur with vehicles parked on-street. The Hamilton General Hospital is a large parking demand generator with demand often spilling into the nearby residential neighbourhood. It was also observed that over half the drivers parked in the lots nearest the Hamilton General Hospital were accessible parking permit holders.

Concession Street



This “Main street” has a number of businesses that serve the neighbourhood and broader areas with 133 on-street parking spaces provided along Concession Street. Municipal off-street parking opportunities are limited (24 spaces), however several businesses provide on-site parking including the Juravinski Hospital which is a major trip and parking generator in the area. A minimum of 20% of on-street parking spaces were available at the time of the surveys, indicating that while supply is sufficient today, future growth in parking demand could strain the parking system.

Downtown Dundas



This historic main-street area currently offers 331 municipal off-street parking spaces complemented by 91 on-street spaces. Outside of the Downtown Hamilton core, Downtown Dundas has the largest supply of publicly operated parking spaces in Hamilton. Notwithstanding its high personal vehicle mode share, many local residents walk Downtown. While the on-street parking system was observed to be well utilized, almost 100 off-street parking spaces were available at all times.

Downtown Hamilton



The Downtown Hamilton BIA is a sub-section of Downtown Hamilton (as opposed to Downtown Hamilton as defined by the Downtown Secondary Plan). Generally comprising the area east of James Street and centred on Gore Park, it is a traditional central business district environment with 224 on-street and 71 off-street parking spaces provided by the HMPS. Available parking opportunities are scarce in Downtown Hamilton during the weekday peak, with 95% of the parking spaces occupied. Strategies that help manage existing demand, like dynamic pricing and real-time-parking information systems, may help parkers more easily find available spaces without requiring expensive infrastructure like new parking structures. Strategies to help manage parking demand would also support Hamilton's planning documents (Official Plan, Downtown Transportation Master Plan, etc.). Large volumes of alternative curbside activities (transit, passenger pick-up/drop-off, office deliveries, pop-up patios, etc.) are known to occur.

International Village



Similar to the Downtown Hamilton BIA, the International Village BIA is also located within Hamilton's Urban Growth Centre. The HMPS provides 281 off-street and 117 on-street parking spaces within this BIA. Parking users are known to experience difficulty in finding an available parking spaces during weekday business hours. Strategies aimed at managing parking demand would be beneficial. Large numbers of passenger pick-up/drop-off and ride-sharing curbside activities are known to occur.

King Street



Generally comprising the area along King Street between Caroline Street and Queen Street this is an active area for residential development with a number of new street level businesses. Most parking needs are met privately through on-site parking. However, the HMPs does provide 16 on-street and 11 off-street parking spaces. Finding an available on-street parking space may be challenging during peak periods, however available off-street parking was always observed. On-street parking time restrictions are known to create compliance issues.

Locke Street



This “Main street” neighbourhood has 124 on-street parking spaces provided along Locke Street, but no municipal parking lots. Many restaurants front Locke Street with many multi-modal transportation visitors. The municipal on-street parking is complemented by on-site private parking at many establishments as well as some off-street private commercial parking. Available on-street parking opportunities were observed at all times. The local places of worship are known to draw high parking demand on Sundays.

Main Street West Esplanade



This BIA extends between Queen Street and Dundurn Street. While lined with commercial establishments, Main Street predominantly serves through vehicles travelling Downtown from Highway 403 and western Hamilton. Similar to Locke Street, the 39 on-street parking spaces are complemented by privately owned on-site parking facilities. Abundant on-street parking opportunities are known to be available at all times, but high traffic volumes may give the perception that these spaces are not useable.

Ottawa Street



The Ottawa Street neighbourhood continues to evolve and is home to a large textile district, antique stores and other popular businesses. Large volumes of out of town visitors are known to frequent the area during weekends. The HMPS provides 102 on-street and 306 off-street parking opportunities in the Ottawa Street BIA, with plentiful available parking opportunities at all times. Recently, AM peak rush hour restrictions were eliminated in order to make on-street parking available for longer periods.

Stoney Creek



This area is characterized by a number of small businesses fronting onto King Street West. A large supply of municipal off-street parking and on-street parking along King Street West is provided, both of which are available at no cost, with a two-hour maximum parking duration. Available parking opportunities are known to be limited during weekday business hours.

Waterdown

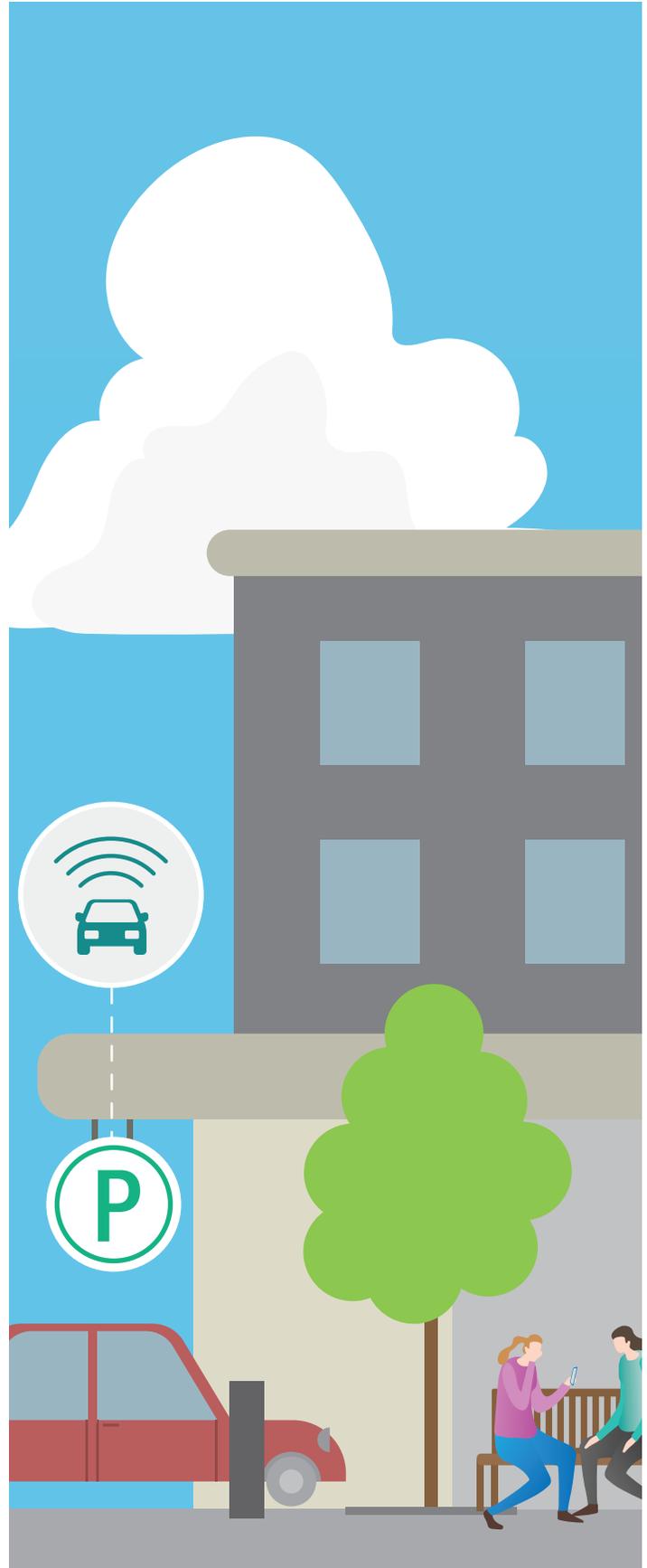


The Waterdown BIA comprises an historic main-street area with many commercial businesses fronting onto Hamilton Street North. Municipal parking facilities are limited (8 off-street parking spaces), which means that businesses rely heavily on private parking operations. Approximately 55 free on-street parking spaces are also available. Concerns have been raised around the zoning standard that small retail units (less than 450 m²) do not require a parking spaces, with fears that these uses would then rely on parking at adjacent properties. As the area intensifies, on-site parking supply shortages may develop, partially due to the lack of local municipally operated parking facilities.

Westdale Village



Similar to the Locke Street BIA, the HMPS provides 98 on-street parking spaces within the Westdale BIA, which is complemented by privately owned on-site parking. On-street parking demand is known to be high, but parking opportunities were available at all times during the 2019 utilization survey. A high volume of boulevard parking with parking infiltration from surrounding areas is known to be an issue.



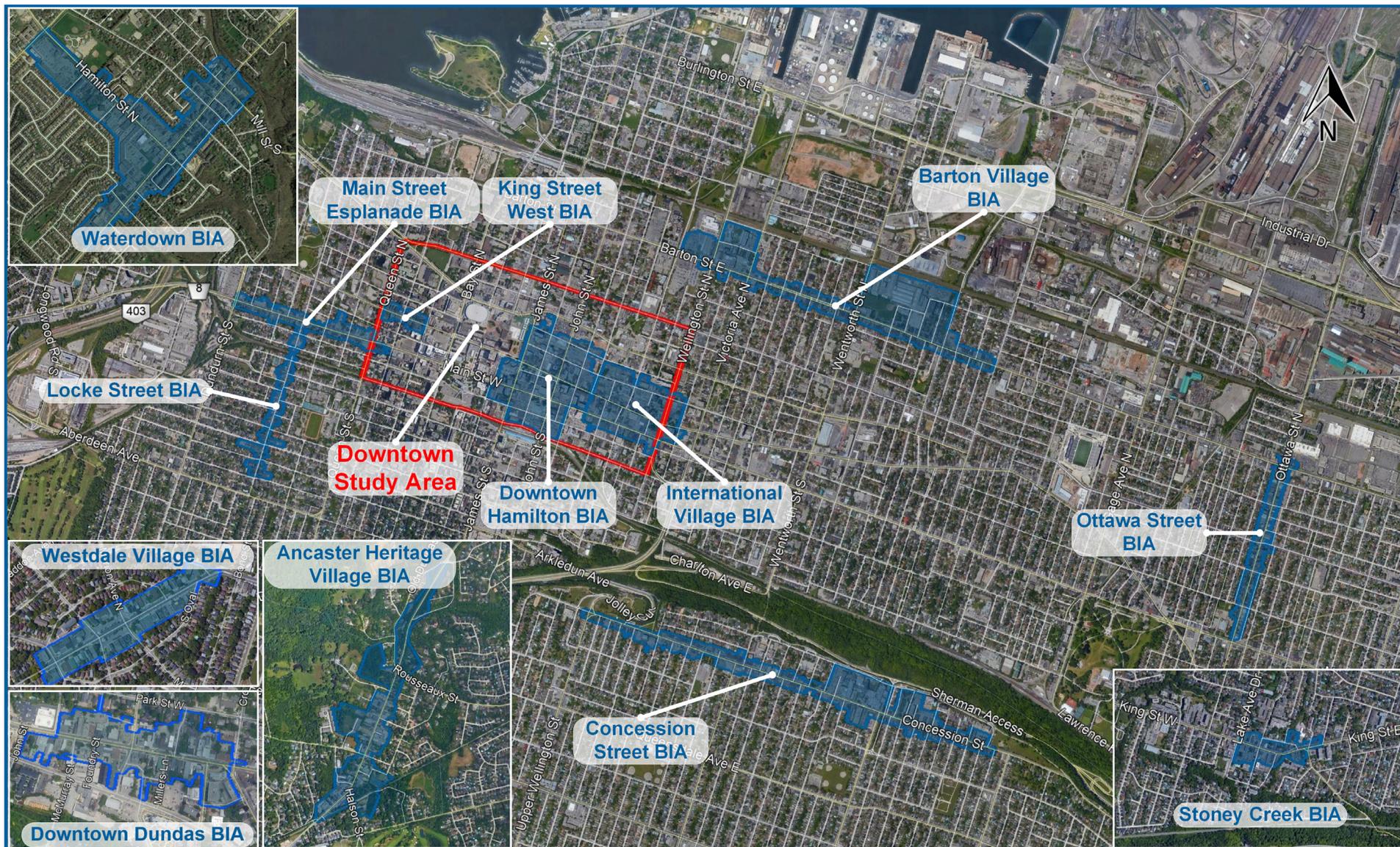


Exhibit 3: Hamilton Parking Master Plan Study Areas

3. Best Practices



3. Best Practices

From a parking perspective, Hamilton is unique in many ways. Municipal parking operations have evolved from initially being overseen by the Traffic Department, to conversion to a Parking Authority, and then to the current form of a City Division in 1998. While unique, there are still a number of lessons that can be learned from practices that other cities have adopted to address their challenges and how those strategies of succeeded or fallen short over time. By building on these experiences and applying them with the proper context, Hamilton can address the unique challenges presented across the city without having to reinvent the wheel.

This section provides a brief summary of some best practices, with additional details and insights provided in Background Report I.



Emerging Trends

Vehicle technologies such as Electric Vehicles (EVs) and Connected and Automated Vehicles (CAVs) have the potential to significantly impact parking patterns in the not-too-distant future. Growing demand for shared economy services like ride hailing, carshare, and micro mobility services like bikeshare has the potential to expand these impacts.

While the nature and magnitude of the impacts is subject to debate, most experts agree that future parking needs will be significantly impacted by technology. CAVs have the potential to reduce the need for downtown parking lots in a future where long term parking is replaced by curbside drop-off, but could conversely help make existing lots become more efficient as the space required per parking stall can be reduced. Increased use of alternative modes

like ride hailing, carshare, transit, or other micro mobility services could reduce levels of car ownership and the resulting number of people commuting in their own cars, but could increase demand for curbside space for short term use. These trends are likely to affect parking in Downtown Hamilton more than some of the outer areas as they are facilitated by a high density of trips and mixed uses.

Given that parking structures typically have a service life of 50 years, which significantly exceeds the timeframe where experts expect to see the above technology trends play out, alternative measures to meet existing and future parking needs are becoming more popular from a risk management perspective. Some of these strategies include:

- Creating publicly-available parking spaces in existing under-utilized privately owned parking facilities (e.g. older apartment buildings or lots adjacent to places of worship during off-peak times);
- Building in publicly available spaces to new developments through agreements with developers; and,
- Designing any new parking facility in a manner that allows for relatively easy conversion to other uses like housing, office space, or retail if the parking space is not needed in the future.

Best practices suggest that municipalities begin developing policies to address these and other emerging trends early. While the policies may need to be adjusted as trends and services emerge and evolve, developing policies early allows municipalities to proactively respond to future needs instead of reacting to developments they could have expected.



Future Technology

Parking technologies play an important role in the parking experience of users and can increase the efficiency of parking management. Areas where technologies can improve parking operations include parking lot entrance/exits, payment (pay and display, pay by phone, etc.), enforcement (license plate recognition systems), and wayfinding signage through the delivery of real time parking information (variable message signs, smart phone apps, online, etc.).

Given that technology procurements can be expensive, Canadian municipalities are generally upgrading technologies in areas that provide the highest benefit to cost incurred. Common upgrades include pay parking machines, parking management software, and license plate recognition (LPR) systems.

Hamilton currently has various technologies deployed throughout the HMPS (parking meters, pay and display, gated parking structure entry/exit lanes, etc.). As new technologies are adopted, parking operation efficiencies will be realized along with an improved parking user experience.



Enforcement

The most common enforcement approach involves proactive enforcement in the areas with paid municipal parking operations with reactive, complaint-based enforcement in all other areas.

Canadian municipalities are trending towards the adoption of LPR systems to assist enforcement officers. LPR synergizes with pay parking technologies that record vehicle license plates, such as pay-by-plate technology and parking apps, to provide a more efficient method of parking enforcement. User payments are uploaded into a database along with the user's license plate number and a timestamp. This information can then be used to determine whether a vehicle is parked illegally. LPR increases the efficiency of proactive enforcement and reduced enforcement costs.



Residential On-street Parking

Hamilton offers two types of residential on-street permits: Parking Zones Permit and Parking Time Limit Zones Permit. Parking Zones Permits allow the holders to park their vehicles on select streets specified by the City of Hamilton, and the Parking Time Limit Zones Permits exempt permit holders from all signed time limits in the purchased zone.

Municipalities are known to provide on-street residential permit parking programs in neighbourhoods with limited off-street parking. Two types are programs are typically provided depending on needs:

- Local residents: long term on-street parking permits sold by the municipality.
- Visitors: temporary on-street parking passes that can be requested several times per year

The long term permits help meet residential parking needs in areas where off-street opportunities are insufficient. The temporary on-street passes provide flexibility to residents when hosting overnight visitors or if off-street facilities are temporarily unavailable (e.g. driveway paving). The visitor parking passes could be adopted City-wide, while a case by case evaluation at each neighbourhood's off-street parking opportunities would be required when deciding whether the long-term permit program is suitable for a given area. Additional considerations include, safety, road width, snow clearance, etc.



On-street Accessible Parking

On-street accessible parking programs are programs intended to provide a dedicated on-street accessible parking space for those residents who have mobility limitations and who cannot access off-street parking facilities.

In general, applications for a designated on-street accessible parking space can be made by residents on an as-needed basis, which are then reviewed on a case-by-case basis by the municipality. If granted, the zoning by-laws are updated, and accessible parking signage is installed.

Accessible on-street parking permits are available in Hamilton to qualifying residents, but unlike some municipalities there is no limit on the number of spaces that are provided on a street, which has caused some challenges in some areas.



Financial Sustainability

Canadian municipalities generally strive for financially sustainable parking operations where parking revenues are enough to fund expenses. This model is preferred as it places the costs of the parking system on the users of the system instead of placing the costs on the public at large if the system were to be subsidized by municipal tax revenues. An additional benefit of financially sustainable parking operations is that it can provide the financial flexibility required to cover risk driven by fluctuating revenue while allowing for reinvestment into the system needed to respond to changing needs and transportation trends.



Parking Prices

Canadian municipalities have adopted a few different types of pricing models. Location-based parking pricing is a strategy where prices vary by location to provide a financial incentive to park in underutilized

parking facilities, and therefore improve the distribution of parking demand. Time-based pricing varies parking prices by time-of-day and day-of-week, to manage parking demand during peak periods. Under the performance-based pricing strategy, the price of parking is automatically adjusted based on observed demand with the intent of maintaining a desired overall utilization. Prices can be periodically adjusted if automated technology is not available.

Hamilton currently has time and location-based parking prices. Pay parking operations are in effect during weekday business hours and on Saturdays, with variable parking prices depending on the facility. Hamilton could adopt the performance-based pricing strategy as well, where parking prices would be updated periodically to target a desired utilization (i.e. between 60% and 80% utilization). If adopted, performance based pricing would be expected to better distribute parking demand throughout the HMPS.



Cash-in-lieu (CIL) of Parking

CIL of parking programs are appropriate in some municipalities while not feasible in others. CIL allows developers to pay a predetermined sum instead of meeting the proposed development's required parking. These funds are then used by the municipality to construct a public parking facility to offset the deficiency. One of the key benefits of CIL is that it allows for more strategic and efficient provision of shared parking supply, rather than each development providing its own supply. A potential drawback of CIL is that a temporary parking shortfall can be created between a point in time that developments contribute to CIL and the point at which a new municipal parking facility is opened. Enough funding must be collected which can take time, and then additional time is required to construct the new facility.

Hamilton has had a CIL policy in place for several decades, but uptake has been limited. This policy is currently being reviewed following a recommendation of the Mayor's Task Force on Economic Recovery.

4. Hamilton Tomorrow



4. Hamilton Tomorrow

Parking operations in Hamilton are expected to evolve as the City continues to grow and travel patterns of residents and visitors change. By 2051, Hamilton is projected to be home to nearly 820,000 residents and almost 360,000 jobs. Long term planning is required today to address the parking needs of future residents and businesses, both to support local economic development as well as to encourage adoption of emerging sustainable mobility trends.

Forecasting future parking demand is a complex process, but in general is most strongly tied to the following factors:

- **Population and employment growth**, which can be expected to drive parking demand growth in line with the growing number of residents and jobs across the city.
- **New developments** which generate additional trips, and as a result, additional parking demand. While most parking demand generated by a new development will be captured on site, some parking demand can be expected to spill over into municipal parking facilities.
- **Changes to parking supply** due to redevelopment of off-street facilities or repurposing of on-street spaces in favour of other uses.
- **Changing travel patterns** including shifting dependency on personal vehicles, adoption of transit and active transportation options, impacts of micro mobility services, and longer term impacts of technologies like EVs and CAVs. This also includes changes to trip patterns driven by non-transportation factors, such as an increased propensity for working from home as observed throughout 2020 in response to COVID-19.

Each of these factors can vary, but identifying a range of likely outcomes for each and combining them into a number of potential scenarios can provide insights into future needs and opportunities for Hamilton's parking operations. As described further below, future parking supply challenges are expected in Downtown

Hamilton as development increases, as well as in outlying communities as they continue to expand and attract new residents and jobs.

While the loss of some parking supply due to the repurposing of lots has and will continue to contribute to some parking pressures, it is important to contrast these changes with the resultant benefits which include the creation of urban parks, affordable housing and urban intensification. The new John Rebecca Park is an example of one such change.

As part of the Parking Master Plan, a detailed forecast of future parking demand and supply was undertaken for Downtown Hamilton. This included alternative scenarios reflecting different pricing strategies. Details and assumptions around these forecasts are provided in Background Report II.

Overall, under a base case where no major policy changes are implemented and parking prices are increased to match the rate of inflation, the Downtown Hamilton parking system is projected to experience the following demand during peak periods by 2030:

- On-street: 840 vehicles (72% utilization);
- Off-street (Public): 2,200 vehicles (90% utilization);
- Off-street (Private): 4,100 vehicles (97% utilization); and
- Overall: 7,100 vehicles (91% utilization)

Future parking operations in Downtown Hamilton are projected to approach capacity under these demands. It is also expected that the busiest areas today will see demand increases which push them beyond existing parking capacity, resulting in perceived parking shortages and an inefficient parking system. Given this future condition, solution-oriented policies are recommended to help manage future parking demand. These policies should help increase the amount of readily available parking for those who need it and in the locations that it is needed while at the same time helping the HMPS to maintain financial sustainability and meeting long term sustainable transportation policy goals.

Projected Future Parking Operations

- Future parking demand can be expected to grow alongside Hamilton’s population. 120,000 new residents are projected to live in Hamilton by 2030, along with 100,000 new jobs.
- Changing nature of travel can reduce future parking demand as travelers switch from personal vehicles to alternative modes of transportation.
- Automated vehicles are anticipated to revolutionize parking operations. While the exact magnitude is open for debate, parking demand is expected to decrease while pick-up drop-off activities are likely to increase.
- Downtown Hamilton parking supply provided through surface parking lots is projected to decrease as new development occurs.
- Improving the distribution of parking demand In Downtown Hamilton from popular facilities to underutilized facilities can greatly improve operations.
- As development density in all downtown areas of the city increases, a curbside management plan will become essential to ensuring all users are provided with access.
- Parking price increases are anticipated to be required to manage parking demand and collect sufficient parking revenue to fund operations. These increases should be standardized to increase public transparency and perceived fairness.
- The importance of proactive enforcement will grow as parking demand increases and will be a key piece of making sure the adopted strategies are working as intended.
- Residential neighbourhood parking challenges tend to be unique and require a case-by-case assessment to meet.



5. Financial Outlook



5. Financial Outlook

In 2019, gross revenues for HMPS were approximately \$14.7M which encompasses on-street meter and annual permit revenue, municipal car park transient and monthly permit revenue, administration fees, parking ticket revenue, and plate denial fees from the Ministry of Transportation (MTO). In comparison, expenses were approximately \$12.2M comprised of employee costs, maintenance, vehicles, property taxes, and contractual costs.

Currently, the HMPS net surplus is used to fund the parking reserve (approximately \$840,000 annually) to fund future capital needs, as well as off-set the general levy. On average, HMPS transfers between \$1.2M and \$2M to the levy annually, in addition to amounts paid in property taxes.

In the future, it is anticipated that capital re-investment through the parking reserve will continue to be required in order to maintain existing capital assets, and will most likely increase in order to support investment in new technology such as smart pricing technologies and EV charging.

To help plan for financial sustainability and for HMPS to continue to operate as a self-sustaining business unit, four different financial scenarios were constructed that project operating revenues and expenditures, parking reserve capital transfers and expenditures, and net levy transfers over the next ten years. The financial analysis in the four scenarios also takes into account the projected supply and demand to the year 2030. The scenarios assessed as part of this study include:

- **Status Quo** – existing pricing structures are maintained and rates are increased only at the rate of inflation;
- **Revised Pricing Framework** – existing pricing structures are revised to provide a more consistent experience across the system and rates are increased only at the rate of inflation;
- **Revised Pricing Framework and Modest Rate Increases** – the revised pricing structure is applied alongside rate increases higher than the rate of inflation in order to manage demand in busy areas and help achieve sustainable transportation policy goals; and,
- **Revised Pricing Framework, New Infrastructure, and Modest Rate Increase** – again the revised pricing structure is applied this time alongside approximately 380 new spaces to be built in Downtown Hamilton to serve future parking demands. Rate increases in this scenario are in line with the previous scenario. This scenario is the only scenario where expanded parking supply is analyzed.

Exhibit 4 provides a numerical summary of each scenario and the following sections describe these scenarios in more detail including the result of the financial analyses in which they were applied.

	Scenario 1 - Status Quo	Scenario 2 - Revised Pricing Framework	Scenario 3 - Revised Pricing Framework and Modest Increase	Scenario 4 - Revised Pricing Framework, New Infrastructure and Modest Rate Increase
Annual revenue in 2025	\$16,310,000	\$17,266,000	\$18,529,000	\$18,529,000
Annual operating and maintenance expenses in 2025*	\$13,292,000	\$13,292,000	\$13,292,000	\$13,292,000 **
Municipal owned parking supply constructed	-	-	-	380 spaces
Capital reserve balance in 2030	\$7,131,000	\$7,131,000	\$7,131,000	\$3,000,000
Net operating surplus over 10 years	\$20,025,000	\$30,274,000	\$43,807,000	\$32,739,000

Exhibit 4: Summary of Financial Scenarios Evaluated

* Excludes planned capital improvements beyond state of good repair

** Operating and maintenance costs increase after addition of new supply in 2028

Scenario 1 – Status Quo

In this scenario, parking prices are increased by 2% each year which is expected to be in line with inflation. For reference, under this scenario, hourly on-street spaces which cost \$2.00 per hour today would cost about \$2.50 in 2030.

Under this scenario, future parking revenues are expected to exceed the expenses, resulting in an operating surplus. The operating surplus is sufficient to maintain a stable capital reserve while annually contributing to the levy.

However, the continued underpricing of parking results in increased parking demand and pressure on parking supply, especially in high-demand areas which are expected to operate at or above capacity. Further, by maintaining existing pricing structures and increasing rates only at the rate of inflation, existing auto-oriented travel patterns are maintained, making achieving longer term sustainable transportation policy goals established by the City more difficult to achieve. Lastly, while this scenario is expected to be financially sustainable, the financial health of HMPS would be susceptible to future uncertainty and may require additional funding from the City to maintain and operate existing systems. This scenario also

provides the least flexibility of all scenarios for HMPS to strategically reinvest in the parking system to plan for and meet the needs of future demands such as charging stations for Electric Vehicles. Therefore, while expected to be financially sustainable, Scenario 1 is not recommended.

Scenario 2 – Revised Pricing Framework

For Scenario 2, a pricing plan for on-street and off-street parking was developed for different BIA areas depending upon location and proximity to the downtown core. A variable pricing model was also adopted which allows for higher rates at the busiest lots, which helps manage overall demand and distribute it to nearby under-utilized facilities. This scenario also includes a \$0.25/hour rate increase to on-street and off-street transient parking, as well as proportional increases to on-street and off-street permits. These scheduled increases would occur for the first time in 2025 and every five years thereafter. Over a 10 year period these price increases are comparable to the inflation based price increases applied in Scenario 1. As in Scenario 1, under this scenario hourly on-street spaces which cost \$2.00 per hour today would cost about \$2.50 in 2030.

Under this scenario, revenues are expected to exceed expenses resulting in the ability to maintain a sufficient capital reserve while continuing annual net levy transfers.

Similar to Scenario 1, parking demand is projected to approach capacity in Scenario 2 with localized parking supply issues, as inflationary price increases are not able to significantly influence travel behaviour and reduce or redirect parking demand from the areas where parking is in highest demand. Therefore, while financially sustainable, Scenario 2 is not preferable from an operations perspective.

Scenario 3 – Revised Pricing Framework & Modest Rate Increases

This scenario takes the pricing framework and variable pricing models from Scenario 2 to help HMPS manage parking demand in the busiest areas. This scenario also includes a citywide increase of \$0.50 per hour to on-street and off-street transient parking, as well as a proportional increase to on-street and off-street permits. Together these scheduled increases equate to approximately 4% per year, or 2% above the expected rate of inflation. Hourly on-street spaces which cost \$2.00 per hour today would cost approximately \$3.00 in 2030 and the cost of a monthly permit which costs \$85 today would cost \$128 in 2030.

Under Scenario 3, parking revenues are observed to exceed the expenses, resulting in an operating surplus. The operating surplus is sufficient to maintain a stable capital reserve while annually contributing to the levy. Note that parking revenues in Scenario 3 are larger than both Scenario 1 and 2, resulting in a larger annual levy contribution as well as allowing for additional reinvestment into the parking system to address future needs.

Overall parking operations under Scenario 3 are projected to improve compared to Scenarios 1 and 2 as a result of price increases above the rate of

inflation influencing travel behaviour. Operational issues in the busiest areas are also addressed under this scenario as HMPS would have the greatest flexibility to modify prices in high demand areas as-needed to address these acute deficiencies and maintain efficient and accessible parking operations.

Scenario 3 is also the most effective scenario at supporting Hamilton's future transportation sustainability goals.

Scenario 4 – Revised Pricing Framework, New Infrastructure, and Modest Rate Increases

This scenario is the only scenario where expanded parking supply is analyzed, which is assumed to be in the form of a municipally-owned parking structure. The pricing plan from Scenario 3 is maintained in this scenario.

While parking revenues are expected to exceed expenses, the construction of 380 new parking spaces in 2028 and 2029 included in this scenario results in a deficit in the capital reserve of approximately \$15M dollars. Even with 4% per year price increases the parking operation is not projected to be financially sustainable under this scenario. A consideration for increasing the capital reserve contribution would be needed in order to provide sufficient funding to cover the new parking facility costs.

With the addition of approximately 380 publicly available parking spaces, overall parking utilization is expected to be lower than in other scenarios. However, the greater availability of parking in Downtown Hamilton may result in an increase in long term parking demand, as the excess capacity could induce additional auto trips which otherwise may have been made by transit or other sustainable modes. As a result, constructing new parking facilities could help alleviate parking issues in high demand areas in the short term, but only further contribute to rising parking demand in the long term.

Recommendation

It is recommended that Scenario 3 is the most appropriate long term scenario to be considered for the sustainability of the parking operation through 2030.

This scenario maintains a stable capital reserve and maintains or increases the net operating surplus which can be used towards annual levy contributions and/or for reinvestment in the parking system. A summary of expected financial performance of the HMPS under this scenario is shown in Exhibit 5.

As well as being the most prudent scenario financially, this scenario best addresses existing and future needs of drivers by maintaining the availability of parking spaces. This is achieved by 'right sizing' prices so the highest prices are applied in the busiest areas and by adopting dynamic pricing strategies which gives HMPS the flexibility to distribute demand and maintain efficient operations.

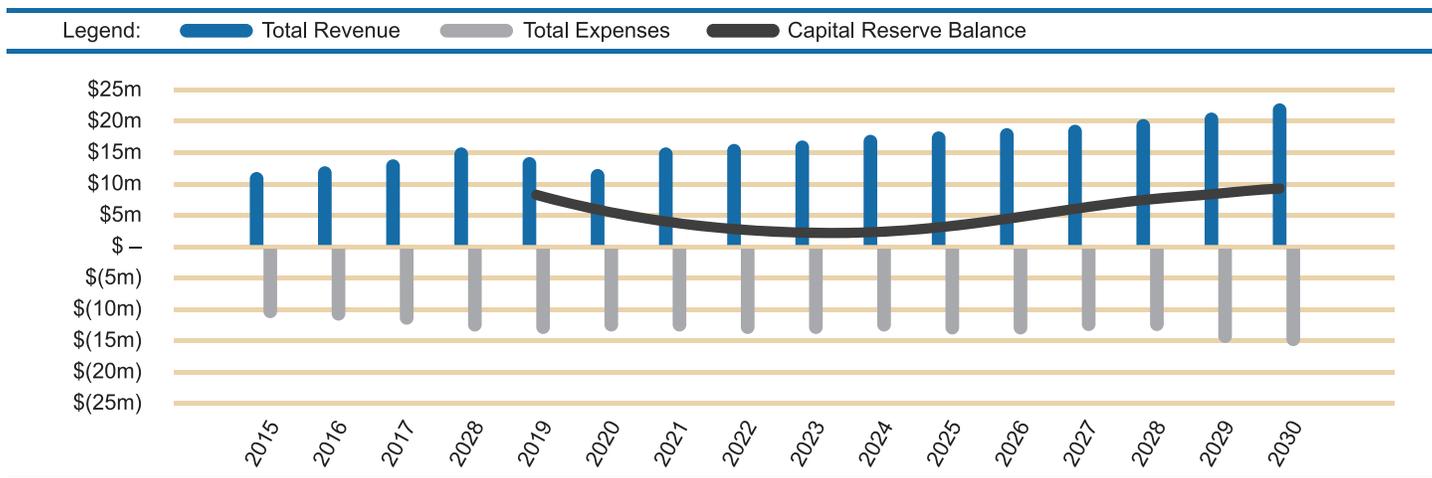


Exhibit 5: Expected Financial Performance of HMPS under Scenario 3

6. Recommendations



6. Recommendations

To guide Hamilton in addressing existing parking issues and meeting future needs, the following recommended strategies have been developed. These recommended strategies were formulated based on issues identified through the existing conditions assessment, desired study outcomes identified by stakeholders and the public, challenges anticipated in the future, and the best practices observed to be successful in other municipalities.

The recommended strategies, presented in the following subsections, are categorized under a set of four general principles.

These principles have been established to give a clarity of purpose to each of the recommendations. The intention is to help to facilitate communication of the recommendations to the public, as well as to guide HMPS in their implementation.

Note that these principles and recommendations apply citywide, but may be applied differently across the city in accordance with the local context. For example, the actions required to provide adequate future parking supply in Downtown Hamilton are very different than those required to achieve the same goal in Dundas, but the principle of serving existing and future parking demand are applicable within both contexts.



Financial Sustainability - Operate the Parking System as a Self-Funded Organization with Fair and Transparent Pricing Policies



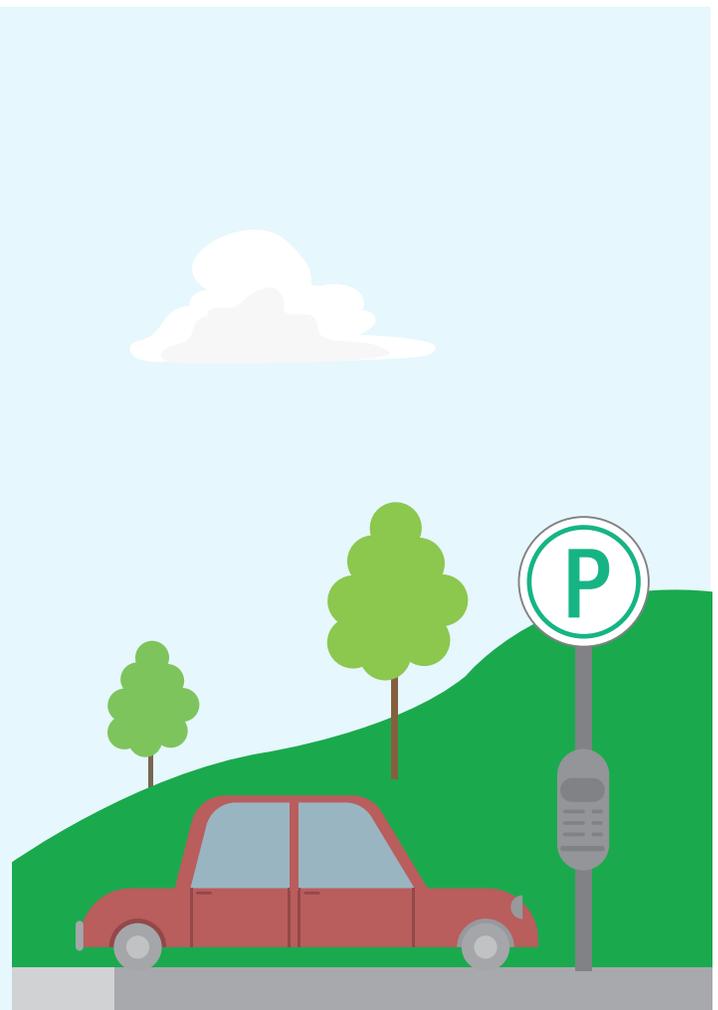
Economic Development – Support Local Business and Stimulate Development by Efficiently Managing Parking Supply



Environmental Sustainability – Reduce Climate Impact by Supporting Sustainable and Environmentally Friendly Transportation Mode Choices



Resiliency – Prepare for an Uncertain Future





Financial Sustainability

Operate the Parking System as a Self-Funded Organization with Fair and Transparent Pricing Policies

Free or low cost parking is viewed by some as a way to promote economic activity, but there is little research to substantiate this claim. In fact, free parking in business districts often leads to mis-use and ultimately less access to parking for intended users. Low cost parking also leads to increased auto use, congestion and environmental impacts.

From a municipal perspective, underpricing public parking is financially unsustainable. Costs are incurred by HMPS to build, operate, and maintain both on-street and off-street parking facilities regardless of whether fees are charged to users for access or not. If fees are not charged and the system instead relied on tax supported revenue, these costs would be borne by all Hamilton residents, including those that choose other more sustainable modes of transportation. That is to say, someone is always paying for these costs, whether actively through the meter or passively through taxes and higher costs of goods and services.

All comparator municipalities reviewed as part of the Best Practices research conducted as part of this study are currently operating or have plans to soon operate their parking systems as a fully user-fee supported service. In order to operate in this manner, while maintaining financial sustainability, it is imperative that the fees charged for parking are fair, the policies that lead to changes in fees are transparent, and that the fees are understood by residents and local businesses. The following pricing related recommendations are aimed at achieving this goal.

1. Adopt predictable rate increases

Historically, the time period between parking rate increases in Hamilton has been uneven and tends to be a response to mitigating budget pressures as opposed to following a clear strategy. Predictable rate increases would assist with long term financial planning tied to strategic parking policy directions. The following consideration should guide the City's approach to pricing:

- Increases should be indexed to inflation in order to keep pace with growth in costs;
- Increases should occur regularly, as often as yearly, in order to provide certainty in budgeting and certainty in costs for users;
- Increases should be built into base budgeting, similar to other City user fees; and
- Round number pricing may not be required given the introduction and growing adoption of the pay-by-phone system.

While the approval of parking rates would be subject to the normal City budgeting process, as described in the financial analysis in previous section it is recommended that Hamilton adopt an increase to baseline parking prices of a minimum of \$0.25/hour every 2-3 years between now and 2030, to be accompanied by corresponding increases to off-street lots. Overall, scheduled increases would equate to approximately 4% per year, or 2% above the rate of inflation. For reference, under this approach, the cost of an on-street space would increase from \$2.00/hour today to \$3.00/hour in 2030, and the cost of a monthly permit which costs \$85 today would cost \$128 in 2030.

2. Manage utilization in all HMPS off-street parking facilities through pricing

Pricing provides the most effective means of managing utilization of parking facilities. The majority of HMPS parking lots are currently paid parking facilities, with the exception of Stoney Creek. Stoney Creek has a 169-space off-street parking lot which was observed to reach 91% capacity by 10:00 am. To support good parking management practices and maintain the financial sustainability of the parking system, it is appropriate that appropriate pricing be phased in over time at all facilities, and that it be reasonably and fairly priced according to location and occupancy. Ideally, prices should be set to maintain an occupancy rate of 60 to 80%. This would require a phased implementation in areas where pricing does not currently exist, or where it is under-priced, in order to provide ample opportunity for consultation.

3. Evaluate the feasibility of extending paid parking operations to 7 days-a-week

Currently, parking meters are free on Sundays throughout City, and meters in Dundas and most of Downtown Hamilton are also free on Saturdays. Given that most businesses are open seven days per week, and pricing is a parking management tool, pricing parking during these times is recommended. Prices for weekend parking should reflect demand and may well be lower than prices charged during the week, and a seven day enforcement strategy would be needed to support this change.

4. Maintain higher prices on-street than off-street

This pricing strategy would incentivize longer term parkers to park in off-street facilities, freeing up on-street spaces for shorter term uses with higher turnover, resulting in more on-street spaces available when and where they are needed, particularly to support local businesses.

As a target, on-street hourly rates should be set at least 15% higher than off-street hourly rates in order to incentivize greater use of off-street facilities.

A minimum difference of \$0.25/hour would also be useful as a way to clearly differentiate prices in areas where a 15% difference would be less than \$0.25. For example, an area with off-street parking rates of \$2.50 should have on-street parking rates of at least \$2.87 per hour, or \$3.00 if round number pricing is maintained, while an area with off-street parking rates of \$1.00 should have on-street parking rates of at least \$1.25 per hour.

5. Implement performance-based pricing in high demand areas

Under a performance-based pricing strategy, the price of parking is automatically adjusted based on observed demand with the intent of maintaining a desired overall utilization. This strategy could help address the acute parking issues in Downtown Hamilton and some BIAs that were observed in the parking survey. By increasing prices in areas of high demand and reducing prices in areas of low demand, the overall demand for parking can be distributed across the system, making use of currently underutilized spaces that are still within walking distance of major destinations. Such a policy is likely to be revenue neutral, and previous implementations of such pricing systems elsewhere have resulted in average prices decreasing.

A policy to guide how prices would be adjusted would need to be adopted prior to implementing such a system in order to provide transparency and predictability. For example:

- Where parking occupancy exceeds 80%, prices could be increased by \$0.25/hour;
- Where parking occupancy is between 60% and 80%, prices could be maintained;
- Where parking occupancy is lower than 60%, prices could be decreased by \$0.50/hour up to a pre-selected minimum price which covers operations and maintenance costs; and
- Performance based prices should generally not exceed 50% of the base rate

6. Implement dynamic pricing in response to events

When higher demand is expected, such as before a sporting event or concert, prices for parking both on-street and off-street in the surrounding area should be increased to account for the increased demand. Similar to performance-based pricing, prices and resulting occupancy should be monitored event-by-event to enable HMPS to set prices which achieve occupancy targets. Price changes would need to be a delegated responsibility to the HMPS in order to provide for flexibility and timeliness in adoption.



Economic Development

Support Local Business and Stimulate Development by Efficiently Managing Parking Supply

A well planned and managed parking system supports economic development and serves a wide range of needs from short-term parking for local businesses to monthly parking programs for residents and employees. It does this while at the same time allowing for new development, intensification of our urban areas, and making an efficient use of land. The key to achieving this is to minimize the space required for parking by maximizing the efficiency of the current parking supply and integrating new parking supply within new developments.

7. Expand the supply of on-street paid parking

Some on-street segments within Downtown Hamilton and across BIAs within walking distance to major destinations are unmetered and therefore do not require payment. Parking in many of these areas was observed to operate at or near capacity. Leaving these spaces to operate without requiring payment inadvertently incentivizes cruising for parking and long-term vehicle storage in areas of the city where the curbside could serve a higher and better use. Expanding on-street paid parking to these areas can increase turnover, which results

in increased availability of and access to parking where it is needed. Existing rush hour and other parking restrictions should be reviewed to identify opportunities to introduce additional on-street parking supply.

8. Increase HMPS contribution to BIAs using revenue from increased parking fees

Under current policy, the City of Hamilton shares 10% of HMPS's net operating surplus with Hamilton's active BIAs on an annual basis. This investment provides an opportunity for BIAs to implement and maintain improvement programs and to undertake promotional initiatives within their designated boundaries. The current revenue sharing funding formula is a blend of fifty-percent (50%) from each of the following two formulas: a) The percent that the individual BIA levy/individual BIA assessment is of the total of all the BIA levies/assessments. b) The percent that the individual BIA generates through parking meters is of the total parking revenue generated from parking meters within all of the BIAs.

Under current policy, there is limited incentive for BIA's to support parking price increases as half of the formula is tied to overall revenues across the City. A revised policy could better tie BIA contributions to local parking revenue performance. This could in turn lead to a cycle where parking prices are increased, new amenities are provided making the area more attractive to residents and consumers leading to increased economic development. This would create a more direct connection between the pricing policies required to effectively manage a parking system and financial support of local businesses.

Further consultation with the BIAs is required to confirm the best approach. One option could be to use the past five years contribution to establish a "base contribution". A supplemental contribution over and above the base would be based on a percentage of parking meter revenue increases. For example, if a BIA saw increases in meter revenues due to good management practices, performance pricing or increased parking activity, a set percent would go back to the BIA.



9. Provide better information in the form of improved signage, wayfinding, and digital tools

Providing better information to users can facilitate more efficient use of the parking system. For example, by providing comprehensive information on the locations, time limits, and prices of parking facilities, HMPS can provide users the information they need to make informed decisions which would likely result in distributing demand to existing facilities with excess capacity. Improvements could include refreshed signage both at lot entrances and along key corridors and intersections leading up to the facilities. Physical improvements can also include more informative digital signage with details like capacity, live or expected occupancy based on historical data, and pricing.

10. Allow public use of private facilities during off-peak times

Locations such as Universities or Colleges, places of worship, restaurants, and condos all have significant variation in when they observe peak parking demands. These uses are frequently co-located, yet all are required to provide parking supply sufficient to meet their own peak demands. Outside of these peak periods there is a significant amount of parking space that is underutilized or even totally unused. By implementing a system by which these spaces could be made publicly accessible, HMPS could immediately increase parking supply in key areas with high demand and limited supply without incurring large capital costs associated with new parking facilities. The City has already facilitated arrangements such as these in many parts of the city by removing zoning obstacles and allowing tools such as shared use agreements or cash-in-lieu of parking agreements.

11. Pursue joint parking opportunities with private development

New developments or redevelopments provide an opportunity to create new publicly accessible parking in areas experiencing parking shortages. By working with developers, the City could potentially contribute funds to create additional parking for the public, over and above what is required for the development itself. This could be facilitated through expanded use of tools such as cash-in-lieu of parking. The marginal cost of providing parking in this manner would typically be lower than the cost of building an independent publicly-owned parking facility, and it provides high potential for shared use of parking across different types of and uses with different parking demand profiles. A further benefit of pursuing such a strategy to secure future parking supply is that the resulting supply would be located adjacent to where new demand is being generated in the form of residential and/or commercial developments, thereby efficiently distributing the new parking supply in the areas it will be needed most.

12. Manage on-street parking in future residential areas

More recently developed residential areas in Hamilton are experiencing parking related challenges which are distinct from those observed in Downtown Hamilton or in the BIAs identified in this study. These challenges should be addressed in a way that is consistent with meeting Hamilton's long term transportation goals while meeting the needs of existing and future local residents.

In many recently developed neighbourhoods, there is a lack of publicly accessible off-street parking facilities. There is also often limited on-street parking relative to the population in the area due to higher density forms of development. A potential solution in some of these areas would be to regulate on-street parking through residential permits, similar to what is done in older parts of the city. Such an approach would be most effectively implemented at the time of initial development, rather than trying to introduce it once a neighbourhood has already become well-established.

13. Implement License Plate Recognition Software to improve enforcement efficiency

LPR software can read license plates of cars parked on- or off-street and automatically detect a parking violation, such as a vehicle that has overstayed time limits or not paid for parking, and notify officers to issue a citation. The technology allows enforcement officers to patrol larger areas in a shorter amount of time. With increased enforcement, parking user compliance is anticipated to increase, which improves the efficiency of the overall parking system.

There are two types of LPR technologies, handheld and mobile. Handheld devices allow officers to manually scan license plates to determine whether parking time has been purchased, while mobile cameras mounted on enforcement vehicles allow officers to scan parked vehicles on the go. Mobile LPR systems are more efficient but also cost more. An electronic database of parking regulations, permits, and hourly/daily pay parking users tied to vehicle license plates is required to facilitate LPR technology.

14. Continue to identify opportunities to leverage city-owned surface parking lots for new, integrated development

Leveraging city-owned surface parking lots to create opportunities for development can help achieve growth and intensification goals. Losses to the parking supply can be mitigated by integrating new parking supply as part of the new development.



Environmental Sustainability

Reduce Climate Impact by Supporting Sustainable and Environmentally Transportation Mode Choices

Transportation generates between 20-30% of all greenhouse gas emissions globally and represents the single largest source of emissions of all human activity – greater than agricultural production,

commercial and residential activities, industrial activity, and even power generation. Furthermore, parking facilities themselves, which typically result in large areas of paved, impermeable surfaces and/or concrete structures with high levels of embodied carbon, have a high carbon footprint and direct environmental impact.

Hamilton has recognized the importance of a sustainable and balanced transportation system as part of the City in Motion Transportation Master Plan as well as the City's Climate Action Plan.

HMPS can support the City in moving towards a more sustainable future by managing the parking system in a way that encourages sustainable transportation mode choices and reduces the environmental and carbon footprint of parking facilities.

15. Adopt pricing structures which incentivize environmentally sustainable transportation mode choices

Prices are a strong indicator of priorities, and how they are applied to different parts of the transportation system creates incentives and disincentives for users. For example setting parking fees below the cost of transit fares, especially for monthly passes targeted at commuters, incentivizes driving and disincentivizes transit. For example:

- The cost of a monthly parking permit in Downtown Hamilton ranges between \$55 and \$150;
- The cost of a monthly parking permit outside of Downtown Hamilton ranges between \$55 and \$65;
- The cost of a monthly transit pass in Hamilton is \$110;

The pricing policies and pricing strategies discussed earlier in this report should consider the impacts on mode choices, and the goal of shifting more trips toward sustainable transportation alternatives.

16. Introduce flexible multi-use passes

COVID-19 has demonstrated the potential for people to work from home and it is expected that many people will opt to continue to work from home at least some of the time. This could result in a reduction in the number of vehicle trips, which would have an environmental benefit. However, current monthly pass pricing does not provide any flexibility or incentive for this sustainable practice. Monthly pass holders are less likely to eliminate a trip, or choose another more sustainable mode for a trip, as they've effectively pre-paid for their parking. Providing options other than monthly or single day payment (e.g. 20-day, 10-day, or 5-day passes) could incentivize users to reduce their vehicular trips or choose more sustainable modes for some of their trips. Such a system could be implemented with physical passes but is most easily implemented with a digital permitting system.

17. Expand Parking Reserve and Cash-In-Lieu (CIL) policies to support TDM and sustainable mobility initiatives

Currently both the the General Parking Reserve and the CIL Reserve policies have restrictions on what collected monies can be used for. The General Parking Reserve is restricted to capital improvements for parking infrastructure. Similarly, the CIL policy states that monies collected are for the purposes of increasing the amount of municipal off-street parking. Expanding the criteria for eligible expenditures to include demand management investments, such as micro-mobility or smart technologies, could achieve the same goal of off-setting parking demand.

18. Limit residential boulevard parking agreements

Also known as 'front yard parking', this program allows residents who do not have private driveways (typically in the older parts of the city) to apply for a boulevard parking agreement that would allow them establish a driveway and driveway access on the public street. These spaces effectively result in the privatization of public space, as curb cuts are required to provide access which reduces the publicly available on-street parking. While potentially warranted in some circumstances, the use of boulevard parking agreements should only be granted in exceptional circumstances, and the City's boulevard parking

program should be reviewed to make sure that it is not resulting in the loss of on-street parking supply, or contributing to the loss of permeable greenspace.

19. Apply low impact materials and sustainable design in city-owned surface lots

Off-street surface lots can create a significant environmental impact through increased stormwater runoff as well as loss of greenspace and contribution to the urban heat island effect. Environmentally friendly materials and features such as permeable pavers, perforated storm sewers, and bioswale medians are all relatively small design interventions which can help HMPS support the long-term sustainability goals of the City, and is an action that is specifically referenced in the Hamilton's Climate Change Action plan.

20. Develop a comprehensive plan for EV charging

In 2021, twenty new EV charging stations will be provided in municipal parking lots throughout the City. However, it is expected that there will be a demand for significantly more charging stations as EV vehicle ownership increases. A comprehensive EV charging strategy is beyond the scope of this master plan, but developing such a strategy should be a priority for the City. An EV charging strategy should include considerations for off-street public facilities, off-street private facilities, curbside charging, and residential charging. It should also include a clear approach to enforcement, recognizing provincial legislation which prohibits non-EVs from parking in EV charging spaces, as well as a pricing strategy.

21. Continue to expand bicycle and other micro-mobility parking

The City's parking strategy should look beyond parking for vehicles and consider the parking needs of other modes. Over the past decade the City has installed bicycle racks throughout the downtown and most BIA areas. Increased efforts are needed to augment supply and expand geographic coverage. Additionally, if commercial e-scooter operations are approved, there will be a need for e-scooter parking. Opportunities to accommodate parking for carshare, bikes, and e-scooters within existing on-street and off-street parking spaces should be considered.



Prepare for an Uncertain Future

There is currently significant uncertainty around future transportation trends. In the last decade there have been significant changes to how people navigate cities and what their need is for parking. Personal Transportation Providers (PTPs) such as Uber and Lyft perform billions of trips globally each year and require limited parking, yet require constant access to the curbside. Adoption of EVs is growing rapidly, and the impact of CAVs is still on the horizon. COVID-19 has further reduced clarity of future transportation behaviour by dramatically shifting commutes and leisure travel in cities globally and resulting in significant parking revenue shortfalls, as well as placing high demand on the curbside for uses other than parking. The following recommendations are aimed at providing flexibility for HMPS in the future and protecting for long term financial sustainability.

22. New municipal parking should be integrated within developments and have the ability to be converted to alternative uses in the future

The 2013 Downtown Parking Master Plan identified the need for two new parking structures located in the westerly and easterly areas of the Downtown with 500 spaces and 443 spaces respectively. In the current context, as standalone facilities these parking structures could present a financial risk to the City given uncertainties around the future demand for parking. Parking structures are notoriously expensive to construct, with the cost of each space in the range of \$30,000 to \$50,000 and they frequently result in costly maintenance issues. To ensure the resiliency of the parking system, and to minimize risk, future parking supply should be delivered through integration within new developments, or through the retrofitting of under-utilized parking structures within existing development, as opposed to standalone parking structures or new surface parking lots. To provide for further resiliency, parking facilities should be designed such that they could be converted to alternative uses in the future, such as office, retail or residential uses, if there is no longer need for the parking.

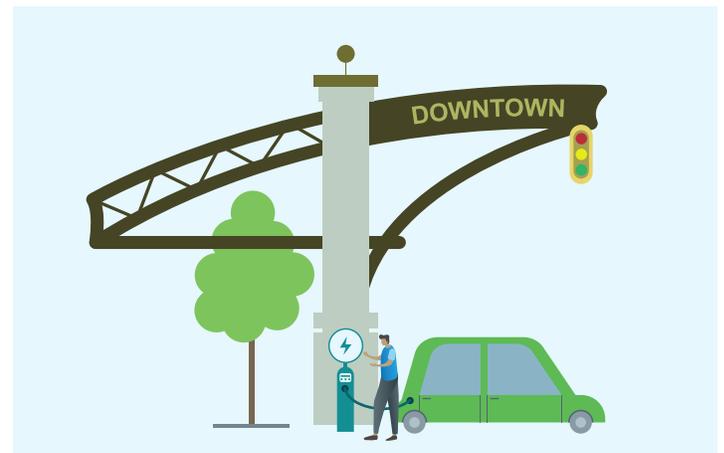
23. Develop policies and regulations for managing curbside use and payment

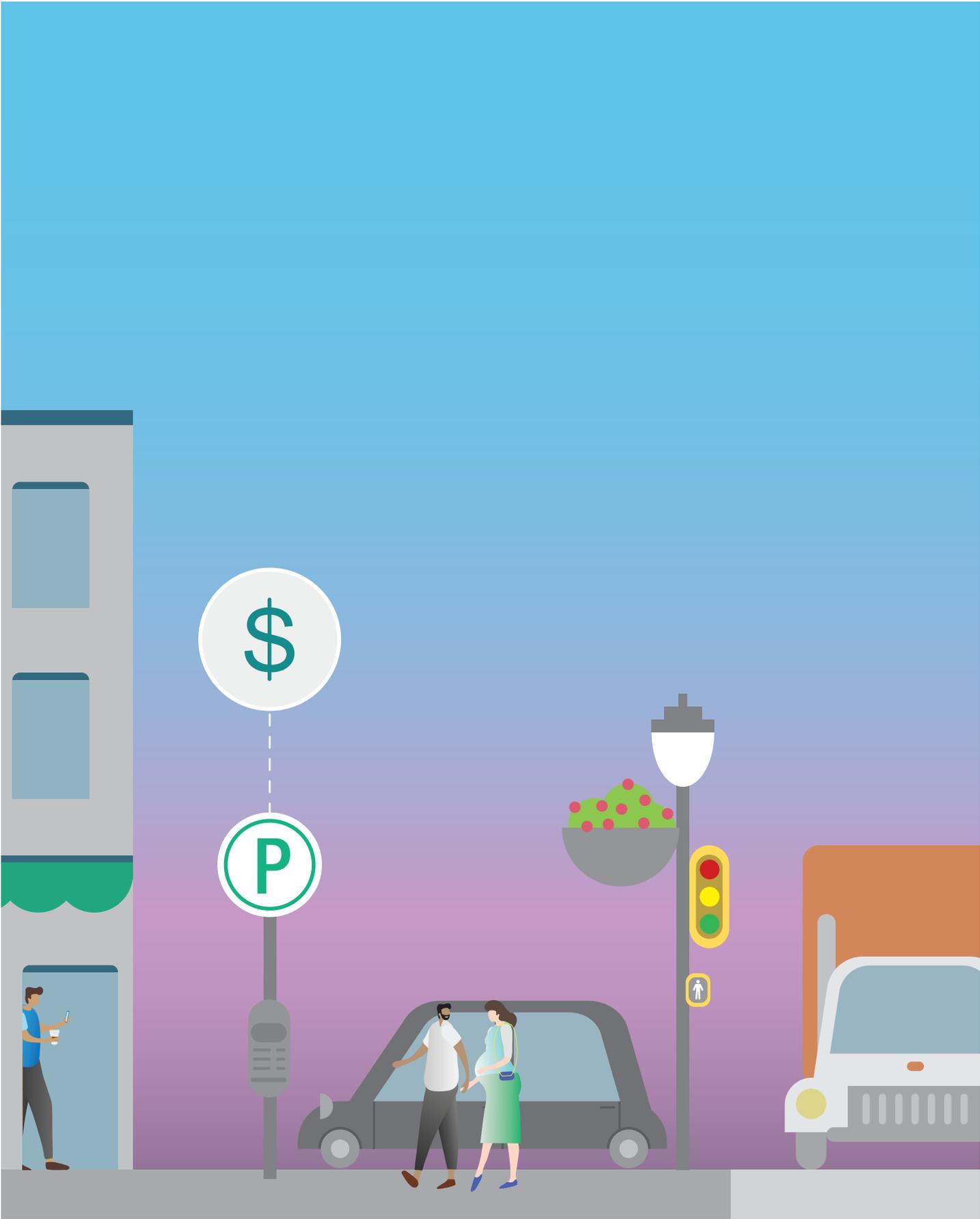
The curbside is at the center of all disruption related to parking, yet the existing regulations that apply to the curbside are poorly catalogued and not well understood by municipalities or by users, and curbside space is often inefficiently utilized and under-priced.

Curbside parking is steadily being displaced by short term uses like PTP pick-up and drop-offs, commercial vehicles, new mobility devices, and eventually by CAVs. Unlike on-street parking, these new uses typically do not pay for access to space and represent a significant risk to future revenues if systems and processes are not put in place to facilitate payment by these users. The limited understanding of existing regulations will inhibit municipalities in planning for these new uses, resulting in an inefficiently operating curbside and potential lost revenue. By planning ahead for these new uses, HMPS can identify ways to monetize short-term curbside use such that that all users of limited curbside space pay their fair share, and effectively maintain a functional and efficient curbside.

24. Monitor how CAVs evolve related to the impact on parking operations

CAVs have the highest potential to dramatically shift how our cities look and function in the next 20 years, possibly obviating the need for large quantities of parking in our urban centres in favour of curbside drop-off and off-site parking. HMPS should monitor the evolution of CAVs and develop a plan for CAVs as their impact on parking comes into greater clarity.







Hamilton

**SELECTION COMMITTEE
REPORT 21-004**

8:30 a.m.

Wednesday, September 8, 2021

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

Present: Councillors B. Johnson (Chair), N. Nann (Vice-Chair), B. Clark,
J. Farr, L. Ferguson and M. Pearson

**Absent with
Regrets:** Councillor T. Whitehead – Leave of Absence
Councillor C. Collins – Personal
Councillor S. Merulla – City Business

THE SELECTION COMMITTEE PRESENTS REPORT 21-004 FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 1)

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

The agenda for the September 8, 2021 meeting of the Selection Committee was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) May 10, 2021 (Item 3.1)

The Minutes of the May 10, 2021 meeting of the Selection Committee were approved, as presented.

(d) PRIVATE & CONFIDENTIAL (Item 4)

The Committee deemed that a Closed Session discussion of Item 4.1 was not required, and approved the following in Open Session:

(i) Closed Session Minutes – May 10, 2021 (Item 4.1)

The Closed Session Minutes dated May 10, 2021 be approved, as presented, and shall remain confidential.

Committee moved into Closed Session for Item 4.2, respecting a Vacancy on the Advisory Committee for Persons with Disabilities, pursuant to 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 employees.

(ii) Vacancy on the Advisory Committee for Persons with Disabilities (Item 4.2)

Staff were provided with direction in Closed Session.

(e) ADJOURNMENT (Item 5)

There being no further business, the Selection Committee adjourned at 8:42 a.m.

Respectfully submitted,

Councillor B. Johnson, Chair
Selection Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



GENERAL ISSUES COMMITTEE REPORT 21-017

9:30 a.m.

Wednesday, September 8, 2021

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

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

Absent: Councillor T. Whitehead – Leave of Absence
Councillor C. Collins – Personal

THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 21-017, AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (PED21176/CM21012/LS21034) (Item 8.1)**
 - (a) That the Mayor and City Manager be authorized and directed to execute the Memorandum of Understanding with Metrolinx and the Ministry of Transportation, attached as Appendix "A" to Report 21-017;
 - (b) That the City Manager be given the delegated authority to negotiate and execute a Staffing Agreement with Metrolinx and the Ministry of Transportation, pursuant to the Memorandum of Understanding, attached as Appendix "A" to Report 21-017, to create any temporary or permanent FTEs associated with that Staffing Agreement, and to create a Light Rail Transit (LRT) Office, as a Division within the Planning and Economic Development Department, provided there is no levy impact; and
 - (c) That, upon execution by all parties of the Memorandum of Understanding, attached as Appendix "A" to Report 21-017, the City Manager be given the delegated authority to take any necessary steps to transfer the proponentry of the Transit Project Assessment Process (TPAP) for the Hamilton Light Rail Transit (LRT) Project to the Province, such that the Province will become the sole proponent of the TPAP for the LRT Project.

2. Financial Incentive Program Amendments Respecting Mitigation of Potential Tenant Displacement (PED21159) (City Wide) (Item 8.3)

- (a) That staff be directed to incorporate the necessary amendments to effect the following Financial Incentive Program changes, as part of staff's preparation of an updated Downtown and Community Renewal Community Improvement Plan (DCR CIP) By-law and associated Program descriptions to be brought forward in conjunction with changes arising from staff's previously completed DCR CIP comprehensive review, as approved by Council on March 31, 2021 via Report PED21035, and that these updates be brought to the Planning Committee for a statutory public meeting, in accordance with requirements under Section 17(15)(d) of the *Planning Act*:
- (i) That the Hamilton Tax Increment Grant and Barton Kenilworth Tax Increment Grant programs exclude from Program eligibility any portion of a development/improvement Project consisting of renovations to existing residential rental units except where one or more of the following conditions are met:
- (1) the Project does not result in tenant displacement; or,
 - (2) the Project has been approved for financial assistance under a Canada Mortgage and Housing Corporation (CMHC), Federal, Provincial or City Program for the purposes of creating residential housing to address housing affordability in the City; or,
 - (3) the existing building has been entirely vacant for at least two years, prior to a program application or pre-application being submitted to the City; or,
 - (4) the property owner and program applicant are a registered, not-for-profit organization;
- (ii) That the Barton/Kenilworth Commercial Corridor Building Improvement Grant and Commercial Corridor Housing Loan and Grant Programs no longer permit, as eligible costs, interior renovations to existing residential rental units except where one or more of the following conditions are met:
- (1) That the Hamilton Tax Increment Grant and Barton Kenilworth Tax Increment Grant programs exclude from Program eligibility any portion of a development/improvement Project consisting of renovations

to existing residential rental units except where one or more of the following conditions are met:

- (aa) the Project does not result in tenant displacement; or,
- (bb) the Project has been approved for financial assistance under a Canada Mortgage and Housing Corporation (CMHC), Federal, Provincial or City Program for the purposes of creating residential housing to address housing affordability in the City; or,
- (cc) the existing building has been entirely vacant for at least two years, prior to a program application or pre-application being submitted to the City; or,
- (dd) the property owner and program applicant are a registered, not-for-profit organization;

- (2) the interior renovations directly support improvements to a commercial space or will improve/replace shared building services utilized by a commercial space and another use within the same building (such as plumbing, electrical or Heating, Ventilation and Air Conditioning (HVAC) systems); or,
- (3) the planned renovations are solely in response to the landlord being ordered to make repairs under any act or law or where the renovations are intended to support the legalization and/or recognition of an existing residential rental unit, without which, the unit would no longer be permitted to be occupied.

3. Advisory Committee for Persons with Disabilities Report 21-008, August 10, 2021 (Item 10.1)

Advisory Committee for Persons with Disabilities' Disability Awareness Calendar (Item 6.3(a))

WHEREAS, the Disability Awareness Calendar generates awareness to a wide variety of annual health, disability awareness and inclusion campaigns and includes various disability awareness dates and commemorative observance days, weeks and months;

THEREFORE, BE IT RESOLVED:

- (a) That the Advisory Committee for Persons with Disabilities' Annual Disability Awareness Calendar, attached as Appendix "B" to Report 21-017, be approved; and,
 - (b) That the Advisory Committee for Persons with Disabilities' Annual Disability Awareness Calendar, attached as Appendix "B" to Report 21-017, be posted on the Advisory Committee for Persons with Disabilities webpage (<https://www.hamilton.ca/council-committee/council-committee-meetings/advisory-committee-persons-disabilities>).
- 4. 2021 Grey Cup Update (PED18234(d)) (City Wide) (Item 10.2)**
- (a) That Report PED18234(d), respecting the 2021 Grey Cup Update, be received; and,
 - (b) That Appendix "A" to Report PED18234(d), respecting the 2021 Grey Cup Update, remain confidential.
- 5. Hamilton Tax Increment Grant – 540 King Street East, Hamilton (PED21140(a)/LS21033) (Item 10.3)**
- (a) That submissions provided by ACORN Hamilton representatives and the Hamilton Tax Increment Grant Program Applicant for 540 King Street East, Hamilton, contained in Appendices "B" and "C", respectively, attached to Report PED21140(a)/LS21033, be received;
 - (b) That Appendix "D" to Report PED21140(a)/LS21033, respecting the Hamilton Tax Increment Grant Program Applicant for 540 King Street East, Hamilton, remain confidential; and,
 - (b) That staff be directed to decline the Hamilton Tax Increment Grant application, submitted by Malleum Real Estate Partners IV, by its General Partner Malleum General Partner IV Limited (Tyler Pearson and Greg Clewer), for the property at 540 King Street East, Hamilton.
- 6. Farmers' Markets - Rent Relief and Governance Comparators (PED21158) (City Wide) (Item 10.4)**
- That Report PED21158, respecting Farmers' Markets - Rent Relief and Governance Comparators, be received.

7. Acquisition of Land in the City of Hamilton, Located in Ward 15 (PED21156) (Ward 15) (Item 14.5)

- (a) That the direction provided to staff in Closed Session, respecting Report PED21156 – Acquisition of Land in the City of Hamilton, Located in Ward 15, be approved;
- (b) That all costs related to the acquisition of land in the City of Hamilton, located in Ward 15 be charged to Project ID Account No. 4031380390 East-West Road Corridor (Waterdown By-pass) – Roads;
- (c) That the sum of \$226,688 be funded from Project ID Account No. 4031380390 East-West Road Corridor (Waterdown By-pass) - Roads and be credited to Dept. ID No. 812036 (Real Estate – Admin Recovery) for recovery of expenses including real estate and legal fees and costs;
- (d) That the City Solicitor be authorized and directed to complete the acquisition of land in the City of Hamilton, located in Ward 15, 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 deemed reasonable;
- (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents for the acquisition of land in the City of Hamilton, located in Ward 15, in a form satisfactory to the City Solicitor; and,
- (f) That Report PED21156, respecting the acquisition of land in the City of Hamilton, located in Ward 15, remain confidential until completion of the real estate transaction.

8. Update on Real Estate Matters Related to the Pandemic (PED21101(a) / PW21030(a) / LS21016(a)) (City Wide) (Item 14.6)

- (a) That the direction provided to staff in Closed Session, respecting Report PED21101(a)/PW21030(a)/LS21016(a), Update on Real Estate Matters Related to the Pandemic, be approved; and,
- (b) That Report PED21101(a)/PW21030(a)/LS21016(a), respecting the Update on Real Estate Matters Related to the Pandemic, remain confidential

9. Farmers' Market - Rent Relief and Governance Comparators (LS21036) (City Wide) (Item 14.7)

- (a) That the direction provided to staff in Closed Session respecting Report LS21036, Farmers' Market - Rent Relief and Governance Comparators, be approved; and,
- (b) That Report LS21036, respecting the Farmers' Market - Rent Relief and Governance Comparators, remain confidential.

10. Potential Major Event Hosting (PED21177/PW21053) (City Wide) (Item 14.8)

- (a) That the direction provided to staff in Closed Session, respecting Report PED21177/PW21053 - Potential Major Event Hosting, be approved; and,
- (b) That Report PED21177/PW21053, respecting Potential Major Event Hosting remain confidential, including any appendices, until such time as the event is publicly confirmed by all parties

11. Red Hill Valley Parkway Inquiry Update (LS19036(f)) (City Wide) (Item 14.9)

- (a) That the direction provided to staff in Closed Session, respecting Report LS19036(f) - Red Hill Valley Parkway Inquiry Update, be approved; and,
- (b) That this Report LS19036(f), respecting Red Hill Valley Parkway Inquiry Update, and its appendices, remain confidential.

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 Item 8.1 - Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (PED21176/CM21012/LS21034)

5.1.a. Keanin Loomis, President and CEO, Hamilton Chamber of Commerce

5.1.b. Gabriel Nicholson

5.2. Correspondence respecting Item 10.3 - Hamilton Tax Increment Grant - 540 King Street East, Hamilton (PED21140(a)/LS21033) (Ward 3)

5.2.a. ACORN Canada

6. DELEGATION REQUESTS

6.1. Respecting Item 8.1 - Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (PED21176/CM21012/LS21034)

6.1.a. Ian Borsuk, Environment Hamilton

6.1.b. Karl Andrus, Hamilton Community Benefits Network

6.2. Respecting Item 10.3 - Hamilton Tax Increment Grant - 540 King Street East, Hamilton (PED21140(a)/LS21033) (Ward 3):

6.2.a. Marie Alcaide – Video Presentation

6.2.b. Chris Martinez – Video Presentation

6.2.c. Paula Groves – Video Presentation

6.2.d. Elizabeth Ellis – Video Presentation

10. DISCUSSION ITEMS

10.4. Farmers' Markets - Rent Relief and Governance Comparators (PED21158) (City Wide) (DEFERRED from the August 9, 2021 GIC)

13. GENERAL INFORMATION / OTHER BUSINESS

13.1. Amendments to the Outstanding Business List

13.1.a. Items to be removed:

- 13.1.a.a. Assessing COVID Related Financial Impacts on Local Farmers' Markets (Addressed at the July 5, 2021 GIC as Item 7.2 - Report PED21141)
- 13.1.a.b. Feasibility of Creating a Technology Hub (Addressed at the August 9, 2021 GIC as Item 10.1 - Report PED21109)
- 13.1.a.c. Farmers' Markets - Rent Relief and Governance Comparators (Addressed on this agenda as Item 10.4 - Report PED21158)
- 13.1.a.d. Public and Stakeholder Consultation (Addressed at the August 4, 2021 Special GIC as Item 8.1 - Report PED17010(l))
- 13.1.a.e. Memorandum of Understanding (MOU) for the Hamilton Light Rail Transit Project (Addressed as Item 8.1 on this agenda - Report PED21176/CM21012/LS21034)
- 13.1.a.f. Hamilton Tax Increment Grant - 540 King Street East, Hamilton (Addressed on this agenda as Item 10.4 - Report PED21140)
- 13.1.a.g. Hate Related Symbols (Addressed at the August 9, 2021 GIC as Item 8.2 - Report CM19006(e))

- 13.1.b. Proposed New Due Dates:
 - 13.1.b.a. CityLab Pilot Update
Current Due Date: September 8, 2021
Proposed New Due Date: October 6, 2021
 - 13.1.b.b. Code of Conduct for Council-Appointed Citizen Members of External Boards and Agencies
Current Due Date: August 9, 2021 Proposed New Due Date: October 6, 2021
 - 13.1.b.c. Airport Employment Growth District (AEGD) Wastewater Servicing Update and Capacity Allocation Policy
Current Due Date: September 8, 2021
Propose New Due Date: November 3, 2021

- 13.1.b.d. Synapse Life Sciences Consortium Funding Update
Current Due Date: September 8, 2021
Proposed New Due Date: October 20, 2021
- 13.1.b.e. Protection of Privacy
Current Due Date: August 9, 2021
Proposed New Due Date: November 17, 2021
- 13.1.b.f. Correspondence from Lisa Burnside, CAO, Hamilton Conservation Authority-Hamilton Conservation Authority Board of Directors resolution related to acquisition of lands owned by the City of Hamilton, 263 Jerseyville Road West
Current Due Date: August 9, 2021
Proposed New Due Date: October 20, 2021

14. PRIVATE AND CONFIDENTIAL

- 14.8. Potential Major Event Hosting (PED21177/PW21053) (City Wide)

Pursuant to Section 9.1, Sub-sections (i) and (k) of the City's Procedural By-law 21- 021 and Section 239(2), Sub-sections (i) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

The agenda for the September 8, 2021 General Issues Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

- (i) Councillor S. Merulla declared an interest to Item 6.2.a., respecting a delegation from Marie Alcaide regarding Item 10.3 – Report

- PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as he and his wife are rental property landlords.
- (ii) Councillor S. Merulla declared an interest to Item 6.2.b., respecting a delegation from Chris Martinez regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as he and his wife are rental property landlords.
 - (iii) Councillor S. Merulla declared an interest to Item 6.2.c., respecting a delegation from Paula Groves regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as he and his wife are rental property landlords.
 - (iv) Councillor S. Merulla declared an interest to Item 6.2.d., respecting a delegation from Elizabeth Ellis regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as he and his wife are rental property landlords.
 - (v) Councillor S. Merulla declared an interest to Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as he and his wife are rental property landlords.
 - (vi) Councillor M. Pearson declared an interest to Item 6.2.a., respecting a delegation from Marie Alcaide regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
 - (vii) Councillor M. Pearson declared an interest to Item 6.2.b., respecting a delegation from Chris Martinez regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
 - (viii) Councillor M. Pearson declared an interest to Item 6.2.c., respecting a delegation from Paula Groves regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
 - (ix) Councillor M. Pearson declared an interest to Item 6.2.d., respecting a delegation from Elizabeth Ellis regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
 - (x) Councillor M. Pearson declared an interest to Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.

- (xi) Councillor M. Pearson declared an interest to Item 8.3 – Report PED21159, respecting Financial Incentive Program Amendments respecting Mitigation of Potential Tenant Displacement, as she and her husband are rental property owners.
- (vii) Councillor A. VanderBeek declared an interest to Item 6.2.a., respecting a delegation from Marie Alcaide regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
- (viii) Councillor A. VanderBeek declared an interest to Item 6.2.b., respecting a delegation from Chris Martinez regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
- (xiv) Councillor A. VanderBeek declared an interest to Item 6.2.c., respecting a delegation from Paula Groves regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
- (vi) Councillor A. VanderBeek declared an interest to Item 6.2.d., respecting a delegation from Elizabeth Ellis regarding Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.
- (xvi) Councillor A. VanderBeek declared an interest to Item 10.3 – Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) August 4, 2021 and August 9, 2021 (Items 4.1 and 4.2)

The Minutes of August 4, 2021 and August 9, 2021 General Issues Committee minutes were approved, as presented.

(d) COMMUNICATION ITEMS (Item 5)

(i) Correspondence respecting Report (PED21176 / CM21012 / LS21034 - Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (Item 5.1)

The following correspondence, respecting Report (PED21176 / CM21012 / LS21034 – Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding, was received and referred to the consideration of Item 8.1:

- (1) Keanin Loomis, President and CEO, Hamilton Chamber of Commerce (Item 5.1.a.)
- (2) Gabriel Nicholson (Item 5.1.b.)

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

(ii) Correspondence respecting Report PED2114(a)/LS21033 Hamilton Tax Increment Grant - 540 King Street East, Hamilton (Item 5.2)

The following correspondence, respecting Report PED2114(a) / LS21033 Hamilton Tax Increment Grant - 540 King Street East, Hamilton, was received and referred to consideration of Item 10.3:

- (1) ACORN Canada

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

(e) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests, respecting Report PED2176(a)/LS21033 - Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (Item 6.1)

The following Delegation Requests, respecting Report PED2176(a)/LS21033 - Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding, were approved to appear before the General Issues Committee on August 9, 2021:

- (1) Ian Borsuk, Environment Hamilton (Item 6.1.a.)
- (2) Karl Andrus, Hamilton Community Benefits (Item 6.1.b.)

For disposition of these matters, please refer Item 1.

(ii) Delegation Requests, respecting Report PED21140(a)/LS21033 – Hamilton Tax Increment Grant – 540 King Street East, Hamilton (Item 6.2)

The following Delegation Requests, respecting Report PED21140(a)/LS21033 – Hamilton Tax Increment Grant – 540 King Street East, Hamilton, were approved to appear before the General Issues Committee on August 9, 2021:

- (1) Marie Alcaide - Video Presentation (Item 6.2.a.)
- (2) Chris Martinez - Video Presentation (Item 6.2.b.)
- (3) Paula Groves - Video Presentation (Item 6.2.c.)
- (4) Elizabeth Ellis - Video Presentation (Item 6.2.d.)

For disposition of these matters, please refer Item 5.

(e) CONSENT ITEMS (Item 7)

(i) Arts Advisory Commission Minutes 21-003, May 25, 2021 (Item 7.1)

The Arts Advisory Commission Minutes 21-003, May 25, 2021, were received.

(f) PRESENTATIONS (Item 8)

(i) Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (PED21176/CM21012/LS21034) (Item 8.1)

Janette Smith, City Manager, introduced the presentation respecting Report PED21176/CM21012/LS21034 - Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding.

Jason Thorne, General Manager, Planning and Economic Development, continued with the balance of the presentation.

The presentation, respecting Report PED21176/CM21012/LS21034 – Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding, was received.

Consideration of Report PED21176/CM21012/LS21034 - Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding, was DEFERRED until after the delegates for this matter had been heard.

For disposition of this matter, please refer Item 1.

(ii) COVID-19 Verbal Update (Item 8.2)

Jason Thorne, General Manager, Planning and Economic Development; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the verbal update regarding COVID-19.

The verbal update respecting the COVID-19 was received.

The General Issues Committee recessed for 30 minutes until 1:35 p.m.

(iii) Financial Incentive Program Amendments respecting Mitigation of Potential Tenant Displacement (PED21159) (City Wide) (Item 8.3)

Phil Caldwell, Senior Project Manager, Urban Renewal Section, provided a PowerPoint presentation respecting Report PED21159 - Financial Incentive Program Amendments respecting Mitigation of Potential Tenant Displacement.

The presentation, respecting Report PED21159 - Financial Incentive Program Amendments respecting Mitigation of Potential Tenant Displacement, was received.

For disposition of this matter, please refer Item 2.

(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Respecting Item 8.1 – Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding (PED21176/CM21012/LS21034) (Item 9.1)

(1) Ian Borsuk, Environment Hamilton (Item 9.1.a.)

Ian Borsuk, Environment Hamilton, addressed Committee and spoke to Report PED21176/CM21012/LS21034, respecting the Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding.

(2) Karl Andrus, Hamilton Community Benefits Network (Item 9.1.b.)

Karl Andrus, Hamilton Community Benefits Network, addressed Committee and provided a PowerPoint presentation respecting Report PED21176/CM21012/LS21034 – Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding.

The following Delegations, respecting Report PED21176 / CM21012 / LS21034 – Hamilton Light Rail Transit (LRT) Project Memorandum of Understanding, were received:

- (a) Ian Borsuk, Environment Hamilton (Item 9.1.a.)
- (b) Karl Andrus, Hamilton Community Benefits Network (Item 9.1.b.)

For disposition of these items, please refer to Item 1.

(ii) Respecting Item 10.3 – Hamilton Tax Increment Grant - 540 King Street East, Hamilton (PED21140(a)/LS21033) (Ward 3) (Item 6.2)

The following video presentations, respecting Report PED21140(a)/LS21033 - Hamilton Tax Increment Grant - 540 King Street East, Hamilton, were received:

- (1) Marie Alcaide – Video Presentation (Item 9.2.a.)
- (2) Chris Martinez - Video Presentation (Item 9.2.b.)
- (3) Paula Groves - Video Presentation (Item 9.2.c.)
- (4) Elizabeth Ellis - Video Presentation (Item 9.2.d.)

For disposition of these items, please refer to Item 5.

(h) DISCUSSION ITEMS (Item 10)

(i) 2021 Grey Cup Update (PED18234(d)) (City Wide) (Item 10.2)

Consideration of Report PED18234(d), respecting the 2021 Grey Cup Update, was DEFERRED until after discussion of Appendix "A" to Report PED18234(d) had occurred in Closed Session (Item 14.3).

For disposition of this item, please refer to Item 4.

**(ii) Hamilton Tax Increment Grant – 540 King Street East, Hamilton
(PED21140(a)/LS21033) (Item 10.3)**

1. Deferral Motion

Consideration of Report PED21140(a)/LS21033, respecting the Hamilton Tax Increment Grant – 540 King Street East, Hamilton was DEFERRED until after discussion of Appendix “D” to Report PED21140(a)/LS21033 had occurred in Closed Session (Item 14.4).

2. Separation of Vote

Sub-sections (b) through (d), as shown below, were DEFEATED:

- (b) That a Hamilton Tax Increment Grant Program Application submitted by Malleum Real Estate Partners IV, by its General Partner Malleum General Partner IV Limited (Tyler Pearson and Greg Clewer), for the property at 540 King Street East, Hamilton, estimated at \$169,801.83 over a maximum of a five (5) year period, and based upon the incremental tax increase attributable to the renovation of 540 King Street East, Hamilton, be authorized and approved in accordance with the terms and conditions of the Hamilton Tax Increment Grant Program;
- (c) 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 Malleum Real Estate Partners IV, by its General Partner Malleum General Partner IV Limited (Tyler Pearson and Greg Clewer) for the property known as 540 King Street East, Hamilton, in a form satisfactory to the City Solicitor;
- (d) That the General Manager of the Planning and Economic Development Department be authorized and directed to administer the Grant and Grant Agreement including but not limited to: deciding on actions to take in respect of events of default and executing 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.

3. Addition of a New Sub-Section (b) – Direction to Staff

Report PED21140(a), respecting the Hamilton Tax Increment Grant – 540 King Street East, Hamilton, was amended by adding a new sub-section (b), to read as follows:

- (b) That staff be directed to decline the Hamilton Tax Increment Grant application, submitted by Malleum Real Estate Partners IV, by its General Partner Malleum General Partner IV Limited (Tyler Pearson and Greg Clewer), for the property at 540 King Street East, Hamilton.

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

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

(a) Amendments to the Outstanding Business List (Item 13.1)

1. Deferral Motion

Consideration of the amendments to the General Issues Committee's Outstanding Business List was DEFERRED until after the Closed Session portion of the agenda.

2. Vote on Amendments to the Outstanding Business List, with the exception of sub-sections 13.1.f. and 13.2.f.

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

13.1.a. Items to be removed:

- 13.1.a.a. Assessing COVID Related Financial Impacts on Local Farmers' Markets (Addressed at the July 5, 2021 GIC as Item 7.2 - Report PED21141)

- 13.1.a.b. Feasibility of Creating a Technology Hub
(Addressed at the August 9, 2021 GIC as Item
10.1 - Report PED21109)
- 13.1.a.c. Farmers' Markets - Rent Relief and Governance
Comparators (Addressed on this agenda as Item
10.4 - Report PED21158)
- 13.1.a.d. Public and Stakeholder Consultation (Addressed
at the August 4, 2021 Special GIC as Item 8.1 -
Report PED17010(l))
- 13.1.a.e. Memorandum of Understanding (MOU) for the
Hamilton Light Rail Transit Project (Addressed
as Item 8.1 on this agenda - Report
PED21176/CM21012/LS21034)
- 13.1.a.g. Hate Related Symbols (Addressed at the August
9, 2021 GIC as Item 8.2 - Report CM19006(e))

13.1.b. Proposed New Due Dates:

- 13.1.b.a. CityLab Pilot Update
Current Due Date: September 8, 2021
Proposed New Due Date: October 6, 2021
- 13.1.b.b. Code of Conduct for Council-Appointed Citizen
Members of External Boards and Agencies
Current Due Date: August 9, 2021 Proposed
New Due Date: October 6, 2021
- 13.1.b.c. Airport Employment Growth District (AEGD)
Wastewater Servicing Update and Capacity
Allocation Policy
Current Due Date: September 8, 2021
Propose New Due Date: November 3, 2021
- 13.1.b.d. Synapse Life Sciences Consortium Funding
Update
Current Due Date: September 8, 2021
Proposed New Due Date: October 20, 2021
- 13.1.b.e. Protection of Privacy
Current Due Date: August 9, 2021
Proposed New Due Date: November 17, 2021

3. Separate Vote on Sub-section 13.1.a.f.

At the request of Councillor A. VanderBeek, sub-section 13.1.a.f. was voted on separately.

The following item was considered complete and removed from the General Issues Committee's Outstanding Business List:

13.1.a.f. Hamilton Tax Increment Grant - 540 King Street East, Hamilton (Addressed on this agenda as Item 10.4 - Report PED21140)

(j) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – August 4, 2021 and August 9, 2021 (Items 14.1 and 14.2)

- (a) The Closed Session Minutes of the August 4, 2021 and August 9, 2021 General Issues Committee meetings, were approved; and,
- (b) The Closed Session Minutes of the August 4, 2021 and August 9, 2021 General Issues Committee meetings shall remain confidential.

Committee moved into Closed Session, respecting Items 14.3 to 14.9, pursuant to Section 9.1, Sub-sections (b), (c), (d), (e), (f), (i) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (b), (c), (d), (e), (f), (i) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to personal matters about an identifiable individual, including municipal or local board employees; 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; a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(k) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 7:00 p.m.

Respectfully submitted,

Tom Jackson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "Agreement") is made and shall be effective as of the _____ day of _____ 2021.

BETWEEN:

THE MINISTRY OF TRANSPORTATION
("MTO")

and

METROLINX
("Metrolinx")

and

CITY OF HAMILTON
("Hamilton" or the "City")

(MTO, Metrolinx and Hamilton, collectively the "Parties" and individually a "Party")

BACKGROUND

- A. On May 13, 2021, the Province of Ontario (the "**Province**") and the Government of Canada announced a commitment of up to \$3.4 billion for a 14-kilometer light rail transit line in the City extending from McMaster University to Eastgate Square.
- B. A Transit Procurement Approval Process was undertaken and approval to build the light rail transit line obtained by Metrolinx and the City by way Environmental Project Report Amendment approved by the Minister on August 2, 2017 (the "**TPAP**"). The light rail transit line as permitted by the TPAP, as it may be amended from time to time, is hereinafter the "**Project**".
- C. The Project will be designed, built, and owned by Metrolinx and operated by or on behalf of Metrolinx on land in the City which Metrolinx will own either in fee simple or by way of permanent easement.
- D. The Parties wish to enter into this Memorandum of Understanding (the "**Agreement**") to set out the provisions regarding, among other things, matters pertaining to:
 - (i) responsibility for the cost of designing, constructing, making life-cycle improvements, maintaining and operating the Project;

- (ii) land acquisition;
- (iii) permits, licences and approvals;
- (iv) third party utilities; and
- (v) additional infrastructure requested by and at the expense of the City,

all with a view to providing for and ensuring effective and efficient delivery of the Project and optimizing existing resources and expertise while, at the same time, respecting both Metrolinx's ownership and control of the Project, the City's ownership and control of City infrastructure and assets affected by the Project, and the City as municipal planning authority.

- E. The Parties recognize that it may be beneficial to further expand and clarify the provisions contained in certain sections of this Agreement, including as specifically referred to in this Agreement. The Parties will work together to draft and consider such further expansions and clarifications. If agreed to by the Parties, each such expansion and clarification will be appended as a schedule to this Agreement.
- F. The Province has proposed to prescribe the Project as a priority transit project under the *Building Transit Faster Act, 2020* (the "**BTFA**"). It is expected that prescribing the Project and the subsequent designation under the BTFA of the transit corridor lands that are required for construction will help deliver the Project on accelerated timelines. If, and when, the Province prescribes and designates the Project as aforesaid, the BTFA will apply to the Project and this Agreement.
- G. The Province continues to recognize the critical importance of building affordable housing near transit stations and maximizing high quality jobs and benefits for communities adjacent to or affected by the Project. The Province will work with the City and community stakeholders to endeavour to determine how best to support these goals of affordable housing and community benefits as part of transit project delivery.

NOW THEREFORE for valuable consideration, now paid by each Party to each other Party and in consideration of the mutual covenants and agreements contained herein, the Parties covenant and agree as follows:

1. Derogation and Waiver

- 1.1. This Agreement and the schedules to it do not and are not intended to waive, amend, or derogate from the rights of:
 - (i) Metrolinx as Crown agent of the Province and as owner of the Project;
 - (ii) the City as owner of certain infrastructure and assets that may be affected by the Project and, as municipal planning authority, or to fetter the discretion of Council, or to preclude the City from carrying out its statutory rights and obligations; and

MTO and the Province as ultimate owner of the Project with the responsibility for arranging the capital funding for the Project, including contributions by the Government of Canada.

2. Building Transit Faster Act

- 2.1. Upon the designation by regulation of the Project as a priority transit project, Part IV (Utility Company Cooperation) and Part V (Municipal Service and Right of Way Access) of the BTFA, and all provisions of the BTFA related or ancillary thereto will apply to the Project and this Agreement.
- 2.2. Upon the designation by Order in Council of transit corridor lands required for the Project, Part II (Corridor Control) and Part III (Expropriation) of the BTFA and all provisions of the BTFA related or ancillary thereto will apply to the Project and this Agreement.

3. Roles, Responsibilities and Rights of Metrolinx

- 3.1. This Agreement, including without limitation, the provisions of this Section 3, is not a covenant by Metrolinx to the City to undertake or complete the Project, which is in the sole discretion of the Province and Metrolinx.
- 3.2. Metrolinx is the owner of the Project, as Crown agent of the Province, with responsibility for, among other things:
 - (i) scope,
 - (ii) budget,
 - (iii) scheduling,
 - (iv) contractual responsibility for design, planning, construction, maintenance and operations,
 - (v) acquisition of the real property required for the Project, and
 - (vi) public consultation,

except, in each case as otherwise agreed to by the Parties and specified herein, or in an amendment hereto, or in another written agreement that is subsequently entered into and executed by the Parties.

- 3.3. Metrolinx will develop project specific output specifications (the "**PSOS**") for the Project, taking into account, among other things, constructability, appropriate risk transfer, achieving value for money and guarding taxpayer dollars, design excellence, and the provision of benefit to riders including transit service. The provisions of the PSOS are in Metrolinx's sole discretion,

including any amendments to it from time to time, unless specifically stated otherwise in this Agreement.

- 3.4. Project specific output specifications were developed by Metrolinx for the Project in consultation with the City prior to the termination of the Project. Such project specific output specifications and any amendments or modifications to them agreed to by the Parties prior to termination of the Project are hereinafter collectively, the "**Benchmark PSOS**".
- 3.5. Without limiting the provisions of Section 3.3, Metrolinx will work in consultation and collaboration with the City in developing the PSOS, particularly with respect to a material change from the Benchmark PSOS, or a change that requires further amendment to the TPAP. The City will be afforded an opportunity to provide comments and Metrolinx will carefully consider the City's input with a view to endeavouring to accommodate the City's comments having regard to, among other things, whether or not the changes requested by the City are material changes that result in an undue adverse impact on the Project or an increase in overall Project cost or will have a detrimental effect on schedule. For any material change as contemplated in this Section 3.5, the City will provide notice of any such proposed change to Metrolinx and to each of the Steering Committee and the Executive Committee. The Committees will endeavour to address and resolve the City's concerns to the satisfaction of the Parties. If neither the Steering Committee nor the Executive Committee is able to resolve the City's concerns and address the City's comments to the satisfaction of the Parties within timelines that ensure that there is no adverse impact on the Project, including its cost and schedule, Metrolinx will be permitted to proceed without implementing the City's comments and proposed changes. For any change that requires an amendment to TPAP, Metrolinx will engage in public consultation required by Applicable Law.
- 3.6. Metrolinx will draft and negotiate a Train Operator Services Agreement with the operator of the LRT system when the operator is chosen. Such Train Operator Services Agreement or relevant excerpts, when negotiated and executed, will be appended as "Schedule A," (Train Operator Services Agreement) to this Agreement.
- 3.7. Metrolinx will draft and negotiate a Municipal Funding Agreement with the City that will set out the terms applicable to payment of operating and maintenance costs ("**O&M Costs**") for the Project by the City. The Municipal Funding Agreement when agreed to and executed will be appended as "Schedule B," (Municipal Funding Agreement) to this Agreement.
- 3.8. Metrolinx is responsible for the following, among other, costs:
 - (i) design, construction and commissioning of the Project;
 - (ii) land acquisition costs;

- (iii) life-cycle refurbishment costs after completion of construction;
- (iv) the costs of relocating, building and commissioning infrastructure and assets owned by the City that must be relocated to facilitate construction of the Project, including without limitation, City utilities;
- (v) the cost of relocating third party assets and utilities to facilitate construction of the Project;
- (vi) the cost of obtaining required permits, licenses, and approvals;
- (vii) the cost of repairing and restoring any damage caused by reason of construction of the Project; and
- (viii) all taxes exigible on the foregoing and other costs,

in each case on the terms set out in this Agreement and except as otherwise provided herein.

- 3.9. Metrolinx confirms that the City is not responsible for costs incurred by Metrolinx, the Province or third parties, including third party utilities, in connection with the Project even if such costs exceed the costs of any approved budget for the Project save and except only if the City has agreed to pay such costs as set out in this Agreement or in any other agreement subsequently entered into between the City and Metrolinx or between the Province and the City. Notwithstanding Metrolinx's responsibility for the cost of relocating third party utilities, the City will endeavor to exercise its rights to require utility companies to pay for or share the cost of utility relocation pursuant to any agreement that the City has with utility companies or pursuant to any statutory right available to the City. The City will provide Metrolinx with copies of any such agreements.
- 3.10. Metrolinx confirms that it will be responsible for the costs to construct or reconstruct any bridge or grade separation that is required to facilitate the Project.
- 3.11. The City confirms that upon completion of construction, the City will assume the road portion of any bridge or grade separation provided that such bridge or grade separation has been:
- (i) properly commissioned, and
 - (ii) accepted by the City in accordance the provisions of the Commissioning and Acceptance Protocol that will be appended as "Schedule C", (Commissioning and Acceptance Protocol) to this Agreement. Following assumption by the City, the City will be

responsible for maintenance of and maintenance costs attributable to the road portions of such bridge or grade separation.

- 3.12. Metrolinx will construct or cause the Project to be constructed in compliance with all federal, provincial and municipal laws in force in the Province, including statutes, proclamations, regulations, by-laws, and any judgment of a relevant court of law, arbitrator or administrative agency, in each case which now or at any time hereinafter are both applicable to the Project and binding on Metrolinx ("**Applicable Law**").
- 3.13. Metrolinx will require Project Co to not cause the City to be in violation or breach of any of the City's collective agreements applicable to the Project work. *Metrolinx is not a party to, bound by, or agreeing hereby, to voluntarily be bound by the City's collective agreements. If proceedings are initiated before the Labour Relations Board under the *Labour Relations Act, Ontario*, or before a court of law, by a union counterparty to a City collective agreement and the determination is made by the Labour Relations Board or such court of law that the union has rights to the Project work or a portion of it, Metrolinx or Project Co, as the case may be, will be bound by and comply with such determination. Metrolinx and Project Co, as the case may be, shall not be precluded from being a party to any such proceedings or from appealing any determination.*
- 3.14. The Parties acknowledge the importance of achieving a seamless customer experience to the maximum extent possible taking into account the Metrolinx asset ownership and Metrolinx design standards, and will work together to endeavour to provide for:
- (i) coordinated transit scheduling between the LRT system and the Hamilton Street Railway ("**HSR**") bus system;
 - (ii) coordinated provision of customer service including customer information and handling of customer inquiries and complaints; and
 - (iii) a coherent or complementary branding and wayfinding of the Project with the broader HSR transit system,
- and any other matters agreed to by the Parties.

4. Roles, Responsibilities and Rights of the City

- 4.1. The City will pay O&M Costs, save and except life-cycle costs, whether or not the City or HSR is the operator. Such O&M Costs will include, without limitation, the following:
- (i) all costs payable to Project Co or any other entity to perform maintenance on the Project save and except only life-cycle costs, which are the responsibility of Metrolinx;

- (ii) all costs payable to the operator of the LRT system save and except life-cycle costs;
- (iii) utility consumption charges;
- (iv) costs to administer and enforce the Project Agreement, the Train Operator Services Agreement, the Municipal Funding Agreement and any other agreements referable to operations and maintenance of the LRT system;
- (v) realty taxes or payments in lieu thereof; and
- (vi) all taxes exigible on O&M Costs,

all as will be more specifically set out in the Municipal Funding Agreement.

- 4.2. In consideration of the payment of O&M Costs by the City, the City will be entitled to all fare box revenue generated by the Project. The City will also be entitled to certain non-fare box revenue. For example, the City will be entitled to a portion of advertising revenue. Metrolinx may utilize any advertising contracts it may have to maximize advertising revenue for the Project, and any revenues and costs from such advertising agreements will be shared by Metrolinx and the City. Metrolinx will provide a copy of any such advertising agreement to the City. The terms of any revenue and cost sharing for non-fare revenue, including advertising on the LRT system, and a framework for setting fares, will be appended as "Schedule D", (Fare and Non-Fare Revenue) to this Agreement.
- 4.3. The Province confirms that ridership on the LRT will be included as part of the City's overall ridership for the purposes of gas tax calculations on substantially the same basis as bus ridership.
- 4.4. The City will contribute to the cost of replacing City utility assets that are required to be protected, removed, relocated or replaced to facilitate construction of the Project as reflected in the PSOS only if:
- (i) provision for the relocation or repair of any such specific utility asset is not in the Benchmark PSOS; and
 - (ii) such specific utility asset is both scheduled for replacement as reflected in a capital budget existing as at the date of this Agreement, and funds have been allocated by the City to the repair or replacement of such asset, in which case the City will pay the cost included in such budget or a reasonable amount as agreed to between the City and Metrolinx.

It is anticipated that any change from the Benchmark PSOS in the location of City utility assets will only be made for the overall benefit of the Project.

- 4.5. Without limiting or derogating Council's right to grant or refuse any delegation of its authority, the City will take reasonable steps to facilitate the construction of the Project including, without limitation, as follows:
- (i) where City staff do not already have delegated authority, City staff, at the request of Metrolinx, will, where appropriate, seek from Council delegated authority to City staff to make determinations regarding the granting of lane closures, the closure of intersections, road closures, road diversions, the assumption of temporary roads, and similar road uses; and
 - (ii) City staff will, at the request of Metrolinx, seek waivers from Council of fees for road cut permits and road occupancy permits and all other such fees that Council has the authority to waive.
- 4.6. In addition to the provisions of Section 4.5, the City will:
- (i) notify Metrolinx as soon as possible regarding any fees that Council has decided not to, or does not have the authority to, waive to enable Metrolinx to seek waivers and exemptions to the extent that it is able to do so, and
 - (ii) endeavour to align or adjust the timing of City infrastructure projects that conflict with construction of the Project to the extent that it is able to do so and will liaise and collaborate with Metrolinx in determining how best to manage such conflicts.
- 4.7. The City will retain its authority over traffic operations within and adjacent to the transit corridor, through matters such as traffic signal timing, and will endeavour to maintain such in a manner that meets the operational performance standards for the Project and operational requirements of the City.
- 4.8. The City will endeavour to streamline municipal approval processes to the extent that it is able to do so. The City will work with Metrolinx in identifying such processes.
- 4.9. The Project will be designed to allow for the use of the fare payment system identified by the Ministry of Transportation.
- 4.10. The Parties acknowledge that the City as municipal planning authority has regulatory authority regarding the issuance of planning approvals and building permits, but that Metrolinx may not be subject to or bound by all or any of them and is, among other things, not subject to the *Planning Act*, Ontario. Metrolinx is not required to engage in a site plan approval process, to obtain site plan approval or to enter into a site plan agreement with the City. However, in developing the PSOS, Metrolinx will endeavour to agree on a process with the City pursuant to which the City, subject to and without derogating from the

provisions of Section 3.3, will be entitled to provide comments to Metrolinx that would normally be expected to be included in the site plan or design review process, provided that engaging in any such process will not have the result of impeding construction of the Project on the Project schedule.

- 4.11. Subject to any legal limitations, including any limitations under the *Municipal Freedom of Information and Protection of Privacy Act*, Ontario, the City will provide Metrolinx with access to such information as Metrolinx may reasonably require from time to time in conjunction with the design and construction of the Project, including without limitation, the location of infrastructure and assets owned by the City or by third party utilities and others to the extent known to the City and will also advise Metrolinx of the City's requirements for preserving or relocating City owned utilities with a view to including such information and requirements in any request for qualifications, request for proposal, and PSOS for the Project. The City will in all instances make reasonable efforts to ensure that its responses are provided in a timely manner and within timelines specified by Metrolinx.
- 4.12. The City will support requests submitted by MTO to secure funding contributions by the Government of Canada for the Project.
- 4.13. Immediately after the execution of this Agreement by the Parties, the City will take steps to remove itself as a proponent of the TPAP such that Metrolinx will be the sole proponent, and will notify Metrolinx when it makes such application, of its progress and when it has successfully been removed as a proponent.

5. Project Delivery

- 5.1. At Metrolinx's sole discretion, the Project may be delivered by a single contract or by a number of contracts including early works contracts. All contracts collectively are referred to as the "**Project Agreements**" and individually as a "**Project Agreement**". The Project may be delivered by any one or a combination of procurement models. For the purposes of this Agreement, bidders or proponents are each referred to as a "**Proponent**", and each agreement or contract entered into between Metrolinx and a successful Proponent is referred to as a "**Project Agreement**".

The Project Agreements will contain robust contract management and enforcement provisions intended to drive on time and on budget performance. These may include liquidated damages and other rights typical to contracts similar in scope, size, and procurement model to the specific applicable Project Agreement.

6. Agreement for the Provision and Payment of City Services

- 6.1. Metrolinx and the City intend to enter into an agreement or agreements from time to time (each a "**Staffing Agreement**") which, among other things, will provide for, the delivery of services by City dedicated staff, which services will include but not be limited to the general coordination of the City's role in the Project, expediting permit issuance and other approvals, reviewing and administering project documentation and agreements, attending meetings with Proponents as provided for in this Agreement, responding to questions, undertaking communications as required, commenting on submittals, inspecting and accepting the City's infrastructure, and generally facilitating delivery of the Project and performing the City's roles and responsibilities pursuant to this Agreement. The City will make reasonable efforts to adhere to the timelines set out in any Staffing Agreement. The Staffing Agreement will set out the payment provisions for payment by Metrolinx to the City for the services provided by the City as set out therein or as may be otherwise requested by Metrolinx to facilitate delivery of the Project. No additional payments will be required to be made by Metrolinx to the City for services that are covered by the Staffing Agreement. The Staffing Agreement when agreed to will be appended as a "Schedule E", (Staffing Agreement) to this Agreement.

7. Participation by Hamilton

- 7.1. Metrolinx acknowledges that the City has unique knowledge of local conditions and considerations related to the Project and that the City, as owner of infrastructure and assets that will be affected by the Project, has important input in the development of the PSOS or the specifications in accordance with which the Project will be built. Accordingly, the City will be accorded the rights hereinafter set forth.
- 7.2. Prior to the issuance of a request for proposal to Proponents (the "**Pre-Market Phase**") and during the period between the issuance of a request for proposal to Proponents and the entering into of a Project Agreement with the successful Proponent (the "**In-Market Phase**"):
- (i) the City will enter into non-disclosure agreements with Proponents, utilities, and others before being permitted to attend meetings or engage in correspondence or discussions with them;
 - (ii) Metrolinx will consult with the City and provide an opportunity to the City to review and comment on the PSOS, including any changes proposed to the Benchmark PSOS, consistent with the various provisions of this Agreement;
 - (iii) at the specific request of Metrolinx, the City will attend and participate

in design consultation meetings, commercially confidential meetings and other meetings with Proponents;

- (iv) other than at the request of Metrolinx, the City will not contact, meet or liaise with or respond to the Proponents on any aspect of the Project;
- (v) the City will have the right to review and provide comments to Metrolinx on the PSOS, particularly but not limited to the design and specifications of infrastructure to be built by Project Co and owned by the City, aspects that have a material impact on O&M Costs, or that are proposed changes to the Benchmark PSOS;
- (vi) Metrolinx will endeavour to incorporate changes to the PSOS that minimize to the extent possible the direct or indirect impact on O&M Costs, and capital budgets, provided that such changes do not negatively impact the Project, including costs, schedule, completion date or other key factors. All comments by the City during the Pre-Market and the In-Market Phases must be provided to Metrolinx by the date specified by Metrolinx having regard to the requirement to make no changes to PSOS for a stipulated time period prior to bid submission; and
- (vii) Metrolinx will endeavour to provide the City with the PSOS in sufficient time to enable the City to review and provide comments, if any, to Metrolinx on the PSOS to enable Metrolinx, in turn, to consider and, if acceptable to Metrolinx in its discretion, include them in the PSOS.

7.3. Following the entering into of a Project Agreement with the successful Proponent (the "**Implementation Phase**") provided that the City has executed a non-disclosure agreement as required:

- (i) the City will have the right to participate in consultation meetings with Project Co on design and other submissions pertaining to infrastructure that Project Co builds for the City at Metrolinx's expense to replace City infrastructure and assets that must be replaced or relocated to facilitate the Project ("**New City Infrastructure**") or to O&M Costs;
- (ii) the City will have the right to review design and submittals pertaining to New City Infrastructure for purposes of ascertaining conformance with Basic Standards (as defined in Section 8.1), and the provisions of the PSOS;
- (iii) the City will have the right to review submittals pertaining to New City Infrastructure, Additional City Infrastructure (as defined in Section 9.1) and O&M Costs. With respect to O&M Costs submittals will include, without limitation, the following:

- Building envelopes and finishes,
- Custodial Maintenance Plan,
- Maintenance Plan,
- Facility Management Plan,
- Signalling and Train Control System Management Plan,
- Revenue Vehicle Handover Plan,
- Annual Maintenance Workplan - Traction Power, Assets,
- Management Plan - Overhead Catenary, and
- Vehicle Maintenance Plan,

in each case for the purpose of ascertaining conformance with the provisions of the PSOS;

- (iv) the City will provide its comments on the design and submittals pertaining to New City Infrastructure to Metrolinx in reasonable detail and will categorize any non-compliance as a major deficiency or a minor deficiency, or such other designation specified by Metrolinx from time to time and will specify the nature of the non-compliance in as much detail as possible; and
- (v) the City will have the right to accompany Metrolinx on any inspections of New City Infrastructure that Metrolinx or Project Co propose to undertake from time to time. Metrolinx will give the City advance written notice of the date and time of any such inspection. The City also has the right to perform inspections of New City Infrastructure on reasonable prior written notice to Metrolinx and Project Co providing the date and time of any such inspection and provided that the City complies fully with safety and other requirements of Project Co and does not interfere with or interrupt Project Co's construction activities.

7.4. The City shall have the right to participate in the evaluation of those portions of bid submissions that are specifically related to New City Infrastructure, Additional City Infrastructure or O&M Costs provided that:

- (i) the City and any evaluators representing the City execute a non-disclosure agreement covenanting and agreeing to keep all information disclosed during the evaluation process or otherwise known to the City or to participating evaluators strictly confidential; and
- (ii) no conflict of interest exists.

8. New City Infrastructure

8.1. New City Infrastructure will be:

- (i) owned by the City;
- (ii) built to the standards and guidelines for the design, construction,

rehabilitation and protection, as the case may be, of such New City Infrastructure in force in Hamilton on the date which is three months prior to the request for proposal issuance date and which are available upon request to engineers and architects licensed to practice in the Province of Ontario (the "**Basic Standard**"). Notwithstanding the foregoing, the City will accommodate requests by Metrolinx to build New City Infrastructure to standards that may differ from Basic Standard in the interest of obtaining better value provided that such change in standard does not negatively impact the City;

- (iii) built to replace existing City infrastructure and assets on a "like for like" basis with respect to function, size, capacity and location, unless otherwise provided in the Benchmark PSOS for a particular asset; and
- (iv) built in compliance with the City's laws and those federal and provincial laws applicable to and enforceable against the City.

8.2. All New City Infrastructure must be properly commissioned and comply with the terms of the Commissioning and Acceptance Protocol before the City is required to accept it.

9. Additional City Infrastructure

9.1. The City may at any time request Metrolinx to upgrade New City Infrastructure or to build new infrastructure (any such upgrade or new infrastructure is herein "**Additional City Infrastructure**") at the cost of the City and to include it in the scope of a Project, in accordance with the provisions of this Section 9.

9.2. To exercise its right under Section 9.1, the City must deliver written notice to Metrolinx specifying with reasonable particularity the Additional City Infrastructure that the City is requesting Metrolinx to construct. The notice must:

- (i) provide sufficient detail in order to enable Metrolinx to assess the impact of the request on the Project; and
- (ii) if delivered during the Pre-Market or the In-Market Phase be delivered in sufficient time to allow Metrolinx to include it in the PSOS. The determination of whether or not to incorporate such Additional City Infrastructure within the scope of the Project, whether during the Pre-Market, the In-Market or the Implementation Phase is in Metrolinx's sole discretion having regard to, among other things, the impact on the Project as a whole, including cost, schedule and completion date.

9.3. If the City makes a request for Additional City Infrastructure in accordance with the provisions of Section 9.2 during the Pre-Market Phase or the In-Market Phase, and Metrolinx agrees to proceed with it, Metrolinx or a third party retained by Metrolinx for this purpose will make a determination of the cost, if

any, of such Additional City Infrastructure. The City acknowledges and agrees that the cost will be based on Metrolinx's expertise or the expertise of such third party and may include costs that are specific to the procurement model in question but will not be the actual costs that will be incurred by Proponents or included in their bid submissions. If the City accepts the cost, if any, within the timeline specified by Metrolinx, and enters into a municipal infrastructure agreement setting out the cost, payment terms and other pertinent covenants and provisions pertaining to such Additional City Infrastructure (an "MIA"), Metrolinx will include the Additional City Infrastructure in PSOS. The City will be required to reimburse Metrolinx for the cost (and all taxes exigible thereon) incurred by it in making a determination of the cost of such Additional City Infrastructure and its impact on the Project whether or not the City elects to proceed with such Additional City Infrastructure. The MIA will be substantially in accordance with the form that will be attached as "Schedule F", (Municipal Infrastructure_Agreement) to this Agreement.

- 9.4. If a formal, written request for Additional City Infrastructure is made during the Implementation Phase, Metrolinx will initiate an inquiry pursuant to the provisions of the applicable Project Agreement to ascertain the cost that will be payable to Project Co to construct the New City Infrastructure as part of a Project. The City will be responsible for all costs incurred by the City in assessing the City's request, including Project Co's costs of determining the price of such New City Infrastructure, whether or not Metrolinx agrees to the New City Infrastructure and whether or not the City elects to proceed with it.
- 9.5. Metrolinx will notify the City of the cost of such New City Infrastructure. If the City notifies Metrolinx in writing that it accepts the cost and enters into an MIA within the timeline specified by Metrolinx, Metrolinx will direct Project Co to build it as part of the work undertaken for the Project.
- 9.6. The City acknowledges and agrees that there may be circumstances in which, pursuant to a Project Agreement, a Project Co is entitled to refuse to deliver an estimate or carry out a variation, in which case Metrolinx will be entitled, in its sole discretion, to elect not to carry out the City's request for Additional Infrastructure by providing written notice to this effect to the City. Metrolinx will not be liable to the City in any way with respect to any such determination.
- 9.7. Metrolinx may, in its discretion and from time to time, make changes to Additional City Infrastructure accepted and approved by both Parties provided that:
 - (i) all changes will be at Metrolinx's expense; and
 - (ii) Metrolinx provides the City with particulars of the design, plans, specifications and other technical components of any changes that Metrolinx proposes to make for the City's approval, not to be unreasonably withheld or delayed.

If the City does approve such changes, Metrolinx is not entitled to proceed with them.

10. Real Estate Matters

- 10.1. Metrolinx will endeavour to relocate and minimize the impact on tenants of real properties that it acquires whether from the City or from third parties and in respect of which it requires vacant possession.
- 10.2. Metrolinx will manage and maintain properties that it acquires and owns pending hand over to by way of license to Project Co for Project purposes, as would a diligent property owner, including voluntarily complying with municipal by-laws, including grass cutting and snow clearance.
- 10.3. The Parties will work together to establish a real estate protocol to more fully and completely set out a process relating to the acquisition, occupation and use of lands required for the Project that are owned by the City, whether on a temporary or permanent basis. Such real estate protocol will be appended as "Schedule G", (Real Estate Matters) to this Agreement. Additionally, transfer of lands from Metrolinx to the City at nominal consideration to complete the City's road right-of-way by reason of the Project will be included in such protocol.
- 10.4. Metrolinx, as a Crown Agency created by the Metrolinx Act, 2006 has the power under the Metrolinx Act, 2006 to expropriate land for the purpose of carrying out its objects. Nothing in this Agreement shall override or supersede such right, which Metrolinx may invoke at any time. Metrolinx will endeavour to provide the City with as much advance notice as possible before exercising its power of expropriation.
- 10.5. Metrolinx will own or have a real property interest in all City lands on which the Project infrastructure will be located and will be responsible, unless otherwise agreed, for acquiring such lands or interest therein at its cost. Metrolinx does not intend to use the services of City staff for the legal work and due diligence required in connection with such acquisition.
- 10.6. Metrolinx will acquire any required City lands or real property interest therein, as the case may be, that lie within the transit corridor for nominal consideration. For the purposes of the above, the transit corridor shall include the area of land to be used for the LRT track, stations and stops, vehicular lanes, sidewalks, bike lanes and associated landscape areas. If such lands or portions of lands are not on the transit corridor, or are used for an operation and maintenance facility or a traction power sub-station, Metrolinx will acquire such lands for fair market value determined in accordance with the principles for the determination of fair market value in the *Expropriations Act*, Ontario. Metrolinx acknowledges that any lands acquired from the City whether by way of fee simple, easement or license and whether temporary or permanent will be acquired on an "as is, where is" basis. This provision does not change or

affect the provisions or conditions upon which City properties have been acquired or have been contracted to be acquired prior to the effective date of this Agreement.

- 10.7. The City will grant to Metrolinx temporary licenses and temporary easements for the lands referred to in Section 10.5 pending the transfer of such lands in fee simple or by way of easement, as the case may be, to Metrolinx; and for lands required by Metrolinx temporarily for Project purposes, including without limitation, for construction of temporary infrastructure, due diligence investigation, access, laydown and other temporary uses. The terms of such licenses will be sufficient to permit Metrolinx to carry out the activities that it requires. Metrolinx will acquire the temporary interest in such lands for nominal consideration:
- (i) if such City lands are right-of-way lands; and
 - (ii) if such lands are lands referred to in Section 10.5 on the basis that Metrolinx will pay the purchase price for such Section 10.5 lands upon acquisition.
- 10.8. Compensation payable to the City for any interest that Metrolinx acquires in park lands will be determined in accordance with the foregoing principles and not by way of rental or other fee which may be applicable to park land use.
- 10.9. Upon the expiry of the term of any license or easement for lands that will be returned to the City and not acquired by Metrolinx permanently, Metrolinx will be required to repair at its expense, all damage to such City lands caused by Metrolinx or its authorized users and to restore such City lands to substantially the same condition that such lands were in immediately prior to their use by Metrolinx.
- 10.10. At any time, at the request of Metrolinx (which may be on completion of the Project when as-built or record drawing are available), the City will grant Metrolinx:
- (i) a permanent easement over right-of-way and other City lands on which Project infrastructure is located, and
 - (ii) a permanent easement or licence for any lands required for access and other such ancillary purposes, in each case for nominal consideration, and on terms sufficient to enable Metrolinx to fully and completely operate the Project unimpeded, including without limitation, all matters pertaining to safety.
- 10.11. The obligations of the City as set out above extend to and include lands owned by the City and its boards, agencies and commissions to the extent that the City has sole jurisdiction and control over them.

- 10.12. The City will provide Metrolinx with a list of transfers, grants of easements and licences to Metrolinx or waiver or exemption of fees payable by Metrolinx that require Council approval. Metrolinx may request the City to seek delegated authority from Council to City staff for such approvals. Metrolinx acknowledges that Council has the discretion to grant or reject any such request and further acknowledges that Council may subsequently revoke or amend any delegated authority that it grants. City staff will endeavour to obtain such delegated authority from Council in a timely manner to ensure that the lands are available to Metrolinx within timelines dictated by a Project.
- 10.13. In all aspects of the Project, including design and construction, Metrolinx will, or will cause Project Co to, take all reasonable efforts to minimize impacts to trees and parks and City lands. The Parties acknowledge that tree replacement or compensation to the City in lieu thereof is, at minimum, in accordance with the provisions set out in the City's by-laws or standards applicable to tree replacement. Metrolinx will consult with the City in accordance with the City's by-laws or standards applicable to a tree replacement plan prior to any tree removal, provided that pending the determination of a replacement plan or compensation in lieu thereof, Metrolinx may at its risk remove such trees as may be required to facilitate construction of the Project. Nothing in this Section 10.13 derogates from Metrolinx's expropriation authority including with respect to trees owned by the City or third parties.

11. Permits, Licenses and Approvals to Construct

- 11.1. Metrolinx, at its expense, contractually agrees that it will obtain and be bound by, or may require Project Co to obtain and be bound by:
- (i) those permits that it is required to obtain by Applicable Law for infrastructure that it will own; and
 - (ii) all permits that are required by the City for the construction of infrastructure that the City or by third parties will own. Unless City by-laws or other laws preclude a contractor from applying for and obtaining a permit and stipulates that an owner must do so, Project Co may apply for and obtain such permits.
- 11.2. Metrolinx may, in its discretion, apply for permits for the construction of infrastructure that it will own, which will not be deemed to be an attornment or waiver of Crown immunity. If Metrolinx does not meet or satisfy the statutory, legal or regulatory requirements of the City for issuance of such permits, the City is under no obligation to issue such permits to Metrolinx or Project Co, and Metrolinx may exercise its right to proceed without a permit. Metrolinx acknowledges that the City has no responsibility and bears no liability for any work that Metrolinx has chosen to undertake without a permit. Metrolinx may at any time after permit issuance elect in its discretion to proceed without such

permit, in which case Metrolinx will notify the City and will ask the Chief Building Official to revoke such permit.

- 11.3. The City will review all applications for permits, licenses and approvals, as the case may be, promptly and in any event within the timelines that may be set out from time to time in a Staffing Agreement. The City will notify the applicant in writing as soon as possible following receipt of a permit application either that:
- (i) the application is complete (contains sufficient material and information required by the City to make a determination on the application); or
 - (ii) that the application is deficient, in which case the City will specify the deficiency. Upon receipt of a completed application the City will make a determination on issuance expeditiously and promptly and in any event within the timelines specified in a Staffing Agreement in order to enable work on the Project to proceed without delay.
- 11.4. Metrolinx understands that, if a temporary diversion road for public use is required for any work on the Project, including any grade separation, Metrolinx may have to provide the City at Metrolinx's expense with either a license, or a real property interest in the nature of fee simple, easement, or lease, as determined by the City in its sole discretion over the lands that will constitute the temporary diversion road until the permanent public highway is opened to the public by the City. The City will advise Metrolinx of the advance notice that it requires for any such proposed road diversion, and Metrolinx will, or will require Project Co to, provide the City with such advance notice and will provide all documentation and information to the City that it requires, both to facilitate the City's ability to obtain the consents it requires and to designate, as a public highway, those lands intended to be used as a temporary diversion road. Unless otherwise expressly provided in this Agreement, or otherwise agreed to in writing by the Parties, the construction and maintenance of any temporary diversion road required for a Project shall be the sole responsibility of Metrolinx.
- 11.5. The Parties will work together to establish protocols and procedures expanding the provisions of this Section 11, including to identify fees and approval times and requirements for applicable permits, licenses and approvals. At the request of Metrolinx, City staff will seek delegated authority from Council in respect of permits, licenses and approvals that would otherwise require Council approval and will seek an exemption or waiver of fees. If the City and Metrolinx settle the terms of such protocol it will be appended as "Schedule H", (Permits, Licences and Approvals) to this Agreement.

12. Artifacts

- 12.1. As between the Parties, all fossils, artifacts and other objects having artistic, geological, historic, archaeological or monetary interest or value, including

human remains and burial sites, which may be found on or at City Property are or will be the sole and absolute property of the City. Upon discovery of any such item:

- (i) Metrolinx will promptly inform the City of such discovery;
- (ii) Metrolinx will cause Project Co to take all steps not to disturb the item and, if necessary, cease any part of its work on the Project in so far as performing such work would endanger the item or prevent or impede its excavation, and the City will respond promptly in a timely manner to minimize delays;
- (iii) Metrolinx will cause Project Co to take all necessary steps to preserve and ensure the preservation of the item in the same position and condition in which it was found; and
- (iv) Metrolinx will advise the City if a change to the Project infrastructure or to New City Infrastructure is required as a result of the discovery of any artifact.

13. Streetscape

- 13.1. Metrolinx will pay for the repair or replacement of any and all roads, sidewalks trees, parks, plants and streetscape generally damaged by the Project (collectively, the "**Streetscape**"). Any such damaged Streetscape will be restored or replaced on a like for like basis to a standard commensurate in cost with the cost of repairing and replacing comparable streetscape in the vicinity of the Project at the date of this Agreement, as agreed to by the City and Metrolinx, acting reasonably during the Pre-Market or the In-Market Period in sufficient time to enable it to be included in the PSOS (the "**Streetscape Standard**"). Any upgrades from the Streetscape Standard requested by the City will constitute Additional Infrastructure and be dealt with in accordance with the terms of this Agreement applicable to Additional Infrastructure.
- 13.2. Without limiting the generality of any other provision of this Agreement, Metrolinx will endeavour to mitigate impacts to Streetscape resulting from the Project at its expense and in accordance with its obligations and commitments. Metrolinx will consult with the City regarding such mitigation measures, and changes to such measures from time to time.

14. Capital Coordination

- 14.1. The City will provide Metrolinx, from time to time, with prior written notice of infrastructure, utility and other work that the City intends to undertake, in as much detail as possible, including without limitation, any such work identified by the City in its 10 year capital budget and plan. Metrolinx acknowledges that City Council may, at any time, modify its 10 year capital budget and plan and may add or delete capital projects in its sole discretion, in which case, the City

will endeavour to provide Metrolinx with a detailed description of such added or deleted capital projects.

- 14.2. In addition to Section 14.1, and subject to any legal limitation precluding it from doing so, the City will provide Metrolinx with written notice of the following:
- (i) existing or future capital works that the City has or intends to undertake within 100 metres of any property owned, acquired or to be acquired, whether in fee simple, easement or license and whether temporary or permanent for the Project (collectively, the "**Project Lands**");
 - (ii) any development applications and zoning applications that the City receives from any third parties pertaining to proposed developments within 100 metres of the Project Lands; and
 - (iii) information in its possession or control relating to (i) and (ii) above, including, without limitation, plans and related schedules, drawings, mapping and any other information or materials reasonably requested by Metrolinx.
- 14.3. At the request of Metrolinx, the City will endeavour to assist in facilitating and coordinating any conflicts between City capital works and the Project in order to endeavor to ensure the efficient, expeditious and on-time and on-budget delivery of the Project and any City capital works.

15. Matters Pertaining to Safety

- 15.1. The City has the right to suspend work on the Project on prior notice to Metrolinx and Project Co if the City has reason to believe that the work being performed on the Project materially negatively impacts the following City services: fire, emergency medical services and police or if public safety is at risk. Suspension will be in effect for such reasonable time as may be necessary to protect, remedy or restore the situation. The City agrees to work diligently with Metrolinx and Project Co to resolve the City's concerns giving rise to the suspension of work, having regard to scheduled completion date(s) and overall costs of applicable Project(s).

16. Public Communication

- 16.1. The Parties will work together to establish a Public Communications Protocol to more fully and completely set out the basis upon which the Parties will communicate and engage with the public, the media, and stakeholders in each case for matters pertaining to the Project. It will be appended as "Schedule I", (Communications Protocol) to this Agreement.

17. Governance and Dispute Resolution

- 17.1. The Parties will establish and maintain a Project Steering Committee and an Executive Committee to oversee implementation of this Agreement and the Project and the commitments contained herein.
- 17.2. The Parties will meet to determine the composition of the Project Steering Committee and the Executive Committee, the number and frequency of meetings, and other matters that deal with the composition and the work of the Committees. All decisions of the Project Steering Committee and the Executive Committee must be unanimous.
- 17.3. In the event that a matter or dispute arises between the Parties that cannot be resolved at the project level such matter or dispute will immediately be escalated to the Project Steering Committee for resolution in accordance with the terms and protocols established. If the Project Steering Committee is unable to resolve the matter or dispute within the timelines set out in its protocol, the Steering Committee shall refer the matter or dispute to the Executive Committee for resolution in accordance with the terms set out in its protocol. If a resolution is achieved in respect of a matter or dispute by either the Project Steering Committee or the Executive Committee, as the case may be, the Parties will, and will instruct their staff, to take the necessary actions and steps to implement the resolution, including entering into any further agreements or seeking any additional approvals as may be required to give effect to such resolution.
- 17.4. If the Project Steering Committee and the Executive Committee are unable to resolve a matter or a dispute, the Parties will have all the rights available to them in this Agreement and at law with respect to such matter or dispute.
- 17.5. No action or failure to act by a Party shall constitute a waiver by such Party of a matter or dispute nor shall any such action or failure to act constitute an approval or acquiescence in respect of a matter or dispute except as agreed to in writing.
- 17.6. The Parties agree that timely resolution of any dispute is mutually beneficial and will accordingly act expeditiously and adhere to timelines and limits that may be agreed to in the protocol governing the Committees. In respect of disputes that may require expedited resolution, the Parties hereby agree to work collaboratively to agree upon provisions applicable to waiving certain steps in order to achieve such expedited resolution.
- 17.7. Metrolinx may proceed at its own risk and in its discretion with construction prior to resolution of a dispute, including disputes pertaining to compliance with PSOS and Basic Standard.

- 17.8. The Parties will work together agree upon and set out the provisions pertaining to the resolution of disputes in a protocol. If agreed to such protocol will be appended as "Schedule J", (Dispute Resolution Protocol) to this Agreement.
- 17.9. The protocols and procedures established by the Project Steering Committee and the Executive Committee when finalized will be appended as "Schedule K", (Governance Protocol) to this Agreement.

18. Confidentiality

- 18.1. Each Party shall keep information provided by another Party confidential and secure and limit the disclosure to those persons who have a need to know it and who are bound by agreement or otherwise to keep the information in confidence substantially on the terms of hereof.
- 18.2. Each Party shall not directly or indirectly disclose, destroy, exploit or use any such information (except for the purpose of delivering the Project, or except if required by law), without first obtaining the written consent of the disclosing party and in respect of any Confidential Information about any third-party, the written consent of such third-party and shall provide confidential information to disclosing party on demand.
- 18.3. If a receiving party becomes legally compelled to disclose any confidential information, it will notify the disclosing party in order to allow disclosing party the option of seeking a protective order to prevent disclosure.
- 18.4. The provisions of this Section shall survive termination of this Agreement and remain in full force and effect.
- 18.5. The Parties acknowledge and agree that:
 - (i) they are subject to access and privacy legislation, including, in the case of MTO and Metrolinx, the Freedom of Information and Protection of Privacy Act, Ontario, and, in the case of Hamilton, the Municipal Freedom of Information and Protection of Privacy Act, Ontario; and
 - (ii) they may be required to disclose information on as required by Applicable Laws, but will not otherwise do so in contravention of this Agreement.
- 18.6. The Parties acknowledge and agree that Hamilton may make this Agreement and the draft definitive agreements available to Council and the public and may discuss the terms at Council meetings or meetings with the public other than confidential information, if any, contained therein.

19. General Provisions

19.1. Notices: Any notice or other communication with respect to this Agreement shall be effectively given if delivered or sent by registered mail or email addressed:

(i) in the case of Metrolinx to:

Chief Operating Officer
97 Front Street
Toronto, ON
Email: Steve.Levene@metrolinx.com

with a copy to:

Chief Legal Officer
97 Front Street
Toronto, ON
Email: Heather.Platt@metrolinx.com

(ii) in the case of the City to:

-

with a copy to:

-

(iii) in the case of MTO

- Associate Deputy Minister

with a copy to:

- Assistant Deputy Minister

or to such other address or individual as Metrolinx, the City or MTO, as the case may be, may from time to time specify to the other in writing. Any notice that is delivered will be deemed to have been received if sent by email, one Business Day after the date upon which it was sent, and if sent by registered mail, four Business Days after the date upon which it was mailed.

19.2. Counterpart Execution and Delivery: This Agreement may be executed in counterpart and may be executed by electronic signature that is received by the Parties in a file format acceptable to the Parties. Such electronic signature shall be deemed to be an original signature for the purpose of this Agreement with the same legal effect as an original signature.

- 19.3. Liability: Nothing herein is intended to limit, alter or relieve any Party from any legal liability to third parties or to each other that such Party may have or incur in connection with the Project except as stated herein and as may be stated in subsequent amendments or future agreements. Metrolinx will require Project Co to add the City as an additional insured on insurance policies that Project Co is required to maintain for the Project.
- 19.4. Entire Agreement: This Agreement is the entire agreement between the Parties in respect of the subject matter hereof applicable to the Project and supersedes the existing memorandum of agreement signed between Metrolinx and the City on March 8, 2016, and all intervening and other agreements, communications, and discussions, verbal or written.
- 19.5. Time of the Essence: Time is of the essence of this Agreement.
- 19.6. Written Approvals: Any approval, authorization, consent, waiver or condition by a Party under this Agreement is effective only if given in writing and only in accordance with the terms and conditions stipulated in this Agreement in connection therewith. Any such approval, authorization, consent, waiver or condition is not deemed to be effective in respect of any similar or other act or omission unless given again in writing.
- 19.7. Successors and Assigns: This Agreement is binding upon and enures to the benefit of the successors and permitted assigns of the Parties. Neither Party may assign its interest in this Agreement without the written consent of the other Party, except that Metrolinx may, without the consent of the City, transfer or assign this Agreement to the Government of Ontario or to a Crown or to a third party acquiring Metrolinx's interest in the Project.
- 19.8. Amendment: The Parties may amend this Agreement from time to time only in writing.
- 19.9. Further Assurances: Each Party will do such act or thing and will enter into, execute and deliver such documents as may reasonably be required by the other Party in furtherance of and to give effect to the provisions of this Agreement.
- 19.10. Term and Termination: This Agreement will commence on the Effective Date and shall continue in force until the later of:
- (i) the date upon which the warranty period under all Project Agreements for the Project has expired, and
 - (ii) the date on which the last payment under this Agreement and any MIA for Additional City Infrastructure has been made by the City to Metrolinx, except as otherwise extended or terminated upon mutual agreement of the Parties (the "**Term**").

Following the Term, this Agreement shall automatically and without further action terminate and be of no further force or effect. Any termination shall not affect any obligations incurred prior to the effective date of termination or any other rights that the party may have arising out of any rights or obligations that are expressed to survive termination of this Agreement.

19.11. Governing Law: This Agreement is governed by and shall be construed in accordance with the laws of the Province of Ontario and the laws of Canada as applicable therein. The parties hereby attorn to the jurisdiction of the courts of Ontario for any legal proceedings arising out of this Agreement.

19.12. Binding Agreement: This Agreement is binding upon and enforceable against each of the Parties to it.

IN WITNESS WHEREOF the Parties have executed this Agreement as of the date first above written.

<p>Metrolinx</p> <p>By: _____ Name: Title:</p> <p>By: _____ Name: Title:</p> <p>I/We have the authority to bind the corporation</p>	<p>Ministry of Transportation</p> <p>By: _____ Name: Title:</p> <p>By: _____ Name: Title:</p> <p>I/We have the authority to bind the Province</p>
<p>City of Hamilton</p> <p>By: _____ Name: Title:</p> <p>By: _____ Name: Title:</p> <p>I/We have the authority to bind the corporation</p>	

Schedules:

Schedule A	Train Operator Services Agreement
Schedule B	Municipal Funding Agreement
Schedule C	Commissioning and Acceptance Protocol
Schedule D	Fare and Non-Fare Revenue Matters
Schedule E	Staffing Agreement
Schedule F	Municipal Infrastructure Agreement
Schedule G	Real Estate Protocol
Schedule H	Permits, Licenses and Approvals
Schedule I	Communications Protocol
Schedule J	Dispute Resolution Protocol
Schedule K	Governance Protocol

The Advisory Committee for Persons with Disabilities Celebrates International Day for Persons with Disabilities

The Advisory Committee for Persons with Disabilities presents you with this 2022 Calendar recognizing International Day for Persons with Disabilities. Statistics tell us that one in five Canadians have some kind of disability. This Calendar is our attempt to show how many of us strive to overcome our disabilities and how diverse our different needs are.

Darnley Cascade



Hamilton



Local Waterfall Photography By: Sarah Powell



JANUARY 2022

S M T W T F S

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9	10	11	12	13	14	15	
16	17	18	19	20	21	22	
23	24	25	26	27	28	29	
30	31						

Alzheimer's Awareness Month

Can.

Birth Defects Prevention Month

U.S.

Cervical Health Awareness Month

U.S.

Co-Dependency Awareness Month

U.S.

Glaucoma Awareness Month

U.S.

Thyroid Awareness Month

U.S.

Jan. 30 - Feb. 5 World Leprosy Week

Intl.

Cherokee Falls



Hamilton



"DISABILITY N33D NO7 B3 4N 0B574CL3
70 5UCC355"

S. HAWKING



FEBRUARY 2022

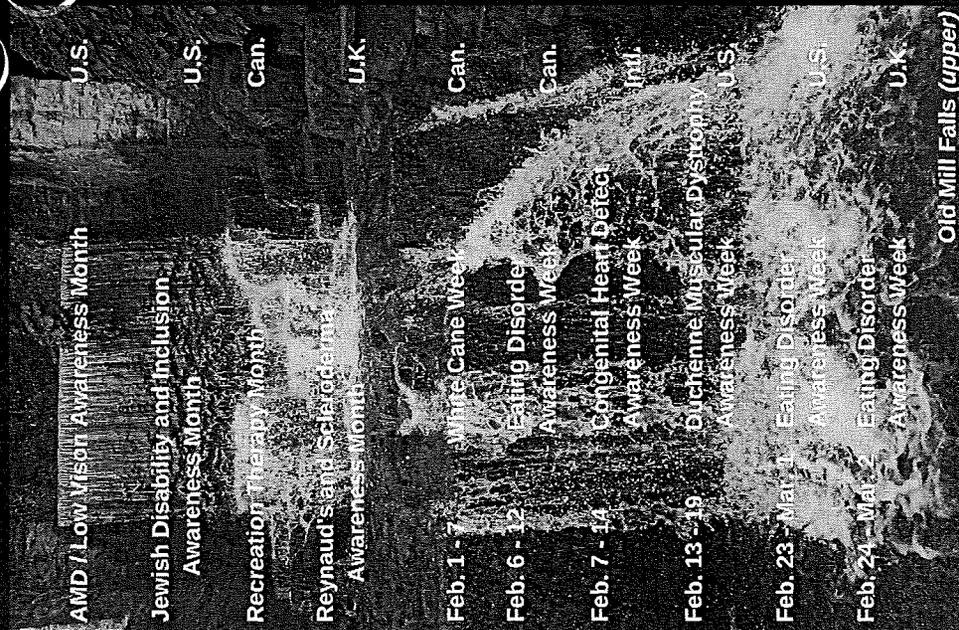
S M T W T F S

		1	2	3	4	5
			Rheumatoid Arthritis Awareness Day		World Cancer Day	
6	7	8	9	10	11	12
					World Day Of The Sick	
13	14	15	16	17	18	19
	Sexual and Reproductive Health Day Congenital Heart Defect Awareness Day	International Childhood Cancer Day				
20	21	22	23	24	25	26
			Heart Valve Disease Awareness Day			
27	28					
Anosmia Awareness Day	Rare Disease Day					



Hamilton

"We rise by lifting others."
R. Ingersoll



AMD / Low Vision Awareness Month U.S.
 Jewish Disability and Inclusion Awareness Month U.S.
 Recreation Therapy Month Can.
 Reynaud's and Scleroderma Awareness Month U.K.
 Feb. 1 - 7 White Cane Week Can.
 Feb. 6 - 12 Eating Disorder Awareness Week Can.
 Feb. 7 - 14 Congenital Heart Defect Awareness Week Ind.
 Feb. 13 - 19 Duchenne Muscular Dystrophy Awareness Week U.S.
 Feb. 23 - Mar. 1 Eating Disorder Awareness Week U.S.
 Feb. 24 - Mar. 2 Eating Disorder Awareness Week U.K.
 Old Mill Falls (upper)

MARCH 2022

S M T W T F S

			1 Disability Day of Mourning Self Injury Awareness Day International Wheelchair Day	2	3	4 World Obesity Day HPV Awareness Day	5
6 World Lymphedema Awareness Day	7	8 Breast Implant Illness Awareness Day	9	10 Women and Girls HIV/AIDS Awareness Day	11	12	
13	14	15	16	17	18 Trisomy 18 Awareness Day	19	
20	21 World Down Syndrome Day	22	23	24 World Tuberculosis Day	25 Cerebral Palsy Awareness Day	26	Purple Day for Epilepsy
27 Amniotic Fluid Embolism Awareness Day	28	29	30	31			

- Brain Injury Awareness Month
- Colorectal Cancer Awareness Month
- Colour Therapy Month
- Deep Vein Thrombosis Prevention Awareness Month
- Developmental Disabilities Awareness Month
- Endometriosis Awareness Month
- Epilepsy Awareness Month
- Essential Tremor Awareness Month
- Help Fight Liver Disease Month
- Hemophilia Awareness Month
- Kidney Month
- Liver Health Month
- Multiple Sclerosis Awareness Month
- Music Therapy Awareness Month
- Muscular Dystrophy Awareness Month
- Ovarian Cancer Awareness Month
- Self Injury Awareness Month
- Trisomy Awareness Month
- Mar. 6 - 12 Glaucoma Awareness Week
- Mar. 14 - 20 Brain Awareness Week

Sherman Falls



Hamilton



"Kindness begins with the understanding that we all struggle."
C. Glassman



APRIL 2022

S M T W T F S

Autism Awareness Month U.S.
 Cushing Disease/Syndrome Awareness Month U.S.
 Limb Loss Awareness Month U.S.
 IBS Awareness Month Can.
 National Donate Life Month U.S.
 Parkinson's Disease Awareness Month Intl.
 Paralyzed Veterans Across America Month U.S.
 Primary Immunodeficiency Awareness Month U.S.
 Rosecea Awareness Month Can.
 Sarcoidosis Awareness Month Intl.
 Apr. 3 - 9 Oral, Head and Neck Cancer Awareness Week U.S.
 Apr. 9 - 16 Porphyria Awareness Week U.S.
 Apr. 10 - 16 Parkinson's Awareness Week U.K.
 Apr. 18 - 24 Multiple Sclerosis Awareness Week U.K.
 Apr. 21 - 28 World Primary Immunodeficiency Week Intl.
 Apr. 24 - 30 Infertility Awareness Week Can.
 Apr. 24 - 30 Organ and Tissue Donation Awareness Week Can.

Albion Falls

						1	2
3	4	5	6	7	8	9	World Autism Awareness Day
10	11	12	13	14	15	16	Cushing Disease/Syndrome Awareness Day
17	18	19	20	21	22	23	Green Shirt Day World Health Day
24	25	26	27	28	29	30	Sarcoidosis Awareness Day Functional Neurological Disorder Awareness Day
	World Hemophilia Day	Congenital Diaphragmatic Hernia Action Day	Show Your Mettle Day (Amputees)	Day of Mourning	World Wish Day		Fibrodysplasia Ossificans Progressiva Awareness Day



Hamilton



"There is nothing impossible to they who will try."

A. The Great (para)



MAY 2022

S M T W T F S

1	Childhood Stroke Awareness Day	2		3	World Asthma Day	4		5	Epilepsy Awareness Day OAI World Pulmonary Hypertension Day CJD/ChI. Synuclein Awareness Day	6		7	Children's Mental Health Awareness Day
8	World Ovarian Cancer Awareness Day	9		10		11		12	Fluoridated Water Awareness Day International Epilepsy Awareness Day Chronic Immunological and Neurological Diseases Awareness Day	13		14	Apraxia Awareness Day
15		16		17	World Hypertension Day	18		19		20	World Autoimmune Arthritis Day Global Accessibility Awareness Day	21	
22	Mucopolysaccharidoses Awareness Day	23		24	World Neurothrombosis Awareness Day	25	World Thyroid Day	26	Schizophrenia Awareness Day	27		28	
29		30	International Day to End Obstetric Fistula	31	World Schizophrenia and Psychosis Day								



- Allergy/Asthma Awareness Month U.S.
- Amyotrophic Lateral Sclerosis (ALS) Awareness Month U.S.
- Aniridia Awareness Month Can.
- Arthritis Awareness Month U.S.
- Autism Awareness Month U.S.
- Bladder Cancer Awareness Month U.S.
- Borderline Personality Disorder Awareness Month U.S.
- Brain Tumour Awareness Month U.S.
- Celiac Disease Awareness Month Intl.
- Cystic Fibrosis Awareness Month Intl.
- Craniocervical Incompatibility Awareness Month Aust.
- Ehler-Danlos Syndrome Awareness Month U.S.
- Guillain-Barre Syndrome Awareness Month Can.
- Hepatitis Awareness Month U.S.
- Hemophilia Awareness Month Can.
- Huntington's Disease Awareness Month U.S.
- Lupus Awareness Month U.S.
- Lyme Disease Awareness Month Can.
- Malan and Skin Cancer Awareness Month U.S.
- Mental Health Month U.S.
- Mobility Awareness Month U.S.
- Multiple Sclerosis Awareness Month Can.
- Mycosis Awareness Month U.S.
- Older Americans Awareness Month U.S.
- Speech and Hearing Month Can.
- Stroke Awareness Month U.S.
- Vision Health Month Can.
- Brain Tumor Action Week May 1-7 U.S.
- Brain Injury Awareness Week May 14-17 U.S.
- Accessibility Awareness Week May 29 - Jun 4 Can.



Hamilton

"The only disability in life is a bad attitude." S. Hamilton

JUNE 2022

S M T W T F S

Alzheimers and Brain Awareness Month	Ind.
Amyotrophic Lateral Sclerosis Awareness Month	Can.
Antiphospholipid Antibody Syndrome Awareness Month	U.S.
Aphasia Awareness Month	U.S.
Brain Injury Awareness Month	Can.
Bowel Cancer Awareness Month	Aust.
Migraine and Headache Awareness Month	U.S.
Myasthenia Gravis Awareness Month	U.S.
Hemiplegic Migraine Awareness Month	U.S.
Osteoporosis Month	U.K.
Post Traumatic Stress Disorder Awareness Month	U.S.
Thyroid Awareness Month	Can.
Scleroderma Awareness Month	U.S.
Spina Bifida and Hydrocephalus Awareness Month	Can.
Stroke Awareness Month	Can.
Jun. 6 - 13 Spinal CSF Leak Awareness Week	Can.
Jun 14 - 20 Diabetes Week	U.K.
Jun. 24 - 30 Deaf/Blind Awareness Week	U.K.
Jun. 26 - Jul 2 Hellen Keller Deaf/Blind Awareness Week	U.S.

Tiffany Falls

			1 World Hypoparathyroidism Awareness Day	2	3	4
5	6 Cancer Survivors Day	7 World Brain Tumour Day	8	9	10	11 Neurospaly Action Awareness Day
12	13 Albinism Awareness Day	14 Global Day of Recognition of ALS/MND	15	16	17 CDKL5 Worldwide Awareness Day	18 Autistic Pride Awareness Day
19 World Sickle Cell Day	20 Helen Keller Day	21 Global Day of Recognition of ALS/MND	22	23 Dravet Syndrome Awareness Day	24	25 World Willigo Awareness Day
26 Post-Traumatic Stress Disorder Awareness Day	27	28	29 Cancer Wellness Awareness Day World Spondylitis Awareness Day	30 Arthroglyposis Awareness Day		



"Aerodynamically, the bumblebee shouldn't be able to fly but it doesn't know that and flies anyways." M. K. Ash



Hamilton

JULY 2022

S M T W T F S

					1	2
3	4	5	6	7	8	9
10	11	12 Heterochromia Awareness Day	13 Gastrointestinal Stromal Tumour Awareness Day	14	15	16
17	18	19	20	21 Glioblastoma Awareness Day	22	23 World Spleen's Day
24 Seasonal Affective Disorder Day	25	26 Disability Independence Day	27	28 World Hepatitis Day	29	30 Gastroschisis Awareness Day
31						



"I wouldn't change you for the world but I would change the world for you."
Unknown



Hamilton

Cleft and Cranio Facial Awareness & Prevention Month

U.S.

Disability Pride Month

U.S.

Fragile X Awareness Month

U.S.

Sarcoma Research Awareness Month

U.S.

Little Davis Falls (summer)

AUGUST 2022

S M T W T F S

	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

International
Overdose
Awareness Day

Senior Citizen's Day

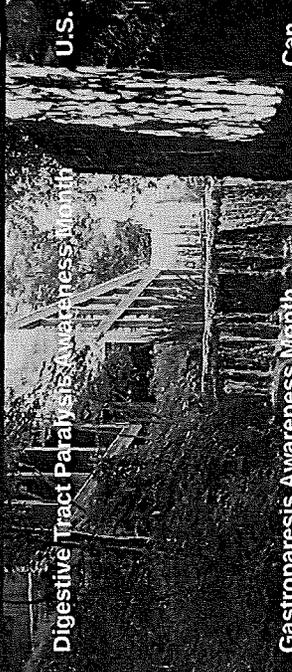


"It does not matter how slowly you go
as long as you do not stop."

Confucius



Hamilton



Digestive Tract Paralysis Awareness Month

Gastroparesis Awareness Month



Spinal Muscular Atrophy Awareness Month

Intl.



Stevens-Johnson Syndrome Awareness Month

U.S.

Old Mill Falls (lower)

SEPTEMBER 2022

S M T W T F S

					1	2	3
4	5	6	7	8	9	10	
11	12	13	14	15	16	17	
18	19	20	21	22	23	24	
25	26	27	28	29	30		

- Achalasia Awareness Month U.S.
- Alopecia Areata Awareness Month U.S.
- Arthritis Awareness Month Can.
- Charcot-Marie-Tooth Awareness Month Can.
- Childhood Cancer Awareness Month Int.
- Craniofacial Acceptance Month Can.
- Duchenne Muscular Dystrophy Awareness Month Can.
- Fetal Alcohol Spectrum Disorder Awareness Month Can.
- Guide Dog Awareness Month U.S.
- Hydrocephalus Awareness Month U.S.
- Lymphoma Awareness Month U.S.
- Orthostatic Tremor Awareness Month U.S.
- Ovarian Cancer Awareness Month Int.
- Pain Awareness Month U.S.
- Peripheral Artery Disease Awareness Month U.S.
- Polycystic Ovary Disease Awareness Month U.S.
- Prostate Cancer Awareness Month Int.
- Sickle Cell Anemia Awareness Month Can.
- Suicide Prevention Awareness Month U.S.
- Spinal Cord Injury Awareness Month Can.
- Syringomyelia & Chiari Malformation Month U.S.
- Thyroid Cancer Awareness Month U.S.
- World Alzheimer's Disease Awareness Month Int.
- Week of the Deaf People Awareness Week
- Buttermilk Falls



"I am different but not less"
T. Grandin



Hamilton

OCTOBER 2022

S M T W T F S

- ADHD Awareness Month U.S.
- Breast Cancer Awareness Month Intl.
- Colon Cancer Awareness Month U.S.
- Depression Education and Awareness Month U.S.
- Disability Employment Awareness Month Intl.
- Down Syndrome Awareness Month U.S.
- Dwarfism Awareness Month U.S.
- Dysautonomia Awareness Month Intl.
- Dyslexia Awareness Month U.S.
- Eczema Awareness Month U.S.
- Liver Cancer Awareness Month U.S.
- Learning Disability Awareness Month Intl.
- Lupus Awareness Month (French) Can.
- Mark it Read for Dyslexia Awareness Month Can.
- Occupational Therapy Month Can.
- Raynaud's Awareness Month U.S.
- Rett Syndrome Awareness Month Intl.
- Selective Mutism Awareness Month U.S.
- Spinal Bifida Awareness Month U.S.
- Oct 18 - 24 Invisible Disabilities Week Can.
- Oct. 25- 31 Epidermolysis Bullosa Awareness Week Intl.



Hamilton



"Believe you can and you are halfway there." T. Roosevelt



2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

World Sight Day
PANDAS/PANS Awareness Day
World Spine Day
World Sight Day
World Mental Health Day
World Sight Day
World Cancer Awareness Day
World Polio Day
Birth Cancer Awareness Day
World Bifida and Hydrocephalus Day
World Thrombosis Day
Metastatic Breast Cancer Awareness Day
World Osteoporosis Day
World Cerebral Palsy Awareness Day
Veterans Disabled for Life Day
World Arthritis Day
Psoriatic Arthritis Day
Tigeminal Neuralgia Awareness Day
World Stroke Day
World Sight Day
Blind Americans Equality Day
International Stuttering Awareness Day
World Stroke Day

NOVEMBER 2022

S M T W T F S

			1	2	3	4	5
6	7 Cancer Awareness Day	8 Alcadi Syndrome Awareness Day	9	10	11	12 World Pneumonia Day	
13 World Pancreatic Cancer Day	14 World Diabetes Day	15 World Ohtahara Awareness Day	16	17	18 World COPD Day	19 Enteropathic Arthritis Awareness Day	
20	21	22	23	24 N24 Syndrome Awareness Day	25	26	
27	28	29	30 Stomach Cancer Awareness Day				



Alzheimer's Awareness Month U.S.

Chronic Obstructive Pulmonary Disorder Awareness Month U.S.

Crohn's and Colitis Awareness Month Can.

Dercum's Disease (Adiposis Dolorosa) Awareness Month U.S.

Epilepsy Awareness Month U.S.

Lung Cancer Awareness Month Intl.

November Can.

Indigenous Disability Awareness Month Can.

Pancreatic Cancer Awareness Month U.S.

Prostate Cancer / Men's Health Awareness Month U.S.

Osteoporosis Awareness Month Can.

Felkers Falls (winter)



Hamilton



"The only thing worse than being blind is having sight but no vision."
H. Keller



DECEMBER 2022

S M T W T F S

				1	2	3
				World AIDS Day	Women's Brain Health Day	International Persons With Disabilities Day
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



Little Davis Falls (Winter)



Hamilton



"Once you choose hope, anything is possible." C. Reeve





AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-013

9:30 a.m.

September 9, 2021

Council Chambers

Hamilton City Hall

Present: Councillors L. Ferguson (Chair), B. Clark, B. Johnson, M. Pearson, A. VanderBeek, and M. Wilson

Absent: Councillor C. Collins - Personal

THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 21-013 AND RESPECTFULLY RECOMMENDS:

1. City Auditor Reporting of Serious Matters to Council (Case #39691) (AUD21007) (City Wide) (Item 7.1)

That Report AUD21007, City Auditor Report of Serious Matters to Council (Case #39691), be received.

2. Citizen Committee Report - Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Advisory Committee - Changing the Standing Committee to which the LGBTQ Advisory Committee Reports (Item 10.1)

That the Standing Committee to which the LGBTQ Advisory Committee Reports be changed from the Audit, Finance and Administration Committee to the Emergency and Community Services Committee, including updating any Standing Committee mandates or terms of reference that might be impacted by this change.

3. Offsetting Parking Revenue Losses for the City's Business Improvement Areas (PED21161) (Wards 1, 2, 3, 4, 7, 8, 12, and 13) (Item 10.2)

- (a) That each of the City's eleven Business Improvement Areas (BIAs) that participate annually in the Parking Revenue Sharing Program (PRSP) be provided a one-time grant in 2021 that is equal to the amount they received in 2020 through the PRSP, with the exception of the Locke Street BIA which would receive an amount equivalent to their 2019 Parking Revenue Sharing grant;
- (b) That the total grant amount of \$124,563.09 be funded from the Economic Development Investment Reserve (Account No. 112221).

4. Governance Review Sub-Committee Report 21-006 – August 24, 2021 (Item 10.3)

(a) Councillor Ward Office Budgets and Policy Guidelines for Eligible Expenses for Elected Officials (FCS18083(c)) (City Wide) (Item 10.1)

That Appendix “A” to Audit, Finance and Administration Committee Report 21-013, Policy and Guidelines for Eligible Expenses for Elected Officials: Budget for the Office of the Mayor, Legislative Budget and Councillor Ward Office Budget, be approved.

5. Fraud and Waste Report #32153 - Update (AUD21009) (City Wide) (Added Item 14.1)

- (a) That the direction provided to staff in Closed Session, respecting Report AUD21009, Fraud and Waste Report #32153 – Update, be approved: and,
- (b) That Report AUD21009, Fraud and Waste Report #32153 – Update, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

14. PRIVATE AND CONFIDENTIAL

14.1 Fraud and Waste Report #32153 - Update (AUD21009) (City Wide)

The agenda for the September 9, 2021 Audit, Finance and Administration 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) August 12, 2021 (Item 4.1)

The Minutes of the August 12, 2021 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) **DISCUSSION ITEMS (Item 10)**

(i) **Governance Review Sub-Committee Report 21-006 – August 24, 2021 (Item 10.3)**

(a) **Councillor Ward Office Budgets and Policy Guidelines for Eligible Expenses for Elected Officials (FCS18083(c)) (City Wide) (Item 10.1)**

That Appendix “A” to Governance Review Sub-Committee Report 21-006, Policy and Guidelines for Eligible Expenses for Elected Officials: Budget for the Office of the Mayor, Legislative Budget and Councillor Ward Office Budget, be approved.

Councillor Ferguson relinquished the Chair to introduce the following motions:

That Item (g)(i) from the Information Section be lifted and added as Item 2 of the Governance Review Sub-Committee Report 21-006.

The following motion was DEFEATED:

2. **Proposed Amendment to the Procedural By-law Referred by Council on August 13, 2021 to Governance Review Sub-Committee, respecting Special Meetings of Council (Added Item 10.2)**

That Council approve the proposed ***amendment*** to Sub-Section 3.4, Special Meetings of Council of Procedural By-law 21-021, as follows:

3.4 Special Meetings of Council

- (7) Notwithstanding subsection 3.4(3), on urgent and extraordinary occasions, with the consent of the majority of all the Members of Council, recorded in the Minutes, a special meeting of the Council may be called by the Mayor without notice to consider and deal with such urgent and extraordinary matters.***

Councillor Ferguson assumed the Chair.

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

(e) **PRIVATE AND CONFIDENTIAL (Item 14)**

Committee moved into Closed Session respecting Item 14.1, pursuant to Section 9.1, Sub-sections (b), (d) and (e) of the City's Procedural By-law 21-021, and Section 239(2), Sub-sections (b), (d) and (e) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**(i) Fraud and Waste Report #32153 - Update (AUD21009) (City Wide)
(Added Item 14.1)**

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

(f) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee adjourned at 10:21 a.m.

Respectfully submitted,

Councillor Ferguson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**Policy and Guidelines for Eligible Expenses for Elected Officials:
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SECTION 1 – POLICY FOR ELIGIBLE EXPENSES FOR ELECTED OFFICIALS

POLICY STATEMENT	Expenses incurred by elected officials, while acting as members of Council, are paid by the City.
APPROVAL	Once Council has approved the annual budget, specific approval of individual expenditures is not required. Elected officials are responsible for monitoring their own budgets through the operating budget variance reporting process.
PURPOSE	This Policy establishes types of expenses, which will be paid by the City from the Council approved budgets. Specific restrictions identify those expenses which will not be paid by the City.
SCOPE	<p>This Policy applies to all expenses incurred annually, unless otherwise noted in this Policy, by the elected officials while conducting official City business and performing their duties as elected officials.</p> <p>Valid municipal expenditures will be paid by the City and should be charged to the correct account, regardless of whether there is a budget for that account. Elected officials are accountable for their expenditures, in aggregate, not by individual account line. This Policy is intended to provide flexibility to elected officials in managing their own budgets and programming.</p> <p>Supporting documentation required for payment for services or goods provided is:</p> <ol style="list-style-type: none"> 1. The original invoice identifying the goods or services and the purpose of the purchase, if not obvious from the invoice, or 2. If there is no invoice, a short description of the good or service and purpose of the purchase is required. <p>Expenses for goods or services of a personal nature are the responsibility of the individual elected official and will not be paid by the City.</p>
CURRENT BUDGET OR OPERATING BUDGET – APPROVAL, MONITORING AND REPORTING	<p>As part of the annual current budget or operating budget, Council establishes a budget for expenses for elected officials.</p> <p>A statement of the expenses and revenues is available to the Councillors on a monthly basis and is reported to Council with the Corporate Operating Budget Variance Reports. Councillors will be required to provide explanations of any variances at the aggregate level in accordance with corporate standards for reporting.</p>

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<p>CURRENT BUDGET OR OPERATING BUDGET – APPROVAL, MONITORING AND REPORTING (Cont'd)</p>	<p>Current budget expense accounts are intended to cover all expenses incurred by elected officials, while conducting City business or promoting the City, including: expenses related to the management of the elected official's office; communication with constituents; business entertainment and staff recognition; promotion; local travel; and attendance at functions on City business.</p> <p>Inventories of furniture, fixtures and equipment (FFE) purchased using City budgets are maintained by the Administrative Assistants.</p>
<p>Election Campaign Expenses</p>	<p>Expenses incurred to produce or distribute election campaign literature or materials will not be paid for by the City. In addition, newsletters may not be distributed after August 31 of an election year.</p>
<p>Sponsorship</p>	<p>Expenses related to sponsorships and donations (including the purchase of event tickets) will be paid by the City.</p> <p>Sponsorships / donations are not to be provided for any amounts levied in respect of any tax or user fees. Sponsorships / donations are limited to \$350 per named organization per year.</p> <p>During an election year, sponsorships and donations will not be allowed from the first day that nominations can be filed for candidates, until the day after the election.</p>
<p>CAPITAL RELATED EXPENSES</p>	<p>Expenses for minor capital equipment (office furniture and furnishings, computer and communications equipment) are provided for the Councillors' reception area and to elected officials' offices within City Hall.</p> <p>Each elected official is provided with a computer (either desktop, laptop, tablet and / or smartphone) and access to a printer. The Councillors' Administrative Assistants and staff in the Office of the Mayor are each provided with a computer and access to a printer in accordance with City standards. Any additional computer equipment may be ordered through the Information Technology Division, Corporate Services Department.</p> <p>All capital purchases must adhere to the City's Procurement Policy.</p> <p>When the elected official is no longer in office, capital equipment must be returned to the City per Procurement Policy.</p>

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REIMBURSEMENT OF CITY EXPENSES PAID BY PERSONAL ACCOUNTS (HOW TO CLAIM)	Detailed procedures for accessing the City's PeopleSoft financial system and for submitting incidental expense claims are available from the Financial Services Division, Corporate Services Department.
Reimbursement	Requests for reimbursement of out-of-pocket expenses should be submitted by using the Statement of Mileage and Other Expenses Form. Out-of-pocket expenses include items such as business meals and parking. Purchase of tickets to community events should be requested through a Cheque Requisition payable to the event organization and not through reimbursement requests.
Supporting Documentation	Original receipts and supporting documentation are to be provided with the request for reimbursement indicating: <ol style="list-style-type: none"> 1. the type of expense; 2. date and purpose of event or meeting attended (if applicable); and 3. identification of all individuals whose expenses are being reimbursed. The appropriate account number within the applicable current budget must be provided with the request.
Petty Cash	The receptionist (for the Councillors' offices) and the Mayor's administrative staff are responsible for administering the petty cash for their respective offices in accordance with the corporate procedures for petty cash. Original receipts and supporting documentation must be provided with the request for reimbursement as outlined above.
Cheque Requisition	Goods or services that are not ordered through the City's PeopleSoft financial system (such as registrations, subscriptions, etc.) may be paid for by cheque issued directly to the vendor. A cheque requisition must be submitted to Finance and Administration staff with supporting documentation, as described above.

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SECTION 2 – GUIDELINES

DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
Councillor Ward Budget Process and Guidelines	N/A	N/A	<p>The methodology for developing the Councillor Ward Office Budgets is included in a separate document, "Methodology for Developing Elected Officials Office Budget and Ward Councillor Office Budget." (Appendix "A" to Report FCS18083(a))</p> <p>Councillors may submit requests for access to the Legislative Contingency Fund to Council for approval during the course of the year.</p> <p>Councillors will be required to reimburse the City for any expenditures exceeding their approved Ward budget. This excludes costs of backfilling for sick absences and maternity / parental leave and associated benefit costs. Those costs associated with backfilling sick absences and maternity / parental leave will not be required to be reimbursed as per the Staffing description within this policy.</p>

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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
Office Equipment and Operating Supplies (Note 1)	<p>Office expenses, including all office consumables (stationery, office supplies, organizers, etc.), office accessory items (desk lamps, pictures / certificate framing, etc.), letterhead and business cards and purchased publications (maps, magazines, newspapers, etc.).</p> <p>Common office equipment (shredder, fax machine, photocopier) in accordance with corporate standards.</p>	<p>Expenses for shared office consumables (stationery, office supplies, etc.).</p> <p>Shared office equipment (shredder, one fax machine, photocopier).</p> <p>Computer hardware (in accordance with corporate standards) for the receptionist.</p>	<p>Office expenses, including all office consumables (stationery, office supplies, organizers, etc.), office accessory items (desk lamps, pictures / certificate framing, etc.), letterhead and business cards and purchased publications (maps, magazines, newspapers, etc.).</p> <p>Computer hardware (in accordance with corporate standards) for the Councillors, and all staff of the Councillor's office.</p>
Staffing (Note 2)	Compensation costs for all staff in the Office of the Mayor.	Compensation costs for one shared receptionist and associated vacation coverage.	<p>Compensation costs for all staff in the Councillor's office.</p> <p>Costs of vacation coverage for staff of the Councillor's office.</p> <p>Costs of backfilling sick absences and maternity / parental leave, as well as, associated benefit costs will not be budgeted and actual backfilling expenses incurred will be excluded from overall expenditures in the Councillor's Office Ward Budget. In the case of such absences, the replacement must provide a similar level of service and as such the costs of backfilling should be comparable to the original costs.</p>

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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
<p>Parking:</p> <ul style="list-style-type: none"> • Parking for elected officials is provided free of charge. • Parking for staff must be obtained or purchased in accordance with the corporate policy for parking. 	<p>Parking expenses for qualifying staff of the Office of the Mayor.</p>		<p>Parking expenses for any qualifying staff of the Councillor's office.</p>
<p>Training / Strategic Planning</p>	<p>Training costs for staff in the Office of the Mayor. Courses that meet the criteria of the City's Tuition Reimbursement Policy require Council approval.</p>	<p>Costs for Council orientation, strategic planning and professional development.</p> <p>Training costs for one shared receptionist.</p>	<p>Training costs for all staff of the Councillor's office. Courses that meet the criteria of the City's Tuition Reimbursement Policy require Council approval.</p>

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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
<p>Communication with Constituents: Expenses incurred in the communication of City and / or ward issues or items of interest to constituents</p>	<p>Eligible expenses include, but are not limited to: mailings (printing, copying, postage, address lists); advertisements and inserts; room rentals; newspaper columns and television appearances; community association memberships; floral tributes or charitable donations in lieu of a floral tribute; greeting cards; etc.</p> <p>Costs of communication lines (telephone, cell phone, fax, Internet) and related services will be paid when the use is for City business.</p>	<p>Costs of one telephone line for the receptionist.</p> <p>Costs of one shared fax line for all Councillors will be paid when the use is for City business.</p>	<p>Eligible expenses include, but are not limited to: mailings (printing, copying, postage, address lists); advertisements and inserts; room rentals; newspaper columns and television appearances; community association memberships; floral tributes or charitable donations in lieu of a floral tribute; greeting cards; etc.</p> <p>Costs of all communications lines (telephone, cell phone, fax, Internet) and related services will be paid when the use is for City business.</p>
<p>Constituency Office</p>	<p>N/A</p>	<p>N/A</p>	<p>All costs associated with a constituency office outside of City Hall, 71 Main Street West.</p>
<p>Donations</p>	<p>Donations to charitable organizations in lieu of floral tribute for a funeral will be paid by the City.</p>	<p>N/A</p>	<p>Donations to charitable organizations in lieu of floral tribute for a funeral will be paid by the City.</p>

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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
Promotion	<p>Costs for City souvenir items (mementoes) which are available for distribution at the discretion of the Mayor.</p> <p>Staff of the Office of the Mayor are responsible for maintaining the inventory of these items for the Office of the Mayor.</p>	N/A	<p>Costs for City souvenir items (mementoes) are available for distribution at the discretion of the individual Councillor.</p> <p>Staff of the Councillor's Ward Office will be responsible for maintaining the inventory of these items for the Councillors.</p>
Business Entertainment / Staff Recognition	<p>Reasonable expenses associated with the entertainment of business contacts or the recognition of staff, such as business lunches or tickets to events, will be reimbursed when such entertainment is considered to be either necessary for the advancement of the interests of the City, or appropriate as a means of rewarding the efforts of staff. Original receipts and supporting documentation are to be provided as outlined above and in accordance with the City's Policy for Business Travel, Seminars and Conferences.</p> <p>The purchase of alcohol is strictly prohibited for promotion and entertainment purposes.</p>	N/A	<p>Reasonable expenses associated with the entertainment of business contacts or the recognition of staff, such as business lunches or tickets to events, will be reimbursed when such entertainment is considered to be either necessary for the advancement of the interests of the City, or appropriate as a means of rewarding the efforts of staff. Original receipts and supporting documentation are to be provided as outlined above and in accordance with the City's Policy for Business Travel, Seminars and Conferences.</p> <p>The purchase of alcohol is strictly prohibited for promotion and entertainment purposes.</p>

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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
Local Travel Allowance	<p>Mileage and parking for the Mayor for attendance at events and other meetings at locations other than City Hall, 71 Main Street West, Hamilton.</p> <p>Mileage to and from the Mayor's home and City Hall will not be paid by the City.</p>	N/A	<p>Mileage and parking for Councillors for attendance at constituency and other meetings at locations other than City Hall, 71 Main Street West, Hamilton.</p> <p>Mileage to and from the elected official's home and City Hall will not be paid by the City.</p>
Attendance at Functions / Conferences	<p>Expenses incurred to attend functions / conferences on City business, including transportation, parking, registration fees or tickets, meals and accommodation, and incidental expenses (such as tips, etc.) in accordance with the City's Policy for Business Travel, Seminars and Conferences.</p> <p>Original receipts and supporting documentation are to be provided as outlined above.</p> <p>Expenses to attend political fundraisers will be reimbursed if they advance the interests of the City.</p>	N/A	<p>Expenses incurred to attend functions / conferences on City business, including transportation, parking, registration fees or tickets, meals and accommodation, and incidental expenses (such as tips, etc.) in accordance with the City's Policy for Business Travel, Seminars and Conferences.</p> <p>Original receipts and supporting documentation are to be as outlined above.</p> <p>Only nominal expenses of a spouse or companion will be reimbursed. Nominal expenses are defined as tickets to a dinner or reception.</p>

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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
	Only nominal expenses of a spouse or companion will be reimbursed. Nominal expenses are defined as tickets to a dinner or reception.		
Attendance at Functions / Conferences (Cont'd)	Expenses will be reimbursed in accordance with the City's Policy for Business Travel, Seminars and Conferences.	Where the elected official is representing the City as a member of a board (excluding local boards such as Police Board), expenses incurred to attend functions and / or conferences related to this membership, as follows: <ul style="list-style-type: none"> • FCM (2 members of Council) • AMO (2 members of Council) • Other (International Children's Games). 	All other expenses incurred to attend functions and / or conferences. Expenses will be reimbursed in accordance with the City's Policy for Business Travel, Seminars and Conferences.
Memberships	N/A	The cost of memberships for Council as a whole (i.e., Federation of Canadian Municipalities, Association of	N/A

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		Municipalities of Ontario, etc.).	
DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
Meeting Expenses	Expenses for meetings involving staff in the Office of the Mayor.	<p>Expenses for meetings of Council as a whole. The receptionist (for the Councillors' offices) will be responsible for arranging for any refreshments for these meetings and administering this budget allocation.</p> <p>Expenses for meetings of committees established by Council. The receptionist (for the Councillors' offices) will be responsible for arranging for any refreshments for these meetings and administering this budget allocation.</p> <p>The Office of the City Clerk will be responsible for set up requirements for meetings of Council</p>	Expenses for community meetings. These expenses can include meeting room rentals (if applicable), refreshments, preparation and distribution of meeting notices, etc.

**Policy and Guidelines for Eligible Expenses for Elected Officials:
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		and Committee meetings.	
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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
		Expenses for use of City Hall by community groups. Staff in the Facilities Section of the Public Works Department will be responsible for arranging for any refreshments and set up requirements for these functions and administering this budget allocation.	
Hosting of Conferences with Municipal Subject Content	N/A	Expenses representing contributions to events hosted by organizations with a municipal affiliation as approved by Council.	N/A

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DESCRIPTION	BUDGET FOR THE OFFICE OF THE MAYOR	LEGISLATIVE BUDGET	WARD OFFICE BUDGET
Internal Charge-backs or Cost allocations	Expenses related to services provided in-house, such as printing and photocopying and the purchase of items through the City's PeopleSoft financial system will be charged to the account number in the budget for the Office of the Mayor provided with the requisition, if required, and no additional reporting is required.	Costs of liability insurance for general public liability, errors and omissions liability, comprehensive crime and conflict of interest for elected officials	Expenses related to services provided in-house, such as printing, photocopying, office space outside of City Hall (71 Main Street West) and the purchase of items through the City's PeopleSoft financial system will be charged to the account number in the individual Councillor's ward office budget provided with the requisition, if required, and no additional reporting is required.

Note 1: Office related furniture, fixtures, and equipment (FFE) including electronics purchased or reimbursed from the City Budget must remain the property of the City. An inventory of office related FFE must be maintained and tracked by the Administrative Assistant. At the end of every Council term, the completed list must be submitted to the Office of the City Clerk.

Note 2: Contracts including offers of employment can only be signed by the Mayor and Elected Officials once they are sworn in.



EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 21-009

1:30 p.m.

Thursday, September 9, 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 21-009 AND RESPECTFULLY RECOMMENDS:

1. Automatic Mechanical Cardio Pulmonary Resuscitation (CPR) Devices (HSC21028) (City Wide) (Item 7.1)

- (a) That Council approve the standardization of the ZOLL AutoPulse® Compression devices, components and accessories manufactured by ZOLL Canada Inc., pursuant to Procurement Policy #14 – Standardization, until December 31, 2030 and that the Chief, Hamilton Paramedic Service, be authorized to negotiate, enter into and execute any required Contract and any ancillary documents required to give effect thereto with an authorized distributor in a form satisfactory to the City Solicitor; and,
- (b) That a sum not to exceed \$500,000 be authorized to be charged to the approved 2021 Capital Funding Project ID 7642151102 to fund the initial acquisition of the ZOLL AutoPulse® system devices, components and accessories, with all subsequent costs to be charged to the Hamilton Paramedic Service Operating Budget.

2. Single-Source Paramedic Service Linen Supply (HSC21029) (City Wide) (Item 7.2)

- (a) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, with Mohawk

Medbuy Corporation for the supply, cleaning and replacement of linen blankets for the Hamilton Paramedic Service for a five-year period ending December 31, 2026; and,

- (b) That the Chief, Hamilton Paramedic Service, Healthy and Safe Communities Department or designate be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with Mohawk Medbuy Corporation, in a form satisfactory to the City Solicitor.

3. Purchase of New Stair Chair Conveyance Equipment (HSC21030) (City Wide) (Item 7.3)

- (a) That Council approve the standardization of Stryker Conveyance equipment including the Stryker Stair Pro manufactured by Stryker pursuant to Procurement Policy #14 – Standardization, until December 31, 2030 (expected service life of the equipment); and,
- (b) That staff be directed to issue a competitive procurement process as outlined in the procurement By-Law No. 20-205 to obtain stated equipment.

4. Harmonizing Eligibility Requirements for Subsidy Programs (HSC21026) (City Wide) (Item 8.1)

- (a) That the financial eligibility criteria be harmonized for the following Hamilton low-income programs:
 - (i) Affordable Transit Pass;
 - (ii) Housing Stability Benefits;
 - (iii) Recreation Assistance Program;
 - (iv) Snow Angels; and,
 - (v) Special Supports;
- (b) That the income threshold used by the programs listed in recommendation (a) to make financial eligibility decisions be the Statistics Canada Low Income Measure (LIM);
- (c) That any 2021 cost impact due to changing the financial eligibility criteria to LIM be absorbed first within the Division surplus, and if necessary, any department overall surplus; and,
- (d) That the additional cost required to provide this service in 2022, estimated at \$98K be included in the 2022 Tax Operating Budget for Council deliberation and approval through the 2022 Budget process.

5. Service Manager Consents for CityHousing Hamilton's Development Reset (HSC20055(a)) (Wards 2 and 4) (Outstanding Business List Item) (Item 10.1)

- (a) That \$246,244 be added to Housing Services' budget in 2024 from the levy or when occupancy occurs, to provide Rent-Geared-to-Income subsidy to all 45 units at CityHousing Hamilton's project at 104-106 Bay St. N.;
- (b) That in the Housing Services Division's 2024 budget or when occupancy occurs, \$103,560 in operating subsidy be transferred from 40 scattered units that CityHousing Hamilton has sold to its project at 55 Queenston Rd.;
- (c) That \$112,697 be added to the Housing Services Division's 2024 budget from the levy or when occupancy occurs to provide subsidy at Rent-Geared-to-Income levels for rent in 40 units at 55 Queenston Rd.;
- (d) That beginning in 2025, the Rent-Geared-to-Income subsidy be increased annually by the amount of the provincial rent increase guideline; and
- (e) That recommendations (a) to (d) of Report HSC20055(a) be approved and be contingent upon confirmation that CityHousing Hamilton has secured financing to complete construction of 104-106 Bay St. N. and 55 Queenston Rd.

6. Replacement for the Ontario Works Scheduler (HSC21022) (City Wide) (Item 10.2)

- (a) That the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, with Clark Marketing Communications for the replacement of the Ontario Works Scheduler, be approved and funded as follows:
 - (i) That the estimated one-time cost of \$21,000 be funded from Tax Stabilization Reserve (110046) generated from the Ontario Works forecasted 2021 Net Levy savings;
 - (ii) That the Ontario Works Scheduler maintenance cost estimate of \$38,600 annually, (\$19,300 Net Levy, \$19,300 Provincial funding), be approved by Council and added to the Ontario works 2022 base budget; and,
- (b) That the General Manager, Healthy and Safe Communities Department be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with Clark Marketing Communications, in a form satisfactory to the City Solicitor.

7. Municipal Affairs and Housing Social Services Relief Fund Phase 4 and Canada-Ontario Community Housing Initiative (HSC20036(b)) (City Wide) (Added Item 10.3)

That the General Manager of the Healthy and Safe Communities Department, or their designate, be authorized and directed to enter into and execute an Agreement with the Ministry of Municipal Affairs and Housing (MMAH) to administer the additional Social Services Relief Fund Phase 4 (SSRF4) allocation to a maximum amount of \$13,823,000 and Canada-Ontario Community Housing Initiative (COCHI) allocation to a maximum amount of \$1,028,000 and any agreements with Community Services Provider(s), as well as any ancillary agreements, contracts, extensions and documents required to give effect thereto in a form satisfactory to the City Solicitor.

8. Encampment Response Update (PED21188/HSC20038(c)) (City Wide) (Added Item 10.4)

That Report PED21188/HSC20038(c) respecting an Encampment Response Update, be received.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

6. DELEGATION REQUESTS

6.1. Linda Maloney, respecting the statue of Sir John A. Macdonald

WITHDRAWN

10. DISCUSSION ITEMS

10.3. Municipal Affairs and Housing Social Services Relief Fund Phase 4 and Canada-Ontario Community Housing Initiative (HSC20036(b)) (City Wide)

10.4. Encampment Response Update (PED21188/HSC20038(c)) (City Wide) (Added Item 10.4)

12. NOTICES OF MOTION

12.1. Youth Violent Crimes

The agenda for the September 9, 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) July 8, 2021 (Item 4.1)

The Minutes of the July 8, 2021 meeting of the Emergency and Community Services Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

(i) Correspondence from Robin McKee, Sir John A. Macdonald Society, respecting a petition not to remove the statue of Sir John A. Macdonald from Gore Park (Item 5.1)

The correspondence from Robin McKee, Sir John A. Macdonald Society, respecting a petition not to remove the statue of Sir John A. Macdonald from Gore Park, was received.

(e) DELEGATION REQUESTS (Item 6)

The following Delegation Requests were approved:

- (i) Tom Cooper, Hamilton Roundtable for Poverty Reduction, respecting recent community forums related to extreme heat in Hamilton (for a future meeting) (Item 6.2)
- (ii) Stephane Cox and Sharon Crowe, Hamilton Community Legal Clinic, regarding revocation of the Encampment Protocol (for today's meeting) (Item 6.3)
- (iii) Dr. Jill Wiwcharuk, Hamilton Social Medicine Response Team, regarding encampments (for today's meeting) (Item 6.4)
- (iv) Marcie McIleen, Keeping Six, respecting encampments (for today's meeting) (Item 6.5)

(f) STAFF PRESENTATIONS (Item 8)

(i) Harmonizing Eligibility Requirements for Subsidy Programs (HSC21026) (City Wide)

The presentation from Erica Brimley, Manager Human Services, Ontario Works Division, respecting Harmonizing Eligibility Requirements for Subsidy Programs was received.

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

(g) DISCUSSION ITEM (Item 10)

**(i) Encampment Response Update (PED21188/HSC20038(c)) (City Wide)
(Added Item 10.4)**

- (a)** Staff were requested to provide a comprehensive snapshot of housing and homelessness in Hamilton on a quarterly basis, outlining all programs that have been utilized and the different resources that are available in collaboration with partners in the community and the shelter health network.
- (b)** Staff were be directed to develop an evaluation framework for the encampment response plan.

(h) PUBLIC HEARINGS / DELEGATIONS (Item 9)

**(i) Stephane Cox and Sharon Crowe, Hamilton Community Legal Clinic
(Item 9.1)**

Stephane Cox and Sharon Crowe, Hamilton Community Legal Clinic addressed the Committee regarding revocation of the Encampment Protocol,

**(ii) Dr. Jill Wiwcharuk, Hamilton Social Medicine Response Team (Item
9.2)**

Dr. Jill Wiwcharuk, Hamilton Social Medicine Response Team addressed the Committee regarding encampments.

(iii) Marcie McIleen, Keeping Six (Item 9.3)

Marcie McIleen, Keeping Six addressed the Committee respecting encampments.

The following Delegations were received, and referred to the consideration of Item 10.4, Encampment Response Update (PED21188/HSC20038(c)):

- (i) Stephane Cox and Sharon Crowe, Hamilton Community Legal Clinic (Item 9.1)
- (ii) Dr. Jill Wiwcharuk, Hamilton Social Medicine Response Team (Item 9.2)
- (iii) Marcie McIleen, Keeping Six (Item 9.3)

For disposition of this matter, please refer to Items 8 and (g)(i).

(i) **NOTICES OF MOTION (Item 12)**

Youth Violent Crimes (Added Item 12.1)

Councillor Clark introduced the following Notice of Motion:

WHEREAS, the City of Hamilton is experiencing several incidents of gun violence across the City;

WHEREAS, it has been reported in the Hamilton Police Services 2020 Youth Services Annual Report that there has been a decrease in youth violent crimes compared to 2019, it is recognized that this is still a serious issue in the City of Hamilton;

WHEREAS, Hamilton Police have indicated that the vast majority of youth violent crimes are targeted; and,

WHEREAS, residents have expressed concern about the risk of injury to innocent bystanders;

THEREFORE, BE IT RESOLVED:

- (a) That staff from Healthy and Safe Communities Department be directed to review projects like Operation Ceasefire and other holistic community responses, that were designed to deter youth from joining gangs and holding guns;
- (b) That staff be directed to engage youth to inform the process and partner together to address the issues that are driving our youth to guns and gangs;
- (c) That staff invite the Ontario Solicitor General, Hamilton Police, youth workers, clergy, criminal justice practitioners, and other experts to identify solutions to create a city-wide action plan response to guns and gangs in our community;
- (d) That staff be directed to include a city-wide action plan response to guns and gangs in our community through Hamilton's Youth Strategy;
- (e) That staff be directed to share any data specific to guns, gangs and violence through our 2021 re-engagement for the Youth Strategy; and,
- (f) That the city-wide action plan response to guns and gangs in our community be created in collaboration with and incorporated into Hamilton's Community Safety and Well-Being Plan under the priority of violence.

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

(i) Amendments to the Outstanding Business List (Item 13.1)

The following amendment to the Emergency and Community Services Outstanding Business List was approved:

(a) Items Considered Complete and to be Removed

1. Service Manager Consents for CityHousing Hamilton's Development Reset

Item on OBL: 20-I
Addressed as Item 10.1 on today's agenda

(k) ADJOURNMENT (Item 15)

There being no further business, the Emergency and Community Services Committee be adjourned at 5:20 p.m.

Respectfully submitted,

Councillor N. Nann
Chair, Emergency and Community Services
Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



PUBLIC WORKS COMMITTEE REPORT 21-012

1:30 p.m.

Friday, September 10, 2021

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors A. VanderBeek (Chair), 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
Councillors N. Nann (Vice-Chair) and C. Collins – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

1. 2020 Annual Energy Report (PW21049) (City Wide) (Item 7.1)

That Report PW21049, respecting the 2020 Annual Energy Report, be received.

2. Intersection Control List (PW21001(d)) (City Wide) (Item 7.2)

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
Section "A" Ancaster						
(a)	Sawmill Road	Carluk Road West	NB	EB	C	Addition of yield control on slip off
(b)	Briar Hill Crescent (north intersection)	Broad Leaf Crescent	WB	WB	A	Housekeeping – replacing Yield with Stop
(c)	Stonegate	Briar Hill	SB	SB	A	Housekeepi

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
	Drive	Crescent			ng – replacing Yield with Stop	
(d)	Deervalle y Road	Green Ravine Drive	WB	WB	A Housekeepi ng – replacing Yield with Stop	12
(e)	Briar Hill Crescent (south intersection)	Broad Leaf Crescent	NB/SB	NB/SB	A Housekeepi ng – replacing Yield with Stop	12
(f)	Cottonwo od Court	Highvalley Road	SB	SB	A Housekeepi ng – replacing Yield with Stop	12
(g)	Longfield Crescent	Broad Leaf Crescent	NB	NB	A Housekeepi ng – replacing Yield with Stop	12
(h)	Marigold Court	Longfield Crescent	WB	WB	A Housekeepi ng – replacing Yield with Stop	12
(i)	Briar Hill Crescent	Longfield Crescent	SB	SB	A Housekeepi ng – replacing Yield with Stop	12
(j)	Bailey Ave	Haig Road	EB	NB	A Housekeepi ng – replacing Yield with Stop	12
(k)	Haig Road	Massey Drive	WB	WB	A Housekeepi ng – replacing Yield with Stop	12

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(l)	Alexander Road	Massey Drive	WB	WB	A	Housekeeping – replacing Yield with Stop	12
(m)	Mewburn Road	Alexander Road	NB	NB	A	Housekeeping – replacing Yield with Stop	12
(n)	Hatton Drive	Enmore Avenue	NC	NB	A	Missing stop control	12
Section “B” Dundas							
(o)	Knollwood Court	Ridgewood Boulevard	NC	NB	A	Housekeeping – no stop control	13
(p)	Zeldin Place	Ridgewood Boulevard	NC	SB	A	Housekeeping – no stop control	13
(q)	Elizabeth Court	Highland Park Drive	NC	SB	A	Housekeeping – no stop control	13
(r)	Ivy Court	Ann Street	NC	SB	A	Housekeeping – no stop control	13
(s)	Queen Street	Victoria Street	NC	SB	A	Housekeeping – no stop control	13
(t)	Vilma Avenue	Shirley Street	NC	EB	A	Housekeeping – no stop control	13
(u)	Vilma Avenue	David Street	NC	WB	A	Housekeeping – no stop control	13
(v)	Rita Street	Vilma Avenue	NC	SB	A	Housekeeping – no stop control	13
(w)	Rita Street	Bertram Drive	NC	NB	A	Housekeeping – no stop control	13
(x)	Shirley Street	Bertram Drive	NC	NB	A	Housekeeping – no stop control	13

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(y)	Bertram Drive	David Street	NC	WB	A	Housekeeping – no stop control	13
(z)	Barrie Street	Bertram Drive	NC	NB	A	Housekeeping – no stop control	13
(aa)	Adelaide Avenue	Desjardin Avenue	NC	WB	A	Housekeeping – no stop control	13
(ab)	Normandy Place	Bertram Drive	NC	SB	A	Housekeeping – no stop control	13
(ac)	Hilltop Place	Edenbridge Court	NC	EB	A	Housekeeping – no stop control	13
(ad)	Glen Court	Pleasant Avenue	NC	SB	A	Housekeeping – no stop control	13
(ae)	Valleyview Court	Pleasant Avenue	NC	SB	A	Housekeeping – no stop control	13
(af)	Applewood Court	Pleasant Avenue	NC	SB	A	Housekeeping – no stop control	13
(ag)	Monarch Court	Kings Gate	NC	EB	A	Housekeeping – no stop control	13
(ah)	Rhodes Court	Turnbull Road	NC	NB	A	Housekeeping – no stop control	13
(ai)	Whitfield Court	Turnbull Road	NC	SB	A	Housekeeping – no stop control	13
(aj)	Four Winds Place	Autumn Leaf Road	NC	SB	A	Housekeeping – no stop control	13
(ak)	Crystal Court	Autumn Leaf Road	NC	SB	A	Housekeeping – no stop control	13
(al)	Moonglow Place	Sunrise Crescent	NC	WB	A	Housekeeping – no stop control	13
(am)	Maid Marion	Sherwood Rise	NC	NB	A	Housekeeping – no	13

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
	Street				stop control		
(an)	Maid Marion Street	Robinhood Drive	NC	SB	A	Housekeeping – no stop control	13
(ao)	Ancaster Street East	East Street South	NC	EB	A	Housekeeping – no stop control	13
(ap)	Soble Place	Golfview Crescent	NC	SB	A	Housekeeping – no stop control	13
(aq)	Linda Court	Marion Crescent	NC	SB	A	Housekeeping – no stop control	13
(ar)	Janis Court	Marion Crescent	NC	SB	A	Housekeeping – no stop control	13
(as)	Yorkview Place	Cammay Avenue	NC	SB	A	Housekeeping – no stop control	13
Section “C” Flamborough							
(at)	Agro Street	Skinner Road	NC	NB	B	Plan of New Subdivision	15
(au)	Mountain Heights Place	Agro Street	NC	WB	A	Plan of New Subdivision	15
(av)	Great Falls Boulevard	Agro Street	NC	WB	B	Plan of New Subdivision	15
(aw)	Great Falls Boulevard	Skinner Road	NC	NB	C	Plan of New Subdivision	15
(ax)	McDonough Gardens	Agro Street	NC	EB	A	Plan of New Subdivision	15
(ay)	Westfield Crescent (north intersection)	Agro Street	NC	WB	A	Plan of New Subdivision	15
(az)	Westfield Crescent (south intersection)	Agro Street	NC	WB	A	Plan of New Subdivision	15

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
	n)					
(ba)	Avanti Crescent	Agro Street	NC	EB	A	Plan of New Subdivision 15
(bb)	Kenesky Drive	Agro Street	NC	WB	A	Plan of New Subdivision 15
(bc)	Kenesky Drive	Burke Street	NC	EB/WB	A	Plan of New Subdivision 15
(bd)	Kenesky Drive	Ebenezer Drive	NC	EB	A	Plan of New Subdivision 15
(be)	Granite Ridge Trail	Kenesky Drive	NC	NB	A	Plan of New Subdivision 15
(bf)	Granite Ridge Trail	Ebenezer Drive	NC	EB/WB	A	Plan of New Subdivision 15
(bg)	Granite Ridge Trail	Great Falls Boulevard	NC	NB/SB	A	Plan of New Subdivision 15
(bh)	Ebenezer Drive	Great Falls Boulevard	NC	SB	A	Plan of New Subdivision 15
(bi)	Ebenezer Drive	Skinner Road	NC	NB	B	Plan of New Subdivision 15
(bj)	Sealey Avenue	Granite Ridge Trail	NC	NB	A	Plan of New Subdivision 15
(bk)	Sealey Avenue	Great Falls Boulevard	NC	NB/SB	B	Plan of New Subdivision 15
(bl)	Sealey Avenue	Elstone Place	NC	SB	A	Plan of New Subdivision 15
(bm)	Frontier Trail	Great Falls Boulevard	NC	NB	B	Plan of New Subdivision 15
(bn)	Edworthy Gardens	Great Falls Boulevard	NC	NB	B	Plan of New Subdivision 15

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(bo)	Edworthy Gardens	Elstone Place	NC	SB	A	Plan of New Subdivision	15
(bp)	Elstone Place	Frontier Trail	NC	WB	A	Plan of New Subdivision	15
(bq)	Zimmerman Gardens	Great Falls Boulevard	NC	NB	B	Plan of New Subdivision	15
(br)	Zimmerman Gardens	Elstone Place	NC	SB	A	Plan of New Subdivision	15
(bs)	Trailbank Gardens	Skinner Road	NC	NB	B	Plan of New Subdivision	15
(bt)	Trailbank Gardens	Great Falls Boulevard	NC	SB	B	Plan of New Subdivision	15
(bu)	Hager Creek Terrace	Trailbank Gardens	NC	WB	A	Plan of New Subdivision	15
(bv)	Hager Creek Terrace	Great Falls Boulevard	NC	EB	B	Plan of New Subdivision	15
(bw)	Silver Meadow Gardens	Trailbank Gardens	NC	WB	A	Plan of New Subdivision	15
(bx)	Silver Meadow Gardens	Hager Creek Terrace	NC	NB	A	Plan of New Subdivision	15
(by)	Cattail Crescent (west intersection)	Great Falls Boulevard	NC	NB	B	Plan of New Subdivision	15
(bz)	Cattail Crescent (east intersection)	Great Falls Boulevard	NC	NB	B	Plan of New Subdivision	15
(ca)	Valley Trail Place	Mallard Trail	NC	WB	A	Plan of New Subdivision	15
(cb)	Humphrey	Mallard Trail	NC	WB	A	Plan of	15

Intersection		Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested			
	Street				New Subdivision	
(cc)	Humphrey Street	Skinner Road	NC	SB	B	Plan of New Subdivision 15
(cd)	Grierson Trail	Humphrey Street	NC	NB	A	Plan of New Subdivision 15
(ce)	Grierson Trail	Skinner Road	NC	SB	B	Plan of New Subdivision 15
(cf)	Holcomb Terrace	Humphrey Street	NC	WB	A	Plan of New Subdivision 15
(cg)	Holcomb Terrace	Skinner Road	NC	SB	B	Plan of New Subdivision 15
(ch)	Pond View Gate	Skinner Road	NC	NB	B	Plan of New Subdivision 15
(ci)	Pond View Gate	Smokey Hollow Place	NC	WB	A	Plan of New Subdivision 15
(cj)	Smokey Hollow Place	Pond View Gate	NC	EB	A	Plan of New Subdivision 15
(ck)	Gardenbrook Trail	Pond View Gate	NC	WB	A	Plan of New Subdivision 15
(cl)	Gardenbrook Trail	Skinner Road	NC	NB	B	Plan of New Subdivision 15
Section "E" Hamilton						
(cm)	Aylett Street	Mapes Avenue	NC	NB	A	Housekeeping – no stop control 1
(cn)	Bartlett Avenue	Allison Crescent	NC	NB	A	Housekeeping – no stop control 8
(co)	Angelina Place	Regent Avenue	NC	NB	A	Housekeeping – no stop control 14
(cp)	Ottaviano Drive	McIntosh Avenue	NC	EB	A	Housekeeping – no 14

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					stop control		
(cq)	Vista Court	Horizon Crescent	NC	EB	A	Housekeeping – no stop control	14
(cr)	Harvard Place	Falkirk Drive	NC	EB	A	Housekeeping – no stop control	14
(cs)	Bordeaux Court	Republic Avenue	NC	EB	A	Housekeeping – no stop control	7
(ct)	Montebello Court	Bastille Street	NC	NB	A	Housekeeping – no stop control	7
(cu)	Anita Court	Acadia Drive	NC	EB	A	Housekeeping – no stop control	7
(cv)	Osgoode Court	Presidio Drive	SB	SB	A	Housekeeping – replacing Yield with Stop	6
(cw)	Nina Court	Ironwood Crescent	NC	SB	A	Housekeeping – no stop control	6
(cx)	Villa Court	Anna Capri Drive	NC	NB	A	Housekeeping – no stop control	6
(cy)	Tuna Court	Tunbridge Crescent	NC	EB	A	Housekeeping – no stop control	6
(cz)	Elodia Court	Susan Drive	NC	NB	A	Housekeeping – no stop control	14
(da)	Glebe Court	Gillard Street	NC	EB	A	Housekeeping – no stop control	14
(db)	Gillard Street	Gardiner Drive	NC	SB	A	Housekeeping – no stop control	14
(dc)	Elsa Court	Greendale Drive	NC	NB	A	Housekeeping – no stop control	14
(dd)	Piper Place	Fiona Crescent	NC	NB	A	Housekeeping – no	8

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					stop control		
(de)	Fontana Court	Springvalley Crescent	NC	EB	A	Housekeeping – no stop control	8
(df)	Saint Anthony Place	Springvalley Crescent	NC	NB	A	Housekeeping – no stop control	8
(dg)	Eric Burke Court	Theodore Drive	NC	WB	A	Housekeeping – no stop control	8
(dh)	Northstar Court	Milky Way Drive	NC	SB	A	Housekeeping – no stop control	6
(di)	Morningstar Court	Milky Way Drive	NC	SB	A	Housekeeping – no stop control	6
(dj)	Hugo Court	Darlington Drive	NC	SB	A	Housekeeping – no stop control	14
(dk)	Valery Court	Bonaventure Drive	NC	EB	A	Housekeeping – no stop control	14
(dl)	Waldorf Court	Parkwood Crescent	NC	SB	A	Housekeeping – no stop control	7
(dm)	Fontainebleau Court	Parkwood Crescent	NC	SB	A	Housekeeping – no stop control	7
(dn)	Bogart Court	Billington Crescent	NC	EB	A	Housekeeping – no stop control	6
(do)	Boon Court	Billington Crescent	NC	EB	A	Housekeeping – no stop control	6
(dp)	Rapallo Drive	Anson Avenue	NC	SB	A	Housekeeping – no stop control	6
(dq)	Rapallo Drive	Gatineau Drive	NC	NB	A	Housekeeping – no stop control	6
(dr)	Weston Court	Anson Avenue	NC	SB	A	Housekeeping – no stop control	6

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(ds)	Lamb Court	Larch Street	NC	NB	A	Housekeeping – no stop control	6
(dt)	Mansion Court	Locheed Drive	NC	SB	A	Housekeeping – no stop control	6
(du)	Ranko Court	Artistic Boulevard	NC	EB	A	Housekeeping – no stop control	6
(dv)	Bosna Court	Summerlea Drive	NC	SB	A	Housekeeping – no stop control	6
(dw)	Bethany Court	Balfour Drive	NC	WB	A	Housekeeping – no stop control	14
(dx)	Gleneagles Drive	Auchmar Road	NC	NB	A	Housekeeping – no stop control	8
(dy)	Gleneagles Drive	Braemar Place	NC	SB	A	Housekeeping – no stop control	8
(dz)	Andrew Court	Hoover Crescent	NC	WB	A	Housekeeping – no stop control	8
(ea)	Wingate Place	Warren Avenue	NC	WB	A	Housekeeping – no stop control	8
(eb)	Camille Court	Grenadier Drive	NC	WB	A	Housekeeping – no stop control	6
(ec)	Marvin Court	Grenadier Drive	NC	WB	A	Housekeeping – no stop control	6
(ed)	Barnett Court	Grenadier Drive	NC	WB	A	Housekeeping – no stop control	6
(ef)	Symon Place	Hardale Crescent	NC	EB	A	Housekeeping – no stop control	6
(eg)	Ferrara Street	Wise Crescent	NC	SB	A	Housekeeping – no stop control	6
(eh)	Elva Court	King's Forest Drive	NC	EB	A	Housekeeping – no	6

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					stop control		
(ei)	Sandra Court	King's Forest Drive	NC	EB	A	Housekeeping – no stop control	6
(ej)	Tilbury Court	King's Forest Drive	NC	EB	A	Housekeeping – no stop control	6
(ek)	Filer Court	King's Forest Drive	NC	EB	A	Housekeeping – no stop control	6
(el)	Cecilia Court	King's Forest Drive	NC	EB	A	Housekeeping – no stop control	6
(em)	Burns Place	East 38 th Street	NC	EB	A	Housekeeping – no stop control	7
(en)	Patricia Place	East 38 th Street	NC	EB	A	Housekeeping – no stop control	7
(eo)	Donlea Drive	Valecrest Avenue	NC	SB	A	Housekeeping – no stop control	6
(ep)	Valecrest Avenue	Elmhurst Drive	NC	EB	A	Housekeeping – no stop control	6
(eq)	Henry Street	New Street	NC	WB	A	Housekeeping – no stop control	1
(er)	Edison Street	New Street	NC	WB	A	Housekeeping – no stop control	1
(es)	Roseland Avenue	Blake Street	NC	WB	A	Housekeeping – no stop control	3
(et)	Troy Avenue	Tate Avenue	NC	WB	A	Housekeeping – no stop control	4
(eu)	Troy Avenue	Dunn Avenue	NC	EB	A	Housekeeping – no stop control	4
(ev)	Admiral Place	MacLaren Avenue	NC	WB	A	Housekeeping – no stop control	4

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(ew)	Keats Road	Gainsborough Road	NC	NB	A	Housekeeping – no stop control	5
(ex)	Keats Road	Old Orchard Drive	NC	SB	A	Housekeeping – no stop control	5
(ey)	Kelvin Court	Old Orchard Drive	NC	NB	A	Housekeeping – no stop control	5
(ez)	Scott Street	Gainsborough Road	NC	NB	A	Housekeeping – no stop control	5
(fa)	Blueberry Drive	Strawberry Drive	NC	EB	A	Housekeeping – no stop control	5
(fb)	Fairholme Court	Highridge Avenue	NC	NB	A	Housekeeping – no stop control	5
(fc)	Talia Court	Janet Court	NC	NB	A	Housekeeping – no stop control	5
(fd)	Duchess Court	Oakland Drive	NC	WB	A	Housekeeping – no stop control	5
(fe)	Kings Court	Oakland Drive	NC	WB	A	Housekeeping – no stop control	5
(ff)	Queens Court	Oakland Drive	NC	WB	A	Housekeeping – no stop control	5
(fg)	Lady Court	Kenora Avenue	NC	EB	A	Housekeeping – no stop control	5
(fh)	Lord Court	Kenora Avenue	NC	EB	A	Housekeeping – no stop control	5
(fi)	Hart Place	Crawford Drive	NC	EB	A	Housekeeping – no stop control	5
(fj)	Redwood Court	Woodman Drive North	NC	EB	A	Housekeeping – no stop control	5
(fk)	Sandlyn Court	Nugent Drive	NC	EB	A	Housekeeping – no	5

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					stop control		
(fl)	Capilano Drive	Country Club Drive	NC	WB	A	Housekeeping – no stop control	5
(fm)	Alto Drive	Country Club Drive	NC	SB	A	Housekeeping – no stop control	5
(fn)	Rio Court	Alto Drive	NC	EB	A	Housekeeping – no stop control	5
(fo)	Renis Court	Sherry Lane Drive	NC	NB	A	Housekeeping – no stop control	5
(fp)	Zell Court	Sherry Lane Drive	NC	NB	A	Housekeeping – no stop control	5
(fq)	Sherry Lane Drive	Hildegard Drive	NC	EB	A	Housekeeping – no stop control	5
(fr)	Venus Court	Hildegard Drive	NC	WB	A	Housekeeping – no stop control	5
(fs)	Monte Court	Monte Drive	NC	EB	A	Housekeeping – no stop control	5
(ft)	Tracey Place	Blanche Court	NC	EB	A	Housekeeping – no stop control	5
(fu)	Burbank Place	Carene Avenue	NC	NB	A	Housekeeping – no stop control	5
(fv)	Bryant Court	Robroy Avenue	NC	SB	A	Housekeeping – no stop control	5
(fw)	Laura Court	Woodman Drive South	NC	EB	A	Housekeeping – no stop control	5
(fx)	Colonial Court	Rainbow Drive	NC	NB	A	Housekeeping – no stop control	5
(fy)	Isaac Court	Rainbow Drive	NC	NB	A	Housekeeping – no stop control	5

Intersection			Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested				
(fz)	Birkdale Place	Montmorency Drive	NC	EB	A	Housekeeping – no stop control	5
(ga)	Marantha Place	Montmorency Drive	NC	SB	A	Housekeeping – no stop control	5
(gb)	Renner Court	Brookstream Court	NC	NB	A	Housekeeping – no stop control	5
(gc)	Forest Hill Crescent	Glen Vista Drive	NC	EB	A	Housekeeping – no stop control	5
(gd)	Peace Court	Forest Hill Crescent	NC	WB	A	Housekeeping – no stop control	5
(ge)	Glen Castle Drive	Forest Hill Crescent	NC	NB	A	Housekeeping – no stop control	5
(gf)	Glenmurray Court	Glen Castle Drive	NC	WB	A	Housekeeping – no stop control	5
(gg)	Glencannon Drive	Glen Castle Drive	NC	WB	A	Housekeeping – no stop control	5
(gh)	Glendora Court	Glen Forest Drive	NC	EB	A	Housekeeping – no stop control	5
(gi)	Palmerston Place	St. Andrews Drive	NC	NB	A	Housekeeping – no stop control	5
(gj)	Sunbrite Court	Glen Park Court	NC	EB	A	Housekeeping – no stop control	5
(gk)	Jennifer Court	St. Andrews Drive	NC	WB	A	Housekeeping – no stop control	5
(gl)	Chardonnay Street	Webster Road	NC	SB	A	Housekeeping – no stop control	5
(gm)	Cherryridge Close	Cherryridge Close	NC	NB	A	Housekeeping – no stop control	5
(gn)	Calvert Avenue	Garland Place	NC	WB	A	Housekeeping – no	5

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					stop control		
(go)	Cavalier Court	Nugent Drive	NC	SB	A	Housekeeping – no stop control	5
(gp)	Hounslow Court	Kentley Drive	NC	SB	A	Housekeeping – no stop control	5
(gq)	Ilford Court	Kentley Drive	NC	SB	A	Housekeeping – no stop control	5
(gr)	Jason Court	Prins Avenue	NC	EB	A	Housekeeping – no stop control	5
(gs)	Dorset Place	Edgevale Road	NC	NB	A	Housekeeping – no stop control	1
(gt)	Dungannon Place	Monteagle Court	NC	NB	A	Housekeeping – no stop control	14
(gu)	Windstar Place	Gilcrest Street	NC	WB	A	Housekeeping – no stop control	14
(gv)	Argon Court	Glenhaven Drive	NC	WB	A	Housekeeping – no stop control	14
(gw)	Lantana Court	Cranbrook Drive	NC	SB	A	Housekeeping – no stop control	14
(gx)	Sonesto Court	Trevi Road	NC	NB	A	Housekeeping – no stop control	14
(gy)	Mirella Court	Christopher Drive	NC	WB	A	Housekeeping – no stop control	8
(gz)	Seagram Place	Nova Drive	NC	SB	A	Housekeeping – no stop control	6
(ha)	Lambert Street	Lesterwood Street	NC	SB	A	Housekeeping – no stop control	7
(hb)	Lambert Street	Bellingham Drive	NC	NB	A	Housekeeping – no stop control	7

Intersection			Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested				
(hc)	Lisa Court	Lawnhurst Drive	NC	EB	A	Housekeeping – no stop control	7
(hd)	Irving Place	Mulock Avenue	NC	SB	A	Housekeeping – no stop control	6
(he)	Irving Place	Sunning Hill Avenue	NC	NB	A	Housekeeping – no stop control	6
(hf)	Mulock Avenue	Rendell Boulevard	NC	WB	A	Housekeeping – no stop control	6
(hg)	Green Meadow Road	Sunning Hill Avenue	NC	NB	A	Housekeeping – no stop control	6
(hh)	Nancy Street	Sunning Hill Avenue	NC	NB	A	Housekeeping – no stop control	6
(hi)	Quinlan Court	Quaker Crescent	NC	SB	A	Housekeeping – no stop control	6
(hj)	Raleigh Court	Raleigh Street	NC	NB	A	Housekeeping – no stop control	6
(hk)	Galloway Court	Golden Orchard Drive	NC	WB	A	Housekeeping – no stop control	8
(hl)	Granby Court	Golden Orchard Drive	NC	NB	A	Housekeeping – no stop control	8
(hm)	Starling Drive	Bobolink Road	NC	NB	A	New development	7
(hn)	Starling Drive	Hummingbird Lane	NC	WB	A	New development	7
(ho)	Beach Road	Birmingham Street	SB	All	A	Converting to all-way stop – Clr approved	3
(hp)	Bixby Crescent	Bowden Street	NC	WB	A	Missing stop control	8
(hq)	Dalewood Avenue	Arnold Street	EB/WB	All	A	Conversion to AWS,	1

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					Westdale TMP		
(hr)	Longwood Road North	Franklin Avenue	EB/WB	All	B	Conversion to AWS, Westdale TMP	1
(hs)	Longwood Road North	Glen Road	EB/WB	All	B	Conversion to AWS, Westdale TMP	1
(ht)	Paradise Road North	Glen Road	EB/WB	All	A	Conversion to AWS, Westdale TMP	1
(hu)	Rexford Drive	Rosewell Street	NB	All	A	Conversion to AWS, Clr motioned	6
(hv)	Sanders Boulevard	Cottrill Street/Binkley Crescent	NB/SB	All	A	Conversion to AWS, Ainslie Wood TMP	1
(hw)	Sanders Boulevard	Hollywood Street North/Binkley Crescent	NB/SB	All	A	Conversion to AWS, Ainslie Wood TMP	1
(hx)	Eric Burke Court	Theodore Drive	NC	WB	A	Missing stop control	8
(hy)	Wellington Street South	Hunter Street East	EB/WB	All	C	Converting to AWS – Clr supported	2
Section "F" Stoney Creek							
(hz)	Calvert Avenue	Alpine Avenue	NC	EB	A	Housekeeping – no stop control	5
(ia)	Kingswood Drive	Ashwood Court	NC	NB	A	Housekeeping – no stop control	10
(ib)	Vivian Street	Glenview Drive	NC	SB	A	Housekeeping – no stop control	5
(ic)	Burwell Avenue	Canterbury Avenue	NC	EB	A	Housekeeping – no stop control	5

Intersection			Stop Control Direction		Class	Comments / Petition	Ward
Street 1	Street 2	Existing	Requested				
(id)	Canterbury Avenue	Dale Avenue	NC	NB	A	Housekeeping – no stop control	5
(ie)	Wyngate Court	Wyngate Avenue	NC	EB	A	Housekeeping – no stop control	5
(if)	Wyngate Avenue	Alba Street	NC	SB	A	Housekeeping – no stop control	5
(ig)	Battlefield Drive	Alba Street	NC	SB	A	Housekeeping – no stop control	5
(ih)	Lakeside Drive	Jones Road	NC	EB	A	Housekeeping – no stop control	10
(ii)	James Place	James Avenue	NC	NB	A	Housekeeping – no stop control	5
(ij)	Faircourt Place	Faircourt Drive	NC	SB	A	Housekeeping – no stop control	5
(ik)	Ada Court	Ainsworth Street	WB	WB	A	Housekeeping – replacing Yield with Stop	9
(il)	Lyngate Court	Gerald Crescent	NB	NB	A	Housekeeping – replacing Yield with Stop	9
(im)	Dolman Street	Isidore Place	NB	NB	A	Housekeeping – replacing Yield with Stop	9
(in)	Slinger Crescent	Slinger Avenue	NB	NB	A	Housekeeping – replacing Yield with Stop	9
(io)	Byron Avenue	Aubrey Avenue	EB	EB	A	Housekeeping – replacing	9

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					Yield with Stop		
(ip)	Redwood Court	Teak Street	NC	SB	A	Housekeeping – no stop control	10
(iq)	Vanderwood Court	Teak Street	SB	SB	A	Housekeeping – replacing Yield with Stop	10
(ir)	Lindsay Court	Oakridge Drive	NB	NB	A	Housekeeping – replacing Yield with Stop	10
(is)	Southmeadow Crescent	Pine Drive	SB	SB	A	Housekeeping – replacing Yield with Stop	10
(it)	Southmeadow Court	Maple Drive	SB	SB	A	Housekeeping – replacing Yield with Stop	10
(iu)	Pecan Court	Salina Place	SB	SB	A	Housekeeping – replacing Yield with Stop	10
(iv)	Seville Court	Midway Street	NB	NB	A	Housekeeping – replacing Yield with Stop	10
(iw)	Vega Crescent	Morello Place	EB	EB	A	Housekeeping – replacing Yield with Stop	10
(ix)	Greening Avenue	Juniper Drive	EB	EB	A	Housekeeping – replacing Yield with	10

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
					Stop		
(iy)	Eastbury Drive (east intersection)	Basswood Court	NB	NB	A	Housekeeping – replacing Yield with Stop	10
(iz)	Glenholme Avenue	Bel-Air Avenue	WB	WB	A	Housekeeping – replacing Yield with Stop	10
(ja)	Helena Avenue	Rosepark Avenue	NC	WB	A	Housekeeping – no stop control	10
(jb)	Cherrywood Drive	Piott Court	EB	EB	A	Housekeeping – replacing Yield with Stop	5
(jc)	Berkley Place	Terrace Drive	NB	NB	A	Housekeeping – replacing Yield with Stop	5
(jd)	Gemma Court	Mountain Avenue North	WB	WB	A	Housekeeping – replacing Yield with Stop	5
(je)	First Street North	Galbraith Drive	NB	NB	A	Housekeeping – replacing Yield with Stop	5
(jf)	Galbraith Drive	Avalon Avenue	NB/SB	NB/SB	A	Housekeeping – replacing Yield with Stop	5
(jg)	Brandow Court	Second Street North	WB	WB	A	Housekeeping – replacing Yield with Stop	5

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
(jh)	Grande Avenue	Pleasant Avenue	NB	NB	A	Housekeeping – replacing Yield with Stop	5
(ji)	Grande Avenue	Orlanda Road	SB	SB	A	Housekeeping – replacing Yield with Stop	5
(jj)	Alpine Avenue	Orlanda Road	SB	SB	A	Housekeeping – replacing Yield with Stop	5
(jk)	Bayonne Drive	Picardy Drive	NC	WB	B	New subdivision, Clr approved	9
(jl)	Talence Drive	Picardy Drive	NC	WB	B	New subdivision, Clr approved	9
(jm)	Chaumont Drive	Lormont Boulevard	NC	NB	A	New subdivision, Clr approved	9

Legend

No Control Existing (New Subdivision) - **NC**

Intersection Class: **A** - Local/Local **B** - Local/Collector **C** - Collector/Collector

3. Roxborough Avenue Planters (Ward 4) (Item 11.1)

WHEREAS, the Roxborough Avenue ball hockey rink is an asset to the Crown Point East neighborhood;

WHEREAS, the installation of floral planters to replace the existing knock-down bollards will provide attractive and effective control from vehicles from entering the ball hockey area and illegally parking; and,

WHEREAS, there is currently no funding in the Horticulture Section for the proposed enhancement;

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to purchase and install 12 floral planters at a capital cost of \$7,200 to be funded from the Ward 4 Special Capital Re-Investment Discretionary Fund (3301909400);
- (b) That \$3,300 for the annual planting and maintenance of the planters be added to the Environmental Services Division's 2022 annual base operating budget; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the purchase, installation and maintenance of the planters on Roxborough Avenue with such terms and conditions in a form satisfactory to the City Solicitor.

4. Ward 8 Park Pathway Improvements (Item 11.2)

WHEREAS, Allison Park is located at 51 Piano Drive, Hamilton;

WHEREAS, Bruce Park is located at 145 Brucedale Avenue East, Hamilton;

WHEREAS, Captain Cornelius Park is located at 150 Mountbatten Drive, Hamilton;

WHEREAS, the park pathways offer a valuable active transportation link to pedestrians and bike users in Ward 8 and beyond; and,

WHEREAS, portions of the asphalt pathways at Allison Park, Bruce Park and Captain Cornelius Park, Hamilton have degraded and require repairs;

THEREFORE, BE IT RESOLVED:

- (a) That \$91,000 of funding be allocated from the Ward 8 Special Capital Re-Investment Reserve Fund (#108058), to support the disposal and replacement of portions of asphalt pathways at Allison Park, Bruce Park and Captain Cornelius Park, Hamilton, be approved; and,
- (b) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

5. Upper James Street Floral Planters (Ward 8) (Item 11.3)

WHEREAS, the report Making Upper James More Pedestrian Friendly, (PW20010/PED20077), approved at the June 24, 2020 Council meeting, recommended several pedestrian related improvements to Upper James Street;

WHEREAS, recommendation (b) of PW20010/PED20077 directs staff to install floral planters in sections of Upper James Street, north of Fennel Avenue; and,

WHEREAS, there is currently no funding in the Horticulture Section for the proposed enhancement;

THEREFORE, BE IT RESOLVED:

- (a) That the supply and install of a maximum of 32 floral planters at a capital cost of \$16,000 be funded from the Ward 8 Special Capital Re-Investment Discretionary Fund (#3301909800);
- (b) That \$6,400 for the annual planting and maintenance of the planters be added to the Environmental Services Division's 2022 annual base operating budget; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents for the purchase, installation and maintenance of the floral planters on Upper James Street, 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:

6. DELEGATION REQUESTS

- 6.2 Penny White respecting Parkside Cemetery and Parkside Avenue (Ward 13) (for a future meeting)

The agenda for the September 10, 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) August 11, 2021 (Item 4.1)

The Minutes of the August 11, 2021 meeting of the Public Works Committee were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(a) The following delegation requests were approved for a future meeting:

- (i) Paula Crockett, respecting the Parkside Cemetery Archway Sign (Ward 13) (Item 6.1(a))
- (ii) Arianna Codeluppi, respecting the Parkside Cemetery Archway Sign (Ward 13) (Item 6.1(b))
- (iii) Penny White, respecting Parkside Cemetery and Parkside Avenue (Ward 13) (Added Item 6.2)

(e) 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) Item Considered Complete and Needing to be Removed:

- (i) Corporate Energy and Sustainability Policy
Addressed as Item 7.1 on today's agenda – Report PW21049
Annual reporting requirement added to Energy, Fleet and Facilities Management Division's annual workplan, so the Outstanding Business List Item can be removed.
Item on OBL: ABQ

(b) 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: September 20, 2021
Proposed New Due Date: November 1, 2021
- (ii) Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir
Item on OBL: AAP
Current Due Date: September 20, 2021
Proposed New Due Date: October 18, 2021
- (iii) Automated Speed Enforcement
Item on OBL: AAT
Current Due Date: Q1 2022
Proposed New Due Date: September 20, 2021

- (iv) Correspondence from Jim MacLeod, Vice President, Ancaster Village Heritage Community requesting the creation of a Community Safety Zone (CSZ)
Item on OBL: ABH
Current Due Date: September 20, 2021
Proposed New Due Date: November 1, 2021
- (v) Stormwater Gap Evaluation
Item on OBL: ABM
Current Due Date: September 10, 2021
Proposed New Due Date: October 4, 2021
- (vi) Correspondence from the Town of Fort Erie requesting support for their resolution in support of the Township of The Archipelago respecting Road Management Action on Invasive Phragmites
Item on OBL: ABU
Current Due Date: October 18, 2021
Proposed New Due Date: November 15, 2021
- (vii) Winterizing Public Washrooms
Item on OBL: ABV
Current Due Date: October 4, 2021
Proposed New Due Date: October 18, 2021
- (viii) Gypsy Moth Control Program
Item on OBL: ABX
Current Due Date: October 4, 2021
Proposed New Due Date: October 18, 2021

(f) 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 Session Minutes - August 11, 2021 (Item 14.1)

That the Closed Session Minutes of the August 11, 2021 meeting of the Public Works Committee be approved, as presented, and remain confidential.

(g) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee adjourned at 2:09 p.m.

Respectfully submitted,

Councillor A. VanderBeek
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



**HAMILTON STREET RAILWAY COMPANY
SHAREHOLDER
REPORT 21-001**

10:00 a.m.

Monday, September 13, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.
Stephanie Paparella, Legislative Coordinator 905 546-2424 x3993.

- Present:** Deputy Mayor T. Jackson (Chair)
Councillors M. Wilson, J. Farr, N. Nann, J. P. Danko,
B. Clark, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek, J. Partridge
- Absent:** Councillor T. Whitehead – Leave of Absence
Mayor F. Eisenberger, Councillors C. Collins, S. Merulla, E. Pauls – Personal

**THE HAMILTON STREET RAILWAY COMPANY SHAREHOLDER PRESENTS
REPORT 21-001, AND RESPECTFULLY RECOMMENDS:**

1. Notice Requirement, Approval of Minutes; and, Confirmatory Actions (Item 4.1)

WHEREAS, the City of Hamilton is the sole and beneficial Shareholder of the Corporation;

WHEREAS, the City of Hamilton is authorized to hold shares in the Corporation and to exercise the rights attributed thereto, pursuant to Subsection 11.9(1) of the *City of Hamilton Act*, 1999, S.O. 1999, c.14, Sched. C (“Act”), but the Corporation is not an Offering Corporation within the meaning ascribed to that term in the *Business Corporations Act*, R.S.O. 1990, c. B.16 (“OBCA”);

WHEREAS, the City of Hamilton has a duty to manage the affairs of the Corporation, pursuant to Subsection 11.9(2) of the Act; and,

WHEREAS, the Council of the City of Hamilton are sitting as representatives of the Shareholder (City of Hamilton) for the Corporation;

THEREFORE, BE IT RESOLVED:

- (a) That, in accordance with the provisions of the OBCA, the Shareholder hereby consents, to the Corporation being exempt from the requirements of Part XII of the OBCA regarding the appointment and duties of an auditor for the financial year of the Corporation ending December 31, 2020;
- (b) That, in accordance with the provisions of the *Business Corporations Act*, R.S.O. 1990, c.B.16, the Shareholder hereby waives any notice requirement for the manner or time of notice required to be given under any provision of any Act, any regulations thereunder, the articles, the by-laws or otherwise and such waiver shall cure any default in the manner or time of such notice, as the case may be;
- (c) That the following Minutes of the Hamilton Street Railway Company Shareholder, be approved:
 - (i) September 14, 2020
- (d) That the officers of the Corporation are, and each acting alone is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as such officers shall deem necessary or advisable, to carry out the purposes and intent of the foregoing resolutions; and,
- (e) That any actions taken by such officers, prior to the date of the foregoing resolutions adopted hereby that are within the authority conferred thereby are hereby ratified, confirmed and approved as the acts and deeds of the Corporation.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

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

The agenda for the September 13, 2021 Hamilton Street Railway Company Shareholder was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) September 14, 2020 (Item 3.1)

The September 14, 2020 Minutes of the Hamilton Street Railway Company Shareholder meeting were approved, as presented.

(d) ADJOURNMENT (Item 5)

There being no further business, the Hamilton Street Railway Company Shareholder meeting adjourned at 10:05 a.m.

Respectfully submitted,

Tom Jackson, Deputy Mayor
Chair, Hamilton Street Railway
Company Shareholder

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk



City of Hamilton
HAMILTON RENEWABLE POWER INC. SHAREHOLDER
REPORT 21-001

10:30 a.m.

Monday, September 13, 2021

Due to COVID-19 and the closure of City Hall, this meeting was held virtually.
 Stephanie Paparella, Legislative Coordinator 905 546-2424 x3993

- Present:** Deputy Mayor T. Jackson (Chair)
 Councillors M. Wilson, N. Nann, J. Farr, E. Pauls, J.P. Danko,
 B. Clark, M. Pearson, B. Johnson, L. Ferguson, A. VanderBeek,
 J. Partridge
- Absent:** Councillor T. Whitehead – Leave of Absence
 Mayor F. Eisenberger, Councillors C. Collins, S. Merulla – Personal

**THE HAMILTON RENEWABLE POWER COMPANY INC. SHAREHOLDER
 PRESENTS REPORT 21-001, AND RESPECTFULLY RECOMMENDS:**

1. **Consolidated Financial Statements of the Corporation for the year ended December 31, 2020; 2021 Budget of the Corporation; Board of Directors; and, Appointment of Auditors (Item 5.1)**
 - (a) That the audited Consolidated Financial Statements of the Corporation for the year ended December 31, 2020, a copy of which is attached hereto as Schedule "A", as approved by the Board of Directors of the Corporation be received by the Shareholder;
 - (b) That the 2021 budget of the Corporation, a copy of, which is attached hereto as Schedule "B", be received by the Shareholder;
 - (c) That the June 22, 2021 Board of Director's Resolution, a copy of which is attached hereto as Schedule "C", be received by the Shareholder;
 - (d) That KPMG LLP, Chartered Accountants, be appointed auditors of the Corporation for the fiscal year 2021 at a remuneration to be settled by the President of the Corporation; and,

- (e) That all by-laws, resolutions, contracts, acts, and proceedings of the Board of Directors, Sole Shareholder and Officers of the Corporation enacted, passed, made, done or taken since the last meeting of the Sole Shareholder as the same are set forth or referred to in the minutes of the Corporation or in the financial statements submitted to the Sole Shareholder of the Corporation are hereby approved, ratified, sanctioned and confirmed.

FOR INFORMATION:

(a) APPROVAL OF THE AGENDA (Item 1)

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

- 4. PRESENTATIONS
 - 4.1 Hamilton Renewable Power Inc.

The agenda for the September 13, 2021 Hamilton Renewable Power Inc. Shareholder Annual General Meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) October 21, 2020 (Item 3.1)

The October 21, 2020 Minutes of the Hamilton Renewable Power Inc. Shareholder Annual General Meeting were approved, as presented.

(d) PRESENTATIONS (Item 4)

(i) Hamilton Renewable Power Inc. (Item 4.1)

Rom D'Angelo, Director of Energy, Fleet & Facilities Management, provided the PowerPoint presentation, respecting Hamilton Renewable Power Inc.

The presentation respecting Hamilton Renewable Power Inc. was received.

(e) ADJOURNMENT (Item 6)

There being no further business, the Hamilton Renewable Power Company Inc. Shareholder Annual General Meeting adjourned at 10:49 a.m.

Respectfully submitted,

Tom Jackson, Deputy Mayor
Chair, Hamilton Renewable
Power Inc. Shareholder

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk



**SOLE VOTING MEMBER
OF THE HAMILTON FARMERS' MARKET
REPORT 21-002**

11:00 a.m.

Monday, September 13, 2021

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

Stephanie Paparella, Legislative Coordinator 605-546-2424 Ext. 3993

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

Absent: Councillor T. Whitehead – Leave of Absence
Mayor F. Eisenberger and Councillors C. Collins and S. Merulla - Personal

**THE SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
PRESENTS REPORT 21-002, AND RESPECTFULLY RECOMMENDS:**

1. Notice; Minutes of Previous Meeting; Directors; Audited Financial Statements and Auditor's Report; and, Appointment of Auditor (Item 7.1)

WHEREAS, the Corporation is a corporation without share capital to which the *Corporations Act*, R.S.O. 1990, c.38 (the "Act") applies;

WHEREAS, by the Corporation's Letters Patent, the City of Hamilton is the sole voting member of the Corporation ("Sole Voting Member");

WHEREAS, by section 5 of the Corporation's By-Law No.1, the Board of Directors shall consist of a minimum of seven (7) and a maximum of thirteen (13) or such other number of Directors, as may be determined from time to time by the Sole Voting Member; and,

WHEREAS, by section 15 of the Corporation's By-Law No.1, the City of Hamilton, as the Sole Voting Member, is authorized to or may require the Directors of the Corporation to appoint an auditor;

THEREFORE, BE IT RESOLVED:

- (a) That the Sole Voting Member hereby waives its right to receive general or special notice of an annual meeting of the members of the Corporation;
- (b) That the minutes of the meeting held January 25, 2021, be approved;
- (c) That the following persons be affirmed or appointed as Directors of the Corporation and shall hold office until the date specified below, unless further extended as permitted by the by-laws of the Corporation or until their respective successors are elected or appointed subject to the by-laws of the Corporation:
 - (i) Councillor Esther Pauls – Council Member November 15, 2022
 - (ii) Anne Miller – Vendor Member - Second Term August 11, 2023
 - (iii) Wilfred Arndt – Citizen Member - Third Term December 14, 2022
 - (iv) Elly Bowen – Citizen Member - Third Term December 14, 2022
 - (v) Damian Wills – Citizen Member - First term March 29, 2023
 - (vi) Joshua Czerniga – Citizen Member - First Term March 29, 2023
 - (vii) Eva Marie Olsen – Citizen Member - First Term March 29, 2023
 - (viii) Jason Hofing – Vendor Director - First Term September 13, 2023
 - (ix) Celina Masoudi – Vendor Director - First Term September 13, 2023
 - (x) Brandon Linares –Vendor Director - First Term September 13, 2023
 - (xi) Bill Slowka – Market Manager (Non-voting, Ex Officio)
- (d) That the financial statements of the Corporation for the fiscal year ended December 31, 2020, together with the Auditor's Report, as prepared by KPMG LLP, attached hereto as Schedule "A", be received; and,
- (e) That the Directors of the Corporation be authorized and directed to appoint an auditor of the Corporation to hold office until the next following annual meeting at such remuneration as may be fixed by the Directors and the Directors are hereby authorized to fix such remuneration.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 1)

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

4. DELEGATION REQUESTS

- 4.1 Eric Miller respecting Item 5.1, Presentation respecting the Hamilton Farmers' Market
- 4.2 John Alexander and Shane Coleman, Hamilton Farmers' Market Stallholders' Association, respecting the Hamilton Farmers' Market Board Election

The agenda for the September 13, 2021 meeting of the Sole Voting Member of the Hamilton Farmers' Market was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were no declarations of interest.

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

(i) January 25, 2021 (Item 3.1)

The Minutes of the January 25, 2021 special meeting of the Sole Voting Member of the Hamilton Farmers' Market were approved, as presented.

(d) DELEGATION REQUESTS (Item 4)

(i) Eric Miller respecting Item 5.1, Presentation respecting the Hamilton Farmers' Market (Item 4.1)

The delegation request submitted by Eric Miller, regarding Item 5.1, the presentation respecting the Hamilton Farmers' Market, was approved for the September 13, 2021 meeting of the Sole Voting Member of the Hamilton Farmers' Market.

(ii) John Alexander and Shane Coleman, Hamilton Farmers' Market Stallholders' Association, respecting the Hamilton Farmers' Market Board Election (Item 4.2)

The delegation request submitted by John Alexander and Shane Coleman, Hamilton Farmers' Market Stallholders' Association, respecting the Hamilton Farmers' Market Board Election, was approved for the

September 13, 2021 meeting of the Sole Voting Member of the Hamilton Farmers' Market.

(e) PRESENTATIONS (Item 5)

(i) Hamilton Farmers' Market (Item 5.1)

Elly Bowen, Acting Chair of the Hamilton Farmers' Market Board, addressed Committee and provided a PowerPoint presentation respecting the Hamilton Farmers' Market.

Elly Bowen, Acting Chair of the Hamilton Farmers' Market Board, was permitted additional time, beyond the permitted 5 minutes, to continue with her presentation.

The presentation respecting the Hamilton Farmers' Market was received.

(f) DELEGATIONS (Item 6)

(i) Eric Miller respecting Item 5.1, Presentation respecting the Hamilton Farmers' Market (Item 6.1)

Eric Miller addressed Committee respecting Item 5.1, the presentation respecting the Hamilton Farmers' Market.

(ii) John Alexander and Shane Coleman, Hamilton Farmers' Market Stallholders' Association, respecting the Hamilton Farmers' Market Board Election (Item 6.2)

John Alexander and Shane Coleman, Hamilton Farmers' Market Stallholders' Association, addressed Committee respecting the Hamilton Farmers' Market Board Election.

The following delegations were received:

(i) Eric Miller respecting Item 5.1, Presentation respecting the Hamilton Farmers' Market (Item 6.1)

(ii) John Alexander and Shane Coleman, Hamilton Farmers' Market Stallholders' Association, respecting the Hamilton Farmers' Market Board Election (Item 6.2)

(g) PRIVATE & CONFIDENTIAL (Item 9)

(i) Closed Session Minutes – January 25, 2021 (Item 9.1)

- (a) The Closed Session Minutes of the January 25, 2021 General Issues Committee meeting were approved, as presented; and,
- (b) That the Closed Session Minutes of the January 25, 2021 General Issues Committee meeting shall remain confidential.

(h) ADJOURNMENT (Item 14)

There being no further business, the Sole Voting Member of the Hamilton Farmers' Market adjourned at 12:13 p.m.

Respectfully submitted,

Tom Jackson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

CITY OF HAMILTON

MOTION

Council: September 15, 2021

MOVED BY COUNCILLOR M. WILSON.....

SECONDED BY COUNCILLOR.....

Encampment Response Strategy

WHEREAS on August 9, 2021 Hamilton City Council voted to repeal its Encampment Response Protocol that permitted unhoused individuals to shelter in public spaces for up to 14 days;

WHEREAS the City of Hamilton will return to pre-pandemic enforcement levels that prevents anyone from sheltering on city property including public park areas effective Aug 30, 2021;

WHEREAS the City of Hamilton’s pre-pandemic enforcement level resides within the domain of Municipal Bylaw Enforcement with support from the Hamilton Police Service;

WHEREAS the guiding principles and approach of the Encampment Response Protocol enabled an assessment of the individual health and social needs of those living in an encampment and an approach during the 14 day period that would provide supports including but not limited to the following:

- engagement that treats every individual from a rights-based approach, ensuring dignity and confidentiality is maintained;
- An assessment of health and social needs of individual with consent;
- Immediate work on a personalized housing plan with consent;
- Determine previous (if any) barriers affecting access into the system and attempt to resolve them;
- Informing individuals of the timeline for encampment removal taking into consideration location and individual health and social circumstances;
- Assist with the movement to shelter/housing including but not limited to transportation, financial assistance, and storage of possessions.
- Ensures abandoned belongings and litter are cleared and the site is cleaned.

WHEREAS there is no formal, publicly established approach to how the pre-pandemic enforcement level will operate and the role of the encampment response team (includes representatives from the City of Hamilton Housing Services Division and Street Outreach Team, Municipal Law Enforcement, Public Works and Hamilton Police Services Social Navigator Program) is undefined;

WHEREAS the City of Hamilton recognizes the rise in unsheltered homelessness during COVID-19 continues to highlight ongoing systemic health, social and economic inequities and remains an ongoing concern for the City;

WHEREAS in its Housing and Homelessness Action Plan (HHAP) the City of Hamilton committed to taking an individualized, person-centred approach to housing by connecting those experiencing homelessness with the available community resources and supports;

WHEREAS the Housing and Homelessness Action does not include an approach of responding homeless individuals living in encampments;

WHEREAS the City of Hamilton has formally acknowledged that all actions and decisions relating to housing and homelessness policy, programs and services must use a formalized equity, diversity and inclusion framework and Gender Based Analysis (GBA+) to ensure they are effectively meeting the specific needs of a diversity of individuals;

WHEREAS the Hamilton Board of Health has acknowledged that trauma-informed services must be designed and delivered in a way that will not cause further traumatization or retraumatization;

WHEREAS the City of Hamilton through its Urban Indigenous Strategy (2019) committed to developing and strengthening its relationship with Indigenous Peoples;

WHEREAS action Item #24 in the City of Hamilton's Urban Indigenous Strategy Implementation Plan is to enable city staff to deliver city services in a culturally-appropriate way;

WHEREAS Indigenous Peoples experience homelessness at a higher rate than the general population and that homelessness amongst Indigenous Peoples is a colonial legacy;

WHEREAS the City of Hamilton has stated that its homeless servicing system must account for systemic over-representation of Indigenous Persons experiencing homelessness and aim to design a system that not only responds to Indigenous homelessness but also respects, honours and promotes the strength and resiliency of Indigenous Peoples (Coming Together to End Homelessness, July 2019)

WHEREAS the City of Hamilton has acknowledged that homelessness is a gendered experience, impacting single women, trans and non-binary individuals differently than single men or families;

WHEREAS the City of Hamilton unanimously declared an opioid overdose emergency in November 2019 in recognition that Hamilton's opioid-related death rate was more than double the provincial rate;

THEREFORE BE IT RESOLVED:

- (a) That staff be directed to report to Emergency and Community Services Committee the following:
 - (i) define encampment response strategy within the Housing and Homelessness Action Plan
 - (ii) define how encampment response strategy will be informed by an individualized, person-centred and Gender Based Analysis approach to ensure it effectively meets the specific needs of a diversity of individuals;
 - (iii) to respect, honour and promote the strength and resiliency of Indigenous Peoples experiencing homelessness
 - (iv) clarify the role and responsibility of the encampment response team following Council's termination of the Encampment Response Protocol
 - (v) identify the process to be followed once an encampment is identified

- (b) That staff consult with all necessary community and health organizations that currently serve homeless groups and individuals prior to.

CITY OF HAMILTON

MOTION

Council: September 15, 2021

MOVED BY COUNCILLOR T. JACKSON.....

SECONDED BY COUNCILLOR.....

Amendment to Item 11 of the Public Works Committee Report 21-004 respecting Installation of Traffic Calming Measures at Various Locations throughout Ward 6

11. Installation of Traffic Calming Measures at Various Locations throughout Ward 6 (Item 11.5)

WHEREAS, the number of speed cushions to be installed on Templemead Drive was incorrectly recorded as four due to a typographical error in Sub-section (a)(iv) to Item 11 of the Public Works Committee Report 21-004, respecting the Installation of Traffic Calming Measures at Various Locations throughout Ward 6, and should have been recorded as five;

THEREFORE, BE IT RESOLVED:

That Sub-section (a)(iv) to Item 11 of the Public Works Committee Report 21-004, respecting the Installation of Traffic Calming Measures at Various Locations throughout Ward 6, be **amended** to correct the number of speed cushions to be installed on Templemead Drive from four to five, as follows:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on the following roadways as part of the 2021 Traffic Calming program:
 - (iv) Templemead Drive from Tudor Place to Ingrid Court, Hamilton (**5** speed cushions);

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

11. Installation of Traffic Calming Measures at Various Locations throughout Ward 6 (Item 11.5)

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on the following roadways as part of the 2021 Traffic Calming program:
 - (i) Anson Avenue from Upper Ottawa Street to Carson Drive, Hamilton (6 speed cushions);
 - (ii) Kingslea Drive from Beacon Avenue to Broker Drive, Hamilton (4 speed cushions);
 - (iii) East 45th Street from Mohawk Road to Tenth Avenue, Hamilton (3 speed cushions);
 - (iv) Templemead Drive from Tudor Place to Ingrid Court, Hamilton (**5** speed cushions);
 - (v) Queen Victoria Drive, Hamilton (9 speed cushions);
 - (vi) Royal Vista Drive from Upper Gage Avenue and Templemead Drive, Hamilton (2 speed cushions);
 - (vii) Quaker Crescent, Hamilton (6 speed cushions);
 - (viii) Everest Street from Templemead Drive and Upper Ottawa Street, Hamilton (2 speed cushions);
- (b) That all costs associated with the installation of traffic calming measures at the identified locations throughout Ward 6 at a total cost not to exceed \$259,200 (including cost contingency), be funded from the Ward 6 Capital Reinvestment Discretionary Account in the amount of \$100,000 and Ward 6 Capital Reinvestment Reserve (108056) in the amount of \$159,200; 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.

CITY OF HAMILTON MOTION

Council: September 15, 2021

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY COUNCILLOR

Amendment to sub-section (a) to Item 5 of the Audit, Finance and Administration Committee Report 21-007, respecting the Council/Staff Relationship Policy (FCS21045 / CM21005) (City Wide)

WHEREAS, staff inadvertently prepared the report, respecting the Council/Staff Relationship Policy, with a duplicate report number;

THEREFORE, BE IT RESOLVED:

That sub-section (a) to Item 5 of the Audit, Finance and Administration Committee Report 21-007, respecting Council/Staff Relationship Policy (FCS21045 / CM21005) (City Wide), which was approved by Council on May 12, 2021, be amended by deleting the report number "CM21005" and replacing it with the report number "**CM21013**", to read as follows:

- 5. Governance Review Sub-Committee Report 21-003 - April 30, 2021 (Added Item 10.2)**
 - (a) Council/Staff Relationship Policy (FCS21045 / ~~CM21005~~ CM21013) (City Wide) (Outstanding Business List Item) (Item 8.1)**

That the Council/Staff Relationship Policy attached as amended Appendix "A" to Audit, Finance & Administration Committee Report 21-007, to include 'or unreasonable' after 'undue' to Item 5 under Principles, be approved.

CITY OF HAMILTON

NOTICE OF MOTION

Council: September 15, 2021

MOVED BY COUNCILLOR L. FERGUSON.....

Reconsideration of Item 4 of Audit, Finance & Administration Committee Report 21-009 respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12)

That Item 4 of the Audit, Finance & Administration Committee Report 21-009, respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12), which was approved by Council on June 9, 2021 and reads as follows, be reconsidered:

4. Ancaster Tennis Club Loan Request (FCS21032) (Ward 12) (Item 10.2)

- (a) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into an interest free loan agreement with the Ancaster Tennis Club not to exceed \$940,000, inclusive of the previously approved \$290,000 through Report PW17089(a), pursuant to the City's External Loan Guidelines, for the construction of a new dome and related infrastructure to be repaid in full within 15 years of the loan advance, together with a General Security Agreement, both in a form satisfactory to the City Solicitor and General Manager, Finance and Corporate Services;
- (b) That the Ancaster Tennis Club loan be repaid with annual payments on the anniversary dates of the loan advance as reflected in the repayment schedule attached hereto as Appendix "A" to Report FCS21032;
- (c) That the Mayor and City Clerk be authorized to execute the Loan Agreement, the General Security Agreement and any ancillary documents required to give effect to the Ancaster Tennis Club loan;
- (d) That the General Manager, Healthy and Safe Communities, be authorized and directed to execute a License Agreement, together with any ancillary documents with the Ancaster Tennis Club to allow the ongoing use of City property by the Ancaster Tennis Club and the addition of the infrastructure required to support the new Dome in a form satisfactory to the City Solicitor; and,
- (e) That the General Manager, Healthy and Safe Communities Department, or designate, be delegated the authority to negotiate and grant naming rights to Rogers Canada for the City facility occupied by the Ancaster Tennis Club as required to permit the Ancaster Tennis Club to obtain sponsorship funding pursuant to the Community Tennis Facility Fund and to execute any necessary consents or agreements to facilitate the sponsorship and naming rights, with content acceptable to the General Manager of Healthy and Safe Communities Department, or designate and the City Solicitor.

Attachment - Appendix "A" to Report FCS21032

Loan Repayment Schedule

City of Hamilton Loan to Ancaster Tennis
Club

PRINCIPAL **\$940,000.00**
INTEREST **0.00%**
TERM (YRS) **15**
ANNUAL PAYMENT **\$ 62,666.67**

	Payments			Outstanding Balance(\$)
	Principal (\$)	Interest (\$)	Total P & I (\$)	
Loan				940,000.00
Year 1	62,666.67		62,666.67	877,333.33
Year 2	62,666.67		62,666.67	814,666.66
Year 3	62,666.67		62,666.67	751,999.99
Year 4	62,666.67		62,666.67	689,333.32
Year 5	62,666.67		62,666.67	626,666.65
Year 6	62,666.67		62,666.67	563,999.98
Year 7	62,666.67		62,666.67	501,333.31
Year 8	62,666.67		62,666.67	438,666.64
Year 9	62,666.67		62,666.67	375,999.97
Year 10	62,666.67		62,666.67	313,333.30
Year 11	62,666.67		62,666.67	250,666.63
Year 12	62,666.67		62,666.67	187,999.96
Year 13	62,666.67		62,666.67	125,333.29
Year 14	62,666.67		62,666.67	62,666.62
Year 15	62,666.62		62,666.62	(0.00)
	940,000.00		940,000.00	

CITY OF HAMILTON

MOTION

Council: September 15, 2021

MOVED BY COUNCILLOR L. FERGUSON.....

SECONDED BY COUNCILLOR

WHEREAS, Council previously approved Item 4, of the Audit, Finance & Administration Committee Report 21-009, respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12), at their meeting of June 9, 2021;

WHEREAS, the Ancaster Tennis Club in their letter, Item 4.12 on the September 15, 2021 Council Agenda, are asking for an extension for the first repayment of the loan;

WHEREAS, the initial loan document requires that the first annual repayment occur 12 months after drawing on the loan;

WHEREAS, the Ancaster Tennis Club is expected to begin drawing on the loan in October 2021 in order for the foundation construction to be completed for winter operations in October 2022, which would as per the approved loan repayment schedule result in the first annual repayment due in October 2022; and

WHEREAS, the Ancaster Tennis Club's bulk of revenue is derived from their winter operation, the Ancaster Tennis Club is requesting that their first annual repayment begin following the first full year of revenue under the new business model, which will be completed in April 2023.

THEREFORE BE IT RESOLVED:

That sub-sections (a) and (b) of Item 4 of the Audit, Finance & Administration Committee Report 21-009, respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12) be **amended**, to read as follows:

- (a) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into an interest free loan agreement with the Ancaster Tennis Club not to exceed \$940,000, inclusive of the previously approved \$290,000 through Report PW17089(a), pursuant to the City's External Loan Guidelines, for the construction of a new dome and related infrastructure to be repaid in full within 15 years ~~of the loan advance~~, together with a General Security Agreement, both in a form satisfactory to the City Solicitor and General Manager, Finance and Corporate Services;
- (b) That the Ancaster Tennis Club loan be repaid with **15** annual payments **beginning on May 1, 2023** with the loan being advanced in October 2021, **subject to all conditions precedent being met to the City's satisfaction of the loan advance** as reflected in the repayment schedule attached hereto Appendix "A" to Report FCS21032;

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

4. Ancaster Tennis Club Loan Request (FCS21032) (Ward 12) (Item 10.2)

- (a) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into an interest free loan agreement with the Ancaster Tennis Club not to exceed \$940,000, inclusive of the previously approved \$290,000 through Report PW17089(a), pursuant to the City's External Loan Guidelines, for the construction of a new dome and related infrastructure to be repaid in full within 15 years, together with a General Security Agreement, both in a form satisfactory to the City Solicitor and General Manager, Finance and Corporate Services;
- (b) That the Ancaster Tennis Club loan be repaid with **15** annual payments **beginning on May 1, 2023** with the loan being advanced in October 2021, **subject to all conditions precedent being met to the City's satisfaction** as reflected in the repayment schedule attached hereto as Appendix "A" to Report FCS21032;
- (c) That the Mayor and City Clerk be authorized to execute the Loan Agreement, the General Security Agreement and any ancillary documents required to give effect to the Ancaster Tennis Club loan;
- (d) That the General Manager, Healthy and Safe Communities, be authorized and directed to execute a License Agreement, together with any ancillary documents with the Ancaster Tennis Club to allow the ongoing use of City property by the Ancaster Tennis Club and the addition of the infrastructure required to support the new Dome in a form satisfactory to the City Solicitor; and,
- (e) That the General Manager, Healthy and Safe Communities Department, or designate, be delegated the authority to negotiate and grant naming rights to Rogers Canada for the City facility occupied by the Ancaster Tennis Club as required to permit the Ancaster Tennis Club to obtain sponsorship funding pursuant to the Community Tennis Facility Fund and to execute any necessary consents or agreements to facilitate the sponsorship and naming rights, with content acceptable to the General Manager of Healthy and Safe Communities Department, or designate and the City Solicitor.

Attachment – Appendix "A" to Report FCS21032

Loan Repayment Schedule

City of Hamilton Loan to Ancaster Tennis
Club

PRINCIPAL **\$940,000.00**
INTEREST **0.00%**
TERM (YRS) **15**
ANNUAL PAYMENT **\$ 62,666.67**

	Payments			Outstanding Balance(\$)
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Year 6	62,666.67		62,666.67	563,999.98
Year 7	62,666.67		62,666.67	501,333.31
Year 8	62,666.67		62,666.67	438,666.64
Year 9	62,666.67		62,666.67	375,999.97
Year 10	62,666.67		62,666.67	313,333.30
Year 11	62,666.67		62,666.67	250,666.63
Year 12	62,666.67		62,666.67	187,999.96
Year 13	62,666.67		62,666.67	125,333.29
Year 14	62,666.67		62,666.67	62,666.62
Year 15	62,666.62		62,666.62	(0.00)
	940,000.00		940,000.00	

COUNCIL COMMUNICATION UPDATES

August 6, 2021 to September 9, 2021

Council received the following Communication Updates during the time period listed above, the 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
August 12, 2021	Public Works	Chedoke Creek Order – Chedoke Creek Workplan - 60% Targeted Dredge Design - HW.21.04	https://www.hamilton.ca/sites/default/files/media/browser/2021-08-13/communication-update-chedoke-creek-order-chedoke-creek-workplan.pdf
August 13, 2021	Planning and Economic Development	Noise By-law Update (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2021-08-17/communication-update-noise-by-law-august-13-21.pdf
August 17, 2021	Public Works	2021 HSR Fall Schedule (TRN2110)	https://www.hamilton.ca/sites/default/files/media/browser/2021-08-17/communication-update-pw-hsr-fall-schedule-2021.pdf
August 23, 2021	Planning and Economic Development	Licensing and By-law Services Moving to 330 Wentworth Street North, Hamilton (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2021-08-24/comm-update-lbls_move-330-wentworth-street-north-august_23_21.pdf
August 24, 2021	Healthy and Safe Communities	Recreation Master Plan Engagement Strategy (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2021-08-24/communication-update-hsc-recmpengagement-2021.pdf
September 1, 2021	Public Works	HSR myRide On-Demand Transit Pilot Project (TRN2111)	https://www.hamilton.ca/sites/default/files/media/browser/2021-09-01/communication-update-pw-hsr-myride-trn2111.pdf Appendix A: https://www.hamilton.ca/sites/default/files/media/browser/2021-09-01/communication-update-pw-hsr-myride-appendix-a-trn2111-service-area-map.pdf

CITY OF HAMILTON

BY-LAW NO. 21-

To Amend By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment

WHEREAS Sections 50(l)(c) and 53(1) of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to grant Consents;

AND WHEREAS Sections 54(5) and (7) of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to delegate the power to grant Consents to a Committee of Adjustment;

AND WHEREAS Section 44 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, authorizes a municipality to constitute a Committee of Adjustment;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. By-laws 01-148 and 01-149 as amended by 01-292 are repealed.
2.
 - (1) A Committee of Adjustment for the City of Hamilton, hereinafter “the Committee”, is constituted.
 - (2) Members of the Committee who are members of Council shall be appointed annually.
 - (3) Members of the Committee who are not members of Council shall hold office for the term of Council that appointed them.
 - (4) Notwithstanding Sections 2(2) and 2(3), members of the Committee shall hold office until they are reappointed or their successors are appointed.
3. Members of the Committee shall be compensated for their membership on the Committee as follows:
 - (a) Payment of \$100.00/meeting attended; and
 - (b) Reimbursement for mileage costs incurred in accordance with City policy.
4.
 - (1) The Committee shall be composed of nine (9) members, who are not Members of Council.

- (2) Not less than four (4) members of the Committee shall have knowledge and experience in rural planning and agricultural matters, as determined by Council.
5. The Committee shall meet three (3) times/month, or as required, and shall deal with those matters arising from Section 45 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, and arising from a delegation of power under Section 54(5) of the *Planning Act* R.S.O. 1990, c-P113, as amended.
6. The Committee shall adopt its own procedures and rules, which shall include the holding of electronic hearings.
7. The authority of Council under Section 53 of the *Planning Act* R.S.O. 1990, c-P.13, as amended, is delegated to the Committee.

PASSED this 15th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 47, Committee of the
Whole Report 01-025
(PD01146)
CM: August 22, 2001
Ward: 9

Bill No. 152

CITY OF HAMILTON

BY-LAW NO. 21-

To Permanently Close and Sell a Portion of Utter Place being Blocks 9 and 13 on Plan 62M-1256

WHEREAS sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

WHEREAS section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

WHEREAS highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

WHEREAS by execution of a Subdivision Agreement dated October 22, 2012 and Amending Subdivision Agreement dated August 9, 2018 between the City of Hamilton and Empire Communities (Stoney Creek) Ltd., the City has authorized and agreed to the closure and conveyance of a certain portion of Utter Place being Blocks 9 and 13 on Plan 62M-1256, when deemed by the City to no longer be required for road purposes; and

WHEREAS notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The part of the road allowance, being Utter Place, in the City of Hamilton, described as Block 9 and 13 on Plan 62M-1256, City of Hamilton, is permanently closed.
2. The soil and freehold of the part of the road allowance permanently closed under section 1 is to be sold to Empire Communities (Stoney Creek) Ltd. for the sum of two dollars (\$2.00) pursuant to the terms of the Subdivision

To Permanently Close and Sell a Portion of Utter Place being
Blocks 9 and 13 on Plan 62M-1256

Page 2 of 2

Agreement dated October 22, 2012 and Amending Subdivision Agreement dated August 9, 2018 between City of Hamilton and Empire Communities (Stoney Creek) Ltd. registered as Instrument No. WE908643 and WE1305400.

3. This by-law comes into force on the date of its registration in the Land Registry Office (No. 62).

PASSED this 15th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 10

Bill No. 153

CITY OF HAMILTON

BY-LAW NO. 21-

Respecting Removal of Part Lot Control, Part of Block 68, Registered Plan No. 1057, municipally known as 99 Springstead Drive, Stoney Creek

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 one lot for future lot consolidation (Parts 1 and 2 inclusive) including a maintenance and encroachment easement (Part 2), on deposited Reference Plan 62R-21651, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Block 68, Registered Plan No. 62M-1057, 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 15th day of September 2023.

PASSED this 15th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 15

Bill No. 154

CITY OF HAMILTON

BY-LAW NO. 21-

Respecting Removal of Part Lot Control, Lots 112 – 151 and 288 – 291, Registered Plan of Subdivision 62M-1266, municipally known as 110, 112, 114, 116, 118, 120, 122, 124, 128, 130, 134, and 136 Skinner Road, 75, 77, 81, 83, 87 – 90, 93 – 96, 99 – 102, and 105 - 108 Kenesky Drive, 13, 15, 19, 21, 25, 27, 31, 33, 34, 36, 40 – 43, 46 – 49, and 52 – 55 Granite Ridge Trail, 77 – 80, 84 – 86, 90 – 93, 96 – 99, 102, and 104 Great Falls Boulevard, and 3, 5, 9, 11, 15, 17, 21, 23 36, 38, 42, 44, 48, 50, 54, and 56 Ebenezer 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 88 lots for semi detached dwellings and seven maintenance easements, shown as Lots 139 – 151 and Part 10, inclusive, on deposited Reference Plan 62R-21666, Lots 124 – 138 and Parts 2, 9, 20, and 25, inclusive, on deposited Reference Plan 62R-21667, and Lots 112 – 123 and 288 – 291 and Parts 12 and 27, inclusive, on deposited Reference Plan 62R-21668, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Lots 112 – 151 and 288 – 291, Registered Plan of Subdivision 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.

Respecting Removal of Part Lot Control, Lots 112 – 151 and 288 – 291, Registered Plan of Subdivision 62M-1266, municipally known as 110, 112, 114, 116, 118, 120, 122, 124, 128, 130, 134, and 136 Skinner Road, 75, 77, 81, 83, 87 – 90, 93 – 96, 99 – 102, and 105 - 108 Kenesky Drive, 13, 15, 19, 21, 25, 27, 31, 33, 34, 36, 40 – 43, 46 – 49, and 52 – 55 Granite Ridge Trail, 77 – 80, 84 – 86, 90 – 93, 96 – 99, 102, and 104 Great Falls Boulevard, and 3, 5, 9, 11, 15, 17, 21, 23 36, 38, 42, 44, 48, 50, 54, and 56 Ebenezer Drive

Page 2 of 2

3. This by-law shall expire and cease to be of any force or effect on the 15th day of September, 2023.

PASSED this 15th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

PLC-21-005

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001
Ward: 1, 2, 3, 4, 5, 7, 12, 15

Bill No. 155

CITY OF HAMILTON

BY-LAW NO. 21-

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

WHEREAS *Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
<i>8 - No Parking</i>	<i>E</i>	Benson Ave.	West	McAnulty to 61m northerly	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	Benson Ave.	West	Grenfell to 136m southerly	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	James	East	from 11.9m south of Rebecca to 11.8m southerly	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	Benson Avenue	West	Grenfell Street to McAnulty Boulevard	Anytime	Adding
<i>8 - No Parking</i>	<i>G</i>	James Street North	East	12 metres south of Rebecca Street to 14	Anytime	Adding

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

metres south thereof

8 - No Parking	C	Main Street South	East	School Street to 98.2 metres norther thereof	Anytime	Adding
8 - No Parking	E	Picton Street East	South	28 metres east of James Street North to 14 metres east thereof	Anytime	Adding
8 - No Parking	A	Thoroughbred Boulevard	West & North	57 metres southeast of Yorkshire Drive to 49.6 metres east and south thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 - Permit	E	Albany	North	from 23m west of Cope to 6.5m westerly	Anytime	Deleting
12 - Permit	E	Allan	North	From 12m east of Harmony to 5.8m easterly	Anytime	Deleting
12 - Permit	E	Avondale	West	from 36.3m south of Beechwood to 6m southerly	Anytime	Deleting
12 - Permit	E	Benson Ave.	West	61m north of McAnulty to 6m northerly	Anytime	Deleting
12 - Permit	E	Birch	East	From 38.8m north of Cannon to 7m northerly	Anytime	Deleting
12 - Permit	E	Cavell	East	from 17.1m south of Gordon to 5.7m southerly	Anytime	Deleting
12 - Permit	E	East 18th St.	East	28m south of Queensdale Ave. to 6m southerly	Anytime	Deleting
12 - Permit	E	Edison St.	North	45m east of New St. to 6m westerly	Anytime	Deleting
12 - Permit	E	Mary	East	from 58.8m south of Robert to 6m southerly	Anytime	Deleting
12 - Permit	E	Mary Street	North	28 metres south of Wood Street East to 6 metres therefrom	Anytime	Deleting
12 - Permit	E	McAnulty Blvd.	South	from 3.5m east of the extended west curb line of Stapleton Av. to 5.5m east thereof	Anytime	Deleting
12 - Permit	E	Merchison	South	from 35.1m west of Division to 6.7m westerly	Anytime	Deleting
12 - Permit	E	Myrtle Ave.	East	from 102m south of Main St. E. and extending 5.5m southerly.	Anytime	Deleting
12 - Permit	E	Princess	South	from 21.5m west of Fullerton to 16.4m westerly	Anytime	Deleting
12 - Permit	E	Ray	East	from 64.4m north of York to 5.4m northerly	Anytime	Deleting
12 - Permit	E	Roxborough	North	from 9.9m east of the extended east curb line of Houghton to 6m easterly	Anytime	Deleting

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

12 - Permit	E	Sanford	East	from 90.2m south of Main to 6m southerly	Anytime	Deleting
12 - Permit	E	Stirton	West	from 10.4m north of Huron to 5.2m northerly	Anytime	Deleting
12 - Permit	E	William	West	from 117.7m north of Barton to 5.4m northerly	Anytime	Deleting
12 - Permit	E	Albany Avenue	North	61.2 metres east of Harmony Avenue to 5.5 metres east thereof	Anytime	Adding
12 - Permit	E	Fairfield Avenue	East	51 metres north of Cannon Street to 6 metres north thereof	Anytime	Adding
12 - Permit	E	Grosvenor Avenue North	East	45.1 metres south of Campbell Avenue to 5.6 meters south thereof	Anytime	Adding
12 - Permit	E	Pandora Avenue	North & South	Beach Boulevard to the east limit	Anytime	Adding
12 - Permit	E	Robins Avenue	West	14.8 metres south of Campbell Avenue to 6 metres south thereof	Anytime	Adding
12 - Permit	E	Robins Avenue	West	31 metres north of Britannia Avenue to 6 metres north thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
13 - No Stopping	E	Main	North	Dundurn to Sanford	7:00 a.m. to 9:00 a.m. Monday to Friday	Deleting
13 - No Stopping	E	Main	North	Gage to Westerly City Limits	4:00 p.m. to 6:00 p.m. Monday to Friday	Deleting
13 - No Stopping	A	Rembrandt Court	Both	Lloyminn Avenue South to east end of Rembrandt Court	9:00 a.m. to 10:00 a.m., 3:00 p.m. to 4:30 p.m., Monday to Friday	Deleting
13 - No Stopping	E	MacNab Street South	East	Jackson Street to 28 metres south thereof	Anytime	Adding
13 - No Stopping	E	MacNab Street South	East	Hunter Street to 23 metres north thereof	Anytime	Adding
13 - No Stopping	E	Main Street	North	Dundurn Street to East Avenue	7:00 a.m. to 9:00 a.m. Monday to Friday	Adding
13 - No Stopping	E	Main Street	North	East Avenue to West City Limits	4:00 p.m. to 6:00 p.m. Monday to Friday	Adding
13 - No Stopping	A	Rembrandt Court	North	Lloyminn Avenue South to east limit	9:00 a.m. to 10:00 a.m., 3:00 p.m. to 4:30 p.m., Monday to Friday	Adding
13 - No Stopping	A	Rembrandt Court	South	27 metres east of Lloyminn Avenue South to 9 metres east thereof	Anytime	Adding

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

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 - Wheelchair LZ	E	MacNab	East	Hunter to 21.9m northerly	Anytime	Deleting
14 - Wheelchair LZ	E	Cannon Street East	North	82 metres east of Frederick Avenue to 6 metres east thereof	9:00 am - 5:00 pm Monday to Friday	Adding
14 - Wheelchair LZ	E	MacNab Street South	East	18 metres south Jackson Street to 13 metres south thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
16 - TAXI	E	James	East	from 11.9m south of Rebecca to 11.8m southerly	6:00 p.m. to 2:00 a.m.	Deleting

- Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
- This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 15th day of September 2021.

F.
Eisenberger
Mayor

A. Holland
City Clerk

A. Holland
City Clerk

Authority: Item 2, Public Works Committee
Report 21-012 (PW21001(d))
CM: September 15, 2021
Ward: City Wide
Bill No. 156

CITY OF HAMILTON

BY-LAW NO. 21-

To Amend By-law No. 01-215 Being a By-law To Regulate Traffic

WHEREAS sections 8, 9 and 10 of the Municipal Act, 2001, S.O. 2001, c. 25, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 4 (Yield Control) of By-law No. 01-215, as amended, is hereby further amended by removing from Section "A" (Ancaster) thereof the following item, namely;

Haig Road	Eastbound	Bailey Ave
Haig Road	Westbound	Massey Drive
Alexander Road	Westbound	Massey Drive
Mewburn Road	Northbound	Alexander Road

And by adding to Section "A" (Ancaster) thereof the following items, namely;

Sawmill Road	Eastbound	Carluke Road West
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To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

And by removing from Section “E” (Hamilton) thereof the following items, namely:

Osgoode Court	Southbound	Presidio Drive
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And by removing from Section “F” (Stoney Creek) thereof the following items,
namely;

Ada Court	Westbound	Ainsworth Street
Lyngate Court	Northbound	Gerald Crescent
Dolman Street	Northbound	Isidore Place
Slinger Crescent	Northbound	Slinger Avenue
Byron Avenue	Eastbound	Aubrey Avenue
Vanderwood Court	Southbound	Teak Street
Lindsay Court	Northbound	Oakridge Drive
Southmeadow Crescent	Southbound	Pine Drive
Southmeadow Court	Southbound	Maple Drive
Pecan Court	Southbound	Salina Place
Seville Court	Northbound	Midway Street
Vega Crescent	Eastbound	Morello Place
Greening Avenue	Eastbound	Juniper Drive
Eastbury Drive (east intersection)	Northbound	Basswood Court
Glenholme Avenue	Westbound	Bel-Air Avenue
Cherrywood Drive	Eastbound	Piott Court
Berkley Place	Northbound	Terrace Drive
Gemma Court	Westbound	Mountain Avenue North
First Street North	Northbound	Galbraith Drive
Galbraith Drive	Northbound/Southbound	Avalon Avenue

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Brandow Court	Westbound	Second Street North
Grande Avenue	Northbound	Pleasant Avenue
Grande Avenue	Southbound	Orlanda Road
Alpine Avenue	Southbound	Orlanda Road

2. Schedule 5 (Stop Control) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "A" (Ancaster) thereof the following item, namely;

Briar Hill Crescent	Westbound	Broad Leaf Crescent
Stonegate Drive	Southbound	Briar Hill Crescent
Deervalley Road	Westbound	Green Ravine Drive
Briar Hill Crescent	Southbound/Northbound	Broad Leaf Crescent
Cottonwood Court	Southbound	Highvalley Road
Longfield Crescent	Northbound	Broad Leaf Crescent
Marigold Court	Westbound	Longfield Crescent
Briar Hill Crescent	Southbound	Longfield Crescent
Bailey Ave	Northbound	Haig Road
Haig Road	Westbound	Massey Drive
Alexander Road	Westbound	Massey Drive
Mewburn Road	Northbound	Alexander Road
Hatton Drive	Northbound	Enmore Avenue

And by adding to Section "B" (Dundas) thereof the following items, namely;

Knollwood Court	Northbound	Ridgewood Boulevard
Zeldin Place	Southbound	Ridgewood Boulevard
Elizabeth Court	Southbound	Highland Park Drive

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Ivy Court	Southbound	Ann Street
Queen Street	Southbound	Victoria Street
Vilma Avenue	Eastbound	Shirley Street
Vilma Avenue	Westbound	David Street
Rita Street	Southbound	Vilma Avenue
Rita Street	Northbound	Bertram Drive
Shirley Street	Northbound	Bertram Drive
Bertram Drive	Westbound	David Street
Barrie Street	Northbound	Bertram Drive
Adelaide Avenue	Westbound	Desjardin Avenue
Normandy Place	Southbound	Bertram Drive
Hilltop Place	Eastbound	Edenbridge Court
Glen Court	Southbound	Pleasant Avenue
Valleyview Court	Southbound	Pleasant Avenue
Applewood Court	Southbound	Pleasant Avenue
Monarch Court	Eastbound	Kings Gate
Rhodes Court	Northbound	Turnbull Road
Whitfield Court	Southbound	Turnbull Road
Four Winds Place	Southbound	Autumn Leaf Road
Crystal Court	Southbound	Autumn Leaf Road
Moonglow Place	Westbound	Sunrise Crescent
Maid Marion Street	Northbound	Sherwood Rise
Maid Marion Street	Southbound	Robinhood Drive
Ancaster Street East	Eastbound	East Street South

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Soble Place	Southbound	Golfview Crescent
Linda Court	Southbound	Marion Crescent
Janis Court	Southbound	Marion Crescent
Yorkview Place	Southbound	Cammay Avenue

And by adding to Section "C" (Flamborough) thereof the following items, namely;

Agro Street	Northbound	Skinner Road
Mountain Heights Place	Westbound	Agro Street
Great Falls Boulevard	Westbound	Agro Street
Great Falls Boulevard	Northbound	Skinner Road
McDonough Gardens	Eastbound	Agro Street
Westfield Crescent (north intersection)	Westbound	Agro Street
Westfield Crescent (south intersection)	Westbound	Agro Street
Avanti Crescent	Eastbound	Agro Street
Kenesky Drive	Westbound	Agro Street
Kenesky Drive	Eastbound/Westbound	Burke Street
Kenesky Drive	Eastbound	Ebenezer Drive
Granite Ridge Trail	Northbound	Kenesky Drive
Granite Ridge Trail	Eastbound/Westbound	Ebenezer Drive
Granite Ridge Trail	Northbound/Southbound	Great Falls Boulevard
Ebenezer Drive	Southbound	Great Falls Boulevard
Ebenezer Drive	Northbound	Skinner Road
Sealey Avenue	Northbound	Granite Ridge Trail
Sealey Avenue	Northbound/Southbound	Great Falls Boulevard

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Sealey Avenue	Southbound	Elstone Place
Frontier Trail	Northbound	Great Falls Boulevard
Edworthy Gardens	Northbound	Great Falls Boulevard
Edworthy Gardens	Southbound	Elstone Place
Elstone Place	Westbound	Frontier Trail
Zimmerman Gardens	Northbound	Great Falls Boulevard
Zimmerman Gardens	Southbound	Elstone Place
Trailbank Gardens	Northbound	Skinner Road
Trailbank Gardens	Southbound	Great Falls Boulevard
Hager Creek Terrace	Westbound	Trailbank Gardens
Hager Creek Terrace	Eastbound	Great Falls Boulevard
Silver Meadow Gardens	Westbound	Trailbank Gardens
Silver Meadow Gardens	Northbound	Hager Creek Terrace
Cattail Crescent (west intersection)	Northbound	Great Falls Boulevard
Cattail Crescent (east intersection)	Northbound	Great Falls Boulevard
Valley Trail Place	Westbound	Mallard Trail
Humphrey Street	Westbound	Mallard Trail
Humphrey Street	Southbound	Skinner Road
Grierson Trail	Northbound	Humphrey Street
Grierson Trail	Southbound	Skinner Road
Holcomb Terrace	Westbound	Humphrey Street
Holcomb Terrace	Southbound	Skinner Road
Pond View Gate	Northbound	Skinner Road
Pond View Gate	Westbound	Smokey Hollow Place

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Smokey Hollow Place	Eastbound	Pond View Gate
Gardenbrook Trail	Westbound	Pond View Gate
Gardenbrook Trail	Northbound	Skinner Road

And by adding to Section "E" (Hamilton) thereof the following items, namely;

Aylett Street	Northbound	Mapes Avenue
Bartlett Avenue	Northbound	Allison Crescent
Angelina Place	Northbound	Regent Avenue
Ottaviano Drive	Eastbound	McIntosh Avenue
Vista Court	Eastbound	Horizon Crescent
Harvard Place	Eastbound	Falkirk Drive
Bordeaux Court	Eastbound	Republic Avenue
Montebello Court	Northbound	Bastille Street
Anita Court	Eastbound	Acadia Drive
Osgoode Court	Southbound	Presidio Drive
Nina Court	Southbound	Ironwood Crescent
Villa Court	Northbound	Anna Capri Drive
Tuna Court	Eastbound	Tunbridge Crescent
Elodia Court	Northbound	Susan Drive
Glebe Court	Eastbound	Gillard Street
Gillard Street	Southbound	Gardiner Drive
Elsa Court	Northbound	Greendale Drive
Piper Place	Northbound	Fiona Crescent
Fontana Court	Eastbound	Springvalley Crescent
Saint Anthony Place	Northbound	Springvalley Crescent

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Eric Burke Court	Westbound	Theodore Drive
Northstar Court	Southbound	Milky Way Drive
Morningstar Court	Southbound	Milky Way Drive
Hugo Court	Southbound	Darlington Drive
Valery Court	Eastbound	Bonaventure Drive
Waldorf Court	Southbound	Parkwood Crescent
Fontainbleu Court	Southbound	Parkwood Crescent
Bogart Court	Eastbound	Billington Crescent
Boon Court	Eastbound	Billington Crescent
Rapallo Drive	Southbound	Anson Avenue
Rapallo Drive	Northbound	Gatineau Drive
Weston Court	Southbound	Anson Avenue
Lamb Court	Northbound	Larch Street
Mansion Court	Southbound	Locheed Drive
Ranko Court	Eastbound	Artistic Boulevard
Bosna Court	Southbound	Summerlea Drive
Bethany Court	Westbound	Balfour Drive
Gleneagles Drive	Northbound	Auchmar Road
Gleneagles Drive	Southbound	Braemar Place
Andrew Court	Westbound	Hoover Crescent
Wingate Place	Westbound	Warren Avenue
Camille Court	Westbound	Grenadier Drive
Marvin Court	Westbound	Grenadier Drive
Barnett Court	Westbound	Grenadier Drive

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Symon Place	Eastbound	Hardale Crescent
Ferrara Street	Southbound	Wise Crescent
Elva Court	Eastbound	King's Forest Drive
Sandra Court	Eastbound	King's Forest Drive
Tilbury Court	Eastbound	King's Forest Drive
Filer Court	Eastbound	King's Forest Drive
Cecilia Court	Eastbound	King's Forest Drive
Burns Place	Eastbound	East 38 th Street
Patricia Place	Eastbound	East 38 th Street
Donlea Drive	Southbound	Valecrest Avenue
Valecrest Avenue	Eastbound	Elmhurst Drive
Henry Street	Westbound	New Street
Edison Street	Westbound	New Street
Roseland Avenue	Westbound	Blake Street
Troy Avenue	Westbound	Tate Avenue
Troy Avenue	Eastbound	Dunn Avenue
Admiral Place	Westbound	MacLaren Avenue
Keats Road	Northbound	Gainsborough Road
Keats Road	Southbound	Old Orchard Drive
Kelvin Court	Northbound	Old Orchard Drive
Scott Street	Northbound	Gainsborough Road
Blueberry Drive	Eastbound	Strawberry Drive
Fairholme Court	Northbound	Highridge Avenue
Talia Court	Northbound	Janet Court

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Duchess Court	Westbound	Oakland Drive
Kings Court	Westbound	Oakland Drive
Queens Court	Westbound	Oakland Drive
Lady Court	Eastbound	Kenora Avenue
Lord Court	Eastbound	Kenora Avenue
Hart Place	Eastbound	Crawford Drive
Redwood Court	Eastbound	Woodman Drive North
Sandlyn Court	Eastbound	Nugent Drive
Capilano Drive	Westbound	Country Club Drive
Alto Drive	Southbound	Country Club Drive
Rio Court	Eastbound	Alto Drive
Renis Court	Northbound	Sherry Lane Drive
Zell Court	Northbound	Sherry Lane Drive
Sherry Lane Drive	Eastbound	Hildegard Drive
Venus Court	Westbound	Hildegard Drive
Monte Court	Eastbound	Monte Drive
Tracey Place	Eastbound	Blanche Court
Burbank Place	Northbound	Carene Avenue
Bryant Court	Southbound	Robroy Avenue
Laura Court	Eastbound	Woodman Drive South
Colonial Court	Northbound	Rainbow Drive
Isaac Court	Northbound	Rainbow Drive
Birkdale Place	Eastbound	Montmorency Drive
Marantha Place	Southbound	Montmorency Drive

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Renner Court	Northbound	Brookstream Court
Forest Hill Crescent	Eastbound	Glen Vista Drive
Peace Court	Westbound	Forest Hill Crescent
Glen Castle Drive	Northbound	Forest Hill Crescent
Glenmurray Court	Westbound	Glen Castle Drive
Glencannon Drive	Westbound	Glen Castle Drive
Glendora Court	Eastbound	Glen Forest Drive
Palmerston Place	Northbound	St. Andrews Drive
Sunbrite Court	Eastbound	Glen Park Court
Jennifer Court	Westbound	St. Andrews Drive
Chardonnay Street	Southbound	Webster Road
Cherryridge Close	Northbound	Cherryridge Close
Calvert Avenue	Westbound	Garland Place
Cavalier Court	Southbound	Nugent Drive
Hounslow Court	Southbound	Kentley Drive
Ilford Court	Southbound	Kentley Drive
Jason Court	Eastbound	Prins Avenue
Dorset Place	Northbound	Edgevale Road
Dungannon Place	Northbound	Monteagle Court
Windstar Place	Westbound	Gilcrest Street
Argon Court	Westbound	Glenhaven Drive
Lantana Court	Southbound	Cranbrook Drive
Sonesto Court	Northbound	Trevi Road
Mirella Court	Westbound	Christopher Drive

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Seagram Place	Southbound	Nova Drive
Lambert Street	Southbound	Lesterwood Street
Lambert Street	Northbound	Bellingham Drive
Lisa Court	Eastbound	Lawnhurst Drive
Irving Place	Southbound	Mulock Avenue
Irving Place	Northbound	Sunning Hill Avenue
Mulock Avenue	Westbound	Rendell Boulevard
Green Meadow Road	Northbound	Sunning Hill Avenue
Nancy Street	Northbound	Sunning Hill Avenue
Quinlan Court	Southbound	Quaker Crescent
Raleigh Court	Northbound	Raleigh Street
Galloway Court	Westbound	Golden Orchard Drive
Granby Court	Northbound	Golden Orchard Drive
Bixby Crescent	Northbound	Bowden Street
Starling Drive	Northbound	Bobolink Road
Starling Drive	Westbound	Hummingbird Lane
Dalewood Avenue	Northbound/Southbound	Arnold Street
Longwood Road North	Northbound/Southbound	Franklin Avenue
Longwood Road North	Northbound/Southbound	Glen Road
Paradise Road North	Northbound/Southbound	Glen Road
Rexford Drive	Eastbound/Westbound	Rosewell Street
Sanders Boulevard	Eastbound/Westbound	Cottrill Street/Binkley Crescent
Sanders Boulevard	Eastbound/Westbound	Hollywood Street North/Binkley Crescent

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Eric Burke Court	Westbound	Theodore Drive
Beach Road	Eastbound/Westbound	Birmingham Street
Wellington Street South	Northbound/Southbound	Hunter Street East

And by adding to Section "F" (Stoney Creek) thereof the following items, namely;

Calvert Avenue	Eastbound	Alpine Avenue
Kingswood Drive	Northbound	Ashwood Court
Vivian Street	Southbound	Glenview Drive
Burwell Avenue	Eastbound	Canterbury Avenue
Canterbury Avenue	Northbound	Dale Avenue
Wyngate Court	Eastbound	Wyngate Avenue
Wyngate Avenue	Southbound	Alba Street
Battlefield Drive	Southbound	Alba Street
Lakeside Drive	Eastbound	Jones Road
James Place	Northbound	James Avenue
Faircourt Place	Southbound	Faircourt Drive
Ada Court	Westbound	Ainsworth Street
Lyngate Court	Northbound	Gerald Crescent
Dolman Street	Northbound	Isidore Place
Slinger Crescent	Northbound	Slinger Avenue
Byron Avenue	Eastbound	Aubrey Avenue
Redwood Court	Southbound	Teak Street
Vanderwood Court	Southbound	Teak Street
Lindsay Court	Northbound	Oakridge Drive
Southmeadow Crescent	Southbound	Pine Drive

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

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Southmeadow Court	Southbound	Maple Drive
Pecan Court	Southbound	Salina Place
Seville Court	Northbound	Midway Street
Vega Crescent	Eastbound	Morello Place
Greening Avenue	Eastbound	Juniper Drive
Eastbury Drive	Northbound	Basswood Court
Glenholme Avenue	Westbound	Bel-Air Avenue
Helena Avenue	Westbound	Rosepark Avenue
Cherrywood Drive	Eastbound	Piott Court
Berkley Place	Northbound	Terrace Drive
Gemma Court	Westbound	Mountain Avenue North
First Street North	Northbound	Galbraith Drive
Galbraith Drive	Northbound/Southbound	Avalon Avenue
Brandow Court	Westbound	Second Street North
Grande Avenue	Northbound	Pleasant Avenue
Grande Avenue	Southbound	Orlanda Road
Alpine Avenue	Southbound	Orlanda Road
Bayonne Drive	Westbound	Picardy Drive
Talence Drive	Westbound	Picardy Drive
Chaumont Drive	Northbound	Lormont Boulevard

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 15th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

CITY OF HAMILTON

BY-LAW NO. 21-

To Confirm the Proceedings of City Council at its meeting held on September 15, 2021.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 15th day of September 2021, in respect of each recommendation contained in

Planning Committee Report 21-013 – September 7, 2021,
Selection Committee Report 21-004 – September 9, 2021,
General Issues Committee Report 21-017 – September 8, 2021,
Audit, Finance & Administration Committee Report 21-013 – September 9, 2021,
Emergency & Community Services Committee Report 21-009 – September 9, 2021,
Public Works Committee Report 21-012 – September 10, 2021,
Hamilton Street Railway Company Shareholder Annual General Meeting Report 21-001 – September 13, 2021,
Hamilton Renewable Power Inc. Shareholder Annual General Meeting Report 21-001 – September 13, 2021,
and
Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 21-001 – September 13, 2021

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED this 15th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk