



City of Hamilton

CITY COUNCIL AGENDA

21-017

Wednesday, September 29, 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. September 15, 2021

4. COMMUNICATIONS

4.1. Correspondence from Les Jagodich respecting an approach being undertaken by the Region of Peel for a Private Noise Wall Conversion Program.

Recommendation: Be received.

- 4.2. Correspondence from the ATU 107 Executive and ATU COVID Task Force respecting the Mandatory COVID-19 Vaccination Verification Policy.
Recommendation: Be received.
- 4.3. Correspondence from Principles Integrity respecting their Annual Report covering the period in September 1, 2020 to August 31, 2021.
Recommendation: Be received.
- 4.4. Correspondence from the Honourable Deputy Minister Kate Manson-Smith respecting Ontario Proof of Vaccination Guidance for Businesses and Organizations.
Recommendation: Be received.
- 4.5. Correspondence from the City of Sarnia requesting support for their resolution requesting that the Government of Ontario take additional and meaningful steps to address the ever increasing problem of "Renovictions".
Recommendation: Be received.
- 4.6. Correspondence from Heather Watt, Manager, Community Planning and Development, Central Region Municipal Services Office, Ministry of Municipal Affairs and Housing in response to the City's letter respecting the City of Hamilton Land Needs Assessment
Technical Update.
Recommendation: Be received.
- 4.7. Correspondence from Lynne Welbourn respecting No to Flouride, Yes to Freedom - Let's Win Our Rights Back, Canada!
Recommendation: Be received.
- 4.8. Correspondence respecting Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12):
 - 4.8.a. Cathy Ozols
 - 4.8.b. Joanne GibbonsRecommendation: Be received and referred to the consideration of Item 4 of Public Works Committee Report 21-013.
- 4.9. Correspondence from Phillip Grace respecting the encampment at Bay & Strachan.
Recommendation: Be received.
- 4.10. Correspondence calling on Council to stop the dismantling of encampments:

4.10.a. Hollie Pocsia

4.10.b. Hannah Uzelac

Recommendation: Be received.

4.11. Correspondence from local optometrists requesting that Hamilton Council call on the Ontario Government to immediately enter into formal negotiations and address the chronic underfunding of eye care.

Recommendation: Be received and referred to the consideration of Item 1 of Board of Health Report 21-009.

4.12. Correspondence from Hassaan Basit, CAO/Secretary - Treasurer, Conservation Halton respecting notice of the meeting the Conservation Halton Board of Directors will be considering their 2022 Budget.

Recommendation: Be received.

4.13. Correspondence from the Town of Whitchurch-Stouffville endorsing the City of Hamilton's resolution respecting Noise Concerns and Request for Expiry of Extended Construction Hours

Recommendation: Be received.

5. COMMITTEE REPORTS

5.1. Board of Health Report 21-009 - September 20, 2021

5.2. Public Works Committee Report 21-013 - September 20, 2021

5.3. Planning Committee Report 21-014 - September 21, 2021

5.4. General Issues Committee Report 21-018 - September 22, 2021

5.5. Audit, Finance and Administration Committee Report 21-014 - September 23, 2021

5.6. STAFF REPORTS

5.6.a. Declaration and Method to Fill the Vacancy for the Office of Councillor in Ward 5 (FCS21093) (Ward 5)

6. MOTIONS

6.1. Amendments to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program

6.2. Amendment to Item 10 of the Audit, Finance & Administration Committee Report 21-010, respecting the Grants Sub-Committee Report 21-002, which was approved by Council on June 23, 2021

6.3. Repeal of Interim Control By-law 20-186 for the Pleasant View Area Lands

7. NOTICES OF MOTIONS

8. STATEMENT BY MEMBERS (non-debatable)

9. COUNCIL COMMUNICATION UPDATES

9.1. September 10, 2021 to September 23, 2021

10. PRIVATE AND CONFIDENTIAL

10.1. Closed Council Minutes - September 15, 2021

Pursuant to Section 9.1, Sub-section (f) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose

10.2. Personnel Matter (no copy)

Pursuant to Section 9.1, Sub-section (b) and (f) of the City's Procedural By-law 21-021, as amended and Section 239(2), Sub-section (b) and (f) of *Ontario Municipal Act, 2001*, as amended, personal matters about an identifiable individual, including City or a local board employees and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

11. BY-LAWS AND CONFIRMING BY-LAW

11.1. 158

To Amend City of Hamilton By-law No. 01-215, being a By-law to Regulate Traffic, to Designate Community Safety Zones in Hamilton

Schedule 34 (Community Safety Zones)

Ward: City Wide

11.2. 159

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Rymal Road East from Approximately 200m East of Second Road West to Upper Centennial Parkway, in the City of Hamilton

Ward: 9

- 11.3. 160
To Amend Hamilton Zoning By-law No. 05-200 Respecting Lands Located at 2411 Upper James Street, Glanbrook
ZAH-21-019
Ward: 11
- 11.4. 161
To Amend Zoning By-law No. 6593, Respecting Lands Located at 323 Rymal Road East, Hamilton
ZAH-21-010
Ward: 7
- 11.5. 162
To Amend Zoning By-law No. 6593, Respecting Lands Located at 370 Concession Road, Hamilton
ZAH-21-022
Ward: 7
- 11.6. 163
To Designate The Revitalizing Hamilton's Commercial District's Community Improvement Project Area
Ward: City Wide
- 11.7. 164
To Adopt the Revitalizing Hamilton's Commercial Districts Community Improvement Plan
Ward: City Wide
- 11.8. 165
To Enact a By-law to Delegate Authority to the General Manager, Planning and Economic Development for Certain Grants and Loans under the Revitalizing Hamilton's Commercial Districts Community Improvement Plan and *Ontario Heritage Act*
Ward: City Wide

11.9. 166

Rental Housing By-law No. 21-166 to Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

Ward: 1, 8, 14

11.10. 167

To Amend Zoning By-law No. 05-200, Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough Zoning By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464, Hamilton Zoning By-law No. 6593 and Stoney Creek Zoning By-law No. 3692-92 Respecting Amendments to the Secondary Dwelling Unit Regulations

CI-20-E

Ward: City Wide

11.11. 168

Respecting Removal of Part Lot Control, Part of Block 9, Block 13 and 14, Registered Plan No. 62M-1241, municipally known as 67, 69, 71, 73 to 111 Pinot Crescent, and 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175 and 177 Sonoma Lane, Stoney Creek

PLC-21-007

Ward: 10

11.12. 170

To Confirm Proceedings of Council

12. ADJOURNMENT



CITY COUNCIL MINUTES 21-016

9:30 a.m.
September 15, 2021
Council Chamber
Hamilton City Hall
71 Main Street West

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

6. MOTIONS

- 6.1 Encampment Response Strategy - **WITHDRAWN**

7. NOTICES OF MOTION

- 7.2 Transitional Funding to Secure Short Term Housing Project
- 7.3 Integration of the Encampment Response Strategy into the Housing and Homelessness Action Plan
- 7.4 Supporting Community Resilience through the Stirton Tot Lot Community Greenspace Project in Ward 3

(Pearson/Partridge)

That the agenda for the September 15, 2021 meeting of Council be approved, *as amended*.

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 - Ward 5 Councillor Chad Collins
YES – Deputy Mayor - 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 S. Merulla declared an interest to Item 2 of General Issues Committee Report 21-017, respecting Report PED21159, respecting Financial Incentive Program Amendments respecting Mitigation of Potential Tenant Displacement, as he and his wife are rental property owners.

Councillor S. Merulla declared an interest to Item 5 of General Issues Committee Report 21-017, respecting Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as he and his wife are rental property landlords.

Councillor M. Pearson declared an interest to Item 2 of General Issues Committee Report 21-017, respecting Report PED21159, respecting Financial Incentive Program Amendments respecting Mitigation of Potential Tenant Displacement, as she and her husband are rental property owners.

Councillor M. Pearson declared an interest to Item 5 of General Issues Committee Report 21-017, respecting Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.

Councillor A. VanderBeek declared an interest to Item 2 of General Issues Committee Report 21-017, respecting Report PED21159, respecting Financial Incentive Program Amendments respecting Mitigation of Potential Tenant Displacement, as she and her husband are rental property owners.

Councillor A. VanderBeek declared an interest to Item 5 of General Issues Committee Report 21-017, respecting Report PED21140(a)/LS21033, Hamilton Tax Increment Grant – 540 King Street East, Hamilton, as she and her husband are rental property landlords.

APPROVAL OF MINUTES OF PREVIOUS MEETING

3. August 13, 2021 (Item 3.1) and August 26, 2021 (Item 3.2)

(Ferguson/VanderBeek)

That the Minutes of the August 13, 2021 and August 26, 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 - Ward 5 Councillor Chad Collins
- YES – Deputy Mayor - 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

(Jackson/Clark)

That Council Communications 4.1 to 4.17 be approved, as follows:

4.1. Correspondence respecting Encampments:

- (a) Matthew Higginson
- (b) Gabriel Baribeau
- (c) Sarah Dawson
- (d) Katie McCrindle
- (e) Elke Taylor
- (f) Josiah Witt
- (g) Pedro Parkman
- (h) Deanna Rylott
- (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.

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

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

(Jackson/Clark)

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 - Ward 5 Councillor Chad Collins
YES – Deputy Mayor - 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 21-013

(Danko/Johnson)

That Planning Committee Report 21-013, being the meeting held on Tuesday, September 7, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Planning Committee Report 21-013, CARRIED by a vote of 13 to 0, as follows:

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

SELECTION COMMITTEE REPORT 21-004
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(Johnson/Nann)

That Selection Committee Report 21-004, being the meeting held on Monday, September 8, 2021, be received.

Result: Motion on the Selection Committee Report 21-004, CARRIED by a vote of 13 to 0, as follows:

- YES - Ward 1 Councillor Maureen Wilson
- YES – Ward 2 Councillor Jason Farr
- YES - Ward 3 Councillor Nrinder Nann
- YES - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Chad Collins
- YES – Deputy Mayor - 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 21-017

(Jackson/Clark)

That General Issues Committee Report 21-017, being the meeting held on Wednesday, September 8, 2021, be received and the recommendations contained therein be approved.

At Council's request, Item 1 was voted on separately, as follows:

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 proponenty 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.

Result: Motion on Item 1 of the General Issues Committee Report 21-017, CARRIED by a vote of 11 to 3, as follows:

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

Due to declared conflicts, Item 2 was voted on separately:

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.

Result: Motion on Item 2 of the General Issues Committee Report 21-017, 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
CONFLICT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Deputy Mayor - 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
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

(Clark/Ferguson)

That the consideration of Item 5, Hamilton Tax Increment Grant – 540 King Street East, Hamilton (PED21140(a)/LS21033) (Item 10.3) of the General Issues Committee Report 21-017, be deferred until after the Closed Session portion of the meeting.

CARRIED

At Council's request, Item 7 was voted on separately, as follows:

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.

Result: Motion on Item 7 of the General Issues Committee Report 21-017, CARRIED by a vote of 13 to 1, as follows:

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

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

At Council's request, Item 8 was voted on separately, as follows:

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

Result: Motion on Item 8 of the General Issues Committee Report 21-017, CARRIED by a vote of 11 to 3, as follows:

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

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

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,

Result: Motion on Item 11 (a) of the General Issues Committee Report 21-017, CARRIED by a vote of 11 to 3, as follows:

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

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

11. Red Hill Valley Parkway Inquiry Update (LS19036(f)) (City Wide) (Item 14.9)

(b) That this Report LS19036(f), respecting Red Hill Valley Parkway Inquiry Update, and its appendices, remain confidential.

Result: Motion on Item 11 (b) of the General Issues Committee Report 21-017, CARRIED by a vote of 14 to 0, as follows:

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

That the consideration of the balance of General Issues Committee Report 21-017, be deferred until after the closed session portion of the meeting.

CARRIED

AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-013**(Ferguson/Pearson)**

That Audit, Finance and Administration Committee Report 21-013, being the meeting held on Thursday, September 9, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Audit, Finance and Administration Committee Report 21-013, CARRIED by a vote of 14 to 0, as follows:

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

EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 21-009**(Nann/Jackson)**

That Emergency and Community Services Committee Report 21-009, being the meeting held on Thursday, September 9, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Emergency and Community Services Committee Report 21-009, CARRIED by a vote of 14 to 0, as follows:

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

YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

PUBLIC WORKS COMMITTEE REPORT 21-012

(VanderBeek/Danko)

That Public Works Committee Report 21-012, being the meeting held on Friday, September 10, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Public Works Committee Report 21-012, CARRIED by a vote of 14 to 0, as follows:

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

**HAMILTON STREET RAILWAY COMPANY SHAREHOLDER
ANNUAL GENERAL MEETING REPORT 21-001**

(Jackson/Pauls)

That Hamilton Street Railway Company Shareholder Annual General Meeting Report 21-001, being the meeting held on Monday, September 3, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Street Railway Company Shareholder Annual General Meeting Report 21-001, CARRIED by a vote of 14 to 0, as follows:

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

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

**HAMILTON RENEWABLE POWER INC. SHAREHOLDER
ANNUAL GENERAL MEETING REPORT 21-001**

(Jackson/Pauls)

That Hamilton Renewable Power Inc. Shareholder Annual General Meeting Report 21-001, being the meeting held on Monday, September 13, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Hamilton Renewable Power Inc. Shareholder Annual General Meeting Report 21-001, CARRIED by a vote of 14 to 0, as follows:

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

**SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET
ANNUAL GENERAL MEETING REPORT 21-002**

(Jackson/Pauls)

That Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 21-002, being the meeting held on Monday, September 13, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the Sole Voting Member of the Hamilton Farmers' Market Annual General Meeting Report 21-002, CARRIED by a vote of 14 to 0, as follows:

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

YES - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES – Deputy Mayor - 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

MOTIONS

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

(Jackson/Pauls)

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);

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

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

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

6.3 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)

(Ferguson/Pearson)

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.

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

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

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

6.4 Reconsideration of Item 4 of Audit, Finance & Administration Committee Report 21-009 respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12), approved by Council on June 9, 2021

(Ferguson/Partridge)

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.

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

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

(Ferguson/Partridge)

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 considered:

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.

(Ferguson/Partridge)

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;

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 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Deputy Mayor - 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. 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.

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

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

6.5 Transitional Funding to Secure Short Term Housing Project

(Farr/Eisenberger)

WHEREAS, on August 13, 2021 through Report HSC20056(a), Item 10.9, Council authorized and directed the General Manager of the Healthy and Safe Communities Department or their designate to enter into the Rapid Housing Initiative (RHI) Contribution Agreement with the Canada Mortgage and Housing Corporation (CMHC) to accept Hamilton's Rapid Housing Initiative Major Cities Stream allocation of \$12,945,935 for the creation of minimum of 49 new affordable housing units;

WHEREAS, the City of Hamilton continues to look to any and all available funding sources in order to support the projects put forward in the RHI funding stream, including but not limited to federal and provincial homelessness funding;

WHEREAS, the City of Hamilton recommended and approved through the 2021 Budget process the use of \$950,000 towards the operating costs for housing interventions for women facing homelessness; and,

WHEREAS, the timing to secure a project that addresses these priorities requires funding in advance of receiving these funds;

THEREFORE, BE IT RESOLVED:

- (a) That Council approve a grant to a maximum amount of \$21.1M to the selected Cities Stream RHI-2 project to provide housing for women and inclusive of trans-feminine, trans-masculine and non-binary adults facing homelessness.
- (b) That General Manager of Finance and Corporate Services be directed and authorized to advance funds to be held in trust by purchaser's solicitor, for the acquisition of the Cities Stream RHI-2 project to a maximum \$9.35M to ensure the timing and receipt of provincial and federal dollars do not prejudice the delivery of the Cities Stream RHI-2 project.
- (c) That the General Manager of the Healthy and Safe Communities Department be authorized and directed, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined in Recommendation (a) and (b) on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department and in a form satisfactory to the City Solicitor.
- (d) That if the Cities Stream RHI-2 project is not approved, that staff report back with an amended financing strategy.

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

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

6.6 Supporting Community Resilience through the Stirton Tot Lot Community Greenspace Project in Ward 3

(Nann/Johnson)

WHEREAS the current state of the Stirton Tot Lot, located in Ward 3, is dilapidated, a magnet for illegal dumping, and at it's worst, characterized as a dangerous.

WHEREAS the current state of the lot deters community engagement, and facilitates lateral violence, and harmfully antisocial behavior.

WHEREAS the illegal dumping contains needles, biohazardous and environment waste that is dangerous to wildlife and pedestrians moving through the space.

WHEREAS the site is currently unusable, overlooked, and undervalued, and resident feedback necessitates the need for local, safe, and accessible greenspace.

WHEREAS the site is currently inaccessible to community use and there is need for social infrastructure that facilitates community engagement in the space.

WHEREAS colonization has damaged the Lot's environment creating a urgent need for settlers to acknowledge and utilize sustainable practices to transition the environment back to harmony with local native ecosystems.

WHEREAS the resident-led Stirton Tot Lot Steering Committee will engage in relationship building with community members and continually invite Indigenous and marginalized local people into decision making roles regarding the space.

WHEREAS the Stirton Tot Lot Steering Committee aims to enhance the space and inspire a sense of stewardship, community, and peace.

WHEREAS the Stirton Tot Lot Steering Committee is fiscally sponsored by the Hamilton Naturalists Club

WHEREAS the social infrastructure that will be developed through this project include: a sustainable community garden designed to prioritize native ecologies that supports local pollinators, a community message board that encourages communication, and a mural by a local Indigenous artist which beautifies the space.

WHEREAS this resident-led community project will transform the urban space into usable and socially inclusive common ground for all to enjoy and actively participate in.

WHEREAS the project aims to foster a thriving and diverse natural habitat, that supports a diversity of interconnected species.

THEREFORE, BE IT RESOLVED:

- (a) That \$15,000 from the Ward 3 Bell Tower Fund (Account #3301609603) be allocated to the Hamilton Naturalist's Club to assist in covering the costs associated with the Stirton Tot Lot Community Greenspace project; 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 14 to 0, as follows:

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

NOTICES OF MOTION

7.1 Reconsideration of Item 4 of Audit, Finance & Administration Committee Report 21-009 respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12), approved by Council on June 9, 2021

(Ferguson/Partridge)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Reconsideration of Item 4 of Audit, Finance & Administration Committee Report 21-009 respecting the Ancaster Tennis Club Loan Request (FCS21032) (Ward 12), approved by Council on June 9, 2021.

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

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

YES - Ward 12 Councillor Lloyd Ferguson
YES - Ward 11 Councillor Brenda Johnson
YES - Ward 10 Councillor Maria Pearson
YES - Ward 9 Councillor Brad Clark

Refer to Item 6.4 for further disposition of this item.

7.2 Transitional Funding to Secure Short Term Housing Project

(Farr/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Transitional Funding to Secure Short Term Housing Project.

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

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

Refer to Item 6.5 for further disposition of this item.

7.3 Integration of the Encampment Response Strategy into the Housing and Homelessness Action Plan

(Wilson/Nann)

That the Rules of Order be waived to allow for the introduction of a Motion respecting the Integration of the Encampment Response Strategy into the Housing and Homelessness Action Plan.

Result: Motion DEFEATED by a 2/3 vote of 8 to 5, as follows:

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

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

7.4 Supporting Community Resilience through the Stirton Tot Lot Community Greenspace Project in Ward 3

(Nann/Johnson)

That the Rules of Order be waived to allow for the introduction of a Motion respecting Supporting Community Resilience through the Stirton Tot Lot Community Greenspace Project in Ward 3.

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

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

Refer to Item 6.6 for further disposition of this item.

STATEMENTS BY MEMBERS

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

COUNCIL COMMUNICATION UPDATES

(Jackson/Pauls)

That the listing of Council Communication Updates from August 6, 2021 to September 9, 2021, be received.

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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Deputy Mayor - 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

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

10.1 Closed Session Minutes – August 26, 2021

(Ferguson/Pearson)

That the Closed Session Minutes dated August 26, 2021 be approved, as presented, and remain confidential.

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

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

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

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

(Partridge/Nann)

That the following citizen be appointed to the Advisory Committee for Persons with Disabilities for a term commencing September 15, 2021, and until a successor is chosen:

1. Levente Janosi

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
- NOT PRESENT - Ward 4 Councillor Sam Merulla
- NOT PRESENT - Ward 5 Councillor Chad Collins
- YES – Deputy Mayor - 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

(Jackson/Johnson)

That Council recess at 11:44 a.m.

CARRIED

Council reconvened at 11:55 a.m.

(Clark/Ferguson)

That Council move into Closed Session respecting Item 10.3, Item 5, Hamilton Tax Increment Grant – 540 King Street East, Hamilton (PED21140(a)/LS21033) of General Issues Committee Report 21-017, pursuant to Section 9.1, Sub-section (f) of the City's Procedural By-law 21-021 and Section 239(2), Sub-section (f) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES – Deputy Mayor - 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

GENERAL ISSUES COMMITTEE REPORT 21-017 CONTINUED

Due to declared conflicts, Item 5 was voted on separately:

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,
- (c) 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.

Result: Motion on Item 5 of the General Issues Committee Report 21-017, DEFEATED by a vote of 5 to 6, as follows:

YES - Ward 1 Councillor Maureen Wilson
 NO – Ward 2 Councillor Jason Farr
 YES - Ward 3 Councillor Nrinder Nann
 NOT PRESENT - Ward 4 Councillor Sam Merulla
 NOT PRESENT - Ward 5 Councillor Chad Collins
 YES – Deputy Mayor - Ward 6 Councillor Tom Jackson
 NO - Ward 7 Councillor Esther Pauls
 YES - Ward 8 Councillor John-Paul Danko
 NO - Mayor Fred Eisenberger
 YES - Ward 15 Councillor Judi Partridge
 NOT PRESENT - Ward 14 Councillor Terry Whitehead
 CONFLICT - Ward 13 Councillor Arlene VanderBeek

NO - Ward 12 Councillor Lloyd Ferguson
 NO - Ward 11 Councillor Brenda Johnson
 CONFLICT - Ward 10 Councillor Maria Pearson
 NO - Ward 9 Councillor Brad Clark

5. Hamilton Tax Increment Grant – 540 King Street East, Hamilton (PED21140(a)/LS21033) (Item 10.3)

(Clark/Farr)

- (a) That submissions provided by ACORN Hamilton representatives and the Hamilton Tax Increment Grant Program Applicant for 540 King Street East, Hamilton, contained in Appendix “B” and “C” respectively to Report PED21140(a)/LS21033, be received;
- (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.

Result: Motion on Item 5 of the General Issues Committee Report 21-017, CARRIED by a vote of 6 to 5, as follows:

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

(Jackson/Clark)

That the balance of the General Issues Committee Report 21-017, being the meeting held on Wednesday, September 8, 2021, be received and the recommendations contained therein be approved.

Result: Motion on the balance of General Issues Committee Report 21-017, 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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Deputy Mayor - 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

(Jackson/Pauls)

That the Committee of the Whole Rise and Report.

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
NOT PRESENT - Ward 4 Councillor Sam Merulla
NOT PRESENT - Ward 5 Councillor Chad Collins
YES – Deputy Mayor - 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

(Jackson/Pauls)

That Bills No. 21-151 to No. 21-157, 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:

- 151 To Amend By-law No. 07-300, Delegation of Consent Authority and Constituting a Committee of Adjustment
Ward: City Wide
- 152 To Permanently Close and Sell a Portion of Utter Place, being Blocks 9 and 13 on Plan 62M-1256
Ward: 9
- 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
- 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
- 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
- 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
- 157 To Confirm the Proceedings of City Council

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

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

(Pearson/Ferguson)

That, there being no further business, City Council be adjourned at 12:59 p.m.

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

Respectfully submitted,

Mayor F. Eisenberger

Andrea Holland
City Clerk

Pilon, Janet

Subject: Greenwood Estate - Greenbriar Road, Ancaster

Importance: High

From: Les Jagodich

Sent: Friday, September 10, 2021 3:45 PM

To: Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>

Cc: Hall, Donal <halld@hwcdsb.ca>

Subject: Greenwood Estate - Greenbriar Road, Ancaster

Importance: High

Good afternoon Hamilton Wentworth Regional Leadership

Just completed reading about this proactive & enlightened approach being undertaken by the Region of Peel.

Peel Region leadership are **actually listening to their constituents concerns.**

With the Master Truck Route initiative, the Highway #6 widening and other municipal initiatives (widening of Southcote Road, Ancaster) we as residents are being continually subjected to increased Health issues & concerns due to the very increasing noise levels.

The Region needs to take an affirmative position as YOU are the instigator & sponsor of all of these environmental changes to our environment.

It is time for ACTION. NOW!

Les

Private Noise Wall Conversion Program

We're rebuilding and relocating privately-owned noise walls on some Regional roads.

Privately-owned noise walls along Regional roads are built to lower sound levels in backyards. A noise wall must be continuous and solid with no gaps or gates.

As part of the Private Noise Wall Conversion Program, we're rebuilding and relocating private, pre-selected noise walls that are adjacent to a Regional road.

Private noise wall conversion factors

The Region will inspect all private noise walls every 3 years.

Replacement of a private noise wall is based on several factors, including:

- How safe it is to the public.

- How well it is reducing sound levels.
- How stable and structurally sound it is.
- Where it is located. The private noise wall must be backing or siding onto a Regional road. Homes fronting a Regional road do not qualify for the conversion program.

During a visual inspection, the noise walls will be rated according to their condition. A wall's rating helps us determine when it should be converted.

Other structures such as privacy fences and chain link fences do not qualify for the conversion program.

Construction and costs

If a noise wall conversion is happening in your neighborhood, we'll tell you at least one year before the construction date.

Generally, we will be replacing entire blocks or corridors at a time.

We'll also try to coordinate the noise wall conversion with other road work taking place in your area.

If a noise wall on private property has not been converted, the property owners must keep covering the cost of the wall's maintenance and repairs.

Once conversion has taken place, the new noise wall will become a Regional asset and **the Region will pay for any maintenance and repairs to the new noise wall.**

Noise wall replacement materials

The Region is considering cedar wood or concrete composite panels as replacement materials.

We'll determine the material type based on design standards and other environmental factors. For example, we would consider wood over concrete to avoid cutting down trees where possible.

Communication to the homeowner

We will be responsible for providing all general communication to the homeowners which includes Permission to Enter notifications prior to construction of the noise wall.

Material Comparison Chart

Category	Sub-category	Composite concrete noise walls	Cedar wood noise walls
Acoustical capabilities	Effectiveness for reducing noise	<ul style="list-style-type: none"> • Both products have the same noise reduction effectiveness • Both have comparable noise absorption • Both products cannot have gaps or spaces • No noise reduction advantage of one over the other 	
Durability	How long will the material last?	Up to 40 years depending on environmental factors	20 to 25 years depending on environmental factors
		No maintenance required	Minimum maintenance is required (Restaining is required every few years)
Workability	Speed and ease of construction	Concrete panels are heavy and customizing to size is difficult, labour intensive and expensive	Wood panels are light and customizing (cut to size) can be easily done on site fast
		Installation is difficult and slow requiring use of larger equipment (crane) and labourers	Installation is easy and fast requiring use of small equipment and labourers
		Larger work space area is required for installation	Small work space area required for installation

		More difficult to maneuver equipment in constrained areas due to trees and utilities	Easier to maneuver equipment in constrained areas due to trees and utilities
		Damaged panel normally replaced not repaired, (a three month process).	Damage can be repaired easily and fast (new boards can be delivered and installed same day)
		Panels may not be readily available from the supplier	Wood fencing is a common material and is available from many local vendors.
		May need to keep a mold/form of panel (Panel Liner) to reproduce it.	
Environmental impacts	Installation and tree removal	Wall height approx. 2.8 meters (9 feet)	Wall height approx. 2.8 meters (9 feet)
		Standard post space of 3.5 to 3.6 meters (12 feet)	Standard post space of 2.5 meters (8 feet)
		Required removal of trees: approx. 110-120 out of 265 total	Required removal of trees: approx. 55 – 60 out of 265 total

		Require many trees (normally 2x the number of trees) to be removed and pruned since large equipment is required to install the footings and pre-cast noise wall panels	Some trees to be removed but mainly pruned to install footings and wood noise wall near a tree The impact is normally less than a concrete wall
		More ground restoration required due to disturbance caused by large and heavy equipment	Less ground restoration required due to disturbance caused by smaller equipment
Aesthetics	Visual appearance	Finish on a concrete wall can have a wide variety of architectural textures patterns and colours	Finish on cedar wood walls can be finished in different stains to blend in with a community's natural appearance
		Doesn't blend in with wood fences	Blends in with wood fences
		More trees require removal due to equipment and work space needed compared to cedar wood panels	Less tree removals as part of the installation compared to concrete panels
Cost* *There is no cost to the resident for replacement and maintenance		Installation and life cycle costs are similar to wooden noise wall	Installation and life cycle costs are similar to concrete noise wall
		Low maintenance costs as composite material lasts for long period of time	Higher maintenance cost as wood requires re-staining every few years

		and private side access can be difficult
	Prices vary based on noise wall height and selected design	Prices vary based on type of wood and fluctuating market rates



Before



After

Applying for a noise wall upgrade

The Noise Wall Conversion Program does not include replacement of deteriorating privacy fences; however, homeowners can apply for a noise wall upgrade as part of our [Local Improvement Program](#).

To determine eligibility, the Region will conduct a noise study along the affected stretch of the existing wall. This study will analyze daytime noise levels to assess if the noise levels are above 60 dBA.

If the stretch qualifies for a noise wall upgrade, the program will issue a petition to determine interest for a noise wall placement. To be successful, a petition requires that at least 3 properties benefit from the new noise wall being installed and that at least 2/3's of the affected property owners are in favour of the construction.

If successful, property owners would cover 1/2 of the project cost.

Questions about ownership?

If you are unsure if the noise wall belongs to you or the Region, call 905-791-7800.

If your property is not located on a [Regional road](#) and you have an issue with your noise wall or fence, please contact the municipality in which you live: the [City of Brampton](#), [City of Mississauga](#), or [Town of Caledon](#).

Les F. Jagodich
Ancaster, Ontario



Wednesday September 8th, 2021

To: Employer & City Council

Re: Unlawful Introduction of 'Mandatory COVID-19 Vaccination Verification Policy'

Further to our earlier advice, on behalf of our members, this confirms the Union's strenuous objection to the recent purported unilateral introduction of a 'Mandatory COVID-19 Vaccination Policy'.

We recognize that COVID-related issues have been a sensitive and potentially polarizing topic. We're proud of how our ATU 107 members have shown up – with pride, compassion, and respect for all.

As you know, we've been advocating for the continued safety of our members, balanced with protection of their fundamental rights & freedoms throughout these unusual times. Our local has created a Task Force to deal with COVID-related issues and we continue to stay vigilant to protect against the erosion of our members' rights and freedoms, while maintaining the delicate balance of ensuring the safety of our members and the greater public.

We're at a loss to understand on what possible basis the Employer unilaterally introduced its new Mandatory COVID-19 Vaccination and Verification Policy for City Employees without any consultation with the Union, notwithstanding clear contractual obligations for such consultation. This high-handed approach on an issue of such critical importance to our members is a profound sign of disrespect for the Union and the members we are statutorily charged to protect. You are well aware that we are the exclusive lawful bargaining agent on behalf of our membership and your attempt to bypass us in this time of unrest and profound change is both untenable and unlawful.

Aside from the affront the City's actions show, it is an inexplicable course. If ever there was a time and an issue to ensure the fullest possible access to information and intelligent discourse, this is it. This is a time that calls for collaboration and cooperation to the fullest extent possible – not top-down, power-over approaches that exclude the key stakeholders who are most affected. The stakes are high and the impact profound. This blatant lack of respect for our Union and its membership is unfortunate to say the least.

To add insult to injury, not only did the Employer choose to enact and purport to implement this new policy with no consultation as legally required, but you continue to refuse to answer critical questions posed by the Union, including but not limited to:

1. What consideration was given to the mandatory provisions in our binding, mutually negotiated contract provisions requiring consultation in **advance** of such decisions/policies being introduced? [i.e. specifically what discussions and determinations were made in deciding to ignore and override these contractual obligations]
2. What was the rationale for failing to seek **any** input from the exclusive bargaining agents legally responsible for representing the members directly affected by this unilaterally introduced policy?

3. What expert advice was sought and will you be sharing the specific expert advice, if any, that you received in coming to this decision?
4. We've been advised by our legal counsel that this is a gross invasion of our members' rights and in fact constitutes a breach of the *Charter*. What discussion and consideration was given to this?
5. How was the decision reached that only medical or religious exceptions would be considered? What provisions are you prepared to make for objections on principle or moral grounds, etc?
6. What expert advice was secured about the potential adverse consequences and/or side-effects of the vaccines?
7. On what basis did the City determine that the social distancing and mask requirements that have been in place through the worst of the pandemic are suddenly inadequate?
8. If mandatory vaccination is mandatory for all city workers to ensure their "safety", what measures will be taken by the city to ensure that all passengers/patrons are fully vaccinated? If you will not be enforcing mandatory vaccination for passengers and patrons, how to you justify this discrepancy?
9. Does this mean that management will now be returning to in person meetings and forgo zoom meetings? Does this mean that we will all be returning to in-person arbitrations?
10. What do you mean by "unique" medical exemptions and "unique" religious exemptions?
11. Please confirm that the City intends to pay for any and all 'required' tests.
12. Please confirm if this policy applies to the mayor, councillors, all patrons, constituents, and public visitors to the City, etc.
13. Who is collecting the workers medical information regarding vaccination? How is it being stored? How is it being protected?

The new 'policy' purports to require all employees to provide proof of vaccination status; to mandatorily require all staff to be fully vaccinated by November 1st (and to take any subsequent recommended boosters); to undergo ongoing COVID-19 testing to access City facilities without proof of vaccination.

The failure to answer fundamental questions about the risks associated with the medical treatment in question renders it impossible to achieve the requisite level of 'informed consent' necessary to expect our members to submit to a medical procedure. In fact, efforts to require someone to submit to medical treatment without express informed voluntary consent (absent duress – including the exercise of authority) is considered an assault under the *Criminal Code of Canada*.

Further, and perhaps more importantly, we believe this new purported policy is a gross invasion of our members' fundamental rights and freedoms. We believe the Employer does NOT have the right to require mandatory disclosure of medical health information and the Employer does NOT have the right to require mandatory vaccinations. It remains the Union's position that every member has the right to make **individual choices** about what medical treatments they will undergo and what medical information they choose to disclose.

We have sought legal advice and our counsel advises that in their view the unilateral introduction of this policy is unlawful on a number of fronts and constitutes not only a violation of our collective agreement but a violation of multiple statutory protections, including but not limited to:

- *Charter of Rights and Freedoms*

Specifically:

- s.2 Fundamental Freedoms
- s.7 Life, Liberty & Security of Person
- s.15 Equality Rights

- *Labour Relations Act*

Specifically:

- s.17 Obligation to Bargain
- s.57 Binding Effect of Collective Agreements
- s.70 Interference with Union
- s.72 Employer Interference with Employees' Rights
- s.73 No Interference with Bargaining Rights
- s.76 Intimidation and Coercion

- Various Privacy statutes

The sanctity of medical confidentiality has long been recognized and protected (by statute and based on legal precedent and at common law).

PIPEDA: Personal Information Protection and Electronic Documents Act

PHIPA: Personal Health Information Protection Act

Municipal Freedom of Information and Protection of Privacy Act

- *Occupational Health & Safety Act*

Not only does the statute provide that Employers must take all reasonable steps to ensure the safety and security of its employees, but it also provides that no Employer shall seek access to any health record of a worker without the worker's written and informed consent.

- *Ontario Health Care Consent Act*

Provides that no treatment can be administered without consent.

- *Nuremberg Code*

Even the Nuremberg Code (to which Canada is a signatory) provides that there must be informed voluntary consent (without duress) before any medical procedure can be performed.

- *Bill S-201: An Act to Prohibit and Prevent Genetic Discrimination*

This Act amended the Canada Labour Code to protect employees from being required to undergo or disclose results of a genetic test (which would include the PCR test for COVID).

- and more.

It is the Union's position that you cannot require our members to sign off this policy nor to disclose their medical information (including vaccination status) nor to undergo mandatory vaccination. It is our position that the City needs to respect individuals' choice to make decisions in these regards.

We will vigorously defend our members' rights in this regard, and we will hold the City liable for any and all breaches, including any and all damages arising from such breaches. These damages are exacerbated by the Employer's blatant disregard for our mutually negotiated contractual rights and the statutory rights & obligations to which the City is bound.

We trust this clarifies our position. We note that it is unfortunate the City appears to have elected to make this an unnecessarily adversarial process at a time when consensus-building is called for to ensure the greater good.

Sincerely,

ATU 107 Executive and ATU COVID Task Force

Integrity Commissioner's Annual Report
City of Hamilton

Principles *Integrity* is pleased to submit this annual report, covering the period from September 1, 2020, the date of our last annual report, to August 31, 2021.

The purpose of an integrity commissioner's annual report is to provide the public with the opportunity to understand the ethical well-being of the City's elected and appointed officials through the lens of our activities. On the assumption that not all readers of this report would have read our last periodic report, key information is repeated for ease of reference.

About Us:

In 2017 we formed Principles *Integrity*, a partnership focused on accountability and governance matters for municipalities. Since its formation, Principles *Integrity* has been appointed as integrity commissioner (and occasionally as lobbyist registrar and closed meeting investigator) in over 40 Ontario municipalities and other public bodies. Principles *Integrity* is an active member of the Municipal Integrity Commissioner of Ontario (MICO).

The Role of Integrity Commissioner, Generally:

An integrity commissioner's statutory role is to carry out, in an independent manner, the following functions:

- Advice on ethical policy development
- Education on matters relating to ethical behaviour
- Providing on request, advice and opinions to members of Council and members of Local Boards
- Providing, on request, advice and opinions to Council
- Provide a mechanism to receive inquiries (often referred to as 'complaints') which allege a breach of ethical responsibilities
- Resolving complaints, and
- Where it is in the public interest to do so, investigating, reporting and making recommendations to council within the statutory framework, while being guided by Council's codes, policies and protocols.

This might contrast with the popular yet incorrect view that the role of the integrity commissioner is primarily to hold elected officials to account; to investigate alleged transgressions and to recommend 'punishment'. The better view is that integrity commissioners serve as an independent resource, coach, and guide, focused on enhancing

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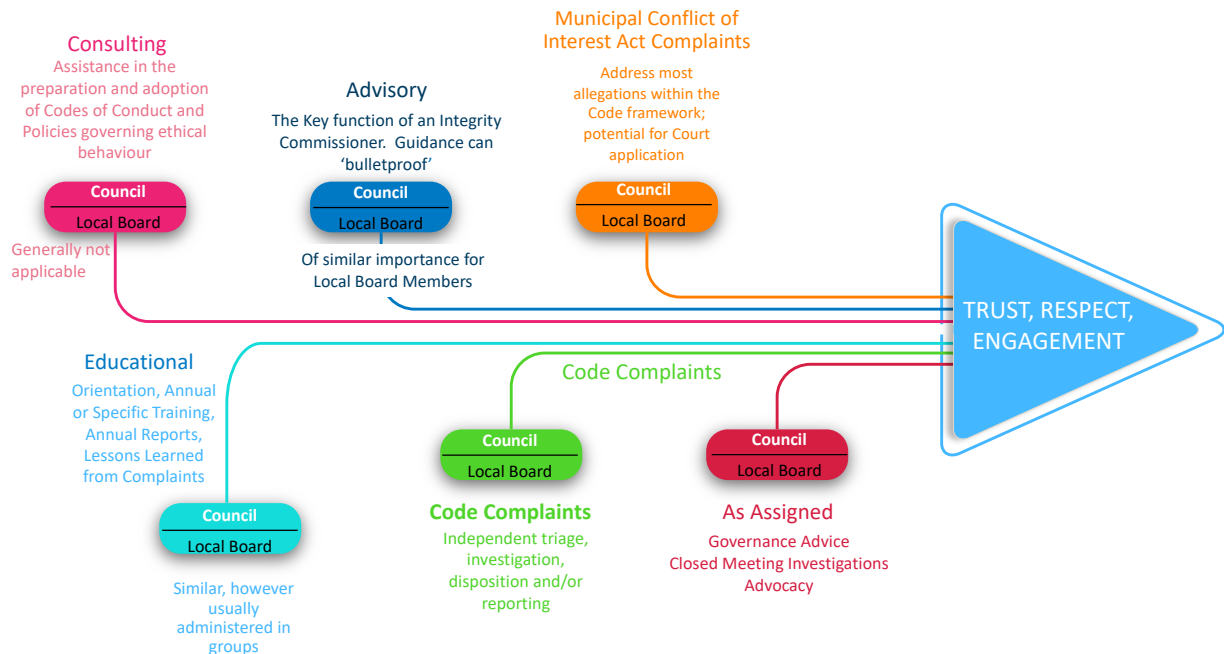
the municipality's ethical culture.

The operating philosophy of Principles *Integrity* recites this perspective. We believe there is one overarching objective for a municipality in appointing an integrity commissioner, and that is to raise the public's perception that its elected and appointed officials conduct themselves with integrity:

The perception that a community's elected representatives are operating with integrity is the glue which sustains local democracy. We live in a time when citizens are skeptical of their elected representatives at all levels. The overarching objective in appointing an Integrity Commissioner is to ensure the existence of robust and effective policies, procedures, and mechanisms that enhance the citizen's perception that their Council (and local boards) meet established ethical standards and where they do not, there exists a review mechanism that serves the public interest.

The practical effect of achieving this objective is an increase in trust, respect and engagement in local and county affairs.

In carrying out our broad functions, the role falls into two principal areas. 'Municipal Act' functions, focused on codes of conduct and other policies relating to ethical behaviour, and 'MCIA' or *Municipal Conflict of Interest Act* functions. From an activity perspective, an integrity commissioner's role can be depicted this way:



The emphasis of Principles *Integrity* is to help municipalities enhance their ethical foundations and reputations through the drafting of effective codes of conduct and other policies

Principles *Integrity*

governing ethical behaviour, to provide meaningful education related to such policies, and to provide pragmatic binding advice to Members seeking clarification on ethical issues. As noted in the Toronto Computer Leasing Inquiry report authored by the Honourable Madam Justice Bellamy (the “Bellamy Report”, seen by many as the inspiration for the introduction of integrity commissioners and other accountability officers into the municipal landscape), *“Busy councillors and staff cannot be expected to track with precision the development of ethical norms. The Integrity Commissioner can therefore serve as an important source of ethical expertise.”*

Because the development of policy and the provision of education and advice is not in every case a full solution, the broad role of the integrity commissioner includes the function of seeking and facilitating resolutions when allegations of ethical transgressions are made, and, where it is appropriate and in the public interest to do so, conducting and reporting on formal investigations. This in our view is best seen as a residual and not primary role.

Confidentiality:

Much of the work of an integrity commissioner is done under a cloak of confidentiality. While in some cases secrecy is required by statute, the promise of confidentiality encourages full disclosure by the people who engage with us. We maintain the discretion to release confidential information when it is necessary to do so for the purposes of a public report, but those disclosures would be limited and rare.

Our Activity for the City:

During the period covered by this report, we have been engaged in a moderate level of activity as Integrity Commissioner for the City of Hamilton which subdivides roughly into three categories:

1. Policy Development and Education

On December 2, 2020, January 25, 2021 and February 23, 2021 we attended Governance Review Sub-Committee to present and discuss the proposed workplan to accomplish the policy reviews identified under the City’s RFP and requested by staff.

Our draft Code of Conduct for Local Boards and draft Complaint Protocol is anticipated to be before General Issues Committee later this fall.

2. Advice

The advice function of the integrity commissioner is available to all Members of Council and where applicable their staff and Members of local boards on matters relating to the code of conduct, the *Municipal Conflict of Interest Act* and any other matter touching upon the ethical conduct of Members. Advice provided by the integrity commissioner is confidential and independent, and where all the relevant facts are disclosed, is binding upon the integrity commissioner.

Our advice is typically provided in a short Advice Memorandum which confirms all relevant

Principles *Integrity*

facts and provides with clarity our analysis and a recommended course of action.

Though advice is confidential, we can advise that the bulk of the issues we provided guidance on this year arose in the context of properly identifying and appropriately recognizing actual and perceived conflicts of interest, including in circumstances where the 'interest in common' exception might apply. The clarifications and guidance provided to Members seemed to be readily understood and welcome.

During the period covered by this report, we responded to 12 such requests for advice.

3. Complaint Investigation and Resolution

Our approach to reviewing complaints starts with a determination as to whether an inquiry to us is within our jurisdiction, is beyond a trifling matter, is not either frivolous or vexatious, and importantly, whether in its totality it is in the public interest to pursue. We always look to the possibility of informal resolution in favour of formal investigation and reporting. Once a formal investigation is commenced, the opportunity to seek informal resolution is not abandoned.

Where we are able to resolve a matter without concluding a formal investigation, our practice is to provide a written explanation in the form of a Disposition Letter to the complainant to close the matter. Often the respondent Member is involved in preliminary fact-finding and will also be provided with a summary of the disposition.

Where formal investigations commence, they are conducted under the tenets of procedural fairness and Members are confidentially provided with the name of the Complainant and such information as is necessary to enable them to respond to the allegations raised.

During the period covered by this report, 6 separate complaints were filed with the Integrity Commissioner, one from multiple complainants. 2 of these complaints were resolved or disposed of without the need for a recommendation report. In those cases, Disposition Letters were provided to the complainants and respondents, explaining our determination

In two of the complaints, following a fair and balanced investigation, we provided our recommendation report to the complainant, the respondent and publicly to Council. The two remaining outstanding complaints will be publicly reported on this fall.

Ethical Themes Around the Province:

With due regard to our obligation to maintain confidentiality, this annual report enables us to identify learning opportunities from advice requests and investigations conducted in a variety of municipalities.

Non-disparagement

One area of prominence continues to be the failure of some Members of Council to adhere

Principles *Integrity*

to rules against disparagement. Members of Council are entitled, and indeed expected to disagree on all manner of issues. However, one of the cornerstones to democracy must be the recognition that different opinions and perspectives are to be respected, and disagreement should not devolve into disrespect, disparagement, and name-calling.

Disrespectful interactions and/treatment of others can fall along a continuum which may manifest as occasional incivility and micro-aggressions, but when unchecked can culminate in bullying and harassment. Members of Council should be mindful to treat each other, staff and the public with appropriate respect and professionalism at all times.

Some Members of Council hold a view that they are entitled to freely express their opinion, even if that includes disparagement of others, and so long as they share it via personal email, and not on the municipal server, they are not constrained by any rules around decorum. This is incorrect. Members are bound by the Code provisions of respectful and non-disparaging communication, whether sharing views on their own email, social media, or elsewhere.

Regardless of the medium, regardless of the intended audience, and regardless of motive, we have observed several instances where Members of Council in municipalities around the province have been found to have breached ethical standards by saying or recording things they have come to regret.

Recognizing and avoiding conflicts of interest

Another area Members frequently require additional clarification on is recognizing and appropriately identifying conflicts of interest when they arise. These often include when members are part of another organization or club whose interests are impacted by a matter before Council, or when members are active professionally within the community and a matter before Council may potentially impact one of their current or past clients.

Take-aways from the Collingwood Inquiry

The Collingwood judicial inquiry published its report, entitled "Transparency and the Public Trust: Report of the Collingwood Judicial Inquiry," on November 2, 2020. This Report contains 306 recommendations relating to best practices in municipal governance.

In particular, the Report contains important discussion regarding the rules relating to conflicts of interest applied to municipal councillors under the Municipal Conflict of Interest Act ("MCIA"), which are overly narrow, focusing on pecuniary (i.e. monetary) interests. The Report warns against considering "pecuniary interest" as the sole criterion in assessing whether a councillor is subject to a conflict of interest:

...it is far too easy to misconstrue the Municipal Conflict of Interest Act as addressing all the kinds of conflict of interest that Council members must confront. Despite its name, the Municipal Conflict of Interest Act does not provide a complete conflict of interest code for municipal actors. It addresses the pecuniary interests of a narrowly defined group of family members related

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to a Council member which are by virtue of the Act deemed to be pecuniary interests of the Council member. Council members are obligated to avoid all forms of conflicts of interest or, where that is not possible, to appropriately disclose and otherwise address those conflicts.

The City's Code of Conduct, recognizes that Members are responsible for avoiding conflicts of interest 'both apparent and real', however it does not contain a mechanism to guide Members to determine when they have a disqualifying interest beyond those found in the *Municipal Conflict of Interest Act*. Incorporating such a provision should be a priority when the Code of Conduct is next reviewed.

As always, obtaining clear and reliable advice from the integrity commissioner is available where the proper course of action may not be sufficiently clear.

Staying in your lane

One area of concern that still arises from time to time is members of Council overstepping their role, attempting to 'take the reins' to fix a constituent's problem, or directing staff how to do their job. Members of Council serve an important role in putting constituents in touch with appropriate staff, and following established processes, but it is important to strike the correct balance. Failing to recognize this may be perceived by staff as undermining staff or interfering with their duties, and may attract exposure for the Member and the municipality where the Member's activities are not in compliance with the relevant regulatory scheme (such as using mandated personal protective equipment; following proper risk management processes; ensuring safety for the Member, their constituents, and the general public). Equally importantly, it interferes with the line-management routines properly established by the municipality so that its workers have clarity in who they are to take instructions from.

Social media and blocking

Another theme which has been the subject of complaints is members' activity on social media. It has come to be understood that an elected official's social media – open twitter accounts and Facebook pages – on which public information is provided, may be considered a kind of 'public forum' or 'town square'. Elected officials typically utilize such accounts and pages to share and disseminate information pertaining to government events, programs or services. It is understood that these open accounts and pages provide a forum for interaction and public debate, similar to what might occur in a town square.

Because they represent forums which engender public debate, elected officials should not arbitrarily block access simply because someone disagrees with their point of view. In other words, it is less than transparent for an elected official to 'scrub' and erase from the discussion voices of dissent or those expressing alternative points of view.

Access to public discussion on an elected official's social media, which site is utilized to share

Principles *Integrity*

and disseminate information about events, programs, or services, should therefore not be blocked simply because a participant is critical of the elected official or of a program or a perspective. On the other hand, blocking users because their tweets or posts are profane, offensive, racist, misogynistic, abusive or harassing is necessary and appropriate.

We recommend Council consider adopting a social media policy to address these newly emerging issues. Such a policy should require that blocking on an open social media site should only occur when and as necessary, and be accompanied with notice to the offending party, describing the reasons for the blocking, and the period of time the sanction would be in place.

Provincial Consultation

Council is likely aware that the Province of Ontario has recently concluded a consultation regarding municipal codes of conduct, with the apparent intent to review options for strengthening enforcement mechanisms. Our perspective on the need for reform is that the regime largely functions well, and that the most egregious instances of bad behaviour should not be the basis for legislative amendments which could inadvertently render the integrity commissioner complaint mechanism less effective, more costly, and more litigious. Principles *Integrity* led the preparation of a submission by the Municipal Integrity Commissioners of Ontario (MICO) which spoke to a variety of suggested amendments seeking to improve the current system.

Conclusion:

We look forward to continuing to work with Members of Council to ensure a strong ethical framework. We embrace the opportunity to elevate Members' familiarity with their obligations under the Code and to respond to emerging issues. As always, we welcome Members' questions and look forward to continuing to serve as your Integrity Commissioner.

We wish to recognize the Members of Council who are responsible for making decisions at the local level in the public interest. It has been a privilege to assist you in your work by providing advice about the Code of Conduct and resolving complaints. We recognize that public service is not easy and the ethical issues that arise can be challenging. The public rightly demands the highest standard from those who serve them, and we congratulate Council for its aspirational objective to strive to meet that standard.

Finally, we wish to thank the Clerk for her professionalism and assistance where required. Although an Integrity Commissioner is not part of the administrative hierarchy, the work of our office depends on the facilitation of access to information and policy in order to carry out the mandate. This was done willingly and efficiently by City staff.

**Ministry of Municipal
Affairs and Housing**

**Ministère des Affaires
Municipales et du Logement**

Office of the Deputy Minister

Bureau du sous-ministre

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September 17, 2021

MEMORANDUM TO: Municipal Chief Administrative Officers and Clerks

SUBJECT: Ontario Proof of Vaccination Guidance for Businesses and Organizations

As the province continues to respond to the fourth wave of the pandemic driven by the highly transmissible Delta variant, the government is further protecting Ontarians through continued actions that encourage every eligible person to get vaccinated and help stop the spread of COVID-19.

On September 14, 2021 the government released [the regulations](#) under the *Reopening Ontario (A Flexible Response to COVID-19) Act* (ROA) and [guidance for businesses and organizations](#) to support them in implementing proof of vaccination requirements, which take effect on September 22, 2021. Requiring proof of vaccination will help increase vaccination rates, protect individuals in higher-risk indoor settings, and keep businesses open.

This requirement focuses on higher-risk indoor (unless otherwise stated) public settings:

- Indoor areas of restaurants, bars, and other food and drink establishments without dance facilities
- Indoor and outdoor areas of food or drink establishments with dance facilities, including nightclubs and restaurants, clubs and other similar establishments
- Indoor areas of meeting and event spaces
- Indoor areas of facilities used for sports and recreational fitness activities, including waterparks, and personal physical fitness training with limited exemptions
 - Includes gyms, fitness/sporting/recreational facilities, pools, leagues, sporting events, waterparks, and indoor areas of facilities where spectators watch events
- Indoor areas of casinos, bingo halls, and other gaming establishments
- Indoor areas of concert venues, theatres, and cinemas
- Indoor areas of bathhouses, sex clubs and strip clubs
- Indoor areas of horse racing tracks, car racing tracks and other similar venues
- Indoor areas where commercial film and TV productions take place with studio audiences

In addition to the guidance, there is a [questions and answers document](#) to help clarify the requirements for businesses and organizations.

Businesses can contact Stop the Spread information line at 1-888-444-3659 if they have any questions about the guidance.

Compliance and Enforcement

Businesses and organizations are responsible for ensuring they meet the requirements regarding proof of vaccination outlined in the ROA, [O. Reg. 364/20](#) (Step 3).

Patrons are required to ensure that any information provided to the business or organization to demonstrate proof of vaccination or proof of identification is complete and accurate.

Failure of a business or organization or a patron to comply with the requirements in [O. Reg. 364/20](#) is an offence under the [Reopening Ontario \(A Flexible Response to COVID-19\) Act, 2020](#).

As a reminder, for offences under the ROA, police and other provincial offences officers, including First Nation Constables, special constables, and municipal by-law officers, have discretion to either issue tickets to individuals for set fine amounts or issue a summons under Part I of the Provincial Offences Act (POA) or to proceed under Part III of the POA by laying an information.

The 1-800 Enforcement Support Line (1-866-389-7638) and dedicated enforcement email address (EssentialWorkplacesSupport.SolGen@ontario.ca) are intended to provide guidance to policing personnel and other enforcement personnel in relation to the enforcement of provincial orders.

I strongly encourage our municipal partners to work closely with provincial enforcement officers and public health officers to coordinate compliance activities in your communities. To identify opportunities for and to plan coordinated compliance activities in your community, please email Stephen Wilson at: Stephen.J.Wilson@ontario.ca.

Thank you for your support and for joining our shared commitment to work together to protect the health and well-being of Ontarians.

Sincerely,



Kate Manson-Smith
Deputy Minister



THE CORPORATION OF THE CITY OF SARNIA
City Clerk's Department

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www.sarnia.ca clerks@sarnia.ca

September 17, 2021

Honourable Doug Ford
 Premier of Ontario
 Legislative Building
 Queen's Park
 Toronto ON M7A 1A1

Dear Premier,

RE: Renovictions

At its meeting held on September 13, 2021, Sarnia City Council adopted the following resolution with respect to "Renovictions":

That Sarnia City Council request that the Government of Ontario take additional and meaningful steps to address the ever increasing problem of "Renovictions" in The Province of Ontario. Citizens and communities are hurt by these unscrupulous practices which can and does directly impact the affordable housing crisis, as well as inflict damage (both financially and mentally) particularly on our most vulnerable citizens; and

That this correspondence also be sent to other Municipalities in Ontario for their consideration and possible endorsement.

Your consideration of this matter is respectfully requested.

Yours sincerely,

Amy Burkhart
 City Clerk

Cc: The Honourable Doug Downey, Attorney General
 Bob Bailey, MPP
 All Ontario Municipalities

**Ministry of Municipal Affairs
and Housing**

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September 17, 2021

Steve Robichaud
Chief Planner and Director of Planning
Planning Division
Planning and Economic Development
City of Hamilton

Sent via email

Re: City of Hamilton Land Needs Assessment Technical Update

Dear Steve Robichaud:

Thank you for circulating the City of Hamilton Land Needs Assessment Technical Update (“technical update”). The Ministry of Municipal Affairs and Housing (“the Ministry”) wishes to acknowledge the significant amount of work that has gone into preparing the City’s draft land needs assessment materials to date.

The comments below are intended to assist the City in its Municipal Comprehensive Review (MCR) and conformity with A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (“A Place to Grow”) and the Land Needs Assessment Methodology for the Greater Golden Horseshoe, 2020 (“LNA Methodology”).

In November 2020, the City of Hamilton shared the Draft Land Needs Assessment to 2051 with Ministry staff for preliminary review. The draft included three scenarios (*Growth Plan Minimums*, *Increased Targets*, *Ambitious Density*) based on varying intensification and density targets. In a letter to the City dated December 15, 2020, the Ministry’s Ontario Growth Secretariat noted that each of the three scenarios included in the draft appeared to conform to the LNA Methodology.

In March 2021, City staff recommended that Council adopt the *Ambitious Density* scenario which implements a 60 per cent annual intensification target and a designated greenfield area density target of 77 residents and jobs combined per hectare. The *Ambitious Density* scenario creates a total land need of 1,310 gross hectares to 2051. Council deferred their decision on the City’s Draft Land Needs Assessment to 2051 and

directed staff to undertake additional analysis on a *No Urban Boundary Expansion* scenario (no new land need to 2051).

In July 2021, the technical update was issued to City staff. In summary, the technical update outlines preliminary findings that, if adopted, the *No Urban Boundary Expansion* scenario would produce a shortfall of approximately 59,300 ground-related units.

The Ministry understands that the City is seeking input on whether the *No Urban Boundary Expansion* scenario, as described in the technical update, would conform to A Place to Grow and the LNA Methodology. Ministry staff have evaluated the technical update and wish to provide the following comments.

Municipalities are required to determine the need to expand their settlement area boundaries using the LNA Methodology issued by the Minister in accordance with policy 2.2.1.5 of A Place to Grow. The LNA Methodology requires municipalities to ensure that sufficient land is available to accommodate market demand for all housing types including ground-related housing (single/semi-detached houses), row houses, and apartments. This requirement is consistent with direction in the *Provincial Policy Statement, 2020* and Section 2.1 of A Place to Grow. Ministry staff acknowledge that the *No Urban Boundary Expansion* scenario is likely to bring about a shortage in land available to accommodate forecasted growth in ground-related housing. Ministry staff further acknowledge that the City's residential intensification analysis (included in the Residential Intensification Market Demand Report) has found that the City is unlikely to achieve the necessary level of apartment unit construction from a market demand perspective. As such, the *No Urban Boundary Expansion* scenario appears to conflict with the objective of the LNA methodology to "provide sufficient land to accommodate all market segments so as to avoid shortages" (pg. 6).

The *No Urban Boundary Expansion* scenario may cause a misalignment with forecasts in Schedule 3 of A Place to Grow as residents seek ground-related housing in municipalities where there may be sufficient supply. Schedule 3 forecasts, or higher forecasts established by municipalities, are to be the basis for planning and growth management to the Plan horizon. The City is required to demonstrate that it is planning to accommodate all forecasted growth to the horizon, including satisfying the direction in A Place to Grow to support housing choice through the provision of a range and mix of housing, as per policies 2.2.1.4 and 2.2.6.1. The LNA Methodology also prohibits planning for population or employment in a manner that would produce growth that is lower than Schedule 3 of A Place to Grow.

Further to the above, the Ministry has additional concerns regarding potential regional implications of the *No Urban Boundary Expansion* scenario, if adopted. The shortfall of

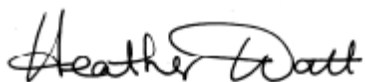
available land and ground-related units that could be created as a result of the *No Urban Boundary Expansion* scenario may cause forecasted growth to be redirected away from the City of Hamilton into other areas that are less suited to accommodate growth. This may have broader regional impacts on prime agricultural areas, natural systems and planning for infrastructure given the lower intensification and density targets applicable to outer ring municipalities that would likely receive pressure to accommodate forecasted growth. As noted in the technical update, the City of Hamilton is well suited to accommodate growth due to its urban structure, strategic location and multi-modal transportation connections.

Ministry staff also wish to acknowledge the strong growth management principles that underpin the City's *Ambitious Density* scenario. The *Ambitious Density* scenario appears to balance market-demand for different housing types while also implementing an intensification target (60 per cent) and a designated greenfield area density target (77 residents and jobs combined per hectare) which exceed the targets set out in policy 2.2.2.1 and 2.2.7.2 of A Place to Grow.

Based on Ministry staff review and analysis of the City's draft Land Needs Assessment and the technical update, it appears that the *No Urban Boundary Expansion* scenario poses a risk that the City would not conform with provincial requirements.

The Ministry looks forward to receiving the City's draft Official Plan as the July 1, 2022 conformity deadline approaches. In the meantime, please contact me by email at: (heather.watt@ontario.ca), or by phone at: 437-232-9474, should you have any further questions.

Best regards,



Heather Watt
Manager, Community Planning and Development, Central Region Municipal Services
Office
Ministry of Municipal Affairs and Housing

c. Ontario Growth Secretariat, MMAH



Hamilton

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Planning and Economic Development Department
Planning Division
Phone: 905-546-2424 Ext. 4281 Fax: 905-643-7250

August 13, 2021

Heather Watt
Manager, Community Planning and Development
Ministry of Municipal Affairs and Housing
777 Bay Street, 13th floor
Toronto, ON M7A 2J3

Dear Madam,

Re: City of Hamilton Land Needs Assessment and No Urban Boundary Expansion Growth Option

Further to the meeting held on August 9, 2021 between City of Hamilton and MMAH / OGS staff, the City is requesting Provincial input on matters related to the City's Draft Land Needs Assessment to 2051 (dated March 2021) and Technical Update (dated July 21, 2021) completed by Lorus & Associates.

The City's December 2020 (updated in March 2021) [Draft Land Needs Assessment \(LNA\)](#) modelled three scenarios: Growth Plan Minimum (50% intensification, new DGA density of 65 pjh); Increased Targets (55% intensification, new DGA density of 75 pjh); and the Ambitious Density Scenario (60% intensification, new DGA density: 77 pjh). The No Urban Boundary Expansion (NUBE) Scenario was not modelled in either the December 2020 or March 2021 LNA.

The three land needs scenarios were reviewed by the Ministry in December 2020. The Ministry confirmed, in a letter dated December 15, 2020, that the draft LNA conformed to the Provincial Land Needs Assessment Methodology. In particular, it was noted that the draft LNA conformed to the Provincial method by considering market demand across a range of housing types, implementing the Schedule 3 forecasts, and that all three scenarios supported the minimum density and intensification targets established in A Place to Grow for the City of Hamilton.

Within this context, however, it is important to stress that the amongst the three scenarios under consideration, the Ambitious Density scenario represents a particularly aggressive approach to conformity to the *Growth Plan* in terms of the high amount of intensification and density of new DGA development anticipated, as well as the level of population-related employment and community area (non-residential) lands to be accommodated in new communities.

Similarly, for Employment Area land needs, the March 2021 LNA also envisions a very efficient pattern of land use including a much more optimistic outlook for major office growth, specific intensification expectations including 5,000 net new jobs in the Bayfront industrial area and 100% development of the existing land supply.

Taken together, the Ambitious Density inputs represent a plan to achieve a much more intense and compact urban form compared to the past, in accordance with *Growth Plan* objectives to optimize the use of the existing urban land supply and avoid over-designating land for future urban development while still planning to achieve the Schedule 3 Growth Plan forecasts. As such, the Ambitious Density Scenario has been recommended by staff as a basis for the City’s conformity work.

A NUBE Scenario is now also being considered as a potential growth option in accordance with City Council direction arising out of the March 2021 GIC meeting. Lorius & Associates has provided a Technical Update to the draft LNA, attached to this letter, which provides a high-level discussion of the NUBE Scenario, including the housing market shifts required and other growth management implications.

Preliminary modelling of the NUBE Scenario indicates a shortfall of nearly 60,000 ground-related units that would need to be ‘shifted’ into family-sized apartment units in order to achieve the Schedule 3 forecasts, as shown in the Table below. According to Lorius and Associates, and for reasons explained in more detail in the March 2021 *Residential Intensification Market Demand Analysis* Report, this magnitude of market shift is unlikely to occur. A copy of this report can be accessed at the City’s [webpage](#).

Ground-Related Housing “Shifts” Into Apartments Required by LNA Scenario			
Unit shifts and share of net new housing growth to 2051 (110,320 units)			
LNA Scenario	Intensification target	Ground-related units shifted to apartments	Ground-related share of growth
Market-Based	n/a	0	75%
Growth Plan Minimum	50%	20,730	57%
Increased Targets	55%	24,800	53%
Ambitious Density	60%	28,900	50%
No Urban Expansion	n/a	59,300	22%

Source: Lorius and Associates based on March 2021 LNA report, forecasts and other information from Hemson Consulting Ltd. and City of Hamilton Staff, 2021.

It is also our understanding that the purpose of the LNA methodology is to provide a specific quantum of lands to accommodate all market segments through the provision of a ‘market-based’ supply of housing “to the extent possible”. While there is some latitude in the specific inputs to be used, the LNA inputs must be based on the Schedule 3 forecasts at a minimum. According to the mandated LNA method, lower forecasts are not permitted as they may lead to land supply shortages.

Under a NUBE Scenario, based on demographic and economic considerations as noted in the *Residential Intensification Market Demand Analysis* Report there is a real risk that the population growth to 2051 that would otherwise have been accommodated in the associated ground-related housing units will simply be 'redirected' away from Hamilton, most likely to other locations within the southwest GGH. Such a redirection would result in a regional misalignment of the Schedule 3 forecasts that are intended to be the basis for planning and growth management at the single- and upper-tier level.

For the City of Hamilton, therefore, the NUBE Scenario would likely have the effect of 'under planning' for growth relative to the Schedule 3 forecasts which is not permitted under the mandated LNA method. The no expansion scenario also represents a significant change from the *Ambitious Density* Scenario, which already represents quite an aggressive approach to planning within a *Growth Plan* context from both a Community and Employment Area perspective.

In consideration of the above points and the information on the NUBE Scenario contained in the attached Technical Update memorandum, the City is requesting Provincial input on the conformity of the four modelled LNA scenarios (Growth Plan Minimum, Increased Targets, Ambitious Density and No Urban Boundary Expansion) with the Land Needs Assessment Methodology.

We would appreciate input on this matter by **September 17, 2021**.

If you have any questions or comments, please feel free to contact Heather Travis at (905) 546-2424, ext. 4168, or by email at Heather.Travis@hamilton.ca, or myself at (905) 546-2424, ext. 4281.

Yours truly,

Heather Travis for

Steve Robichaud
Director of Planning and Chief Planner
Planning Division
Planning and Economic Development Department
City of Hamilton

Memorandum

Date:	July 21, 2021
To:	Heather Travis, Senior Project Manager Growth Management Strategy Policy Planning & Zoning By-Law Reform Section, Planning Division
Cc:	Steve Robichaud, Chief Planner and Director of Planning
From:	Antony Lorius
Subject:	City of Hamilton Land Needs Assessment (LNA) Technical Update

Purpose

The purpose of this memorandum is to provide an update to the City of Hamilton Land Needs Assessment (LNA) to 2051 in regards to two matters: the forecast for detached Secondary Dwelling Units such as “Laneway Houses” and “Garden Suites”; and the “No Urban Boundary Expansion” Scenario. These two matters have implications for the results of the March 2021 LNA and the City’s ongoing growth management process.

Background and Context

December 2020 Draft Land Need Scenarios

As you know, the LNA is being undertaken to support the update of the Growth-Related Integrated Development Strategy (the GRIDS 2 update) and the Municipal Comprehensive Review (MCR) over the period to 2051. The draft results were presented to the City’s General Issues Committee (GIC) on December 14th, 2020. Three main scenarios were identified based on varying residential intensification (RI) targets and greenfield density inputs:

- The *Growth Plan Minimum* Scenario, which is based on an average of 50% of new units inside the built boundary and a density of 65 residents and jobs combined in new greenfield areas; which resulted in a land need of **2,200 gross ha**;
- The *Increased Targets* Scenario; which is based on an average of 55% of new units inside the built boundary and a density of 75 residents and jobs combined in new greenfield areas; which lowers the land need to **1,640 gross ha**; and

- The *Ambitious Density* Scenario, which is based on still higher rates of RI (an average of 60% of new units inside the built boundary) and density in new greenfield areas (77 residents and jobs combined per ha), which lowers land need further to **1,340 gross ha**.

An illustrative *Current Trends* scenario was also prepared to show the results of a lower intensification target (40% of new units). However, this scenario is not considered suitable given the potential for Hamilton to shift the pattern of development towards denser urban forms. Similarly, the no urban expansion option was not modelled at the time. In our view, a no expansion option does not meet Provincial planning policy requirements and is not considered good planning.

The Ministry of Municipal Affairs and Housing has reviewed the draft LNA and provided preliminary comments in a letter dated December 15, 2020. Among other matters, Provincial staff confirm that the draft LNA conforms to the requirements of the mandated method for completing the analysis, in particular the need to consider market demand across the range of housing types. Provincial staff also notes that the three draft scenarios support the minimum density and intensification targets established in *A Place to Grow* (2020) for the City of Hamilton.

March 2021 *Ambitious Density* Scenario Recommendation

Following the December 2020 GIC meeting, data updates and other minor revisions were made to the draft LNA. Final results were presented to the City’s GIC on March 29th, 2021. City staff recommended that Council adopt the *Ambitious Density* Scenario, which represents an aggressive approach to growth management from a planning perspective. In particular:

- The *Ambitious Density* Scenario is based on a substantial increase in the total amount of RI that occurs over the period to 2051. This expectation has the effect of substantially reducing the amount of urban expansion lands required to accommodate growth;
- Similarly, the density factors for new greenfield housing are also very high: on average 35 units per net ha for Single and Semi-detached units and 70 units per net ha for Row houses. While there may be some site-specific examples of such units at higher densities, on a community-wide basis the *Ambitious Density* factors represent an extremely compact urban form; and
- The expectation for population-related employment is optimistic – estimated at 1 job for every 8.0 new residents in new greenfield areas. This ratio is slightly lower than the existing greenfield area (meaning proportionately more population-related jobs) to take into account the potential for increased levels of remote working that have already begun to occur as a result of the abrupt changes brought about by the COVID Pandemic.

The *Ambitious Density* Scenario is therefore **not a pure “market-based” approach** to the LNA, but rather embodies deliberate policy intervention to optimize the use of the existing urban land supply and avoid over-designating land for future urban development while still planning to achieve the Schedule 3 *Growth Plan* forecasts. Given the level of policy intervention involved, the *Ambitious Density* Scenario requires careful monitoring and reporting on progress to ensure a balanced supply of housing types to 2051, in accordance with the mandated LNA method.

Council Decision and the GRIDS 2/MCR Urban Growth Survey

Rather than adopt the *Ambitious Density* Scenario, Council deferred the decision and instead directed staff to undertake additional public consultation on the question of urban boundary expansion. A City-wide consultation survey was mailed out to all residents in June, 2021, seeking input on the *Ambitious Density* Scenario, a No Urban Boundary Expansion Scenario and that also allows residents to submit their own alternative scenario. The survey results are to be compiled and presented as part of the GRIDS2 report back at the GIC meeting in October 2021. Council also directed staff to model and evaluate the No Urban Boundary Expansion Scenario and report back on the results in October.

A number of other changes have occurred since the March 29th GIC meeting, particularly in regards to the treatment of Secondary Dwelling Units (SDUs). Zoning by-law amendments have been adopted to permit SDUs as of right in all residential zones, including detached SDUs such as “Laneway Houses” and “Garden Suites” in the City’s urban area. City staff has also undertaken more detailed analysis in regards to the anticipated breakdown of intensification units (by type) within the “Built-up Area” as input to future growth and infrastructure modelling exercises.

These changes have implications for the March 2021 LNA results, which are described below to assist the City and Provincial planning staff in their consideration of the matter. The required housing market shifts and growth management implications of the no boundary expansion option is also described, in accordance with the March 2021 Council direction.

Forecast of Detached Secondary Dwelling Units (SDU)

Secondary Dwelling Units (SDUs) will play an important role in meeting the City’s future housing needs, including “Laneway Houses”, “Garden Suites”, “Coach Houses”, “Carriage Houses” and other stand-alone secondary housing forms. For detached SDUs in particular, the overall growth outlook is expected to be limited: approximately 80 units per year to 2051.

Clarification and Definition of “Accessory Units”

As part of the ongoing GRIDS 2 and MCR process, staff have received a number of questions on the definition of housing by type in the *Growth Plan* forecasts, especially the distinction between “Accessory Units” and detached SDUs such as Laneway Houses or Garden Suites.

For clarification: **Accessory Units are not detached SDUs.** The “Accessory Unit” category in the 2020 *Growth Plan* forecasts and March 2021 LNA are apartments added to an existing single-detached or semi-detached house (e.g., basement suites) and do not include detached SDUs such as Laneway Houses or Garden Suites. The City’s new zoning by-law also permits SDUs in towns (rowhouses). For convenience, these accessory units are included as apartments in the March 2021 LNA because ground-related units rather than apartments generate land need. Detached SDUs are entirely separate from the main house on the property so would likely be counted in the Census as a second single detached unit on the property. Since detached SDUs are physically separate from the main dwelling they are considered to be single detached units for the purposes of the growth forecasts and LNA to 2051, in accordance with current Census definitions by dwelling type. This distinction will be clarified for the report back to the October 2021 GIC meeting.

The Role of Detached SDUs in Accommodating Growth

Detached accessory units will play an important role in accommodating the City’s housing needs over the period to 2051. There are many well-documented benefits, especially as part of the “Missing Middle”¹ housing market discussion and the need to address affordability challenges. To date, the experience has been that most new detached SDUs are occupied by younger single and two-person households rather than families with children.²

Part of the community feedback received on the LNA results also included reference to the potential for detached SDUs within the City’s Built-up Area that is likely to be created by the new Zoning regulations. It has been suggested that this change will create such a large potential supply of single-detached units in existing residential zones – well in excess of the approximately 44,000 units allocated to the Designated Greenfield Area (DGA) under the *Ambitious Density* Scenario – that no urban expansion is therefore required.

There is no question that a large supply potential exists. However, while detached SDUs may be built physically as a detached unit, they function mainly as a more attractive rental option for new residents seeking amenity-rich downtown neighbourhoods. From a LNA perspective, therefore, detached SDUs within existing areas are generally not a direct substitute for ground-related, ownership housing in greenfield areas. These types of units also tend to be expensive for private homeowners to build and maintain, which compounds the supply challenge.

Anticipated Distribution Within the City

Similar to residential intensification in general, the outlook for detached SDUs in the City of Hamilton is likely quite positive. However, it should be noted that predicting the level of future development can be a challenge since it is an emerging market with relatively little in the way of historic development patterns to provide a basis for the future growth outlook.

That said, a recent report prepared by CMHC provides some helpful context in terms of understanding the key factors underlying the distribution of secondary units in Ontario. Two of the key findings most relevant to the outlook for detached SDUs in Hamilton are that:

- Secondary units are more prevalent in older established areas, especially in close proximity to the downtown core and amenities, such as transit hubs; and
- Municipalities with newer homes (built 2010-2019) have a lower prevalence of secondary units, due, in part, to their pattern of dispersed essential amenities that require car travel that has traditionally been less appealing to renters.³

¹ The Missing Middle refers to the range of housing types between traditional single-detached homes and high-rise apartments that have gone ‘missing’ from many large cities, including the City of Hamilton.

² Based on the findings of the City of Vancouver *Laneway Housing Survey Summary* (2018) prepared as part of the *Housing Vancouver Strategy 2018-2027* and *3-Year Action Plan 2018-2020*

³ For the complete findings see the Canada Mortgage and Housing Corporation (CMHC) report: *Housing Market Insight Ontario, Secondary Units in Ontario*, June 2021.

Although the CMHC report does not specifically address the growth outlook for detached SDUs, the findings suggest that development is likely to be focussed more within the Built-up Area as opposed to the DGA. This finding echoes the results of the City of Vancouver survey noted previously, with respondents reporting that a key attraction of laneway housing was the option to live in a newer unit close to jobs, schools, transit and other urban amenities.

Growth Forecast to 2051

To provide an indication of overall unit potential, in the City of Vancouver approximately 420 laneway housing units have been completed annually since 2010, as shown in Table 1 below. It is understood anecdotally that in the City of Toronto approximately 100 detached SDUs are being completed per year but that unit production is expected to catch up to Vancouver levels quickly.

City of Vancouver Laneway Housing Building Activity					
Building Permits Issued 2010-May 2021					
Year	<i>Laneway Dwellings</i>		\$ Value	\$ Per Unit	
	Permits	Units			
2021	104	104	\$20,209,989	\$194,327	
2020	384	384	\$74,346,119	\$193,610	
2019	470	470	\$90,744,031	\$193,072	
2018	734	734	\$143,733,479	\$195,822	
2017	589	589	\$112,048,474	\$190,235	
2016	500	500	\$91,758,618	\$183,517	
2015	523	523	\$92,818,870	\$177,474	
2014	377	377	\$60,116,337	\$159,460	
2013	352	352	\$51,696,739	\$146,866	
2012	354	354	\$43,349,376	\$122,456	
2011	232	232	\$28,038,904	\$120,857	
2010	192	192	\$19,004,019	\$98,979	
Average Annual Permits		421			

Source: City of Vancouver Statistics on Construction Activity, 2010-2021 ytd

It is unlikely that the City of Hamilton will achieve such high levels of development activity for detached SDUs, in particular for new Laneway Housing units:

- Virtually everywhere in Vancouver has lanes and they are all generally much wider and better-maintained than in Hamilton or Toronto;
- Based on a desktop review, it is estimated that Vancouver has more than 10 times the area of neighbourhoods with laneways compared to the City of Hamilton. Accordingly, a rate of 420 units per year might translate into **roughly 30 units per year**, which is likely optimistic given that not all laneways in Hamilton are public meaning that primary access to the unit may not be maintained as a public right of way throughout the City.

A similar number of “Garden Suites”, “Coach Houses” and other stand-alone secondary housing forms can be expected. Accordingly, for the purposes of the LNA and, again, recognizing the inherent challenges in predicting the future of such a new and emerging market segment, we would estimate roughly **40 additional units per year**. Most of these units are expected to be located within the Built-up Area (30 units per year) reflecting the attraction of urban locations for this type of development and limits on their development potential within the DGA.⁴

It is also understood that there is considerable interest in detached SDUs in the rural area. However, from a LNA perspective a conservative approach is warranted given the lack of any historical basis to judge future uptake and *Growth Plan* and City planning policies to direct growth to urban settlement areas with full municipal services. The City also has yet to determine the specific conditions under which detached SDUs will be permitted in the Rural area. Within this context, it is appropriate to allocate a relatively limited **10 units per year** to the Rural area.

These allocations result in a forecast of approximately **80 detached SDUs annually**, as shown below in Table 2, and focussed largely inside the Built-up Area. The allocation to the DGA and Rural areas is limited, however this situation would need to be monitored as part of the City’s growth management efforts over the planning horizon to 2051. Accounting for these 600 units (300 DGA and 300 Rural) has the effect of reducing overall land need, as discussed in the next section.

Forecast of Detached Secondary Dwelling Unit (SDU)				
Forecast annual and total units, City of Hamilton to 2051				
Policy Area	Annual Laneway House	Annual Garden Suite +	Total Annually	Total 2021-2051
Built-Up Area	30	30	60	1,800
DGA	-	10	10	300
Rural	-	10	10	300
Total	30	50	80	2,400

*Source: Lorus and Associates Based on Information from the City of Vancouver Statistics and Hemson Consulting Ltd.
Forecast includes Laneway Housing, Garden Suites and other stand-alone secondary housing forms*

Implications for the March 2021 LNA

The issue of detached SDUs is not explicitly addressed in the March 2021 LNA. However, these units were generally anticipated to form part of the ground-related intensification that will need to occur within the Built-up Area to achieve the policy-based targets in the *Ambitious Density* Scenario. Detached SDUs will form part of the “missing middle” intensification forms since the redevelopment economics of older urban areas favours higher-density row houses and apartment buildings in most circumstances. The provision of single-detached units through intensification tends to be limited and mostly takes place as replacements of existing houses.

⁴ For example, many ‘contemporary’ suburban lots may not be able to accommodate detached SDUs because of the minimum separation requirements that may eliminate many lots less than 100 ft. in depth. Only a portion of other types of housing lots such as street towns would be eligible (likely limited to ‘end’ lots, depending on lot depth and other factors) and other dwelling types such as duplex, triplex and other multiple forms are not eligible.

However, detached SDUs were not incorporated into the forecast for the DGA and Rural areas in the March 2021 LNA. The adjustment is undertaken in two steps:

- An additional 300 units (treated as single and semi-detached units) are allocated to the Rural Area, which reduces forecast DGA demand by this amount; and
- Similarly, an additional 300 units are included in the current DGA housing unit potential, which increases the available supply to accommodate growth.

The combined effect is to remove the land need associated with 600 single and semi-detached units (shown in Table 2) estimated at a density of 35 units per net ha and a net-to-gross factor of 50%, or approximately 30 gross ha. Accordingly, under the *Ambitious Density Scenario*, overall **land need is reduced from approximately 1,340 ha to 1,310 ha**

As noted previously, more detailed analysis of the intensification supply (by type) has been undertaken by City staff as input to growth and infrastructure modelling exercises. Updates have been made that shift the unit distribution inside the Built-up Area (particularly for rowhouse supply) but do not change DGA land need. City staff is also currently modelling the No Urban Boundary Expansion Scenario as part of the evaluation of growth options and preparation of Traffic Zone forecasts.

Implications of the No Urban Boundary Expansion Scenario

Provided below is a high-level discussion of the implications of the No Urban Boundary Expansion Scenario. The required housing market shifts and associated growth management implications are described, in accordance with the March 2021 Council direction, to assist the City and Provincial staff in their consideration of the matter.

Supply-Based Approach Taken

A supply-based approach is taken to the analysis, which is different than the March 2021 LNA that is based on increasing rates of intensification over time, for the various scenarios, which results in varying degrees of market shifts required to achieve *Growth Plan* policy goals: in particular the shift of ground-related forms into high density apartment units.

Under the approach taken here, forecast demand is compared to the available supply and unit shortfalls identified. Forecast demand is the “market-based” housing demand by type shown in the March 2021 LNA, adjusted for the additional 300 detached SDUs allocated to the Rural Area. The available supply is the estimated Vacant Residential Land Inventory (VRLI) supply as well as the updated intensification opportunities noted previously, including the detached SDUs that are expected to form part of the ground-related intensification inside the Built-up Area.

The results indicate a shortfall in market-based demand of **approximately 59,300 ground-related households** that would need to shift into apartments, as discussed in the next section.

Results Indicate Significant Shortfall in Market-based Demand

The results are set out in the series of technical tables below. Table 3 shows the market-based urban housing unit demand over the period to 2051 and the market-based mix of growth. Table 4 shows the unit supply potential, including detached SDUs and the updated intensification supply inside the Built-up Area. Table 5 reconciles supply and demand to show the shortage in ground-related households that would need to be 'shifted' into apartments.

Market-Based Housing Demand				
Component of estimate	Single & Semi	Row House	Apartment (all)	Total
City-wide Housing Unit Need 2021-2051	56,020	27,600	26,700	110,320
Allocation to Rural infill (RSA)	135			135
Allocation to Rural Detached SDU	300			300
Total City-wide Urban Demand 2021-2051	55,585	27,600	26,700	109,885
Market-based Mix of Growth	51%	25%	24%	100%

Source: Lorus and Associates based on March 2021 LNA Ambitious Density Scenario, forecast for Detached SDUs and updated information from City of Hamilton Staff 2021

Housing Unit Supply Potential				
Component of estimate	Single & Semi	Row House	Apartment (all)	Total
Estimated DGA Supply Mid-Year 2021	5,570	7,120	8,090	20,780
Adjustment for detached SDU	300	0	0	300
Residential Intensification Supply	3,280	7,630	55,160	66,070
Total City-wide Urban Unit Potential	9,150	14,750	63,250	87,150
Total Ground Related Unit Potential	23,900			

Source: Lorus and Associates based on March 2021 LNA Ambitious Density Scenario, forecast for Detached SDUs and updated information from City of Hamilton Staff 2021

Market-Based Housing Shortfall				
Component of estimate	Single & Semi	Row House	Apartment (all)	Total
Total City-wide Urban Demand 2021-2051	55,585	27,600	26,700	109,885
Total City-wide Urban Unit Potential	9,150	14,750	63,250	87,150
Market-Based Unit (Shortfall)/Surplus	(46,435)	(12,850)	36,550	(22,735)
Total Ground Related Unit Shortfall	(59,285)			

Source: Lorus and Associates based on March 2021 LNA Ambitious Density Scenario, forecast for Detached SDUs and updated information from City of Hamilton Staff 2021

As shown above, the results indicate a total ground-related housing unit **shortfall of 59,285 units** that would need to shift into apartments. The shift to apartments under the no expansion scenario is so significant that it exceeds the identified supply potential, including intensification within the Built-up Area. For apartment units in particular, approximately **22,735 units** would need to be accommodated in unidentified locations beyond those already determined by City staff.

Required Market Shifts Have Significant Implications

Under a no expansion scenario, nearly 80% of all new households would need to be accommodated within apartment units, including families. As illustrated in Table 6 below, this compares to 50% under the *Ambitious Density* Scenario and 25% under a market-based outlook for growth.

Housing Mix of Growth Comparison				
Growth 2021-2051	Single & Semi	Row House	Apartment (all)	Total
Market-Based Mix of Growth	51%	25%	24%	100%
<i>Ambitious Density</i> Scenario	25%	25%	50%	100%
<i>No Urban Expansion</i> Scenario	9%	13%	78%	100%
No Expansion Scenario shift from market	-42%	-12%	54%	0%

Source: Lorus and Associates based on March 2021 LNA *Ambitious Density* Scenario, forecast for Detached SDUs and updated information from City of Hamilton Staff 2021

Achieving this share of apartment unit construction is unlikely from a market demand perspective, as explained in the Residential Intensification Market Demand Report prepared as input to the March 2021 LNA. It should also be noted that the housing shifts required under either the *Ambitious Density* or no urban expansion scenarios are not a simple “1 for 1” transfer because ground-related units are typically occupied at higher Person Per Unit (PPU) factors than apartments.

Household formation and occupancy patterns are a social construct. Accordingly, the shift in growth patterns that must occur is not a simple increase in the number of apartment units. The shift that must occur is an **increase in the number of larger family-sized households** that would otherwise occupy ground-related housing, but that now must choose to occupy apartment units instead. From a planning perspective, therefore, the challenge is to maximize the tolerance of the market to be influenced by policy without jeopardizing the Schedule 3 forecasts.

Planning for a level of intensification that is well beyond reasonable market expectations carries the risk that the amount and mix of housing does not occur as planned and the *Growth Plan* Schedule 3 forecasts are not achieved. A highly restricted land supply would likely also have other unintended consequences and negative planning and growth management implications:

- As explained in the City’s March 2021 DGA Density Analysis report, a significant portion of the existing DGA is either already developed or subject to approved development applications. As a result, there is little opportunity to achieve further density increases without sacrificing public standards for parks, schools, institutions or environmental protection or undertaking a wholesale review of existing secondary plans in regards to housing mix;
- On the demand side, it is important to note that the *Growth Plan* and March 2021 LNA housing forecasts are for **net new units**. Because the forecasts are based on age structure, they take into account demographically-driven trends in household formation and unit type preferences, including the turnover of single-family dwellings “freed up” by an ageing population and taken up by younger households coming into the market. However, this type of housing turnover is not anticipated to happen until later in the forecast period (around 2040) and will not generate enough units to satisfy all of the demand for ground-related housing to 2051.

- Within this context, and after the total available DGA unit supply is consumed at some point prior to 2031, the lack of new growth areas would lead to speculation at the urban fringe and, more than likely, poorly-planned incremental expansions into the rural area;
- Maintaining public park and open space standards would become a major challenge over time. Schools, community services and other types of recreation would need to be provided in the urban area where significant sites are costly to acquire; and
- Rather than ‘shifting’ into apartments, the ground-related housing market would likely seek – and find – other locations outside of Hamilton in the southwest GGH. Such a dispersal would solve many of Hamilton’s growth management challenges but would have the undesirable effect of redirecting growth to locations less able to manage it.

In our view, the No Urban Boundary Expansion Scenario would likely have the effect of redirecting growth away from the City of Hamilton which is not in accordance with the *Growth Plan* and is not considered to be good planning. The City of Hamilton is very well-suited to accommodate growth because of its urban structure, strategic location and well-developed multi-modal transportation connections within the broader metropolitan region.

We remain of the view that a balanced approach is required to manage growth, including intensification and carefully planned expansion areas. However, a third-party Peer Review is being undertaken to confirm that this approach and method meets applicable Provincial planning policy requirements. **It is also not clear if the No Urban Boundary Expansion Scenario would be acceptable to the Province based on the requirements of the *Growth Plan* and mandated LNA methodology.**

It would be very helpful for the province to provide guidance on this matter prior to the updated LNA and Peer Review findings being presented as part of the GRIIDS2 report back at the GIC meeting in October 2021. We trust this memorandum is of assistance. Please do not hesitate to let me know if you have any questions or require any additional information

Pilon, Janet

Subject: NO to FLUORIDE, YES to FREEDOM - Let's WIN Our Rights Back, Canada!

From: Lynne Welbourn

Sent: September 19, 2021 7:27 PM


To: Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>

Subject: Fwd: NO to FLUORIDE, YES to FREEDOM - Let's WIN Our Rights Back, Canada!

September 19,2021.


To Mayor Fred Eisenberger, Councilman Lloyd Ferguson ,all of Hamilton city council members,Dr.Elizabeth Richardson

We Hamiltonian taxpayers suggest you all address this serious health issue right now, people are learning about the many ill effects on humans by the ongoing practice of adding Fluoride in our drinking water in Hamilton Ontario Canada city water's supply that has been carried out for years without our consent and understanding of this poison to humans.The propaganda of being good for our teeth will no longer be excepted as a reason for this practice.

The water  of Hamilton Ontario Canada will be tested going forward by a independent source that you will have no say in,in the near future .

NO FLUORIDE in Hamilton Ontario Canada water supply..YOU have knowingly agreed to let this happen so it falls squarely in your arenas,ignorance is no defence. Per information request : As Health minister for Hamilton Ontario Canada,Dr Elizabeth Richardson has allowed this knowingly to happen for years ,she has let Fluoride be added to our Hamilton Ontario Canada water's supply and this will be duly noted.

Thank you in advance for actively addressing this. It effects all of us , our future generations to come and you . We also require a dated and signed public announcement posted and published by all above mentioned that this has been thoroughly addressed and that the practice of adding Fluoride to Hamilton Ontario Canada water's supply will no longer occur from this day forward and that Fluoride has been totally eradicated from Hamilton Ontario Canada water's supply never to be present again.

We the people are watching, you. 

Kevin J. Johnston says NO To FLUORIDE in The Calgary Water Supply

Posted by Kevin J. Johnston, 1 min

☰
**Calgary
Mayor-Elect
Kevin J.
Johnston**

**SAYS NO
To FLUORIDE
In Calgary's
Water**



Contact Us

My name is KEVIN J. JOHNSTON. I am running for Mayor of Calgary, I received no survey from you. Please post on your website immediately that I am AGAINST all fluoride in any water supply in Canada as it is a neurotoxin that lowers intelligence quotients in all countries and areas where it is in water supplies. I will testify to this in open court. The benefits of fluoride in water supplies are NIL. The reason that toothpaste has the warning on the labels to NOT SWALLOW the product is that fluoride is toxic to the body and the brain.

www.CalgaryMayor.co



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Send me email updates



Send me text messages

Address (Street, City, Prov., Postal Code)*

PO Box 34317 Westbrook PO

Kevin J. Johnston says NO to FLUORIDE in Calgary Water Supply - The disgusting group "FluorideYes" is pumping out propoganda where they say fluoride is good for your teeth, but they leave out all the toxic damage done to the human body and brain as a result of it. They never contacted me for my opinion and stance on the subject, so I have emailed them from their website contact form. There will never be FLUORIDE in Calgary's water supply when I am mayor. www.CalgaryMayor.co

DO YOU WANT TO WIN THIS CALGARY MAYOR RACE AND GET CANADA BACK ON TRACK TO FREEDOM?

LUCKY 7's - We Are Going TO WIN This Mayor Race If We All Do This One Simple Thing!

We need you all to call 7 Calgary Businesses per day and use this script:

Good Day (or Hello)! How would you like to have your business open forever?

Vote Kevin J. Johnston for Mayor of Calgary. He is going to end Mask Mandates, Vaccine Injection Mandates, Vaccine Passports, and Ban All Medical Restrictions!

Your business will be open forever when he is Mayor!

Could I ask you to have a look at his website, CALGARY MAYOR dot CO - that is www.CalgaryMayor.co

Feel free at that point to take their questions and let them know that I will answer their messages from the contact page of [CalgaryMayor.co](http://www.CalgaryMayor.co)

+ + +

If we all make 7 phone calls a day to Calgary businesses with the script in purple above, we CAN WIN THIS ELECTION and send the corrupt running. All MASK and COVID mandates are GONE when I am mayor of Calgary!



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From: [Catharine Ozols](#)
To: [Davenport, Alicia](#); [Ward 1 Office](#); [Farr, Jason](#); [Nann, Nrinder](#); [Merulla, Sam](#); [Collins, Chad](#); [Jackson, Tom](#); [Pauls, Esther](#); [Ward 8 Office](#); [Clark, Brad](#); [Pearson, Maria](#); [Johnson, Brenda](#); [Ferguson, Lloyd](#); [VanderBeek, Arlene](#); [Whitehead, Terry](#); [Partridge, Judi](#); [Office of the Mayor](#)
Subject: Sewage Pipe into Ancaster Creek - Please say it isn't so!
Date: Tuesday, September 21, 2021 11:06:51 AM

As we approach 2022 facing a climate emergency, it seems to me that Hamilton should be considering a better infrastructure solution to sewage overflow than putting an overflow pipe into Ancaster Creek. Having woken up in a flooded basement last week after a heavy downpour, I understand the desire and the need for a solution. I just think that in this day and age, there has to be an option that does not involve additional pollution of our natural areas. That option should be firmly OFF THE TABLE!

As a city, we need to be better stewards of the land on which we live. We need to plan with future environmental needs in mind and upgrade our existing infrastructure in anticipation. We should not be falling back on outdated and dangerous practices that shift but do not solve the problem. We owe this to our children and future residents of the city - and to ourselves.

Before looking at spreading the urban boundaries and creating new infrastructure, let's get our house in order. If we can't maintain the environment within our current footprint, we shouldn't be looking at expanding it.

Cathy Ozols

Pilon, Janet

Subject: No Sewage Overflow Pipe Into Ancaster Creek

From: Joanne Gibbons

Sent: Tuesday, September 21, 2021 1:31 PM

To: Davenport, Alicia <Alicia.Davenport@hamilton.ca>; Ward 1 Office <ward1@hamilton.ca>; Farr, Jason <Jason.Farr@hamilton.ca>; Nann, Nrinder <Nrinder.Nann@hamilton.ca>; Merulla, Sam <Sam.Merulla@hamilton.ca>; Collins, Chad <Chad.Collins@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Pearson, Maria <Maria.Pearson@hamilton.ca>; Johnson, Brenda <Brenda.Johnson@hamilton.ca>; Ferguson, Lloyd <Lloyd.Ferguson@hamilton.ca>; VanderBeek, Arlene <Arlene.VanderBeek@hamilton.ca>; Whitehead, Terry <Terry.Whitehead@hamilton.ca>; Partridge, Judi <Judi.Partridge@hamilton.ca>; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>

Subject: No Sewage Overflow Pipe Into Ancaster Creek

Our environment is at a breaking point.

Adding an overflow pile to divert sewage into ANY Hamilton area water is just not acceptable. Find a better solution!!

The voters, the people YOU represent, don't want this.

Find a better solution.

Joanne Gibbons

Ancaster

Pilon, Janet

Subject: Encampment

From: Phillip Grace

Sent: Sunday, September 19, 2021 9:42 PM

To: Municipal Law Enforcement <MunicipalLaw.Enforcement@hamilton.ca>

Cc: clerk@hamilton.ca

Subject: Encampment

To whom it may concern,

Why is the encampment at Bay & Strachan allowed to continue?

We as nearby residents have been harassed & have had to put up with trash everywhere, defecating on the grass, aggressive behaviour, and more.

We've had enough! If you cant take this encampment down then we ask that you start reducing our property taxes, what's the point of paying into the community if you cant take care of these situations? Resident safety is at risk and no one seems to care.

Sincerely,

Phil

Pilon, Janet

Subject: Stop Encampment Evictions

From: Hollie Pocsai

Sent: Wednesday, September 22, 2021 12:10 PM

To: Ciriello, Monica <Monica.Ciriello@hamilton.ca>; John, Edward <Edward.John@hamilton.ca>;
nrinder.naan@hamilton.ca; Farr, Jason <Jason.Farr@hamilton.ca>; Office of the Mayor
<Officeofthe.Mayor@hamilton.ca>; clerk@hamilton.ca

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

Subject: Stop Encampment Evictions

Good morning all,

My name is Hollie Pocsai and I am a resident of Ward 2 in Hamilton. I am calling upon you to stop the dismantling of encampments, most recently in JC Beemer Park, and in all other parks and public spaces across Hamilton, while there continue to be no options for permanent housing.

Almost every day I walk past the empty 5.4 acre Jamesville Social housing complex that has been vacant since late 2018, while my neighbours set up homes in tents directly across the street. How can the city dismantle and uproot these residents in good conscience while they sit on land and empty homes waiting for the best offer from developers?

This is not an issue that will go away by policing and violent policy. Each time an encampment is cleared without sufficient resources or permanent shelter it perpetuates more trauma and loss for those residents. If there is no permanent option immediately available, why are we shuffling these residents around every few weeks? For whose benefit? If safety or sanitation is a concern, why are we not setting up viable supports for the encampments as they exist and meeting these residents where they are at? You respond by locking public washrooms and turning off public water fountains. Instead of listening to those affected and their advocates, you choose to continually displace and destroy homes, communities, and social/support networks over and over again. Not to mention you waste an enormous amount of community money that could be spent on permanent housing each time you aggressively and shamefully try to display your power and dominance with these clearings.

As we head into the winter months, these residents are trying to prepare themselves as best they can, and that is impossible to do if they continue to be displaced. The funds that the City of Hamilton has used, and the lack of empathy and compassion shown towards my unhoused neighbours again and again is reprehensible. I have watched as Hamilton police and municipal law enforcement continuously harass encampment residents and throw away their belongings. I demand an end to these evictions, and that City Council stops using community funds on violent policies, instead of permanent humanizing support and resources.

I will continue to watch closely as to how the city navigates this crisis. We need permanent housing now.

Hollie Pocsai

(prn: POH-chai-ee)

Ward 2

Pilon, Janet

Subject: Stop clearing JC Beemer Park Hamilton Centre for Civic Inclusion's petition

From: Hannah Uzelac

Sent: September 22, 2021 9:21 PM

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

Subject: Stop clearing JC Beemer Park Hamilton Centre for Civic Inclusion's petition

Dear Mayor Fred Eisenberger,

I am a concerned citizen, residing at: [REDACTED]

I am petitioning you to:

My name is [REDACTED], and I live in Hamilton. I am emailing you to stop the dismantling of encampments at JC Beemer Park and parks across the city while there continue to be no options for permanent housing. As the weather gets colder, people are trying to prepare themselves for the cold season, and it is impossible to do that if they continue to be displaced. The funds the City of Hamilton has used to remove my unhoused neighbours and their belongings through violent policing and policy are better used to provide people permanent housing.

As a constituent, my family and I demand that you and City Council stop removing people from parks with community funds. Hamilton Police and Municipal Law Enforcement continuously harass encampment residents and throw away their belongings. We, the constituents, will not tolerate this violent response to the ongoing housing crisis.

We demand an end to these evictions until you can provide people with permanent free housing.

Sincerely,
Hannah Uzelac

September 22, 2021

Dear Hamilton City Council Members,

On behalf of local optometrists, who are the primary eye care providers for many of your constituents, we are writing to request that the Hamilton Council call on the Ontario Government to immediately enter into formal negotiations and address the chronic underfunding of eye care.

We would like to provide you with an update on our discussions with the Ontario government. Unfortunately, since September 1, millions of Ontarians have lost access to primary eye care services because the Ontario government continues to neglect optometry services. Here is a brief update on what has been happening:

- The Ministry of Health did not communicate with optometrists from December 5, 2020 until August 5, 2021.
- An independent third party accounting firm (BDO) determined that the average operating cost (rent, staff, and equipment) to provide an eye exam in Ontario (without doctor compensation) was \$75.51.
- The government has offered optometrists an increase of 8.48%. Such an increase would move the average payment for an eye exam from \$44.65 to \$48.43 requiring the average Ontario optometrist today to still pay more than \$27 out of pocket to examine an OHIP-insured patient.
- Such an offer would ensure that the eye exams Ontarians receive will continue to be the worst funded in Canada. To reach the funding levels of the next lowest-funded province (Manitoba) in the country, a 65% increase in funding is needed. Our equipment, staffing, and rent costs are not lower than those in Manitoba.

Provincial Comparison of Senior's Eye Exam Fees

Ontario Schedule of Benefits Elements	Ontario	Alberta	Manitoba	Quebec
Relevant history, visual acuity, ocular motility, refraction, advice/instruction	\$47.00 V406	\$80.70 B650	\$45.02 8545	\$54.75 9001
Ophthalmoscopy				\$4.00 9024
Slit lamp exam				
Visual field by confrontation field*			\$8.00 9007	
Tonometry*		\$10.89 9726		
Dilated fundus examination*		\$56.32 B900	\$21.27 9728	\$33.15 9020
Supplement for 75 years and up				\$7.00 9021
Total Fee	\$47.00	\$137.02	\$77.18	\$106.90

*required in accordance with generally accepted professional standards

- The government also offered a one-time \$39 million payment to help with underfunding of the last decade. This averages to just over \$1 per exam for every optometry service performed over the last decade. It is focused on the past and does nothing to address Ontario's broken and unsustainable eye care system. **It is a complete waste of taxpayers' dollars.**
- While the government states that this offer is fair, the math is simple. Ontarians understand how this government is continuing to follow previous governments by neglecting eye care and exploiting the valuable services optometrists provide. It simply is not a sustainable solution.
- To this day, the government refuses to enter into negotiations where they will agree to either cover the complete overhead costs required to provide an exam or ensure Ontario optometrists will not remain the lowest funded in all of Canada. Ontario optometrists are waiting at the table for them to agree to either of those very basic and fair principles.
- Eye surgeons (ophthalmologists) across our province work together with optometrists to provide eye care for Ontarians. Many have written letters to the Ontario government in support of fixing eye care. One Ontario ophthalmologist states:

"I believe that many in government do not fully understand the impact of the Optometric role and may minimize it's standing in the delivery of health care to all Ontarians. The net effect of this misunderstanding, in my opinion, is exactly why Ontario Optometrists are underpaid and undervalued."

Eye health has a direct impact on an individual's quality of life, and we will continue to advocate for our patients whose lives are negatively impacted by the Ontario government's lack of interest in this aspect of essential healthcare.

Although it is the province that needs to fix the issue, the underfunding of eye care affects municipalities too.

Optometrists are located in over 200 communities, making us the most accessible primary eye care professionals in the healthcare system. In many of these locations, we are the **only** providers of comprehensive general eye care. In Hamilton specifically, in-school vision screenings have been conducted by the EYEMAC program led by McMaster Ophthalmologist Dr. Kourosh Sabri. Children who fail to pass the vision screening are then referred to local optometrists for further assessment. Optometrists not only assess and treat refractive and binocular vision issues, we are also critical in monitoring, treating and diagnosing a plethora of eye diseases and dealing with eye related emergencies. This is why municipalities like Hamilton must stand up for their residents and help protect access to OHIP optometry services.

As of this afternoon, 23 municipalities (see list below) have passed motions in support of OHIP optometry services.

Town of Oakville (June 21)	Municipality of Trent Lakes (September 7)
Town of Fort Frances (July 12)	Township of Howick (September 7)
Town of Rainy River (July 12)	Lennox and Addington County (September 8)
City of Cambridge (July 27)	Township of Baldwin (September 13)
Township of Emo (July 28)	Town of Petrolia (September 13)
Municipality of North Perth (August 9)	Township of North Huron (September 13)
City of Kawartha Lakes (August 10)	Township of North Glengarry (September 13)
Township of Chapple (August 17)	Town of Amherstburg (September 13)
Township of La Vallee (August 18)	City of Niagara Falls (September 14)
Town of Whitby (August 23)	Municipality of Bayham (September 17)
Township of Drummond/North Elmsley (August 24)	Town of Prescott (September 20)
Town of Minto (September 7)	

We are requesting that our municipal council stand up for eye care by asking the provincial government to commit to reforms so that optometrists are compensated fairly compared to their colleagues all across Canada. Please pass such a motion as soon as possible so that residents can continue to access the quality eye care that they deserve.

Should you have any questions, or would like more information, please let us know. We and our patients hope that we can count on your support.

Sincerely,

Drs. Kathleen Hill & Tyler Brown
Co-Presidents of the Hamilton District Society of Optometrists
Ancaster Eye Clinic

On behalf of the following optometrists:

Dr. Sheldon Salaba
Dr. Kelly Anderson
Dr. Brian Paul
Advanced Vision Eyewear Boutique

Dr. Tracy McMurter
FyiDoctors Ancaster

Dr. Breanne Facey
Dr. Tracy Brodie
Dr. Anjali Pathak
Perspective Vision

Dr. Derrick Shebib

Dr. Raj Devram

Dr. Kevin Ahokas
Dr. Anukool Chadda
Mountain Eye Care

Dr. Daina Sanderson
Dr. Mariam Hermiz
Dr. Laura Thomas
Dr. Betty Johnson
Dr. Katie Mann
Dundas Optometry Clinic

Dr. Meet Chande
West Mountain Eye Clinic

Dr. Jennifer Patriquin
Dr. Jan van Wyngaarden
Valleytown Eye Care

Dr. Susana Sebestyen
Sea Best Enterprises Inc.

Dr. Graehem Sayer
Dr. Aynsley Tinkham
LUX Eye Care

Dr. Karen Bochnak

Andy D'Ortenzio
Sam D'Ortenzio
Family Eye Care

Dr. Christine Misener
Dr. Zara Akhter
Dr. Judy Parks
Ancaster Eye Clinic

Dr. Cynthia Bahoshy
Brantford Eye Care

Dr. Marnie Richmond

Dr. Unyong Tina Jang & Associates
Eastgate Eye Clinic

Dr. Gursharn Bering

Dr. Mark Dakak
Stoney Creek Eye Care

Dr. Kristyn Pozzer
Dr. Patricia Fink Optometry

Dr. Todd Ruhl
Flamborough Family Eyecare

Dr. Bitia Moeinifar
Dr. Richard Combden
Spectrum Eye Care

Dr. George De Rubeis
Dr. Felicia De Rubeis
Dr. Jeffrey McAlear
Dr. Michael Starcevic
Dr. Kristin Person
Dr. Amy Reid
Optometry Clinic of Stoney Creek

Dr. Lorelei Zeiler

Dr. Sam Alfano

Dr. Camilo Garzon
Clarity Optometry

Dr. Jonathan Hepburn
Creative Vision Optical

Dr. Gabrielle Gilbert
Dr. Derrick Thornborrow
Dr. Lyndsey Kay
Waterdown Optometric Clinic

Dr. Aman Dhaliwal
Dr. Dhaliwal & Associates

Dr. Yasamin Al Hashimi
Village Creek Optometry

Dr. Jun Chuong
Dr. Otto CW Lee & Associates

Dr. Vikram Singh
Dr. Priya Maharaj
Dr. Victoria Cadman
Ancaster Family Eyecare

Dr. Jamie Cho
Binbrook Eye Care

Dr. Charlie Alfano
Freelton Eye Care

Dr. Amanda Beck

Dr. Edward V. Eves

Dr. Doris Chow
Dr. Nardone & Associates

Dr. Jasjeet Shinger
Dr. Casthoory Viswanathan
Perception Eyecare

Dr. Uma Ratnasingam

Dr. Phil Vrkljan

Dr. Jessie Chu

Dr. Carolyn Kwiat

Dr. Michelle Tai

Dr. Petra Costa



905.336.1158
 Fax: 905.336.7014
 2596 Britannia Road West
 Burlington, Ontario L7P 0G3
conservationhalton.ca

Protecting the Natural
 Environment from
 Lake to Escarpment

September 17, 2021

Mayor Eisenberger and Members of Council
 Clerk's Office
 City of Hamilton
 First Floor
 71 Main Street West,
 Hamilton ON L8P 4Y5

Dear Mayor Eisenberger and Members of Council:

Re: Conservation Halton 2022 Budget

Pursuant to the *Conservation Authorities Act*, O Reg. 139/96 (as amended by O.R. 106/98), s.1.(1), notice is hereby given that Conservation Halton will be considering its 2022 Budget, including municipal funding in the amount of \$10,795,636, at the Conservation Halton Board of Directors meeting at 3:00 pm, October 21, 2021. This meeting will be held electronically at the meeting link noted on the meeting agenda posted on the Conservation Halton website at <https://conservationhalton.ca/board-of-directors>. The meeting is open to the public.

Conservation Halton watershed municipalities are being provided with a notice of the meeting. The weighted voting procedure required under Regulation 139/96 provides that each member of the Board of Directors vote in proportion to their municipality's share of the current value assessment.

The report to the Conservation Halton Board of Directors on the 2022 budget will be posted on the Conservation Halton website at <https://conservationhalton.ca/board-of-directors> by the October 21, 2021 Board of Directors meeting.

Please contact me for further information pertaining to the Conservation Halton 2022 budget.

Yours truly,


 Hassaan Basit
 CAO/Secretary-Treasurer

cc Marnie Piggot, Director Finance, Conservation Halton
 Mike Zegarac, General Manager, Finance & Corporate Services, City of Hamilton



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www.townofws.ca

September 24, 2021

Delivered by email
premier@ontario.ca

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

RE: Support for Correspondence from the City of Hamilton - Noise Concerns and Request for Expiry of Extended Construction Hours

Please be advised the above-noted matter was placed before Council at its meeting held on September 21, 2021 and the following resolution was passed:

WHEREAS municipalities have the authority under the Municipal Act, 2001 S.O. 2001, c. 25, (the "Municipal Act") to pass a Noise By-law to regulate and prohibit with respect to noise; and

WHEREAS in response to the COVID-19 pandemic, the Ontario government sought to accelerate construction projects in municipalities; and

WHEREAS the Ontario government passed O. Reg 131120, under the Municipal Act, 2001 ("O. Reg 131/20") allowing for extended construction hours for projects associated with the healthcare sector to 24 hours a day and any other construction activity in a municipality between the hours of 6 am and 1 pm; and

WHEREAS O. Reg 131/20 limits a municipality's authority and enforcement through Section 451.1 of the Municipal Act, 2001 from prohibiting and regulating noise with respect to after-hour noise from construction sites; and

WHEREAS there has been an increase in complaints as a result of after-hour noise caused by construction sites impacting the quiet enjoyment of the residents of Hamilton; and

WHEREAS, O. Reg 131/20 is set to expire on October 7, 2021.

NOW THEREFORE BE IT RESOLVED THAT The Whitchurch-Stouffville Council endorses the motion from the City of Hamilton and contact the Premier Ford and local Members of Parliament to ask that the Province to promptly expediate the expiry of Ontario Regulation 131/20, the COVID exemption for after-hours noise from construction sites.

Yours truly,

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

Kristina Soolepp, Council Coordinator
(905) 642-4130

cc. Helena Jaczek, Markham-Stouffville Member of Parliament
City of Hamilton



BOARD OF HEALTH REPORT 21-009

9:30 a.m.

Monday, September 20, 2021

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

Present: Mayor F. Eisenberger
Councillors M. Wilson (Vice-Chair), J. Farr, N. Nann, T. Jackson, E. Pauls, J.P. Danko, B. Clark, M. Pearson, L. Ferguson, A. VanderBeek, and J. Partridge.

**Absent with
Regrets:** Councillors T. Whitehead – Leave of Absence; Councillors S. Merulla, C. Collins and B. Johnson - Personal

THE BOARD OF HEALTH PRESENTS REPORT 21-009 AND RESPECTFULLY RECOMMENDS:

1. Correspondence (Items 5.3, 5.4 and 5.6)

That the following Correspondence items, be endorsed:

- (i) Correspondence from Peterborough Public Health respecting Unfunded Programs and Implementation the Menu Labelling, Child Visual Health and Vision Screening, and Consumption and Treatment Services Compliance and Enforcement (Item 5.3)
- (ii) Correspondence from Kathleen Hill and Tyler Brown respecting Urgent Request to Save Eye Care for Hamilton Residents (Item 5.4)
- (iii) Correspondence from the Haliburton, Kawartha, Pine Ridge Health Unit Respecting Support for Funding (Added Item 5.6)

2. Board of Health Governance Education Session (BOH21006(a)) (City (Wide) (Item 8.1)

That Report BOH21006(a) respecting a Board of Health Governance Education Session, be received.

3. Ottawa and Toronto Board of Health Governance Models (Added Item 11.1)

That the Mayor and Medical Officer of Health correspond with the Ottawa and Toronto Board of Health Chairs and Medical Officers of Health to request information regarding their semi-autonomous board structures, lessons learned and outcomes that have resulted from changes in their structure and governance, with a presentation back to a future Board of Health meeting.

FOR INFORMATION:

(a) CEREMONIAL ACTIVITIES (Item 1)

There were no ceremonial activities.

(b) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS

- 5.6. Correspondence from the Haliburton, Kawartha, Pine Ridge Health Unit respecting Support for Funding

Recommendation: Be endorsed

6. DELEGATION REQUESTS

- 6.1. Delegation request from Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 8.1, Board of Health Governance Education Session (BOH21006(a)) (For today's meeting)
- 6.2. Delegation Request from Tim McClemont, The AIDS Network respecting a second Consumption Treatment Services (CTS) site located in Ward 3 (For a future meeting)

The agenda for the September 20, 2021 Board of Health was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 3)

None

(d) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) August 11, 2021 (Item 4.1)

The Minutes of August 11, 2021 were approved, as presented.

(e) COMMUNICATIONS (Item 5)

(i) Correspondence (Items 5.1, 5.2 and 5.5)

The following Correspondence items, were received:

- (i) Correspondence from the Northwestern Health Unit respecting the Infection Prevention and Control (IPAC) Hub Model (Item 5.1)
- (ii) Correspondence from the Northwestern Health Unit respecting the Public Health Mitigation Funding (Item 5.2)
- (iii) Correspondence from Jennifer Kranz respecting COVID-19 Testing Centres (Item 5.5)

(f) DELEGATION REQUESTS (Item 6)

The following Delegation Requests be approved, as presented:

- (i) Delegation request from Kojo Damptey, Hamilton Centre for Civic Inclusion, respecting Item 8.1, Board of Health Governance Education Session (BOH21006(a)) (For today's meeting) (Added Item 6.1)
- (ii) Delegation Request from Tim McClemon, The AIDS Network respecting a second Consumption Treatment Services (CTS) site located in Ward 3 (For a future meeting) (Added Item 6.2)

(g) STAFF PRESENTATIONS (Item 8)

(i) Board of Health Governance Education Session (BOH21006(a))(City Wide) (Item 8.1)

Karima Kanani, Miller Thomson Lawyers, addressed the Board with a Board of Health Governance Education Session, with the aid of a PowerPoint Presentation.

The presentation respecting the Board of Health Governance Education Session (BOH21006(a)) (City (Wide), was received.

(iii) Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to Present (Item 8.2)

Dr. E. Richardson, Medical Officer of Health; Michelle Baird, Director, Healthy and Safe Communities and Stephanie Hughes, Epidemiologist, Healthy and Safe Communities, addressed the Board with an Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to present, with the aid of a PowerPoint presentation.

The Presentation respecting an Overview of COVID-19 Activity in the City of Hamilton 11 Mar 2020 to present, was received.

The Mayor relinquished the Chair to Councillor Wilson for the remainder of the meeting.

(h) DELEGATIONS (Item 9)

(i) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting Item 8.1, Board of Health Governance Education Session (BOH21006(a)) (Added Item 9.1)

Kojo Dampsey, Hamilton Centre for Civic Inclusion, addressed the Board respecting the Board of Health Governance Education Session (BOH21006(a)).

The Delegation from Kojo Dampsey, Hamilton Centre for Civic Inclusion, was received.

(i) ADJOURNMENT (Item 15)

There being no further business, the Board of Health be adjourned at 12:45 p.m.

Respectfully submitted,

Mayor F. Eisenberger
Chair, Board of Health

Councillor M. Wilson
Vice Chair, Board of Health

Loren Kolar
Legislative Coordinator
Office of the City Clerk



PUBLIC WORKS COMMITTEE REPORT 21-013

1:30 p.m.

Friday, September 20, 2021

Council Chambers

Hamilton City Hall

71 Main Street West

Present: Councillors A. VanderBeek (Chair), N. Nann (Vice-Chair), J.P. Danko, J. Farr, L. Ferguson, T. Jackson, E. Pauls and M. Pearson

Absent with Regrets: Councillor T. Whitehead – Leave of Absence
Councillors C. Collins and S. Merulla – Personal

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 21-013 AND RESPECTFULLY RECOMMENDS:

1. Feasibility of 5-Year and 10-Year Accelerated Lead Water Service Line Replacement Options (PW19094(b)) (City Wide) (Item 7.1)

That Report PW19094(b), respecting the Feasibility of 5-Year and 10-Year Accelerated Lead Water Service Line Replacement Options, be received.

2. Mountain Climber (PW17026(c)) (City Wide) (Item 7.2)

That Report PW17026(c), respecting the Mountain Climber Program, be received.

3. Proposed Permanent Closure of Portion of Trimble Road, Glanbrook (PW21051) (Ward 11) (Item 9.1)

- (a) That the application of the City of Hamilton's Transportation, Operations, and Maintenance division, to permanently close a portion of Trimble Road ("Subject Lands"), as shown on Appendix "A" attached to Public Works Committee Report 21-013, be approved, subject to the following conditions:

- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close the highway, for enactment by Council;
- (ii) The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands at a future date if any interested parties come forward, as described in Report PW21051, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;
- (iii) That the City Solicitor be authorized and directed to register a certified copy of the by-law(s) permanently closing and selling the highway in the proper land registry office;
- (iv) That the City Solicitor be authorized to amend and waive such terms as she considers reasonable to give effect to this authorization and direction;
- (v) That the Public Works Department publish any required notice of the City's intention to pass the by-laws and/or permanently sell the closed highway pursuant to the City of Hamilton Sale of Land Policy By-law 14-204; and,
- (vi) That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section.

4. Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Referred from the August 13, 2021 Council meeting) (Item 10.1)

That Report PW14107(a), respecting an Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study, be received.

5. Old Dundas Road (HC005) Wastewater Pumping Station Upgrades (PW20018(a)) (Ward 12) (Item 10.2)

- (a) That procurement, pursuant to Procurement Policy #7 – Construction Contracts, for construction services at Old Dundas Road (HC005) Wastewater Pumping Station at the upset limit of \$650,000 be awarded to

E.S. Fox Limited and be added to Project ID No.5161267270 from Project ID No. 5162067275;

- (b) That procurement, pursuant to Procurement Policy #7 – Construction Contracts, for consultancy services including; project management, contract administration during construction, site inspection and commissioning / warranty services for the Old Dundas Road (HC005) Wastewater Pumping Station improvements, at the upset limit of \$75,000 be awarded to AECOM Canada Ltd. and be added to Project ID No.5161267270 from Project ID No. 5162067275; and,
- (c) That the General Manager of Public Works, or their designate, be authorized and directed to negotiate, enter into and execute contracts and any ancillary documents required to give effect thereto with E.S. Fox Limited and AECOM Canada Ltd. in a form satisfactory to the City of Hamilton Solicitor.

6. Water Treatment Plant Coagulant Single Source Supply (PW21052) (City Wide) (Item 10.3)

That a single source procurement and standardization be approved, pursuant to Procurement Policies #11 – Non-competitive Procurements and #14 Standardization, for the supply and delivery of chemical coagulant Sternpac70 for the Woodward Drinking Water Treatment Plant for a period of no more than five (5) years and that the General Manager, Public Works Department be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with the manufacturer, Kemira Water Solutions Canada Inc., in a form satisfactory to the City of Hamilton Solicitor.

7. Towards a Greater Golden Horseshoe (GGH) Transportation Plan (PED21169) (City Wide) (Item 10.4)

That a copy of Report PED21169, entitled Towards a Greater Golden Horseshoe (GGH) Transportation Plan, be forwarded to the Ministry of Transportation by the Office of the City Clerk, and considered the City of Hamilton's formal comments, as outlined in Appendix "B" attached to Public Works Committee Report 21-013, on the Province of Ontario's Towards a Greater Golden Horseshoe (GGH) Transportation Plan.

8. Automated Speed Enforcement Update (PW20002(a)/LS21035) (City Wide) (Item 10.5)

- (a) That the one-year automated speed enforcement (ASE) pilot approved through Report PW20002 be implemented as a permanent roadway safety program utilizing two mobile ASE units installed at rotating and scheduled operating locations;

- (b) That the proposed 24 ASE program operating locations and associated schedule, comprised of one location per Ward and nine school zones, attached to Public Works Committee Report 21-013 as Appendix “C”, be approved for implementation in 2022;
- (c) That the cost of transitioning from a pilot and operating a permanent ASE program be funded from the Red Light Camera (RLC) Reserve #112203;
- (d) That the ASE program operating locations, which have not previously been designated as Community Safety Zones (CSZ), be approved for designation and Traffic By-law 01-215 be amended accordingly, through passage of the amending by-law attached to Report (PW20002(a)/LS21035) as Appendix “B”; and,
- (e) That the General Manager of Public Works, or their designate, be authorized and directed to enter into and/or extend the appropriate agreements with the Ministry of Transportation, City of Toronto and Redflex Traffic Systems (Canada) Limited for the permanent ASE program.

9. Ontario Trillium Foundation Community Building Fund (PW21054) (City Wide) (Added Item 10.6)

- (a) That the Eastwood Park Spray pad, shown in Appendix “D” attached to Public Works Committee Report 21-013, be approved as the City of Hamilton’s submission to the Ontario Trillium Foundation, for their consideration of the requested funding amount of \$500,000, in accordance with the terms and conditions associated with Ontario Trillium Foundation Community Building Fund;
- (b) That, should the Ontario Trillium Foundation approve the requested funding, in the amount of \$500,000, toward the total cost of \$878,00 for the Eastwood Park Spray pad, shown in Appendix “D” attached to Public Works Committee Report 21-013, the City of Hamilton’s share of the funding, in the amount of \$378,000, be referred to the 2022 Tax Capital Budget (Open Space Block) for consideration; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any funding agreement(s) and ancillary documents required for the City to receive funding for the Eastwood Park Spray pad, shown in Appendix “D” attached to Public Works Committee Report 21-013, through Ontario Trillium Foundation Community Benefit Fund, in a form satisfactory to the City Solicitor.

10. Installation of Traffic Calming Measures on East 13th Street between Fennell Avenue East and Brucedale Avenue East, Hamilton (Ward 7) (Item 11.2)

WHEREAS, Ward 7 residents have repeatedly advocated for the installation of speed cushions on East 13th Street between Fennell Avenue East and Brucedale Avenue East to address roadway safety concerns as a result of speeding and cut-through traffic;

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install traffic calming measures on East 13th Street (1 speed cushion), between Fennell Avenue East and Brucedale Avenue East, as part of the 2022 Traffic Calming program;
- (b) That all costs associated with the installation of traffic calming measures on East 13th Street be funded from the Ward 7 Minor Maintenance Account (4031911607) at an upset limit, including contingency, not to exceed \$7,000; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

5. COMMUNICATIONS

5.1 Correspondence respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12):

- 5.1(d) Kathy Cozens
- 5.1(e) Dr. Sally McKay, Friends of Ancaster Creek
- 5.1(f) Marie Covert
- 5.1(g) Dr. James S. Quinn
- 5.1(h) Alex Wilson
- 5.1(i) Nancy Hurst
- 5.1(j) Sue Carson
- 5.1(k) Doreen Stermann
- 5.1(l) Craig Cassar
- 5.1(m) Kelly Pearce

- 5.1(n) Richard & Sheila Ross
- 5.1(o) Anka Cassar
- 5.1(p) Katarzyna Bezner
- 5.1(q) John Chaffey
- 5.1(r) John Chaffey
- 5.1(s) Jean Brown

Recommendation: Be received and referred to the consideration of Item 10.1.

6. DELEGATION REQUESTS

6.1 Delegation Requests respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (for today's meeting):

- 6.1(a) Robert Maton, Ancaster Village Heritage Community, Inc.
- 6.1(b) Allan Beattie, Friends of Ancaster Creek
(Video Submission)
- 6.1(c) Ian Borsuk, Environment Hamilton
- 6.1(d) Roberto Quinlan

10. DISCUSSION ITEMS

10.6 Ontario Trillium Foundation Community Building Fund (PW21054)
(City Wide)

The agenda for the September 20, 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) September 10, 2021 (Item 4.1)

The Minutes of the September 10, 2021 meeting of the Public Works Committee were approved, as presented.

(d) COMMUNICATIONS (Item 5)

- (a) The following correspondence, respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster

Creek Feasibility Study (PW14107(a)) (Ward 12), was received and referred to the consideration of Item 10.1:

- (i) Nancy Hurst (Item 5.1(a))
- (ii) David Hitchcock (Item 5.1(b))
- (iii) Wendy Leigh-Bell and E. Robert Ross (Item 5.1(c))
- (iv) Kathy Cozens (Added Item 5.1(d))
- (v) Dr. Sally McKay, Friends of Ancaster Creek (Added Item 5.1(e))
- (vi) Marie Covert (Added Item 5.1(f))
- (vii) Dr. James S. Quinn (Added Item 5.1(g))
- (viii) Alex Wilson (Added Item 5.1(h))
- (ix) Nancy Hurst (Added Item 5.1(i))
- (x) Sue Carson (Added Item 5.1(j))
- (xi) Doreen Stermann (Added Item 5.1(k))
- (xii) Craig Cassar (Added Item 5.1(l))
- (xiii) Kelly Pearce (Added Item 5.1(m))
- (xiv) Richard & Sheila Ross (Added Item 5.1(n))
- (xv) Anka Cassar (Added Item 5.1(o))
- (xvi) Katarzyna Bezner (Added Item 5.1(p))
- (xvii) John Chaffey (Added Item 5.1(q))
- (xviii) John Chaffey (Added Item 5.1(r))
- (xix) Jean Brown (Added Item 5.1(s))

For further disposition of this matter, please refer to Items 4 and (h)(i).

(e) DELEGATION REQUESTS (Item 6)

- (a) The following delegation requests, respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12), were approved for today's meeting:
 - (i) Robert Maton, Ancaster Village Heritage Community, Inc. (Added Item 6.1(a))
 - (ii) Allan Beattie, Friends of Ancaster Creek (Video Submission) (Added Item 6.1(b))
 - (iii) Ian Borsuk, Environment Hamilton (Added Item 6.1(c))
 - (iv) Roberto Quinlan (Added Item 6.1(d))

For further disposition of this matter, please refer to Items 4 and (h)(i).

(f) CONSENT ITEMS (Item 7)

- (a) The following Consent Items, were received:
 - (i) Hamilton Cycling Committee Meeting Minutes - July 7, 2021 (Item 7.3)

- (ii) Hamilton Cycling Committee Staff Liaison Report - August 4, 2021 (Item 7.4)

(g) PUBLIC HEARINGS / DELEGATIONS (Item 9)

(i) Proposed Permanent Closure of Portion of Trimble Road, Glanbrook (PW21051) (Ward 11) (Item 9.1)

Councillor VanderBeek advised that notice of the Proposed Permanent Closure of Portion of Trimble Road, Glanbrook (PW21051) (Ward 11) was given as required under the City's By-law #14-204 – the Sale of Land Policy By-law.

No members of the public were registered as Delegations.

The public meeting was closed.

For further disposition of this matter, refer to Item 3.

(ii) Delegations

- (a) The following items were deferred until after Roberto Quinlan had an opportunity to speak later in the meeting:
 - (i) Delegation from Roberto Quinlan, respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Item 9.4(d))
 - (ii) Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Item 10.1)
 - (iii) Receipt of all delegations
- (b) The following Delegations addressed the Committee respecting the Parkside Cemetery Archway Sign (Ward 13):
 - (i) Paula Crockett (Item 9.2(a))
 - (ii) Arianna Codeluppi (Item 9.2(b))
- (c) The following Delegation addressed the Committee respecting Parkside Cemetery and Parkside Avenue (Ward 13):
 - (i) Penny White (Item 9.3)

- (d) The following Delegations addressed the Committee respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12):
 - (i) Robert Maton, Ancaster Village Heritage Community Inc., respecting (Item 9.4(a))
 - (ii) Allan Beattie, Friends of Ancaster Creek (Video Submission) (Item 9.4(b))
 - (iii) Ian Borsuk, Environment Hamilton (Item 9.4(c))
 - (iv) Roberto Quinlan (Item 9.4(d))

For further disposition of Items 9.4(a) – 9.4(d), refer to Items 4 and (h)(i).

- (e) The presentations from the following delegates, were received:
 - (i) Paula Crockett, respecting the Parkside Cemetery Archway Sign (Ward 13) (Item 9.2(a))
 - (ii) Arianna Codeluppi, respecting the Parkside Cemetery Archway Sign (Ward 13) (Item 9.2(b))
 - (iii) Penny White, respecting Parkside Cemetery and Parkside Avenue (Ward 13) (Item 9.3)
 - (iv) Robert Maton, Ancaster Village Heritage Community Inc., respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Item 9.4(a))
 - (v) Allan Beattie, Friends of Ancaster Creek, respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Video Submission) (Item 9.4(b))
 - (vi) Ian Borsuk, Environment Hamilton, respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Item 9.4(c))
 - (vii) Roberto Quinlan, respecting Item 10.1 - Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Item 9.4(d))

(h) DISCUSSION ITEMS (Item 10)

- (i) Old Dundas Road Sewage Pumping Station (HC005) Emergency Overflow to Ancaster Creek Feasibility Study (PW14107(a)) (Ward 12) (Referred from the August 13, 2021 Council meeting) (Item 10.1)**

The following Motion was withdrawn:

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

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

(i) MOTIONS (Item 11)

- (i) Amendments to By-law 12-031, a By-law for Responsible Animal Ownership, for the Purpose of the Inclusion of the Rail Trail Leash Free Dog Park (Ward 2) and the Globe Leash Free Dog Park (Ward 4) and Updating Mapping for the Corporal Nathan Cirillo Leash Free – Free Running Area (Ward 12) (Item 11.1)**

The Motion, respecting Amendments to By-law 12-031, a By-law for Responsible Animal Ownership, for the Purpose of the Inclusion of the Rail Trail Leash Free Dog Park (Ward 2) and the Globe Leash Free Dog Park (Ward 4) and Updating Mapping for the Corporal Nathan Cirillo Leash Free – Free Running Area (Ward 12), was deferred to the October 4, 2021 Public Works Committee meeting.

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

- (i) Amendments to the Outstanding Business List (Item 13.1)**

The following amendments to the Public Works Committee's Outstanding Business List, were approved:

- (a) Items Considered Complete and Needing to be Removed:
- (i) Funding Options for a 5 Year and 10 Year Lead Water Service Line Replacement Plan
Addressed as Item 7.1 on today's agenda - Report PW19094(b)
Item on OBL: ABJ

(ii) Mountain Climber Phase Three Expansion
Addressed as Item 7.2 on today's agenda - Report
PW17026(c)
Item on OBL: AAB

(b) Items Requiring a New Due Date:

(i) COVID-19 Recovery Phase Mobility Plan
Item on OBL: ABE
Current Due Date: September 20, 2021
Proposed New Due Date: October 18, 2021

(ii) Gypsy Moth Control Program
Item on OBL: ABX
Current Due Date: October 18, 2021
Proposed New Due Date: Q1 2022

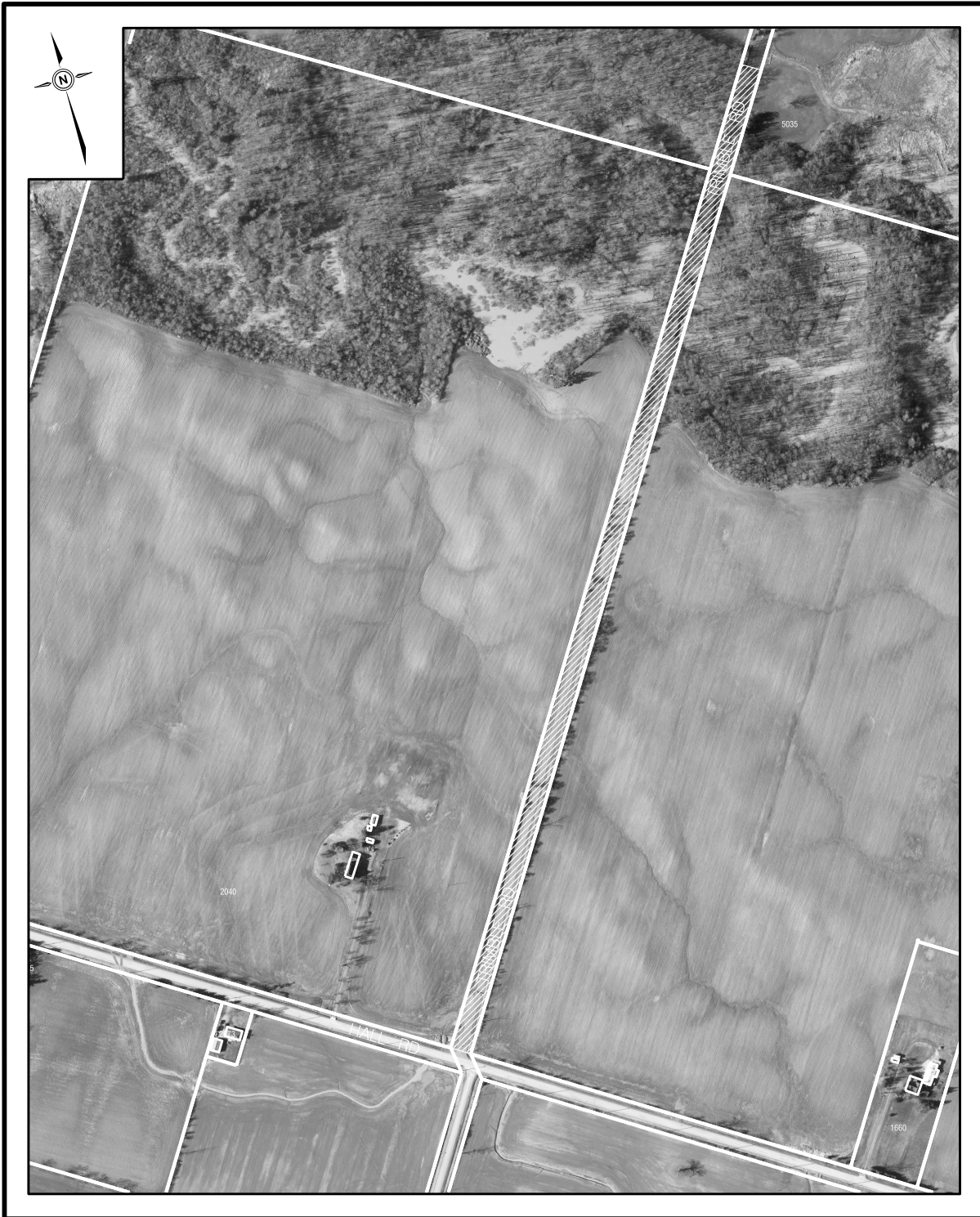
(k) ADJOURNMENT (Item 15)

There being no further business, the Public Works Committee adjourned at 4:01 p.m.

Respectfully submitted,

Councillor A. VanderBeek
Chair, Public Works Committee

Alicia Davenport
Legislative Coordinator
Office of the City Clerk



PROPOSED CLOSURE OF PORTION OF TRIMBLE ROAD

Geomatics & Corridor Management Section
Public Works Department

LEGEND

 Lands to be Closed

NTS | 09/03/2020 | Sketch by: CF



Hamilton

City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario
Canada L8P 4Y5
www.hamilton.ca

Transportation Planning Section, Planning & Economic Development Department
Mailing Address: 71 Main Street West, Basement – Mail Room,
Hamilton, ON. L8P 4Y5
Phone: 905-546-2424 ext. 2953
Email: brian.hollingworth@hamilton.ca

August 27, 2021

Katerina Downard
Environmental Policy Office
777 Bay Street
Suite 700
Toronto, ON
M7A 2J8
Canada

Re: ERO 019-3839 Greater Golden Horseshoe (GGH) Transportation Plan

Dear Ms. Downard:

The City of Hamilton (the City) appreciates the opportunity to provide feedback with respect to the Greater Golden Horseshoe (GGH) Transportation Plan and specifically the June 2021 “Towards a Greater Golden Horseshoe Transportation Plan Discussion Paper.” The City welcomes recognition of the need for an integrated transportation system in the GGH region and beyond that provides seamless, safe and accessible mobility for people and goods.

The following is a summary of the City of Hamilton’s staff comments on the Discussion Paper and proposed Vision. Due to reporting Council lead times, staff comments will be formally presented to the City’s Public Works Committee on September 20, 2021 and subsequently to Council on September 29, 2021. Any additional comments or revisions that are raised by City Council will be provided as a supplemental submission.

Proposed 30-Year Vision

The proposed Vision as articulated through nine descriptors, appropriately focuses on key factors such as safety, accessibility, and seamless mobility, all of which are very important to Hamilton. The Vision also includes reference to “supporting a more sustainable and resilient region”. However, it is staff’s opinion, that climate change and its impacts should be more explicit in the 2051 Vision. Notwithstanding this, several of the near-term actions are related to climate change, as is the pillar related to a Connected Transit System. Similarly, several other themes such as public health, an aging population, and the need for sustainable funding are not prominent in the Vision. It may be useful to provide an explanation of the links between the Vision elements and higher-level issues such as climate change and public health.

The City of Hamilton is very much supportive of the direction to include a mix of solutions including new infrastructure, better services, and new policies. This is preferred over more traditional plans which are focused primarily on capacity-based solutions.

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August 27, 2021

Re: Greater Golden Horseshoe (GGH) Transportation Plan

Connected Transit Systems

The City supports the identified policies and mix of new infrastructure and enhanced transit services. Moving people locally and regionally on a connected and frequent transit system supports the City of Hamilton in achieving its targeted 12% transit mode share as identified in the City's TMP. The City offers the following comments:

- (a) The plan explicitly references the Hamilton Light Rail Transit (LRT) consistent with the recent commitments by the Province and Federal governments as well as the A-line Bus Rapid Transit (BRT) in the mapping, however, there is no mention of the Metrolinx's proposed Frequent Rapid Transit Network (FRTN). The FRTN, which includes Hamilton's BLAST corridors, is a critical part of the City and Regional Transportation Plan. Additionally, there is no mention of the Dundas BRT which would traverse Highway 5 and connect Waterdown.
- (b) A better and connected regional transit system reduces congestion and emissions, increases productivity, and provides faster commute times. It is also critical that these transit connections connect key urban communities and employment centres. The proposed conceptual east-west cross-regional connection (Burlington to Oshawa), which is shown to terminate in Burlington, will not achieve this connectivity unless it is accessible for Hamilton residents and employees. As such, the City looks forward to exploring options for this connector and its potential extension, or alternatively fast frequent feeder connections.
- (c) Increasing the frequency of local transit to every ten minutes across all urban areas is an aspirational target and critical to support more compact mixed-use development. However, such service increases would have significant operational costs and, also require investments in infrastructure to efficiently achieve these service levels. It is recommended that the Final GGH Plan provide greater context to this recommendation and, also outline the financial implications and funding options.
- (d) Similarly, the concept of ensuring 24-hour transit service to the Region's largest employers is also significant for Hamilton's growing Airport Employment Growth District (AEGD) and other hubs; however, it is unclear what role the Province would play in achieving these enhanced service standards.
- (e) One potential gap that the City identified is a higher-order connection between Hamilton, Brant County, and Kitchener/Waterloo Regions. By 2051, the combined population of the three centres will be close to two million people. Currently, there is no viable transit connection between these centres and Hamilton. Given the projected population and employment increase for these three areas, a robust transit solution and managed lanes potentially utilizing managed lanes on Highway 403 and Highway 6 will be required.
- (f) The plan identifies the significance of promoting active/alternative transportation modes as the first choice for short trips and to access transit stations. The City supports this element and looks forward to continuing to work with the Province to improve multimodal connectivity and deliver active transportation infrastructure improvements.

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August 27, 2021

Re: Greater Golden Horseshoe (GGH) Transportation Plan

Road Elements

The City supports the second pillar of the proposed 2051 vision and the provision of a resilient road network that provides more capacity in the most congested areas, more efficient freight routes and better route alternatives. The City also supports policies related to Travel Demand Management, managed lanes, and leveraging intelligent technologies to address congestion.

We provide the following comments for consideration:

- (a) Hamilton Council has consistently advocated for highway widening projects for Highway 403, Highway 6 South, and the QEW as identified in the discussion paper and background documents. As such, the City is pleased that these are identified explicitly in the GGH Plan.
- (b) The discussion paper recommends widening of Highway 403 between the limits of Paris Road to the Aberdeen and Lincoln Alexander Parkway (LINC) and then from Aberdeen Avenue to Highway 407. As such, there is a gap between Aberdeen and the LINC that is not identified for widening. It is unclear if it is based on the forecasting and needs assessment or due to physical constraints with respect to escarpment. In the 2013 Niagara to GTA Corridor Planning and EA Study Phase 1 Transportation Development Strategy, the proposed widening limits were from King Street/Main Street to Jerseyville Road. The City would like to better understand the background behind this network decision.
- (c) Hamilton Council is on record of requesting the MTO initiate the EA for the Widening of Highway 403, which is the most appropriate way to evaluate widening alternatives and transition points. As part of this work, staff intend to raise the idea of reconfiguring the ramps at King Street and Main Street to allow for two-way operations.
- (d) It is our understanding that interchange improvements are not listed in this discussion paper, however, they are incorporated in the modelling work and will be programed as part of the capital improvement projects by the year 2051. Hamilton Council is on record of advocating for the acceleration of the Highway 5 and 6 interchange in Waterdown given the existing need and rapid growth in this area.
- (e) The City of Hamilton supports the Province's concept for managed lanes as part of any highway expansion which prioritizes higher occupancy modes and other approaches to encourage more sustainable transportation. Map 2 in the Discussion Paper shows managed lanes on both Highway 403 and the QEW, which is appropriate. However, in a recent meeting on the Highway 403/Highway 6 Interchange Study, representatives from MTO indicated that a decision had been made to not extend HOV lanes past the Freeman Interchange. Staff are seeking clarification on the GGH plan in this regard and would advocate that the HOV lanes or other forms of managed lanes are key to achieving more sustainable transportation and consistent with the 2051 Vision.

Freight and Goods Movement

The City is supportive of the high-level criteria identified for the development of an integrated, multimodal Strategic Goods Movement Network (SGMN) to efficiently move goods across the

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Re: Greater Golden Horseshoe (GGH) Transportation Plan

Region. The City is also supportive of real-time system management and deployment of new technologies such as truck platooning. We offer the following suggestions:

- (a) Hamilton is well positioned as a goods movement hub given existing air, rail, marine, and highway infrastructure. All efforts should be made to maximize intermodal connectivity, to, from, and between these assets.
- (b) Off-Peak Delivery (OPD) has the potential to distribute the peak hour traffic, relieve congestion, reduce emission and improve air quality. Conversely, OPD negatively impacts the quality of life for residential communities where land uses are not freight-supportive. Accordingly, Hamilton may adopt a hybrid approach for OPD. Specifically, as part of the City's Truck Route Master Plan Update, the concept of day-time only routes in the downtown is being considered. Ultimately, the decision on OPD may be location specific.
- (c) Working with partners and establishing a framework for truck-pooling to reduce the volume of empty mile trucks on the road system would help achieve the vision of efficient goods movement.
- (d) Given the importance of data collaboration in goods movement planning, the City strongly suggests the development of a freight data collection and collaboration strategy between all levels of governments and key private sector partners. To improve road user safety, the use of electronic logging devices should be a requirement for any mid-size and large-size trucks.
- (e) The development of a regional truck navigation system, inclusive of local and regional strategic goods movement networks, that provides truck drivers direction on-route to legally travel on and places to safely rest could be identified as an early action.
- (f) The City's truck route system is currently under review and will be modified as such to balance the needs of the community and the goods movement industry while providing truck accessibility to key employment destinations. The City observed one discrepancy in the SGMN maps showing the Westbrook Road as a key goods movement corridor. We recommend, in the final plan, the SGMN maps be updated to reflect the council-approved updated truck route network and, in the interim, replace the Westbrook Road with Regional Road 56.
- (g) The Hamilton Transportation Master Plan (TMP) recognizes the need for a strategic goods movement link connecting Hamilton AEGD (Provincially Significant Employment Lands) to Red Hill Valley Parkway. It provides direct connectivity between major transportation terminals (Port and Airport) and significant employment lands.
- (h) There is no mention of policies and plans concerning the use of alternative fuel for goods movement vehicles and infrastructure to support the transition from diesel to carbon-neutral fuel sources.

NEAR TERM ACTIONS

The City is supportive of the breadth of the near-term actions as they represent the balance of infrastructure, policies and services. The near-term actions highlighted in the discussion paper

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Re: Greater Golden Horseshoe (GGH) Transportation Plan

are in line with the actions identified in the Hamilton TMP, thus represents opportunities for partnership with the Province for greater leverage.

Key near-term actions of significance for Hamilton are advancing the Hamilton LRT, completion of the Highway 5/6 interchange, and extending two-way, all-day GO rail service.

Notably, Hamilton is a leader in the testing of new technology around connected and autonomous vehicles through the Autonomous Vehicle Innovation Network (AVIN). Hamilton is one of six Regional Technology Development Sites (RTDS). In partnership with the RTDS, Hamilton is exploring the deployment of emerging technologies to improve safety and efficiency in multimodal transportation systems. Moreover, Hamilton's soon to be implemented pilot project for on-demand transit will serve as a test model for other communities.

NEXT STEPS AND IMPLEMENTATION CONSIDERATIONS

In response to the question posed by the Province: "What implementation considerations do you see as most critical as we develop the GGH Transportation Plan to support effective implementation at a regional level, for the province and for its partners?", we would like to highlight three critical areas with respect to implementation:

1. Coordination of Land Use and Transportation Planning

The success of the GGH Transportation Plan is contingent on strong land use policies that direct and facilitate compact mixed-use developments focused on transit corridors. Similarly, major transit investments such as Hamilton's LRT project and the GO Rail enhancements are drivers of more efficient land use patterns. The GGH Plan presents an opportunity to align land use and transportation plans starting with the Provincial Growth Plan through to municipal Official Plans and Secondary Plans.

2. Embracing Innovation

Events that have taken place over the past year and a half as a result of COVID-19 have demonstrated the potential for innovation to have a profound effect on transportation. One example is the move to working from home that was facilitated through rapid deployment of technology in combination with policy changes. It is expected that this type of innovation, along with vehicle technologies, data gathering, and shared mobility will continue to change at a rapid pace and require partnerships between governments, the private-sector and individuals. It will be important, however, to closely monitor this innovation to ensure that interests of individual citizens are protected, and that changes do not result in greater inequalities because of income, ethnic background or physical abilities.

3. Sustainable and Predictable Funding

The past several years has seen major investments in transportation by senior levels of government, and in some cases, investments in areas not traditionally funded, such as active transportation. Notwithstanding these unprecedented investments, there remains many challenges for municipalities in terms of funding for operations, maintenance, and asset preservation. To be successful, the GGH Transportation Plan needs to be grounded by a long-term financial strategy that provides predictability to investments and operations at all

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August 27, 2021

Re: Greater Golden Horseshoe (GGH) Transportation Plan

levels of government. This is particularly important as many of the actions identified in the plan, such as provision of 24-hour transit service to major employment hubs, may require different funding models than are currently in place.

Sincerely,

A handwritten signature in cursive script that reads "Brian Hollingworth".

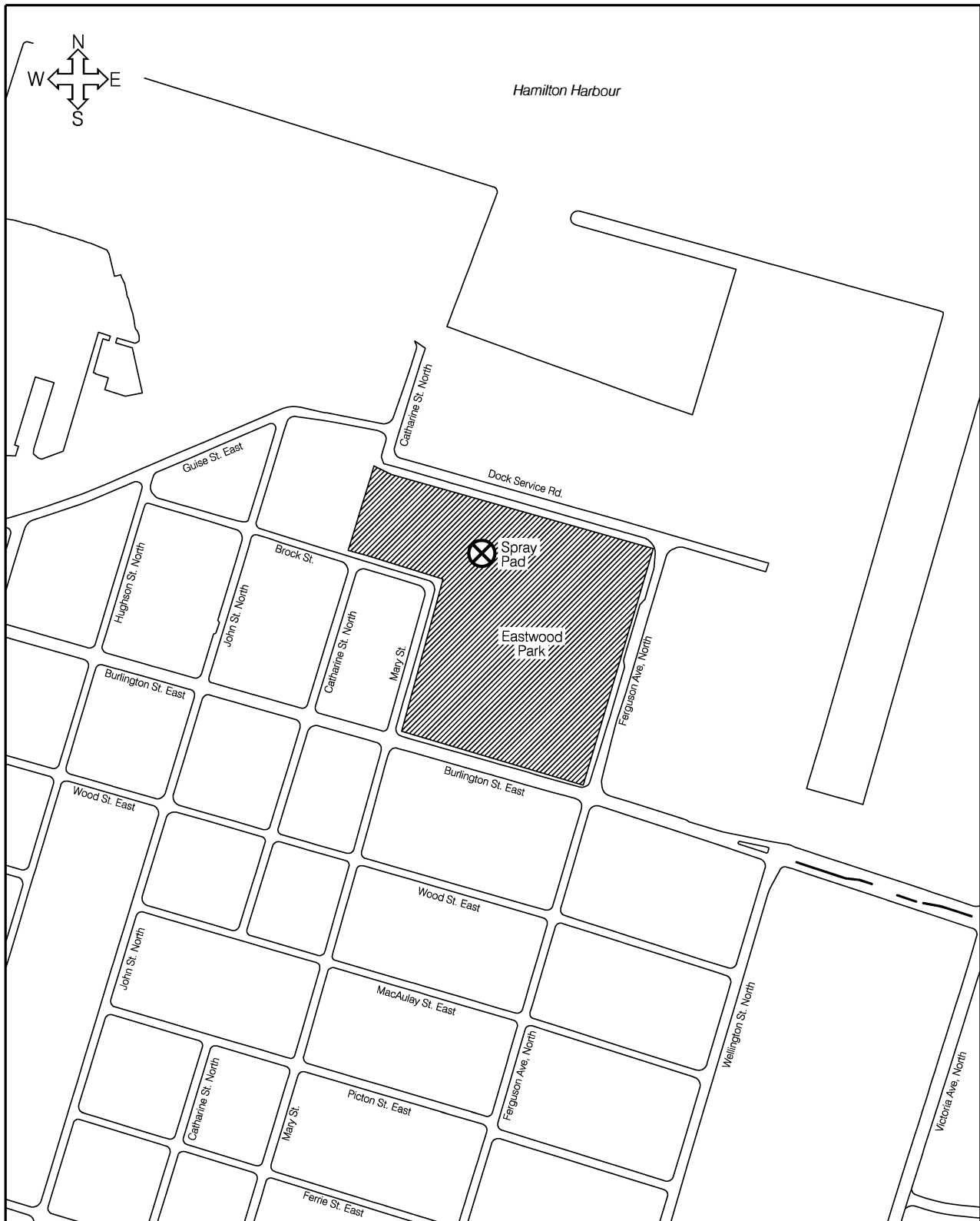
Brian Hollingworth, P.Eng.
Director, Transportation Planning and Parking
City of Hamilton (COH)

cc: Mike Field, Acting Director, Transportation Operations and Maintenance, COH
Edward Soldo, Chief Road Official, COH
Tony Sergi, Senior Director, Growth Management, COH
Gord McGuire, Director, Engineering Services, COH
Steve Robichaud, Chief Planner and Director of Planning, COH
Steve Molloy, Manager, Transportation Planning, COH

Appendix "C" to Item 8 of Public Works Committee Report 21-013
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**City of Hamilton
Automated Speed Enforcement Deployment Schedule - 2022**

Location	Ward	Zone Type	"Coming Soon" Sign Installation Date	ASE Operation Date
Upper Sherman Avenue - Limeridge Road East to Mohawk Road East	7	Community Safety Zone	October 2021	January 2022
Cranbrook Drive - Gretna Court to Glenvale Drive	14	Community Safety Zone & School Zone		
Aberdeen Avenue - Locke Street South to Longwood Road South	1	Community Safety Zone & School Zone	November 2021	February 2022
West 5th Street - Limeridge Road West to Mohawk Road West	8	Community Safety Zone & School Zone		
Scenic Drive - Mohawk Road West to Sanatorium Road	14	Community Safety Zone	December 2021	March 2022
Centre Road - Parkside Drive to Concession 5 East	15	Community Safety Zone & School Zone		
Winterberry Drive - Glenhollow Drive to Paramount Drive	9	Community Safety Zone & School Zone	January 2022	April 2022
Parkdale Avenue North - Queenston Road to Melvin Avenue	4	Community Safety Zone & School Zone		
Millen Road - Maple Drive to Highway No. 8	10	Community Safety Zone	February 2022	May 2022
Jerseyville Road East - Fiddler's Green Road to Meadowbrook Drive	12	Community Safety Zone & School Zone		
Old Ancaster Road - Ogilvie Street to Turnbull Road	13	Community Safety Zone	March 2022	June 2022
Mohawk Road East - Upper Wentworth Street to Upper Sherman Avenue	7	Community Safety Zone & School Zone		
Victoria Avenue North - Charlton Avenue East to Wilson Street	3	Community Safety Zone	April 2022	July 2022
Centennial Parkway North - Queenston Road to Barton Street East	5	Community Safety Zone		
Upper Ottawa Street - Fennell Avenue East to Mohawk Road East	6	Community Safety Zone	May 2022	August 2022
Robson Road - Parkside Drive to Concession 5 East	15	Community Safety Zone		
Kitty Murray Lane - Stonehenge Drive to Garner Road East	12	Community Safety Zone	June 2022	September 2022
Dundurn Street South - Herkimer Street to Aberdeen Avenue	1	Community Safety Zone & School Zone		
James Street South - St. Joseph's Drive to Aberdeen Avenue	2	Community Safety Zone	July 2022	October 2022
Lake Avenue North - Jackson Lane to Barton Street East	5	Community Safety Zone & School Zone		
Kenilworth Avenue North - Cannon Street East to Barton Street East	4	Community Safety Zone	August 2022	November 2022
Upper Wellington Street - Limeridge Road East to Mohawk Road East	7/8	Community Safety Zone & School Zone		
Upper James Street - Lincoln Alexander Parkway to Stone Church Road East	8	Community Safety Zone	September 2022	December 2022
Trinity Church Road - Pinehill Drive to Golf Club Road	11	Community Safety Zone		



 Proposed Works

City of Hamilton
Ward 2
Eastwood Park

CITY OF HAMILTON
Public Works Department
General Manager, Dan McKinnon

September 2021

CONTRACT No.



**PLANNING COMMITTEE
REPORT
21-014**

September 21, 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: Councillors A. VanderBeek and E. Pauls

**THE PLANNING COMMITTEE PRESENTS REPORT 21-014 AND RESPECTFULLY
RECOMMENDS:**

1. **Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (PED21164) (City Wide) (Item 7.1)**

That Report PED 21164 respecting Active Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications, be received.

2. **Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-20-026, Zoning By-law Amendment Application ZAC-20-041, and Draft Plan of Subdivision Application 25T-202008 for Lands Located at 870 Scenic Drive and 828 Sanatorium Road (Hamilton) (PED21162) (Ward 14) (Item 7.2)**

That Report PED21162 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-20-026, Zoning By-law Amendment Application ZAC-20-041, and Draft Plan of Subdivision Application 25T-202008 for Lands Located at 870 Scenic Drive and 828 Sanatorium Road (Hamilton), be received.

- 3. Rental Housing Pilot Program and Transition Plan (PED21097(a)) (Wards 1, 8 and Parts of Ward 14) (Outstanding Business List Item) (Item 9.1)**
- (a) That the draft By-Law “Rental Housing Units” (Schedule 31) of the City Licensing By-law 07-170, attached as Appendix “A” to Report PED2109(a), which has been prepared in a form satisfactory to the City Solicitor, be approved;
 - (b) That subject to the approval of Recommendation (a) of Report PED21097(a), Council approve the Rental Housing Licensing Fee Schedule as outlined in this report for an annual licence, which achieves full cost recovery with no net levy impact for the two-year pilot in Wards 1, 8 and parts of Ward 14;
 - (c) That subject to the approval of Recommendations (a) and (b) of Report PED21097(a), the City of Hamilton User Fees and Charges By-law 19-160 be amended to reflect the new Rental Housing Licensing Fee Schedule;
 - (d) That Council endorse the Transition Plan, attached as Appendix “B” to Report PED21097(a), to develop, implement, administer and evaluate the licensing of rental units pilot project in Wards 1, 8 and parts of Ward 14;
 - (e) That Item 21(a) respecting Regulation of Rental Housing be identified as complete and removed from the Planning Committee’s Outstanding Business List;
 - (f) That the two-year pilot project be deemed to be completed two years after the final compliance date for property owners to obtain a licence prior to enforcement; and,
 - (g) That the public submissions were received and considered by the Committee in approving the draft by-laws.
- 4. The Revitalizing Hamilton’s Commercial Districts Community Improvement Plan, Community Improvement Project Area and Associated Financial Incentive Programs (PED21035(a)) (City Wide) (Item 9.2)**
- (a) That the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan, attached as Appendix “A” to Report PED21035(a), be approved;
 - (b) That existing By-law No. 16-125 “To Designate The Downtown and Community Renewal Community Improvement Project Area” be repealed on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*;

- (c) That existing By-law No. 16-126 “To Adopt The Downtown and Community Renewal Community Improvement Plan (2016)” be repealed on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*;
- (d) That By-law 10-052, as amended, being a By-law to delegate authority to the General Manager of Planning and Economic Development for financial incentive programs, be repealed on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*;
- (e) That the Revitalizing Hamilton’s Commercial Districts Community Improvement Project Area draft by-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix “B” to Report PED21035(a), be enacted;
- (f) That the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan draft by-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix “C” to Report PED21035(a), be enacted;
- (g) That the following implementing Financial Incentive Program Descriptions be approved and appended to the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan:
 - (i) the Commercial District Housing Opportunities Program Description attached as Appendix “D” to Report PED21035(a);
 - (ii) the Downtown and Barton/Kenilworth Housing Opportunities Program Description attached as Appendix “E” to Report PED21035(a);
 - (iii) the Revitalizing Hamilton Tax Increment Grant Program Description attached as Appendix “F” to Report PED21035(a);
 - (iv) the Barton/Kenilworth Tax Increment Grant Program Description attached as Appendix “G” to Report PED21035(a);
 - (v) the Commercial District Revitalization Grant Program Description attached as Appendix “H” to Report PED21035(a);
 - (vi) the Barton/Kenilworth Revitalization Grant Program Description attached as Appendix “I” to Report PED21035(a);

- (vii) the Gore Building Improvement Grant Program Description attached as Appendix “J” to Report PED21035(a);
 - (viii) the Start-up and Office Tenant Attraction Program Description attached as Appendix “K” to Report PED21035(a);
 - (ix) the Commercial Vacancy Assistance Program Description attached as Appendix “L” to Report PED21035(a);
 - (x) the Barton/Kenilworth Planning and Building Fees Rebate Program Description attached as Appendix “M” to Report PED21035(a).
- (h) That the Hamilton Heritage Property Grant Program Description, as a Program provided under Subsection 39(1) of the *Ontario Heritage Act* and attached as Appendix “N” to Report PED21035(a), be approved;
- (i) That the revised draft by-law to delegate authority to the General Manager of Planning and Economic Development for certain grant and loan programs, prepared in a form satisfactory to the City Solicitor and attached as Appendix “O” to Report PED21035(a), be enacted on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*.
- (j) That there were no public submissions received regarding the matter.

5. Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) (Outstanding Business List Item) (Item 9.3)

- (a) That City Initiative CI-21-D – Housekeeping Amendments to the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP), to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans and Rural Settlement Areas, and Volume 3 – Area and Site Specific Policies of the UHOP and RHOP, in order to correct and clarify policies and mapping, be APPROVED on the following basis:
- (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED21167, be adopted by Council;
 - (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED21167, be adopted by Council;

- (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS), 2020 and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (b) That approval be given to City Initiative CI-21-E for modifications and updates to the City of Hamilton Zoning By-law No. 05-200 on the following basis:
 - (i) That the Draft By-law, as amended, attached as Appendix “E” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

Special Exception for 9 – 11 Robert Street:

Within the lands zoned Downtown Prime Retail Streets (D2) Zone, identified on Map 911 of Schedule “A” – Zoning Maps and described as 9 – 11 Robert Street, the following special provisions shall apply:

- (a) Notwithstanding subsection 6.0b)i), a 3.0 metre setback shall not be required from the building base facade as shown in Schedule “F”
- (b) Notwithstanding subsection 6.2.3a) a minimum front yard depth of 2.5 metres shall be permitted.

Special Exception 737:

Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule “A22” – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:

- (a) In addition to the uses permitted in Section 12.2.1, the following additional uses shall be permitted;
 - motor vehicle collision and repair establishment, including the repair of Motor Vehicles - Commercial; and,
 - motor vehicle service station, including the repair of Motor Vehicles - Commercial.
- (b) Section 12.6.3 b) to h), j) and k) shall apply to uses in a).
- (c) Outdoor storage shall be permitted in association with the uses permitted in a) and shall be screened from view with a visual barrier in accordance with Section 4.19 of this By-law adjacent to the street.

- (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of the Draft Urban Hamilton Official Plan Amendment No. XX, attached as Appendix “A” to Report PED21167;
 - (iii) That the proposed changes in zoning will be in conformity with the Rural Hamilton Official Plan (RHOP) upon approval of the Draft Rural Hamilton Official Plan Amendment No. XX, attached as Appendix “B” to Report PED21167;
 - (iv) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (c) That approval be given to City Initiative CI-21-E for modifications and updates to the Town of Dundas Zoning By-law No. 3581-86 on the following basis:
- (i) That the Draft By-law, attached as Appendix “E1” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent with Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 and the Greenbelt Plan, 2017.
- (d) That approval be given to City Initiative CI-21-E for modifications and updates to the City of Stoney Creek Zoning By-law No. 3692-92 on the following basis:
- (i) That the Draft By-law, attached as Appendix “E2” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);

- (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.

- (e) That approval be given to City Initiative CI-21-E for modifications and updates to the Town of Ancaster Zoning By-law No. 87-57 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E3” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.

- (f) That approval be given to City Initiative CI-21-E for modifications and updates to the City of Hamilton Zoning by-law 6593 No. on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E4” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.

- (g) That approval be given to City Initiative CI-21-E for modifications and updates to the Town of Flamborough Zoning By-law No. 90-145-Z on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E5” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;

- (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (h) That approval be given to City Initiative CI-21-E for modifications and updates to the Township of Glanbrook Zoning By-law No. 464 on the following basis:
- (i) That the Draft By-law, attached as Appendix “E6” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (i) That the matter respecting Temporary Amendments to the Cash-In-Lieu of Parking Policy for the Downtown Secondary Plan Area, Item 21E, Sub-section (c) of the Planning Committee’s Outstanding Business List, be considered complete and removed from the Planning Committee’s Outstanding Business List.
- (j) That the public submissions were received and considered by the Committee in approving the Official Plan and Zoning By-law amendments.

6. Modifications and Updates to Existing Secondary Dwelling Unit Regulations (PED20093(b)) (City Wide) (Item 9.4)

- (a) That City Initiative CI-20-E respecting amendments to Hamilton Zoning By-law No. 05-200 and the Zoning By-laws applicable to the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek, for modifications and updates to existing Secondary Dwelling Unit Regulations, be approved on the following basis:

- (i) That the Draft By-law to amend Zoning By-law No. 05-200, the Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, the Town of Flamborough Zoning By-law No. 90- 145-Z, the Township of Glanbrook Zoning By-law No. 464, City of Hamilton Zoning By-law No. 6593, and the City of Stoney Creek Zoning By-law No. 3692-92, attached as Appendix “A” to Report PED20093(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
 - (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and comply with the Rural and Urban Hamilton Official Plans.
 - (b) That there were no public submissions received regarding this matter.
- 7. Family Friendly Housing (PED21107) (City Wide) (Outstanding Business List Item) (Item 10.1)**
- (a) That Report PED21107, including the discussion paper titled *Encouraging Family Friendly Housing in Hamilton*, attached as Appendix “A” to Report PED21107, be received;
 - (b) That Planning Division and Housing Services Division staff be authorized to consult with the public on the Discussion Paper “*Encouraging the Development of Family Friendly Housing in Hamilton*”, attached to Report PED21107 as Appendix “A”, and report back to Planning Committee with recommended actions for encouraging and maintaining family friendly housing in the City of Hamilton;
 - (c) That Item 17E be identified as complete and removed from the Planning Committee Outstanding Business List.
- 8. Update and Instructions Regarding Ontario Land Tribunal Appeals for an Urban Hamilton Official Plan Amendment and Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 157 Upper Centennial Parkway (PED17213(a)/LS21031) (Ward 9) (Item 14.1)**
- (a) That closed session recommendations (a), (b), (c) and (d) to Report PED17213(a)/LS21031, and Appendices “A”, “B”, and “C” hereto, be approved and remain confidential until made public as the city’s position before the Ontario Land Tribunal;
 - (b) That Report PED17213(a)/LS21031, Update and instructions regarding Ontario Land Tribunal appeals for an Urban Hamilton Official Plan Amendment and amendment to the Stoney Creek Zoning By-law No.

3692-92 for lands located at 157 Upper Centennial Parkway, Stoney Creek (Ward 9) remain confidential.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

1. DELEGATION REQUESTS (Item 6)

- 6.1 Patrick Harrington respecting Development Application in Ward 4 – WITHDRAWN
- 6.3 Matt Johnston, Urban Solutions, Respecting Item 7.2, Appeals re: 870 Scenic Drive and 828 Sanatorium Road (For Today's meeting) (To be heard before Item 7.2)

2. PUBLIC HEARINGS / DELEGATIONS (Item 9)

- 9.1 Rental Housing Pilot Program and Transition Plan (PED21097(a)) (Wards 1, 8 and Parts of Ward 14)
 - (a) Added Virtual Delegations:
 - (iii) Val Per
 - (iv) Joe Hoffer, Cohen Highley
 - (v) Donna Bacher, Realtor's Association of Hamilton-Burlington
- 9.3 Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws
 - (a) Added Virtual Delegations:
 - (ii) Matt Johnston, Urban Solutions
 - (iii) James Webb, Webb Consulting
 - (b) Added Written Submissions:
 - (i) Sherry Hayes

3. NOTICES OF MOTION (Item 12)

12.1 Demolition Permit for 1347 Upper Wellington Street

The agenda for the September 21, 2021 meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

Councillor Pearson declared a conflict with Item 9.1, Rental Housing Pilot Program and Transition Plan, as she is a rental property landlord.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) September 7, 2021 (Item 4.1)

The Minutes of the September 7, 2021 meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Delegation Requests (Item 6.2 and Added Item 6.3)

The following Delegation Requests were approved for the meetings requested:

6.2 Eileen Quinn respecting the Renaming of Woodworth Drive East
(For the October 5th meeting)

6.3 Matt Johnston, Urban Solutions, Respecting Item 7.2, Appeals re:
870 Scenic Drive and 828 Sanatorium Road (For today's meeting)

(e) PUBLIC HEARINGS / DELEGATIONS (Item 9)

**(i) Matt Johnston, Urban Solutions, Respecting Item 7.2, Appeals re:
870 Scenic Drive and 828 Sanatorium Road (Added Item 6.3)**

Matt Johnston addressed the Committee respecting Item 7.2, Appeals re:
870 Scenic Drive and 828 Sanatorium Road.

The Delegation from Matt Johnston, Urban Solutions, respecting Item 7.2,
Appeals re: 870 Scenic Drive and 828 Sanatorium Road, was received.

(f) CONSENT ITEMS (Item 7)

- (i) Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-20-026, Zoning By-law Amendment Application ZAC-20-041, and Draft Plan of Subdivision Application 25T-202008 for Lands Located at 870 Scenic Drive and 828 Sanatorium Road (Hamilton) (PED21162) (Ward 14) (Item 7.2)**

Tim Vrooman, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

(g) PUBLIC HEARINGS / DELEGATIONS (Item 9 - CONTINUED)

In accordance with the *Planning Act*, Chair Danko advised those viewing the virtual meeting that the public had been advised of how to pre-register to be a virtual delegate at the Public Meetings on today's agenda.

In accordance with the provisions of the *Planning Act*, Chair Danko advised that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the City of Hamilton before Council makes a decision regarding the City Initiatives and proposed Zoning By-law and Official Plan Amendments before the Committee today, the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Land Tribunal, and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

- (i) Rental Housing Pilot Program and Transition Plan (PED21097(a)) (Wards 1, 8 and Parts of Ward 14) (Outstanding Business List Item) (Item 9.1)**

The staff presentation was waived.

Registered Delegations (Item 9.1(a)):

- (i) Paul Martindale, addressed the Committee in Opposition to the proposal.
- (ii) Anna Kusmider, Hamilton and District Apartment Association, addressed the Committee in Opposition to the proposal.
- (iii) Val Per, addressed the Committee in Opposition to the proposal.
- (iv) Joe Hoffer, Cohen Highley, addressed the Committee in Opposition to the proposal.
- (v) Donna Bacher, Realtors Association of Hamilton-Burlington, addressed the Committee in Support of the proposal, with Concerns.

The above delegations were received.

The following written submission (Item 9.2(b)), was received:

- (i) Brogan Wilson, in Opposition to the proposal.

The public meeting was closed.

- (a) That the draft By-Law “Rental Housing Units” (Schedule 31) of the City Licensing By-law 07-170, attached as Appendix “A” to Report PED2109(a), which has been prepared in a form satisfactory to the City Solicitor, be approved;
- (b) That subject to the approval of Recommendation (a) of Report PED21097(a), Council approve the Rental Housing Licensing Fee Schedule as outlined in this report for an annual licence, which achieves full cost recovery with no net levy impact for the two-year pilot in Wards 1, 8 and parts of Ward 14;
- (c) That subject to the approval of Recommendations (a) and (b) of Report PED21097(a), the City of Hamilton User Fees and Charges By-law 19-160 be amended to reflect the new Rental Housing Licensing Fee Schedule;
- (d) That Council endorse the Transition Plan, attached as Appendix “B” to Report PED21097(a), to develop, implement, administer and evaluate the licensing of rental units pilot project in Wards 1, 8 and parts of Ward 14;
- (e) That Item 21(a) respecting Regulation of Rental Housing be identified as complete and removed from the Planning Committee’s Outstanding Business List;
- (f) That the two-year pilot project be deemed to be completed two years after the final compliance date for property owners to obtain a licence prior to enforcement.

The recommendations in Report PED21097(a) were **amended** by adding the following sub-section (g):

- (g) ***That the public submissions regarding this matter were received and considered by the Committee in approving the application.***

For disposition of this matter, refer to Item 3.

(ii) The Revitalizing Hamilton’s Commercial Districts Community Improvement Plan, Community Improvement Project Area and Associated Financial Incentive Programs (PED21035(a)) (City Wide) (Item 9.2)

No members of the public were registered as Delegations.

The staff presentation was waived.

The public meeting was closed.

- (a) That the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan, attached as Appendix “A” to Report PED21035(a), be approved;
- (b) That existing By-law No. 16-125 “To Designate The Downtown and Community Renewal Community Improvement Project Area” be repealed on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*;
- (c) That existing By-law No. 16-126 “To Adopt The Downtown and Community Renewal Community Improvement Plan (2016)” be repealed on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*;
- (d) That By-law 10-052, as amended, being a By-law to delegate authority to the General Manager of Planning and Economic Development for financial incentive programs, be repealed on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*;
- (e) That the Revitalizing Hamilton’s Commercial Districts Community Improvement Project Area draft by-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix “B” to Report PED21035(a), be enacted;
- (f) That the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan draft by-law, prepared in a form satisfactory to the City Solicitor and attached as Appendix “C” to Report PED21035(a), be enacted;

- (g) That the following implementing Financial Incentive Program Descriptions be approved and appended to the Revitalizing Hamilton's Commercial Districts Community Improvement Plan:
 - (i) the Commercial District Housing Opportunities Program Description attached as Appendix "D" to Report PED21035(a);
 - (ii) the Downtown and Barton/Kenilworth Housing Opportunities Program Description attached as Appendix "E" to Report PED21035(a);
 - (iii) the Revitalizing Hamilton Tax Increment Grant Program Description attached as Appendix "F" to Report PED21035(a);
 - (iv) the Barton/Kenilworth Tax Increment Grant Program Description attached as Appendix "G" to Report PED21035(a);
 - (v) the Commercial District Revitalization Grant Program Description attached as Appendix "H" to Report PED21035(a);
 - (vi) the Barton/Kenilworth Revitalization Grant Program Description attached as Appendix "I" to Report PED21035(a);
 - (vii) the Gore Building Improvement Grant Program Description attached as Appendix "J" to Report PED21035(a);
 - (viii) the Start-up and Office Tenant Attraction Program Description attached as Appendix "K" to Report PED21035(a);
 - (ix) the Commercial Vacancy Assistance Program Description attached as Appendix "L" to Report PED21035(a);
 - (x) the Barton/Kenilworth Planning and Building Fees Rebate Program Description attached as Appendix "M" to Report PED21035(a).
- (h) That the Hamilton Heritage Property Grant Program Description, as a Program provided under Subsection 39(1) of the *Ontario Heritage Act* and attached as Appendix "N" to Report PED21035(a), be approved;

- (i) That the revised draft by-law to delegate authority to the General Manager of Planning and Economic Development for certain grant and loan programs, prepared in a form satisfactory to the City Solicitor and attached as Appendix “O” to Report PED21035(a), be enacted on such day that the By-law enacting the Revitalizing Hamilton’s Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*.

The recommendations in Report PED21035(a) were **amended** by adding the following sub-section (j):

- (j) ***That there were no public submissions received regarding this matter.***

For disposition of this matter, refer to Item 4.

- (iii) **Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan and Modifications and Updates to the City of Hamilton Zoning By-law No. 05-200 and the Zoning By-laws of the Town of Dundas, City of Stoney Creek, Town of Ancaster, City of Hamilton, Town of Flamborough and Township of Glanbrook (PED21167) (City Wide) (Outstanding Business List Item) (Item 9.3)**

Heather Travis, Senior Project Manager, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

Registered Delegations (Item 9.3(a)):

- (i) James Seeley, addressed the Committee with a proposed amendment to the Official Plan.
- (ii) Matt Johnston, UrbanSolutions, addressed the Committee with a proposed amendment to the Official Plan.
- (iii) James Webb, Webb Consulting, addressed the Committee with a proposed amendment to the Official Plan.

The delegations were received.

The following written submission (Item 9.3(b)), were received:

- (i) Sherry Hayes, in Opposition to the proposed amendments to the Official Plan.

The public meeting was closed.

- (a) That City Initiative CI-21-D – Housekeeping Amendments to the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan (RHOP), to amend policies, schedules and maps in Volume 1 – Parent Plan, Volume 2 – Secondary Plans and Rural Settlement Areas, and Volume 3 – Area and Site Specific Policies of the UHOP and RHOP, in order to correct and clarify policies and mapping, be APPROVED on the following basis:
 - (i) That the Draft Urban Hamilton Official Plan Amendment, attached as Appendix “A” to Report PED21167, be adopted by Council;
 - (ii) That the Draft Rural Hamilton Official Plan Amendment, attached as Appendix “B” to Report PED21167, be adopted by Council;
 - (iii) That the proposed Official Plan Amendments are consistent with the Provincial Policy Statement (PPS), 2020 and conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.

- (b) That approval be given to City Initiative CI-21-E for modifications and updates to the City of Hamilton Zoning By-law No. 05-200 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning will be in conformity with the Urban Hamilton Official Plan (UHOP) upon approval of the Draft Urban Hamilton Official Plan Amendment No. XX, attached as Appendix “A” to Report PED21167;
 - (iii) That the proposed changes in zoning will be in conformity with the Rural Hamilton Official Plan (RHOP) upon approval of the Draft Rural Hamilton Official Plan Amendment No. XX, attached as Appendix “B” to Report PED21167;
 - (iv) That the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.

- (c) That approval be given to City Initiative CI-21-E for modifications and updates to the Town of Dundas Zoning By-law No. 3581-86 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E1” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent with Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 and the Greenbelt Plan, 2017.

- (d) That approval be given to City Initiative CI-21-E for modifications and updates to the City of Stoney Creek Zoning By-law No. 3692-92 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E2” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.

- (e) That approval be given to City Initiative CI-21-E for modifications and updates to the Town of Ancaster Zoning By-law No. 87-57 on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E3” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);

- (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (f) That approval be given to City Initiative CI-21-E for modifications and updates to the City of Hamilton Zoning by-law 6593 No. on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E4” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (g) That approval be given to City Initiative CI-21-E for modifications and updates to the Town of Flamborough Zoning By-law No. 90-145-Z on the following basis:
 - (i) That the Draft By-law, attached as Appendix “E5” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Pan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (h) That approval be given to City Initiative CI-21-E for modifications and updates to the Township of Glanbrook Zoning By-law No. 464 on the following basis:

- (i) That the Draft By-law, attached as Appendix “E6” to Report PED21167, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council;
 - (ii) That the proposed changes in zoning are in conformity with the Urban Hamilton Official Plan (UHOP) and the Rural Hamilton Official Plan (RHOP);
 - (iii) That the proposed Zoning By-law Amendment is consistent Provincial Policy Statement (PPS), 2020 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, as amended and the Greenbelt Plan, 2017.
- (i) That the matter respecting Temporary Amendments to the Cash-In-Lieu of Parking Policy for the Downtown Secondary Plan Area, Item 21E, Sub-section (c) of the Planning Committee’s Outstanding Business List, be considered complete and removed from the Planning Committee’s Outstanding Business List.

The recommendations in Report PED21167 were **amended** by adding the following sub-section (j):

- (j) That the public submissions regarding this matter were received and considered by the Committee in approving the amendments to the Official Plans.**

Zoning By-law 05-200 was **amended** to include a new Special Exception for 9 – 11 Robert Street, as follows:

Special Exception for 9 – 11 Robert Street:

Within the lands zoned Downtown Prime Retail Streets (D2) Zone, identified on Map 911 of Schedule “A” – Zoning Maps and described as 9 – 11 Robert Street, the following special provisions shall apply:

- (a) Notwithstanding subsection 6.0b)i), a 3.0 metre setback shall not be required from the building base facade as shown in Schedule “F”**
- (b) Notwithstanding subsection 6.2.3a) a minimum front yard depth of 2.5 metres shall be permitted.**

WHEREAS, the former Town of Flamborough Zoning By-law did not define the use of Commercial Motor Vehicle Repair;

WHEREAS, the lands at 1092 Gore Road were rezoned in 1996 to permit the uses of Automobile Repair Garage and Automobile Body Shop;

WHEREAS, staff have proposed to add Special Exception 737 to Zoning By-law 05-200 to recognize the uses on 1092 Gore Road that were previously permitted under the Town of Flamborough Zoning By-law;

THEREFORE BE IT RESOLVED:

That staff be directed to **amend** proposed Special Exception 737 to clarify that the repair of Motor Vehicles – Commercial will be permitted to the lands located at 1092 Gore Road, as follows:

Special Exception 737:

Within a portion of the lands zoned Rural (A2) Zone, identified on Maps 15 and 16 of Schedule “A22” – Zoning Maps and described as 1092 Gore Road, the following special provisions shall apply:

- (a) ***In addition to the uses permitted in Section 12.2.1, the following additional uses shall be permitted;***

motor vehicle collision and repair establishment, including the repair of Motor Vehicles - Commercial; and, motor vehicle service station, including the repair of Motor Vehicles - Commercial.
- (b) ***Section 12.6.3 b) to h), j) and k) shall apply to uses in a).***
- (c) ***Outdoor storage shall be permitted in association with the uses permitted in a) and shall be screened from view with a visual barrier in accordance with Section 4.19 of this By-law adjacent to the street.***

For disposition of this matter, refer to Item 5.

(iv) Proposed Future Housekeeping Amendments to the Urban Hamilton Official Plan and Rural Hamilton Official Plan

(i) Wilson Street – District Commercial

Staff was directed to consider the re-designation and rezoning of lands located in the vicinity of Wilson Street West, between Mason Drive and Shaver Road, from Arterial Commercial to District Commercial through the next Urban Hamilton Official Plan and Zoning By-law 05-200 housekeeping amendments.

(ii) 389, 391 and 427 Limeridge Road East

Staff was directed to consider the rezoning of the lands at 389, 391 427 Limeridge Road East through a future housekeeping amendment to Zoning By-law 05-200.

(iii) Upper James Street – Arterial Commercial

Staff was directed to consider the re-designation and rezoning of lands designated Arterial Commercial on Upper James Street, as appropriate, through the next Urban Hamilton Official Plan and Zoning By-law 05-200 housekeeping amendments.

(v) Modifications and Updates to Existing Secondary Dwelling Unit Regulations (PED20093(b)) (City Wide) (Item 9.4)

No members of the public were registered as Delegations.

The staff presentation was waived.

The public meeting was closed.

(a) That City Initiative CI-20-E respecting amendments to Hamilton Zoning By-law No. 05-200 and the Zoning By-laws applicable to the Town of Ancaster, Town of Dundas, Town of Flamborough, Township of Glanbrook, City of Hamilton, and City of Stoney Creek, for modifications and updates to existing Secondary Dwelling Unit Regulations, be approved on the following basis:

- (i) That the Draft By-law to amend Zoning By-law No. 05-200, the Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, the Town of Flamborough Zoning By-law No. 90- 145-Z, the Township of Glanbrook Zoning By-law No. 464, City of Hamilton Zoning By-law No. 6593, and the City of Stoney Creek Zoning By-law No. 3692-92, attached as Appendix “A” to Report PED20093(b), which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the proposed changes in zoning are consistent with the Provincial Policy Statement (2020), conform with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and comply with the Rural and Urban Hamilton Official Plans.

The recommendations in Report PED20093(b) were **amended** by adding the following sub-section (b):

(b) *That there were no public submissions received regarding this matter.*

For disposition of this matter, refer to Item 6.

(h) DISCUSSION ITEMS (Item 10)

(i) Family Friendly Housing (PED21107) (City Wide) (Item 10.1)

Melanie Pham, Manager of Community Planning and GIS, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 7.

(i) NOTICES OF MOTION (Item 12)

(i) Demolition Permit for 1347 Upper Wellington Street (Added Item 12.1)

Councillor Danko relinquished the Chair to Councillor Johnson to present the following Notice of Motion respecting Demolition Permit for 1347 Upper Wellington Street:

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

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

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized to issue a demolition permit for 1347 Upper Wellington St., Hamilton, in accordance with By-law 09-208, as amended by By-law 13-185, pursuant to Section 33 of The Planning Act as amended, without having to comply with conditions 6(a).

Councillor Danko assumed the Chair.

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

(i) Outstanding Business List (Item 13.1)

The following changes to the Outstanding Business List, were approved:

(a) Items to be Removed:

12A - Regulation of Rental Housing
(Item 10.1 on the September 21, 2021 agenda)

17E - Family Friendly Housing Policy
(Item 10.2 on the September 21, 2021 agenda)

19G - Residential Care Facilities and Group Homes (Urban Area) -
Human Rights and the Zoning By-law Discussion Paper (CI-19-B)
(Item 7.2 on the June 15, 2021 agenda)

20E - Waterdown Bay - 392 Dundas Street East
(Item 14.3 on the August 10, 2021 agenda)

20K - Cash-in-Lieu Parking Policy - Temporary Period
(Item 10.3 on the April 6, 2021 agenda)

20N - Housekeeping Amendments to the Urban Hamilton Official Plan
and Rural Hamilton Official Plan
(Item 9.2 on the September 21, 2021 agenda)

21B - Advisory Committee for Persons with Disabilities Report 20-007
(c)
(Item 10.1 on the August 11, 2021 Public Works Committee agenda)

21C - Advisory Committee for Persons with Disabilities Report 20-007
(e)
(Item 10.1 on the August 11, 2021 Public Works Committee agenda)

21F - Draft Parking Master Plan
(Item 10.1 on the September 7, 2021 agenda)

21O - Extension of Support for Businesses Operating Outdoors
(Item 9.1 on the August 10, 2021 agenda)

21P - Request to Designate 323 Rymal Road East as a Class 4 Noise
Area
(Item 7.5 on the August 7, 2021 agenda)

(b) Items Requiring New Due Dates:

12B - Request to Designate 437 Wilson Street East (Ancaster)
Current Due Date: June 15, 2021
Proposed New Due Date: December 7, 2021

14A - Adding 206, 208 and 210 King Street East to the Register of
Property of Cultural Heritage Value or Interest
Current Due Date: May 18, 2021
Proposed New Due Date: December 7, 2021

18E - 2018 Development Fee Review
Current Due Date: May 18, 2021
Proposed New Due Date: March 22, 2022

18i - Designation of 378 Main Street East
Current Due Date: June 15, 2021
Proposed New Due Date: December 7, 2021

19CC - Feasibility of Glanbrook Sports Park Inclusion in Binbrook
Village Urban Boundary
Current Due Date: August 10, 2021
Proposed New Due Date: December 7, 2021

19FF - Support of Private Member's Bill to Reverse Pit Bull Ban in
Ontario
Current Due Date: June 15, 2021
Proposed New Due Date: October 5, 2021

20B - Review of Problems Associated with Increased Visitors to
Waterfalls
Current Due Date: April 6, 2021
Proposed New Due Date: January 11, 2022

21D - Former St. Giles Church, located at 679 Main Street East,
and 85 Holton Street South
Current Due Date: TBD
Proposed New Due Date: December 7, 2021

21E - Temporary Amendments to the Cash-In-Lieu of Parking
Policy for the Downtown Secondary Plan Area, Recommendation
(b)
Current Due Date: TBD
Proposed New Due Date: November 2022

21E - Temporary Amendments to the Cash-In-Lieu of Parking
Policy for the Downtown Secondary Plan Area, Recommendation
(c)

Current Due Date: TBD
Proposed New Due Date: December 7, 2021

21H - John Ariens, IBI Group, respecting 125-129 Robert Street
(UHOP-17- 033 and ZAC-17-073)

Current Due Date: TBD
Proposed New Due Date: December 7, 2021

21i - Five Year Review of the Downtown and Community Renewal
Community Improvement Plan and Associated Finance Incentive
Programs, Recommendation (a)

Current Due Date: TBD
Proposed New Due Date: October 5, 2021

21J - Five Year Review of the Downtown and Community Renewal
Community Improvement Plan and Associated Finance Incentive
Programs, Recommendation (b)

Current Due Date: TBD
Proposed New Due Date: October 5, 2021

(ii) General Manager's Update (Added Item 13.2)

Jason Thorne, General Manager of Planning and Economic Development informed the Committee that the GRIDS 2 Report has been made available to the public on the City website and is being considered by Council at the Special GIC meeting on October 25, 2021.

The General Manager's update was received.

(k) PRIVATE AND CONFIDENTIAL (Item 14)

Committee moved into Closed Session to discuss Item 14.1 pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021; and, Section 239(2), Sub-sections (e), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(i) Update and Instructions Regarding Ontario Land Tribunal Appeals for an Urban Hamilton Official Plan Amendment and Stoney Creek Zoning By-law No. 3692-92 for Lands Located at 157 Upper Centennial Parkway (PED17213(a)/LS21031) (Ward 9) (Item 14.1)

For disposition of this matter, refer to Item 8.

(I) ADJOURNMENT (Item 15)

There being no further business, the Planning Committee adjourned at 12:58 p.m.

Councillor J.P. Danko
Chair, Planning Committee

Lisa Kelsey
Legislative Coordinator



GENERAL ISSUES COMMITTEE REPORT 21-018

9:30 a.m.

Wednesday, September 22, 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 21-018, AND RESPECTFULLY RECOMMENDS:

1. **Equity, Diversity and Inclusion Framework (HUR19019(b)) (City Wide) (Item 8.1)**
 - (a) That the Senior Leadership Team be directed to implement the following:
 - (i) Equity, Diversity, and Inclusion (EDI) Framework, as outlined in Appendix “A” attached to Report HUR19019(b);
 - (ii) EDI Roadmap and Implementation Plan, as outlined in Appendix “A” attached to Report 21-018; and,
 - (iii) Ensure their respective staff are required to attend the mandatory training, outlined in Recommendation (b,) to be delivered to Council members, the Senior Leadership Team, all Supervisor and above employees, and Union Executive Leadership in 2022 and 2023, in accordance with the timelines outlined in Appendix “B” to Report 21-018;

- (b) That Human Resources staff be directed to source suitable training from an external provider(s) on Equity, Diversity, and Inclusion, relating to such elements including, but not limited, to anti-racism, anti-oppression, unconscious bias, and inclusionary best practices as outlined in Appendix "C" attached to Report 21-018
- (c) That an amount not to exceed \$200,000, to be funded from Tax Stabilization Reserve Account #110046, to facilitate the Equity, Diversity and Inclusion 2022 and 2023 training and continued consultant organizational and leadership assessments, be approved; and,
- (d) That the equivalent of three (3) FTEs (a Senior Project Manager, full-time permanent; an EDI Business Partner, full-time permanent; and, a Training Coordinator, temporary full-time for a two-year period), to be added to the Human Resources Division, to provide the necessary resources and structure to support the Equity, Diversity, and Inclusion Roadmap and Implementation Plan, at a an estimated cost of \$396,870.14 annually, be approved and to be funded through the Tax Stabilization Reserve for 2021 and incorporated into the City Manager's 2022 Operating Maintenance budget;
- (e) That Human Resources staff be directed to source options for systems/process enhancements to support Diversity and Inclusion data metric dashboard requirements;
- (f) That staff be directed to revise the Equity, Diversity, and Inclusion (EDI) Toolkit to ensure alignment with the EDI Framework and Implementation Plan and introduce as a staff resource in 2022;
- (g) That staff be directed to report back to the General Issues Committee by December 31, 2022 with a status update respecting the Equity, Diversity and Inclusion Roadmap and Implementation Plan; and,
- (h) That the matter respecting the Equity, Diversity and Inclusion Framework be considered complete and removed from the General Issues Committee's outstanding business list.

2. COVID-19 Recovery Framework (CM21003) (City Wide) (Item 8.3.a.)

That Report CM21003, respecting the COVID-19 Recovery Framework, be received.

3. Hamilton@Work - Future Work Models (HUR21007) (City Wide) (Item 8.3.b.)

That Report HUR21007, respecting the Hamilton@Work - Future Work Models, be received.

4. Return to Workplace Strategy (PED21181) (City Wide) (Item 8.3.c.)

That Report PED21181, respecting the Return to Workplace Strategy, be received.

5. Costs of Accessibility for Ontarians with Disabilities Act (AODA) Exclusions Listed in Report PW18064 (HUR21010) (City Wide) (Item 10.1)

That Report HUR21010, respecting the *Costs of Accessibility for Ontarians with Disabilities Act (AODA) Exclusions Listed in Report PW18064*, be received.

6. Workforce Development - McMaster Humanities Career Apprenticeship Program (PED21174) (City Wide) (Item 10.2)

- (a) That the Humanities Career Apprenticeship Program Collaboration Agreement, attached as Appendix "D" to Report 21-018, be approved with such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, and in a form satisfactory to the City Solicitor;
- (b) That the City Solicitor be authorized and directed to complete any related or ancillary steps set out in the Humanities Career Apprenticeship Program Collaboration Agreement, attached as Appendix "D" to Report 21-018, including authorizing an extension of the Term; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute a Humanities Career Apprenticeship Program Collaboration Agreement, attached as Appendix "D" to Report 21-018, together with any ancillary documentation required, in a form satisfactory to the City Solicitor.

7. Business Improvement Advisory Committee Report 21-008, September 14, 202 (Item 10.3)

(a) Waterdown Business Improvement Area Expenditure Request (Item 11.1)

That the expenditure request from the Waterdown Business Improvement Area, in the amount of \$5,581.91 for the purchase and maintenance of 49 hanging baskets, to be funded from the Community Improvement Plan (CIP) Contribution Program (BIA Payments Account 815010-56905), be approved.

8. Review of Area Rating Methodologies (FCS21078) (City Wide) (Item 10.4)

That Report FCS21078, respecting the Review of Area Rating Methodologies, be received.

9. Advisory Committee for Persons with Disabilities Report 21-009, September 14, 2021 (Item 10.5)

(a) Correspondence from Andrea McDowell, City of Hamilton, respecting Invitation to Climate Change Impact Adaptation Plan - Vision, Goals and Objectives Workshop (Added Item 4.1)

(i) That the correspondence from Andrea McDowell, City of Hamilton, respecting an Invitation to the Climate Change Impact Adaptation Plan - Vision, Goals and Objectives Workshop, be received; and,

(ii) That Mark McNeil, or another designated Committee member, be approved to represent the Advisory Committee for Persons with Disabilities at the Climate Change Impact Adaptation Plan - Vision, Goals and Objectives Workshop.

(b) Authorization for Advisory Committee for Persons with Disabilities Member to Submit a Delegation Request to the Hamilton Municipal Heritage Committee (Item 6.1(c))

That Paula Kilburn and Tom Manzuk (alternate) be authorized to submit a delegation request to the Hamilton Municipal Heritage Committee, on behalf of the Advisory Committee for Persons with Disabilities, respecting the integration of accessibility in heritage properties.

(c) Printing and Distribution of Advisory Committee for Persons with Disabilities' 2022 Disability Awareness Calendar (Added Item 6.3(b))

WHEREAS, the Advisory Committee for Persons with Disabilities' 2022 Disability Awareness Calendar was approved by the General Issues Committee on September 8, 2021 (see Item 3 of General Issues Committee Report 21-017 for reference), and will be before Council for ratification on September 15, 2021;

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;

WHEREAS, International Day of Persons with Disabilities is being observed on December 3, 2021; and,

WHEREAS, in lieu of a public event due to the ongoing COVID-19 pandemic, the Advisory Committee for Persons with Disabilities would like to celebrate International Day of Persons with Disabilities by distributing hard copies of the 2022 Disability Awareness Calendar to various stakeholders for the purposes of highlighting the diversity of all disabilities and the special events designated to inform the public about them;

THEREFORE, BE IT RESOLVED:

That the costs, to an upset limit of \$300, for printing and distributing 100 copies of the Advisory Committee for Persons with Disabilities' 2022 Disability Awareness Calendar, to be funded from the Advisory Committee for Persons with Disabilities 2021 Budget, be approved.

(d) Funding for American Sign Language (ASL) Interpreting Services for Transportation Virtual Collaborative Roundtable (Added Item 6.4(b))

WHEREAS, Council approved the Transportation Working Group of the Advisory Committee for Persons with Disabilities to organize and host a virtual collaborative roundtable meeting in 2021, with key stakeholders and staff experts, to discuss changes and challenges to public transportation in Hamilton during the pandemic and beyond (see Item 6(a) of General Issues Committee Report 21-010 for reference);

WHEREAS, the City of Hamilton's virtual meeting software was approved for an upgrade to implement closed captioning and live streaming through

the City's website for all Advisory Committee meetings through the acquisition of an additional encoder from eSCRIBE Software Ltd. (see Item 4 of Audit, Finance and Administration Committee Report 21-008 for reference); and,

WHEREAS, if the virtual meeting software upgrade isn't completed in time to allow for closed captioning of the virtual collaborative roundtable meeting, then American Sign Language (ASL) interpreting services will help to ensure that the meeting is accessible to deaf and hard of hearing audience members;

THEREFORE, BE IT RESOLVED:

That the Advisory Committee for Persons with Disabilities allocate funding to an upset limit of \$1,000 from their 2021 budget to support the cost of two American Sign Language (ASL) Interpreters for the Transportation Virtual Collaborative Roundtable scheduled for Thursday, October 14, 2021.

(e) Presenters List for the Advisory Committee for Persons with Disabilities (Item 12.3)

(a) Invitation to David Lepofsky to Present to the Advisory Committee for Persons with Disabilities

WHEREAS, David Lepofsky is a life-long disability rights advocate, blind lawyer, and Chair of the Accessibility for *Ontarians with Disabilities Act Alliance*; and,

WHEREAS, in 2005, the Ontario Government passed the *Accessibility for Ontarians with Disabilities Act (AODA)* to make Ontario accessible by 2025;

THEREFORE, BE IT RESOLVED:

That David Lepofsky be invited to attend the November 9, 2021 meeting (or earliest meeting thereafter) of the Advisory Committee for Persons with Disabilities to discuss the current activities of the *Accessibility for Ontarians with Disabilities Act Alliance* and the progress being made towards a fully accessible Ontario by 2025.

10. Disposition of City-Owned Industrial Land (PED20086(b)) (Ward 11) (Item 14.2)

- (a) That an Amendment (to the transaction approved in Report PED20086(a)) for the sale of City-owned land shown in Appendix "A" and described in Appendix "B" attached to Report PED20086(b), substantially on terms and conditions outlined in Appendix "B" attached to Report PED20086(b), and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, be approved;
- (b) That the General Manager, Planning and Economic Development Department, or designate, acting on behalf of the City as land owner, be authorized and directed to provide any requisite consents, approvals and notices related to any applications for land use approval related to the Disposition of City-Owned Industrial Land;
- (c) That staff be authorized and directed to allocate all proceeds from the Disposition of City-Owned Industrial Lands to the Employment Land Banking Principal Project Account No. 47702-3621750302, in accordance with the Financial implications section of Report PED20086(b), and that the sum of \$99,723 be funded from Dept. ID Account No. 59806-3621750302 and credited to Dept. ID Account No. 59806-812036 (Property Purchases and Sales) for recovery of expenses including appraisal, due diligence, property management and real estate and legal fees;
- (d) That the City Solicitor be authorized and directed to complete the Disposition of City-Owned Industrial Land on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable;
- (e) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the Disposition of City-Owned Industrial Land, in a form satisfactory to the City Solicitor; and,
- (f) That Report PED20086(b), respecting the Disposition of City-Owned Industrial Land, remain confidential until final completion of the real estate transaction.

11. Acquisition of Industrial Land (PED21173) (Ward 11) (Item 14.3)

- (a) That an Option to Purchase, scheduled to close on or before December 16, 2021, to purchase the industrial lands shown on Appendix "A" attached to Report PED21173, and described in Appendix "B" to Report PED21173, based substantially on the Major Terms and Conditions outlined in Appendix "B" to Report PED21173, and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department, be approved and completed;
- (b) That the General Manager, Planning and Economic Development Department, or designate, acting on behalf of the City as land owner, be authorized and directed to provide any requisite consents, approvals and notices related to any applications for land use approval related to the Acquisition of Industrial Land;
- (c) That staff be authorized to fund the Acquisition of Industrial Land from the Employment Land Banking Principal Project Account No. 59259-3621750302, in accordance with the Financial implications section of Report PED21173, and that the sum of \$168,168 for recovery of expenses including appraisal, due diligence, property management and real estate and legal fees be funded from 59806-3621750302 and credited to 59806-812036 (Property Purchases and Sales);
- (d) That the City Solicitor be authorized and directed to complete the Acquisition of Industrial Land on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable;
- (e) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the Acquisition of Industrial Land, in a form satisfactory to the City Solicitor;
- (f) That Report PED21173, respecting the Acquisition of Industrial Land, remain confidential until final completion of the Real Estate transaction.

12. Disposition of City-Owned Industrial Land (PED21170) (Ward 12) (Item 14.4)

- (a) That an Offer to Purchase, for the sale of City-owned land shown in Appendix "A" attached to Report PED21170 and described in Appendix "B" attached to Report PED21170, substantially on terms and conditions outlined in Appendix "B" attached to Report PED21170, and on such other terms and conditions deemed appropriate by the General Manager, Planning and Economic Development Department, be approved;

- (b) That the General Manager, Planning and Economic Development Department, or designate, acting on behalf of the City as land owner, be authorized and directed to provide any requisite consents, approvals and notices related to any applications for land use approval related to the Disposition of City-Owned Industrial Lands;
- (c) That staff be authorized and directed to allocate \$210,136 of the proceeds from the Disposition of City-Owned Industrial Lands to Dept. ID Account No. 59806-812036 (Property Purchases and Sales) for recovery of expenses including appraisal, due diligence, property management and real estate and legal fees, and \$2,771,257.43 of the net proceeds, after other closing costs, be transferred to Project ID Account No. 47702-3621507501 Cormorant Road Extension, and the remaining proceeds to Project ID 3561850200 (Property Purchases and Sales), in accordance with the City's Proceeds of Sale policy;
- (d) That the City Solicitor be authorized and directed to complete the agreements required for the Disposition of City-Owned Industrial Lands on behalf of the City, including paying any necessary expenses, amending the closing, due diligence and other dates, and amending and waiving terms and conditions on such terms as considered reasonable;
- (e) That the Mayor and City Clerk be authorized and directed to execute any necessary documents respecting the Disposition of City-Owned Industrial Lands, in a form satisfactory to the City Solicitor; and,
- (f) That Report PED21170, respecting the Disposition of City-Owned Industrial Lands, remain confidential until final completion of the real estate transaction.

13. Disposition of City-Owned General Industrial Property (PED21163) (Ward 3) (Item 14.5)

- (a) That the City's vacant property identified in Appendix "A" to Report PED21163, be declared surplus for sale in accordance with the City's Real Estate Portfolio Management Strategy Plan and the Sale of Land Policy By-law 14-204;
- (b) That an Offer to Purchase for the sale of the City's property identified in Appendix "A" attached to Report PED21163, based substantially on the Major Terms and Conditions outlined in Appendix "B" attached to Report PED21163, and such other terms and conditions deemed appropriate by the General Manager of Planning and Economic Development Department, be approved and completed;

- (c) That the net proceeds of the Disposition of City-Owned General Industrial Property be credited to Project ID Account No. 3561850200 (Property Purchase and Sales);
- (d) That the Real Estate and Legal fees of \$18 K be funded from Project ID Account No. 3561850200 (Property Purchase and Sales) and credited to Dept. ID Account No. 812036 (Real Estate – Admin Recovery);
- (e) That the City Solicitor be authorized to complete the transaction for the Disposition of City-Owned General Industrial Property, 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 appropriate;
- (f) That the Mayor and City Clerk be authorized and directed to execute any necessary documents related to the Disposition of City-Owned General Industrial Property, in a form satisfactory to the City Solicitor; and,
- (g) That Report PED21163, respecting the Disposition of City-Owned General Industrial Property, remain confidential until final completion of the property transaction.

14. Personnel Matter (Item 14.6)

That the direction provided to staff in Closed Session, respecting the Personnel Matter, be approved.

FOR INFORMATION:

(a) APPROVAL OF AGENDA (Item 2)

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

10. ADDED DISCUSSION ITEM

- 10.5. Advisory Committee for Persons with Disabilities Report 21-009, September 14, 2021

13. ADDED GENERAL INFORMATION / OTHER BUSINESS

- 13.1. Amendments to the Outstanding Business List

13.1.a. Items to be removed:

- 13.1.a.b. Outline of the costs of the exclusions outlined in Report PW18064 (AODA) (Addressed as Item 10.1 on this agenda - Report HUR21010)

13.1.b. Proposed New Due Dates:

- 13.1.b.a. Election Expense Reserve Needs related to consideration of Internet Voting for the 2026 Municipal Election
Current Due Date: September 22, 2021
Proposed New Due Date: October 6, 2021

The agenda for the September 22, 2021 General Issues 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) September 8, 2021 (Item 4.1)

The Minutes of the September 8, 2021 General Issues Committee meeting were approved, as presented.

(d) DELEGATION REQUESTS (Item 6)

(i) Louis Frapporti, Hamilton100 Commonwealth Bid Committee, respecting the 2030 Commonwealth Games (For the October 6, 2021 GIC) (Item 6.1)

The delegation request, submitted by Louis Frapporti, Hamilton100 Commonwealth Bid Committee, respecting the 2030 Commonwealth Games, was approved for the October 6, 2021 General Issues Committee meeting.

(e) STAFF PRESENTATIONS (Item 8)

(i) Equity, Diversity and Inclusion Framework (HUR19019(b)) (City Wide)
(Item 8.1)

Janette Smith, City Manager, introduced the presentation respecting Report HUR19019(b) - Equity, Diversity and Inclusion Framework.

The following parties continued with the balance of the presentation:

- Jodi Koch, Director of Talent and Diversity, City of Hamilton
- Antoine Mindjimba, People Advisory Services, Ernst & Young
- Peter Trevor, Subject Matter Expert, TWI Inc.
- Jackie Robinson, People Advisory Services, Ernst & Young
- Lora Fontana, Executive Director, Human Resources, City of Hamilton

The presentation, respecting Report HUR19019(b), Equity, Diversity and Inclusion Framework, was received.

Sub-section (d) to Report HUR19019(b), respecting the Equity, Diversity and Inclusion Framework, be deleted in its entirety and replaced with the following in lieu thereof:

- (d) ~~That the equivalent of three (3) FTE and associated budget be added to the complement of the Human Rights Division in the 2022 budget to provide necessary resources and structure to support the EDI Roadmap and Implementation Plan;~~
- (d) ***That the equivalent of three (3) FTEs (a Senior Project Manager, full-time permanent; an EDI Business Partner, full-time permanent; and, a Training Coordinator, temporary full-time for a two-year period), to be added to the Human Resources Division, to provide the necessary resources and structure to support the Equity, Diversity, and Inclusion Roadmap and Implementation Plan, at an estimated cost of \$396,870.14 annually, be approved and to be funded through the Tax Stabilization Reserve for 2021 and incorporated into the City Manager's 2022 Operating Maintenance budget;***

For disposition for this matter, please refer to Item 1.

(ii) COVID-19 Verbal Update (Item 8.2)

Jason Thorne, Director of the Emergency Operations Centre; and, Michelle Baird, Director of Public Health Services, Epidemiology Wellness and Communicable Disease Control, provided the verbal update regarding the COVID-19 pandemic.

The verbal update respecting COVID-19 was received.

(iii) COVID-19 Recovery Framework & Hamilton@work (Item 8.3)

Janette Smith, City Manager; Nenzi Cocca, Director of Human Resources Operations; and, Jason Thorne, Director of the Emergency Operations Centre, provided the PowerPoint presentation respecting the COVID-19 Recovery Framework & Hamilton@work.

The presentation, respecting the COVID-19 Recovery Framework & Hamilton@work, was received.

For disposition of these matters, please refer to Items 2, 3 and 4.

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

(i) Amendments to the Outstanding Business List (Item 13.1)

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

(1) Items to be removed (13.1.a.)

(aa) 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 (Addressed at the August 9, 2021 GIC as Item 14.2 - Report PED21154) (13.1.a.a.)

(bb) Outline of the costs of the exclusions outlined in Report PW18064 (AODA) (Addressed as Item 10.1 on this agenda - Report HUR21010) (Item 13.1.a.b.)

(2) Proposed New Due Dates (Item 13.1.b.)

- (aa) Election Expense Reserve Needs related to consideration of Internet Voting for the 2026 Municipal Election (Item 13.1.b.a.)

Current Due Date: September 22, 2021

Proposed New Due Date: October 6, 2021

(g) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – September 8, 2021 (Item 14.1)

- (a) The Closed Session Minutes of the September 8, 2021 General Issues Committee meetings were approved; and,
- (b) The Closed Session Minutes of the September 8, 2021 General Issues Committee meetings shall remain confidential.

The General Issues Committee moved into Closed Session respecting Items 14.2 to 14.6, pursuant to Section 9.1, Sub-sections (b) and (c) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (b) and (c) 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; and, a proposed or pending acquisition or disposition of land by the municipality or local board.

(h) ADJOURNMENT (Item 14)

There being no further business, the General Issues Committee adjourned at 5:54 p.m.

Respectfully submitted,

Tom Jackson, Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk

Summary of EDI Roadmap and Implementation Plan

- ▶ High level overview of the EDI Roadmap; inclusive of the recommended systemic initiatives and EDI cultural behaviours, and the implementation plan; inclusive of timelines and behavioural sprints



Summary of EDI Roadmap

Summary of systemic initiatives

Following data collection and analysis from multiple sources – EDI diagnostic survey, Leader Interviews, Focus Groups, and a Senior Leadership Team Workshop- the following **systemic initiatives** were recommended in the EDI Framework

1

Business Case

Create EDI business case to outline the benefits of EDI and how it impacts business performance and the City’s overall objectives

Key Activities

- Assemble the EDI business case team
- Define the business case
- Implement business plans and set up review cycle
- Communicate business case

2

Communications Plan

Create a organization-wide communications plan that includes an EDI calendar, campaign and community events

Key Activities

- Broadcast Leadership’s commitment to EDI
- Create EDI communications campaign strategy
- Create EDI communications calendar
- Spread awareness of EDI learning events

3

Structured Performance Management

Implement targeted approaches to help retain employees and progress all employees fairly

Key Activities

- Assemble performance management and career progression subcommittee
- Enhance performance appraisal process
- Create targeted talent development programs
- Enhance talent mapping and succession planning
- Measure impact

Summary of EDI Roadmap

Summary of EDI cultural behaviours

Following data collection and analysis from multiple sources – EDI diagnostic survey, Leader Interviews, Focus Groups, and a Senior Leadership Team Workshop- the following **EDI cultural behaviours** were recommended in the EDI Framework.

4

Leader Commitment

Improve Senior Leadership communication to better cascade priorities to various levels within the organization

- Engage team with EDI content
- Define behavioural sprint, implement, reflect and engage, report back and iterate

Key Activities

5

Inclusive Collaboration

Actively seek out opportunities to involve others and regularly seek feedback on how to team more inclusively

- Encourage Feedback
- Incorporate the use of inclusive language
- Break down silos
- Define behavioural sprint, implement, reflect and engage, report back and iterate

Key Activities

6

Better Recognize and Promote Employees

Lead with an open-mind to drive more employee recognition

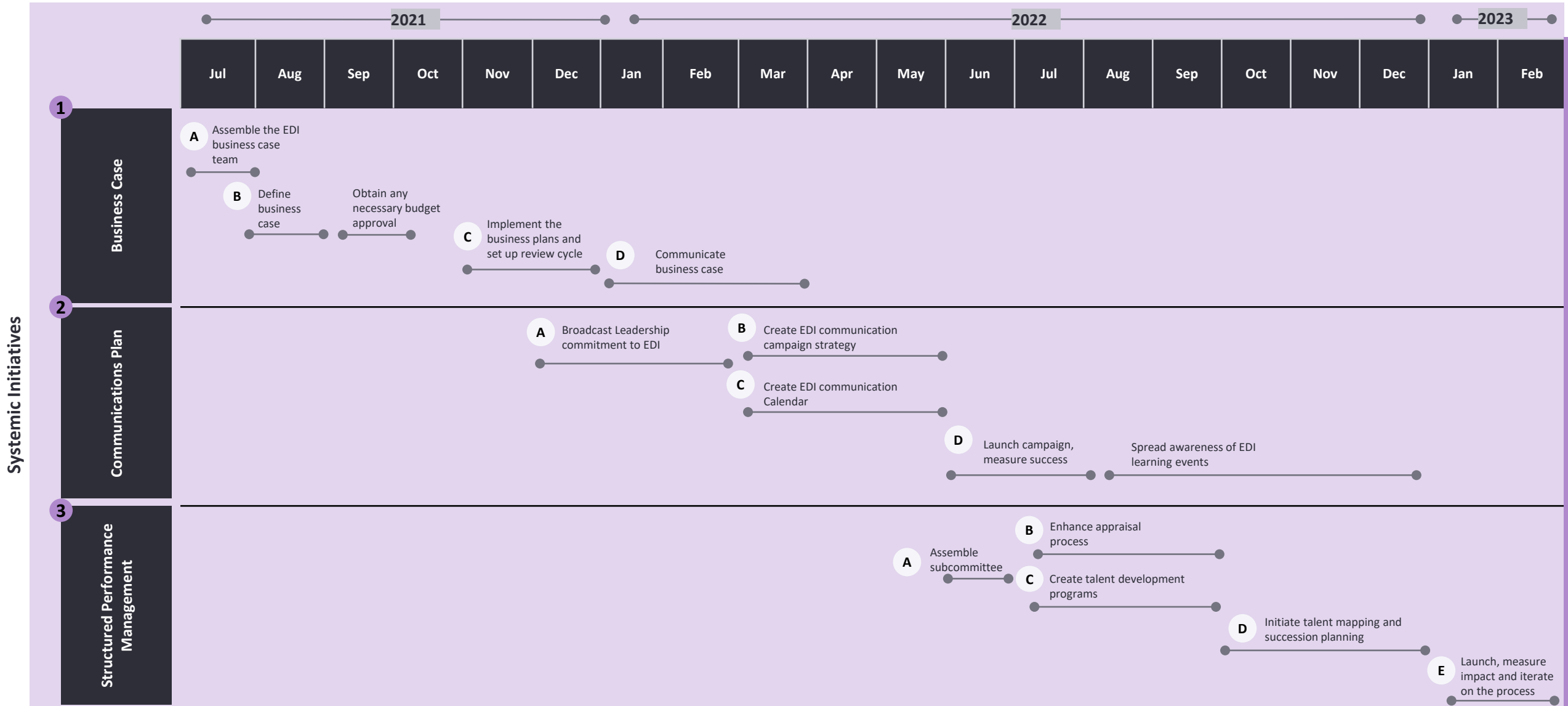
- Increase recognition
- Foster a work environment where varying opinions and ideas are welcome
- Define behavioural sprint, implement, reflect and engage, report back and iterate

Key Activities

Summary of Implementation Plan

Systemic Initiatives

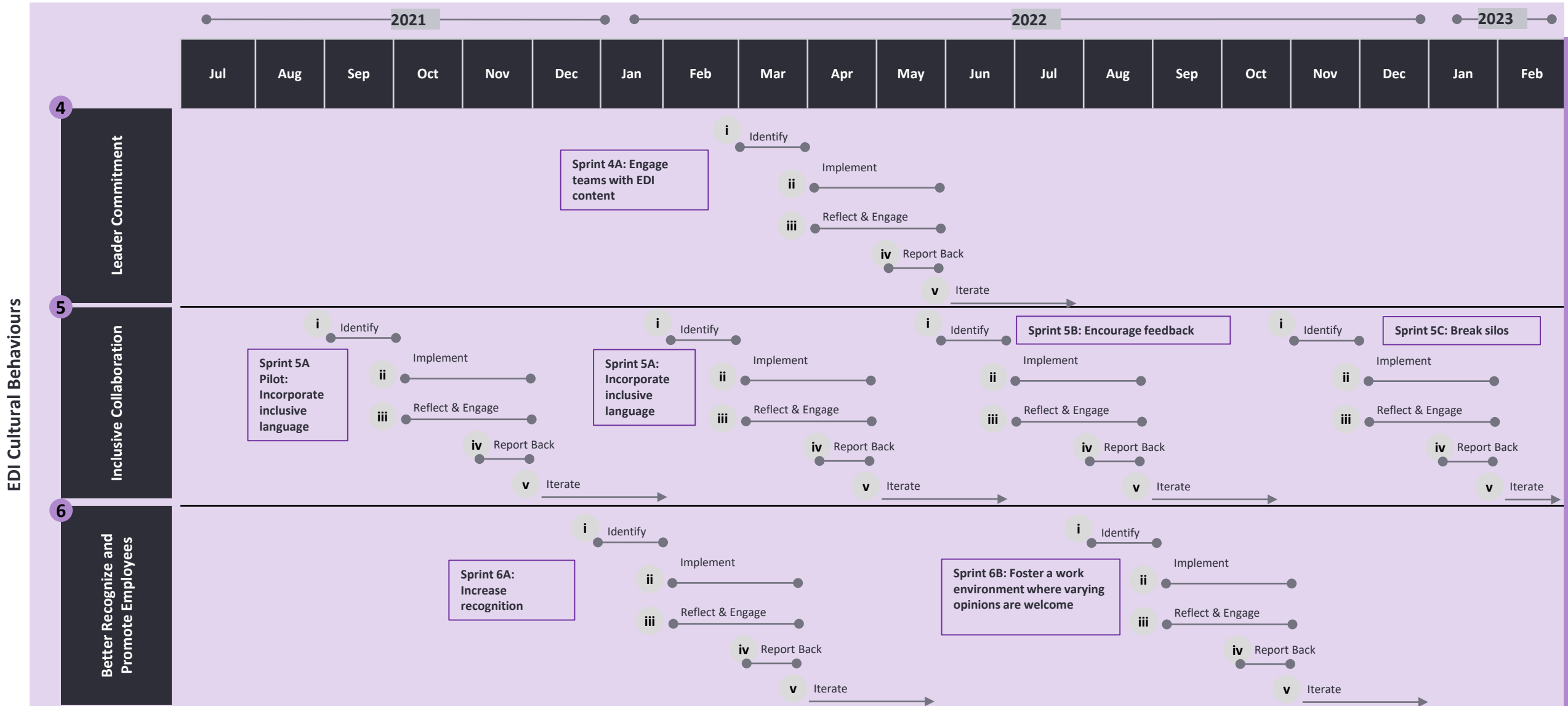
This roadmap presents a time-based set of systemic initiatives to execute towards achieving a more equitable, diverse and inclusive organizational culture.



Summary of Implementation Plan

EDI cultural behaviours

This roadmap presents a time-based set of EDI cultural behaviours to execute towards achieving a more equitable, diverse and inclusive organizational culture.



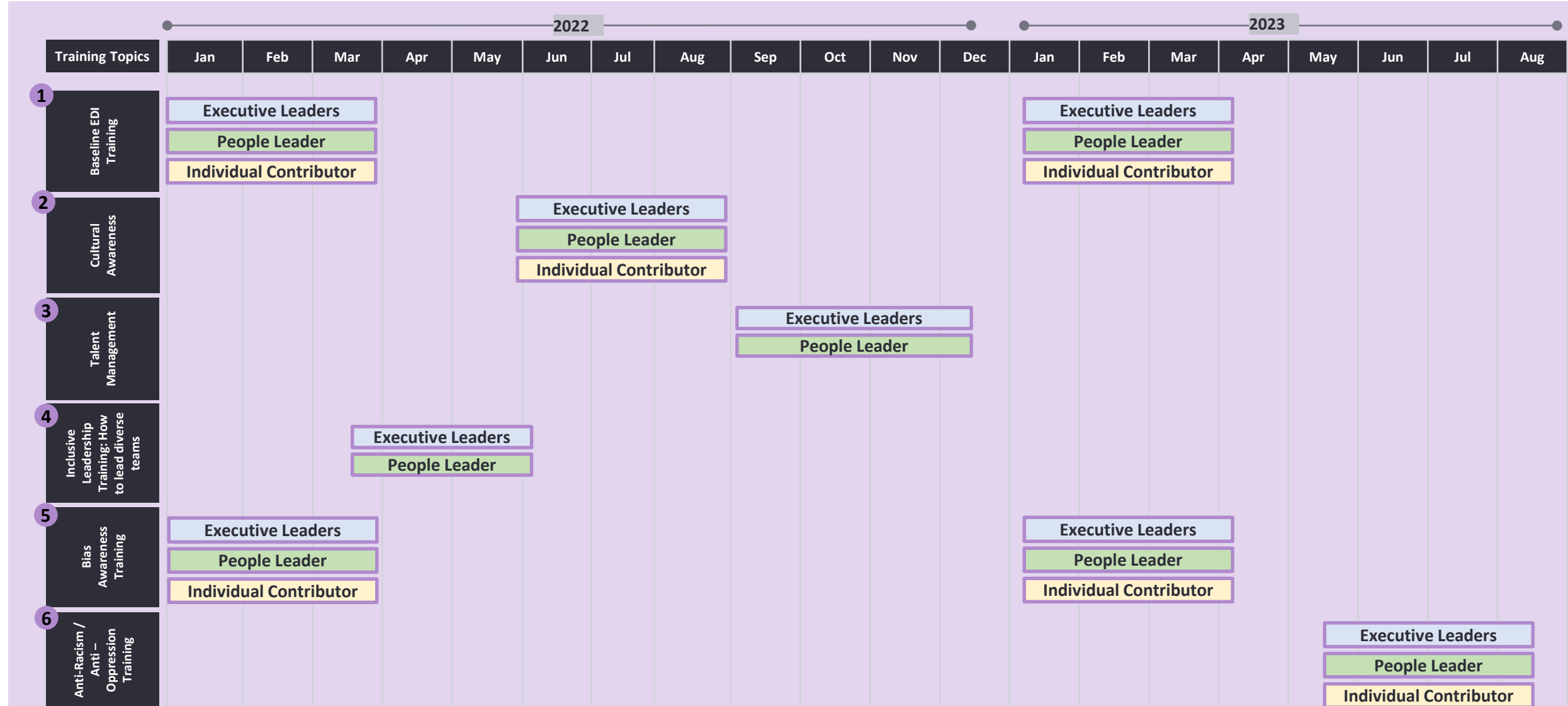
Summary of EDI Training Timeline

- ▶ High level summary of the EDI Training, timelines and delivery methods



Summary of EDI Training and Education Strategy Recommended training timeline

Included below is a recommended timeline to execute training on the various recommended topics from slide 15.



Summary of EDI Training and Education Strategy

- ▶ High level summary of the EDI Training and Education Strategy which includes recommended training topics, timelines and delivery methods



There are 3 major groups of stakeholders with different EDI journeys to consider. We recommend that each stakeholder group receive a mix of the following learning components to provide three types of learning, instilling a commitment to EDI with a sustainable change in behaviours.



Based on data collected with the EDI survey, Leader interviews, focus group sessions, and document review – it has been determined that a training focus in the following areas will have the greatest impact:

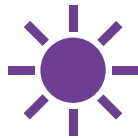
1. Baseline EDI Training

WHAT

- ▶ Intersectionality
- ▶ Inclusive Language
- ▶ Conflict Resolution
- ▶ Allyship and Bystander Intervention

WHO

- ▶ Executive Leaders
- ▶ People Leaders
- ▶ Individual Contributors



2. Cultural Awareness

WHAT

- ▶ Cultural Sensitivity
- ▶ Tools to reduce cross-cultural misunderstanding and encourage cross-cultural working relationships and community relations

WHO

- ▶ Executive Leaders
- ▶ People Leaders
- ▶ Individual Contributors



3. Talent Management

WHAT

- ▶ How to consider EDI within key talent processes; sourcing talent, attracting talent, hiring, training talent, performance management, succession, leaves of absence

WHO

- ▶ Executive Leaders
- ▶ People Leaders



4. Inclusive Leadership Training: How to lead diverse teams

WHAT

- ▶ Inclusive Leadership Behaviours
- ▶ Learning to listen and listening to learn
- ▶ Supporting employees undergoing a gender-affirming transition
- ▶ Empowering women
- ▶ Empowering minorities

WHO

- ▶ Executive Leaders
- ▶ People Leaders



5. Bias Awareness Training

WHAT

- ▶ Uncovering Unconscious bias – understand the various bias and how they might affect decision-making and interactions at work (ex. Name, Gender, The Halo Effect bias etc.)

WHO

- ▶ Executive Leaders
- ▶ People Leaders
- ▶ Individual Contributors



6. Anti-Racism/Anti-Oppression Training

WHAT

- ▶ Anti-Racism
- ▶ Privilege and Race Fluency
- ▶ Oppression and micro-aggressions

WHO

- ▶ Executive Leaders
- ▶ People Leaders
- ▶ Individual Contributors



Humanities Career Apprenticeship Program Collaboration Agreement

This AGREEMENT is effective as of _____ day of _____, 2021 (the "Effective Date")

BETWEEN:

CITY OF HAMILTON

(hereinafter called the "City")

- and -

MCMASTER UNIVERSITY

(hereinafter called the "University")

WHEREAS McMaster has established the Humanities Career Apprenticeship Program (the "Program");

AND WHEREAS the purpose of the Program is to assist recent University Faculty of Humanities graduates obtain their first post graduate job with an employer located in the City;

AND WHEREAS the Program is funded by a grant provided to the University by the Rottenberg Family Foundation;

AND WHEREAS the grant provided to the Program will be used as funding to pay a portion of the salary of a graduate who obtains employment with an employer as a result of the Program;

AND WHEREAS on [insert date], 2021 the Council of the City approved Item [insert number] the [insert name] Committee Report No. [insert number] thereby authorizing the City to enter into this Agreement and thereby authorized City Economic Development Division staff to promote the Program to employers within the City and refer them to the University for the purposes matching them with a recent graduate of the University's Faculty of Humanities;

NOW THEREFORE this Agreement witnesses that in consideration of the mutual covenants and agreements herein contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties hereto, the Parties hereto covenant and agree as follows:

Article 1 – Interpretation

1.1 Definitions

In this Agreement and the recitals hereto unless something in the subject matter or context is inconsistent therewith:

- (a) **"GM"** means the City's General Manager of Planning and Economic Development;
- (b) **"FIPPA"** means the Freedom of Information and Protection of Privacy Act, R.S.O.
- (c) **"Humanities"** means the University's Faculty of Humanities;
- (d) **"Indemnified"** has the meaning ascribed to it in Section 7.1;
- (e) **"Initial Term"** has the meaning ascribed to it in Section 2;
- (f) **"MFIPPA"** means the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56;
- (g) **"PIPEDA"** means the Personal Information Protection and Electronic Documents Act, S.C. 2000, c. 5;
- (h) **"Program"** has the meaning ascribed to it in the Recitals;
- (i) **"Program Student"** means a student who has applied for and been approved by the University to participate in the Program and meets all the qualifications and requirements to participate in the Program;
- (j) **"Start-Up Employer"** means an employer who has been in operation for less than two (2) years and has less than five (5) employees;

1.2 Headings, Articles, Sections, Schedules

The division of this Agreement into articles and sections and the insertion of headings are for convenience of reference only and shall not affect the construction or interpretation of this Agreement. The term **"this Agreement"** refers to this Agreement in its entirety and not to any particular article, section or other portion of this Agreement and includes any agreement supplemental to this Agreement. Unless otherwise indicated, references in this Agreement to Articles, Sections, Recitals or Schedules are to Articles, Sections, Recitals and Schedules of this Agreement.

1.3 Gender and Number

If the context of this Agreement requires changes of gender and number, this Agreement shall be read such that words importing the singular number only shall include the plural and vice versa, words importing the masculine gender shall include the feminine and neuter genders and vice versa.

1.4 Statutory References

Any reference in this Agreement to any Law, or to any section of or any definition in any Law, shall be deemed to be a reference to such Law or section or definition as amended, supplemented, substituted, replaced or re-enacted from time to time.

1.5 Schedules

The following are the Schedules annexed hereto and incorporated by reference and deemed to be part hereof:

Schedule "A" – Program Employer Qualifications
Schedule "B" – Key Milestones and Important Dates
Schedule "C" – City's Timeline
Schedule "D" – Visual Identity Guidelines Standards and Approvers

The Schedules are attached to and form a part of this Agreement in the same manner and with the same effect whether or not they are included in the body hereof.

1.6 Recitals

All of the recitals preceding Article 1 of this Agreement are true and correct.

2. TERM

The initial term of this Agreement is one (1) year beginning on September 30, 2021 ("Initial Term"). Thereafter, it shall automatically renew for an additional year unless:

- (i) either Party provides sixty (60) days' prior written notice to the other of its intent not to renew this Agreement at the end of the current term; or
- (ii) the City does not consent to any changes to the program pursuant to Section 8.1.

In the event that Program funding ceases, this Agreement will terminate immediately.

3. Roles and Responsibilities

3.1 The University shall:

- (a) identify, communicate with, and recruit qualified students to participate in the Program. This activity includes but is not limited to developing and maintaining the page pertaining to the Program on the Humanities website, managing student contact list, and direct email advertising to students;
- (b) provide administration of the Program, including but not limited to overseeing Key Milestones and Important Dates identified on Schedule "B", arranging working group and advisory group meetings, ensuring accurate and timely communication between the Parties;
- (c) ensures job postings meet required the University standards and compliance with job safety

requirements;

- (d) act as the only contact for the Rottenberg Family Foundation;
- (e) communicate with the University Faculty of Humanities alumni and other friends of the university as required for the purposes of the Program which shall include but not be limited to recruiting and coordinating alumni mentors; and
- (f) confirm that employers referred by the City to the University meet the Program qualifications as described on Schedule “A” hereto.

3.2 The City’s obligations under this Agreement shall be limited to following:

- (a) promoting, in such manner and to such extent as determined by the GM in his sole discretion, the Program to Hamilton businesses that satisfy Program qualifications described in Schedule “A” attached hereto. The City shall consult the University in respect of the manner and extent of the promotion but agreement or consensus with the University is not required for the manner or extent of the City’s promotion. Start-up Employers will not be eligible for referral by the City or to participate in the Program;
- (b) forward all job postings and company information provided to the City to the University for promotion to Humanities students who have been approved by the University to participate in the Program; and
- (c) participate in all advisory, consultation and update meetings set out in Schedule “C” and provide outreach lists and employer engagement activities in accordance with the timeline as set out in Schedule “C”.

4. Program Funding

4.1 The Program will fund up to a maximum of 10, one-year apprenticeships for the Initial Term. The number of eligible positions may change from year to year by mutual agreement in writing from the City and the University. Funding will cover the salary of graduates for a period of four months, to a maximum of \$4,000 CAD per month, per student. The Program grant will be made to the University who will be required to fund all of the salaries for the selected graduates for the various four-month periods. Upon the placement of 10 eligible Humanities graduates during the Initial Term and upon the maximum number of placements agreed to by the City and University for each yearly extension thereafter the City’s obligations in Section 3.2 shall be suspended until the expiry of the period in which notice of termination of the automatic renewal provided for in Section 2 expires. The City shall not be responsible for any funding of the Program or any costs of the Program other than those incurred by the City in respect of its obligations described in Section 3.2.

3.2. The University shall be responsible for all costs incurred in respect of the Program, other than those incurred by the City in respect of its obligations described in Section 3.2.

5. Marketing and Communications

5.1 All publications and communications regarding the Program, by the University or the City shall have consistent messaging to achieve a cohesive image and brand for the Program.

5.2 The University shall be solely response for student recruitment communications and promotion. The City shall be solely response for employer recruitment communications and promotion

5.3 The Parties agree to:

- (a) Collaborate on marketing materials, particularly with respect to individual brand standards and procedures. Marketing materials shall be consistent with the Visual Identity Guidelines attached hereto as Schedule “D”. The guidelines in Schedule “D” do not amount to rules and rigid compliance with them is not expected.
- (b) Designate an individual, identified in Schedule “D” to approve of any final marketing materials or media releases.
- (c) Designate a spokesperson in the event of media interviews, all media requests must be communicated to all partners.

5.4 The City agrees not to do anything or permit anything to be done that uses, including but not limiting to, the University’s names, trademarks, logos, licenses, or copyright without the express written permission of the University. The City shall not use any information it may acquire with respect to the affairs of the University or its affiliates for its own purposes or for any purposes other than the promotion and administration of the Program. The City further agrees not to do anything or permit anything to be done that may damage the reputation of the University or which the University may reasonably deem to be damaging, including but not limited to its reputation, image, and or standing.

5.3 Similarly, the University agrees not to do anything or permit anything to be done that uses, including but not limiting to, The City’s names, trademarks, logos, licenses, or copyright without its the express written permission of The City. The University shall not use any information it may acquire with respect to the affairs of the department or its affiliates for its own purposes or for any purposes other than the promotion and administration of the Program. The University further agrees not to do anything or permit anything to be done that may damage the reputation of The City may reasonably deem to be damaging, including but not limited to its reputation, image, and or standing.

6. Confidentiality

6.1 For the purposes of this Section, “Confidential Information” means any information that is not in the public domain. The Parties acknowledge that they may receive Confidential Information about the other Party in the course of this Agreement. A Party, its employees, agents and contractors shall not divulge any confidential information about the other Party acquired in the course of this Agreement without the prior written consent of the other Party.

Furthermore, a Party shall not use any Confidential Information acquired in the course of this Agreement for any purposes other than those related to this Agreement, without specific written authorization by the other Party.

6.3 The University acknowledges and agrees that, in addition to any requirements under PIPEDA, the City is bound by the MFIPPA and that the Agreement and any information provided to the City in connection with the Project or otherwise in connection with this Agreement may be subject to disclosure in accordance with MFIPPA. The University shall assist and cooperate with the City in complying with the requirements of PIPEDA and MFIPPA.

6.4 The University shall collect, use, disclose, retain and dispose of Personal Information only in accordance with PIPEDA and FIPPA. The University shall limit the collection of Personal Information to that which is necessary for the University to participate in the Program, comply with this Agreement or satisfy its obligations under Law.

6.5 The agreements in Sections 6.1 to 6.3 shall survive the termination of this Agreement.

7. Indemnification

7.1 In addition to any liability of the University to the City under any provision of this Agreement the University covenants to indemnify and save, defend and hold harmless from time to time and at all times, the City, the City’s employees, the City’s elected officials and the City’s agents (collectively the “City’s Indemnified”) from and against any and all claims, actions, causes of action, proceedings, interest, demands, costs (including legal fees and expenses), assessments in respect of required withholding losses, fees, expenses, injury, charges, damages, expenses, liabilities, losses and obligations of any kind that may be incurred by, or asserted against any of the Indemnified in connection with or arising out of this Agreement or the Program.

A certificate of the City or the amount of any such loss or expense shall be prima facie evidence as to the amount thereof, in the absence of manifest error.

7.2 The agreements in Section 7.1 shall survive the termination of this.

8. Program Changes

8.1 The University agrees to provide 60 days prior written notice to the City of any change to the Program. If the City does not consent to the change within 30 days of receiving the notice the Agreement shall terminate and all obligations of either Party under this Agreement shall cease.

9. Notices

9.1 Any notice or other communication required, desired or permitted under this Agreement shall be in writing and shall be effectively given if: delivered personally, sent by prepaid courier service, sent by registered mail to the following address or by electronic mail to the following email address:

In the case of McMaster University:
Chester New Hall, Room 112
1280 Main Street West
Hamilton, ON, L8S 4L9
Email: deanhum@mcmaster.ca
Attention: Pamela Swett, Dean, Faculty of Humanities

In the case of The City:
71 Main Street West, 7th Floor
Hamilton, ON, L8P 4Y5
Email: norm.schleehahn@hamilton.ca
Attention: Norm Schleehahn, Director, Economic Development

with a copy to:

City of Hamilton
City Manager's Office, Office of the City Clerk
71 Main Street West, 1st Floor
Hamilton, ON, L8P 4Y5

Attention: City Clerk

9.2 The University acknowledges that the title and address for the staff person at City to which notice must be provided may change from time to time and that it is the responsibility for the University to obtain the correct information prior to any notice being provided to the City to ensure that notice is provided in compliance with this Agreement. Any such notice or other communication shall be deemed to have been given and received on the day on which it was received by the Party to which it was sent.

9.3 Any Party may at any time change its address for service from time to time by giving notice to the other Parties in accordance with Sections 9.1 and 9.2.

10. Survival

10.1 Notwithstanding expiration or early termination of this Agreement, Sections 6, 7, 11 and 12 shall remain in effect indefinitely or, where a time limit is provided, in accordance with their terms.

11. General

11.1 Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall not invalidate the remaining provisions of this Agreement and any such prohibition or unenforceability in any jurisdiction shall not invalidate or render unenforceable such provisions in any other jurisdiction.

11.2 This Agreement, the Schedules attached hereto and policies incorporated by reference constitute the whole agreement between the City and the University relating to the subject matter of this Agreement, and cancels and supersedes any prior agreements, collateral agreements, conditions, undertakings, declarations, commitments, covenants, warranties and representations, written or oral, in respect thereof.

11.3 No provisions of this Agreement shall be amended or altered except by further written agreement between the City and the University. No covenant or condition in this Agreement or any other Agreement shall be deemed waived or consented to by both Parties, unless such waiver or consent is in writing and signed by a person authorized by each Party. No Event of Default shall be deemed waived or consented to by a Party, unless such waiver or consent is in writing and signed by an authorized representative of the Party. Any waiver granted by a Party, shall be effective for the specific instance and for the purpose for which it was given and shall be deemed not to be a waiver of any rights and remedies of said Party under this Agreement as a result of any other default or breach under this Agreement. No waiver of a provision of this Agreement shall operate as a waiver of any other provision or of the same provision on a future occasion.

11.4 Time shall be of the essence in this Agreement.

11.5 This Agreement shall be binding upon and shall enure to the benefit of the City and the University and their respective successors and assigns.

11.6 A Party may not assign or transfer their rights and obligations under this Agreement without the prior written consent of the other Party and said consent may be arbitrarily withheld.

11.7 This Agreement is made pursuant to and shall be governed by and construed in accordance with the laws of the Province of Ontario, Canada.

11.8 Any power, right or function of the City, contemplated by this Agreement, may be exercised by the GM and her designate or agent.

11.9 The Council of the City or the governing body of any municipal agency, board or commission shall be admitted to any share or part of any contract, agreement or commission made pursuant to this Agreement or to any benefit arising therefrom, including, without limitation, any contract, agreement or commission arising from or related to the Program.

11.10 Nothing in this Agreement shall be construed as authorizing one Party to contract for or incur any obligation on behalf of the other or to act as agent for the other and nothing in this Agreement shall be construed to constitute the City and the University as partners, joint venturers, employee or agents of each other. The University agrees and acknowledges that the City does not represent or warranty the suitability or quality of any employer referred to the University pursuant to this Agreement.

12. COVID-19

12.1 The City and the University agree that the obligations of the City under the Agreement shall not be suspended as a result of COVID-19 unless the GM determines that COVID-19 causes conditions such that the City is unable to fulfill its obligations under the Agreement without compromising the health or safety of its employees, volunteers or agents. The City shall provide notice in accordance with Section 9.1 and 9.2.

THIS AGREEMENT was executed by the Parties as follows:

THE CITY
Norm Schleeahn
Director, Economic Development

Signature _____ Date _____

McMASTER UNIVERSITY
Pamela Swett
Dean, Faculty of Humanities

Signature _____ Date _____

Schedule “A”

Program Employer Qualifications

Employer Requirements:

- A working location (office) within the Hamilton area is required
- A minimum 12-month contract must be offered
- The employer must provide meaningful employment and opportunities for career development for the apprentice
- Job opportunities must meet a minimum salary of \$35K
- Public sector organizations are eligible to participate and receive the grant if the roles being filled are new positions
- The employer should be in business for a minimum of 2 years (i.e. no start-ups);
- Minimum company size of 5+ employees will be considered.
- Posting, application and selection process will begin in December each year, commencing 2020, and positions must begin in May the following year, commencing 2021.

Schedule "B"

Key Milestones and Important Dates

(Dates may alter slightly from year to year based on mutual agreement)

September

September 29 Program information session

October

October 21 Student preparation session – Resumes
TBD Employer engagement event

November

November 10 Student preparation session – Cover Letter
November 18 Student preparation session – Resumes

December

December 18: Preferred deadline for employer posting

January

January 14 Program information session
January 15 Final deadline for employer posting
January 18 Postings open for student applications
January 20 Student preparation session – Resumes
January 29 Student preparation session – Cover Letter

February

February 2 Student preparation session – Interviews
February 12 Student application deadline
February 22 – March 12 Interviews take place
February 25 Student preparation session – Interviews

March

March 19 Employer/student ranking deadline
March 31 Employer/students notified of rank/match result and
students receive position offers

April

April 5	Deadline for students to accept position offers
April 6	Employers notified of student response to offers
April 6 – 23:	Student onboarding meetings

May

May 3:	Placements commence Schedule “C”
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City’s Timelines

The City is a member of the Humanities Apprenticeship Program Advisory Group, participates in discussions and provides information focused on strategies and engagement with Hamilton’s business community. The following outlines the City’s timelines (dates may alter slightly from year to year based on mutual agreement and program dates):

September

September 29	Program information session and media launch
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October – November

October 1 - November 30	Employer outreach to targeted sectors/companies
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December

December 18	Preferred deadline for employer posting
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January

January 15	Final deadline for employer posting
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Schedule “D”

Visual Identity Guidelines and Approvers

McMaster University

Approver: Allison Mullin, Manager of Communications, Faculty of Humanities

All marketing materials for the Program must adhere to the McMaster Branding Policy and Style Guide (<https://brand.mcmaster.ca/>).

Economic Development Division, City of Hamilton

Approver: Michael Marini, Coordinator Marketing

DRAFT



AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 21-015

9:30 a.m.

September 23, 2021

Council Chambers

Hamilton City Hall

Present: Councillors L. Ferguson (Chair), B. Johnson, M. Pearson, A. VanderBeek, and M. Wilson

Absent: Councillor C. Collins – Personal, Councillor B. Clark – City Business

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 21-015 AND RESPECTFULLY RECOMMENDS:

1. 2020 Annual Report on Commodity Price Hedging (FCS21069) (City Wide) (Item 7.1)

That Report FCS21069 respecting the 2020 Annual Report on Commodity Price Hedging, be received.

2. Tax and Rate Operating Budgets Variance Report as at June 30, 2021 - Budget Control Policy Transfers (FCS21070) (City Wide) (Item 8.1)

- (a) That the Tax and Rate Operating Budgets Variance Report as at June 30, 2021 attached as Appendices “A” and “B”, respectively, to Report FCS21070, be received;
- (b) That, in accordance with the “Budgeted Complement Control Policy”, the 2021 complement transfers from one department / division to another with no impact on the levy, as outlined in Appendix “A” to Audit, Finance & Administration Committee Report 21-015, be approved;
- (c) That, in accordance with the “Budgeted Complement Control Policy”, the 2021 extensions of temporary positions with 24-month terms or greater, with no impact on the levy, as outlined in Appendix “B” to Audit, Finance & Administration Committee Report 21-015, be approved;
- (d) That, in accordance with the “Budget Control Policy”, the 2021 budget transfers from one department / division to another or from one cost category to another with no impact on the property tax levy, as outlined in Appendix “C” to Audit, Finance & Administration Committee Report 21-015, be approved;

- (e) That Council approve funding the unfavourable variances of Development Charge Discretionary Exemptions from the 2021 corporate year-end tax and / or rate surplus or from the Unallocated Capital Reserve 108020, Waterworks Capital Reserve 108015, Sanitary Sewer Capital Reserve 108005 or Storm Sewer Capital Reserve 108010.

3. Employee Computer Purchase Plan (FCS21065) (City Wide) (Item 10.1)

That the new Employee Personal Computer Purchase Plan, attached as Appendix “D” to Audit, Finance & Administration Committee Report 21-015, be approved.

4. Road Maintenance Small Tools and Equipment Inventory Audit and Follow Up to Audit Report AUD11006 (AUD21010) (City Wide) (Item 10.2)

- (a) That Appendix “A” to Report AUD21010, respecting the Road Maintenance Small Tools and Equipment Inventory Audit, be received;
- (b) That the Management Responses as detailed in Appendix “E” to Audit, Finance & Administration Committee Report 21-015 and Private and Confidential Appendix “D” to Report AUD21010, be approved;
- (c) That the General Manager of Public Works be directed to implement the Management Responses (attached as Appendix “B” and Private and Confidential Appendix “D” to Report AUD21010) and report back to the Audit, Finance and Administration Committee by September 2022;
- (d) That Appendix “C” to Report AUD21010, respecting the follow up of Audit Report AUD11006 - Tools Audit, be received; and,
- (e) That Private and Confidential Appendix “D” to Report AUD21010, remain confidential.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the September 23, 2021 Audit, Finance and Administration Committee meeting was approved, as presented.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 4)

(i) September 9, 2021 (Item 4.1)

The Minutes of the September 9, 2021 meeting of the Audit, Finance and Administration Committee were approved, as presented.

(d) CONSENT ITEMS (Item 7)

(i) Immigrant and Refugee Advisory Committee Minutes - May 13, 2021 (Item 7.2)

The Immigrant and Refugee Advisory Committee Minutes of May 13, 2021 were received.

(e) STAFF PRESENTATIONS (Item 8)

(i) Tax and Rate Operating Budgets Variance Report as at June 30, 2021 - Budget Control Policy Transfers (FCS21070) (City Wide) (Item 8.1)

Mike Zegarac, General Manager of Finance and Corporate Services addressed the Committee with a staff presentation respecting Report FCS21070, the Tax and Rate Operating Budgets Variance Report as at June 30, 2021 - Budget Control Policy Transfers.

The Staff Presentation respecting Report FCS21070 the Tax and Rate Operating Budgets Variance Report as at June 30, 2021 - Budget Control Policy Transfers, was received.

For further disposition of this matter, please refer to Item 2.

(f) PRIVATE AND CONFIDENTIAL (Item 14)

(i) Closed Minutes – September 9, 2021 (Item 14.1)

(a) The Closed Session Minutes of the September 9, 2021 Audit, Finance and Administration Committee meeting, were approved as presented; and,

(b) The Closed Session Minutes of the September 9, 2021 Audit, Finance and Administration Committee meeting, remain confidential.

(g) ADJOURNMENT (Item 15)

There being no further business, the Audit, Finance and Administration Committee adjourned at 10:28 a.m.

Respectfully submitted,

Councillor Ferguson, Chair
Audit, Finance and Administration
Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk

**CITY OF HAMILTON
BUDGET AMENDMENT SCHEDULE**

STAFF COMPLEMENT CHANGE

Complement Transfer to another division or department ^(1,2)

ITEM #	TRANSFER FROM				TRANSFER TO			
	Department	Division	Position Title (2)	FTE	Department	Division	Position Title (2)	FTE
1.1	Corporate Services	Customer Service & POA	Cust Contact Centre Rep	1.0	Corporate Services	Customer Service & POA	CRM Solutions Analyst	1.0
	Explanation: Requesting approval to convert Customer Service Rep position grade F to a CRM Solution Analyst, grade level 5, to support the continued expansion of services at the CCC. Differential to be absorbed by operating budget. No levy impact.							
1.2	Healthy and Safe Communities	Children's Services and Neighbourhood Development	Sr Proj Mgr UrbanIndigen Strat	1.0	Healthy and Safe Communities	Children's Services and Neighbourhood Development	Mgr Indigenous Relations	1.0
	Explanation: Transfer vacant permanent Sr Project Manager Urban Indigenous Strategies position to support currently non-budgeted Manager of Indigenous Relations position.							
1.3	Public Works	Engineering Services	Road Programming Technician	1.0	Public Works	Engineering Service	SPM - Geomatics and Process Improvement Services	1.0
	Explanation: Convert Road Programming Technician (grade I) position title 1 FTE to a Senior Project Manager - GEOMATICS AND PROCESS IMPROVEMENT SERVICES (level 7) – 1 FTE in order to support a Quality Management System, and develop more stringent oversight over our digital information. The net budget impact will be zero as these positions are funded through corridor revenue.							
1.4	Public Works	Engineering Services	Geomatics EngineeringTech Coop	1.0	Public Works	Engineering Service	Senior Project Manager	1.0
	Explanation: To convert 1 FTE Co-op Student position to a Senior Project Manager (level 7). The Project Manager position is more applicable to the required functions and level of expertise required within the scope of responsibilities and project management. The net budget impact will be zero as these positions are funded through corridor revenue.							
1.5	Public Works	Engineering Services	Design Techl	1.0	Public Works	Engineering Service	Proj Mgr - Design	1.0
	Explanation: To convert 1 FTE Design Techl (CUPE 5167, grade L) to a Project Mgr - Design (CUPE 1041, grade 6). In the current market it is challenging to find and retain qualified technologists. By increasing this role to a PM we can attract a wider pool. The PM will support the program delivery with alternate means including internal and external resources. The net budget impact will be zero as these positions are funded through capital funds.							
1.6	Public Works	Engineering Services	Analyst-Infra Prog & Plng Coop	1.0	Public Works	Engineering Service	Proj Mgr Infra Progmg & Plng	1.0
	Explanation: To convert 1 FTE Co-op Student position to a Project Manager (CUPE 1041, grade 6). The Project Manager position is more applicable to the required functions and level of expertise required within the scope of responsibilities and project management. The net budget impact will be zero as these positions are funded through capital funds.							
1.7	Public Works	Engineering Services	Infra Prog Techl Coop	1.0	Public Works	Engineering Service	Proj Mgr-Surface Infrastructure	1.0
	Explanation: To convert 1 FTE Co-op Student position to a Project Manager (CUPE 1041, grade 6). The Project Manager position is more applicable to the required functions and level of expertise required within the scope of responsibilities and project management. The net budget impact will be zero as these positions are funded through capital funds.							
1.8	Public Works	Energy Fleet & Facilities	Supervisor facilities Manangement	1.0	Public Works	Energy, Fleet & Facilities	Supt Fac Ops & Mtce LTC	1.0
	Explanation: To convert 1 FTE Supv Facilities Management (CUPE 1041, grade 5) to a Supt Fac Ops & Mtce LTD (CUPE 1041, grade 7). The position has increased significantly in responsibility at the two LTC facilities. The salary differential of \$38,010 will be absorbed through existing operating budget.							
1.9	Health & Safe Communities	Recreation	GolfCourse techn/Stadium Tech	0.26	Public Works	Energy, Fleet & Facilities	GolfCourse techn/Stadium Tech	0.26
	Explanation: To distribute the dual position FTE evenly between Recreation and Energy, Fleet and Facilities. Currently Recreation (Golf) has 0.63 FTE and EFFM (Stadium) has 0.37 FTE. This transfer will result in Recreation (Golf) having 0.5 FTE and EFFM (Stadium) having 0.5 FTE. The net budget impact will be zero as these positions are moving from one department to another.							
2.0	Public Works	Engineering Services	Vault Keeper/Print Room Opr	1.00	Public Works	Engineering Service	Geomatics Techn	1.00
	Explanation: To convert 1 FTE Vault Keeper/Print Room Opr (CUPE 5167, grade E) to a Geomatics Techn (CUPE 5167, grade I). The duties of the Vault Keeper/Print Room Opr position are no longer required to be performed. . With the Shift to digital drawings and no longer a reliance on hard copy drawings, Engineering Services, and particularly Geomatics do not require this service any longer. Staff are now using technology such as digital PDF files to collaborate and share maps and drawings. The net budget impact will be zero as these positions are funded through corridor revenue.							
2.1	Public Works	Environmental Services	Waste Collection Operator	1.0	Public Works	Waste Policy & Planning	Manager, Waste Policy & Planning	1.0
	Explanation: To approve the transfer of budgeted FTE from DeptID 512570 Waste Collection Operator CUPE 5167 P#3195 Grade F (vacant) to DeptID 512825 Manager of Waste Policy & Planning, Grade 8. Waste Reorg did not include a Manager of Waste Policy & Planning and this position is required so the waste policy & planning can be consolidated in one section.							
2.2	Corporate Services	Financial Planning, Administration & Policy	Financial Assistant I	2.0	Corporate Services	Financial Planning, Administration & Policy	Financial Coordinator	2.0
	Explanation: To convert a Financial Assistant I (Grade J) position to a Financial Coordinator (Grade 4) position to support the increasing demands of portfolio changes, the difference between the pay band will be absorbed within the current budget.							
2.3	Planning and Economic Development	Tourism & Culture	Museum Clerk PT	0.6	Planning and Economic Developmer Tourism & Culture	Museum Operations Clerk- Various Locations		0.6
	Explanation: Conversion of a vacant part time position to align duties with those required by section to improve customer service and efficiency. Change will move the pay band up three levels but can be accommodated within the current operating budget.							

Note - Complement transfers include the transfer of corresponding budget.

(1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement).

(2) - If a position is changing, the impact of the change is within 1 pay band unless specified.

**CITY OF HAMILTON
BUDGETED COMPLEMENT TEMPORARY EXTENSION SCHEDULE**

TEMPORARY POSITION EXTENSIONS

Extensions to temporary positions with terms of 24 months or greater as per the Budgeted Complement Control Policy

ITEM #	TRANSFER FROM				TRANSFER TO			
	<u>Department</u>	<u>Division</u>	<u>Position Title</u>	<u>FTE</u>	<u>Department</u>	<u>Division</u>	<u>Position Title</u>	<u>FTE</u>
1.1	Public Works	Hamilton Water	SCADA Supervisor	1.0	Public Works	Hamilton Water	SCADA Supervisor	1.0
	Explanation: Temporary position with a 24 month term is expiring, requesting approval for additional 24 months extension. The additional costs will be funded by gapping. No net levy impact.							
1.2	Healthy and Safe Communities	Housing Services	Housing Support Worker	1.0	Healthy and Safe Communities	Housing Services	Housing Support Worker	1.0
	Explanation: The temporary position ends November 2021, we are requesting a temporary extension for 7 months to June 2022 to provide continued support for housing allowances and other pandemic-related housing concerns.							
1.3	Healthy and Safe Communities	Housing Services	Applications Analysts	1.0	Healthy and Safe Communities	Housing Services	Applications Analysts	1.0
	Explanation: The temporary position ends July 2021, we are requesting a temporary extension for 17 months to December 2022 to provide continued support on the HIFIS system upgrade. There is significant risk to our business processes and accountability to our funders and outcomes without the continuation of this position at this time.							

**CITY OF HAMILTON
BUDGET AMENDMENT SCHEDULE**

BUDGET RESTATEMENT

Budget Transfer from one cost category to another cost category

ITEM #	TRANSFER FROM					TRANSFER TO				
	Department	Dept ID	Division	Cost Category	Amount	Department	Dept ID	Division	Cost Category	Amount
1.1	City Manager	320500	Human Resources	Financial	\$195,050	City Manager	320500	Human Resources	Contractual	\$195,050
Explanation: To reallocate budget from Debt Recovery to Contractual Services (Rent) to support HR's rent recovery at new location in alignment with actual charges being incurred.										

Budget Transfer to another division or department

ITEM #	TRANSFER FROM			TRANSFER TO		
	Department	Division	Amount	Department	Division	Amount
1.2	Healthy and Safe Communities	Children's Services and Neighbourhood Dev.	\$7,969	Planning & Economic Development	Building	\$441,709
	Healthy and Safe Communities	Ontario Works	\$12,212	Healthy and Safe Communities	Public Health Services	\$3,797
	Public Works - Tax	Engineering Services	\$1,063	Corporate Financials - Expenditures	Corporate Initiatives	\$4,810
	Corporate Services	Legal Services and Risk Management	\$304,036	Library	Library Administration	\$2,063
	Corporate Services	Legal Services and Risk Management	\$127,099			
Explanation: Redistribution of legal recoveries based on revised methodology.						

Note - Above budget transfers remain in the same cost category.

City of Hamilton
Employee Computer Purchase Plan

Process

Any eligible employee can only take advantage of this program once every 3 years regardless of when the loan is repaid.

As approved and amended by Council September 23, 2021, the Employee Computer Purchase Plan provides for an interest free loan (minimum of \$1,000 - maximum of \$2,000) for the acquisition of personal computer equipment, or the necessary components to upgrade an existing system.

The following procedure shall be followed by any eligible staff member wishing to take advantage of the Employee Computer Purchase Plan:

1. **The employee shall obtain quote** for the equipment from the retail vendor of their choice - ensuring the equipment meets the equipment eligibility requirements established by the Information Technology division. (Note: All forms required for this plan including the eligibility requirements are posted on eNet under Information Technology and selecting “Find/Review Personal Plan”).
2. **The employee shall submit the quote from the vendor to the Information Technology Division**, via email to pcpurch@hamilton.ca, who will review the quote to ensure Plan eligibility.
3. **Information Technology Division shall return the quote to the employee, indicating “approved” or “not approved”**. Your quote will be returned to you via email.
4. **The employee shall purchase the equipment** as per the quote and submit the following to the Payroll Division, 9th floor, Standard Life Building:
 - the authorized quote approval form as marked "approved" by IT
 - the receipt from the vendor of the equipment
 - the signed and witnessed Promissory Note
 - a signed Schedule “A” to the Promissory Note

The employee must complete **all** information on the promissory note and Schedule “A”.

5. **Payroll Division shall:**
 - deposit the eligible reimbursable amount directly into the employee’s regular payroll bank account on their regularly scheduled pay date.
 - process the loan request, making the necessary changes to the payroll file to ensure the appropriate amount is deducted from each pay, and will maintain the paperwork.
 - deduct and process a \$25 administration fee, payable by the employee, for each loan made through the Employee Personal Computer Purchase Plan.

Note: Under no circumstances will a manual cheque be issued in advance.
- Payroll Division must have the paperwork one week prior to your next payroll date to process the loan request for your next pay.

Plan Eligibility	<p>All full-time permanent staff of the City of Hamilton, HECFI, HSR, Hamilton Public Library, HPS, and Members of Council</p> <p>All full-time temporary employees under a written contract (repayment schedule cannot exceed contract term); and</p> <p>All full-time permanent employees in a job share arrangement (maximum loan amount of \$1000)</p>
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IT Resources

IT staff will not be available as a resource to assist with the computer purchase process, nor for assistance after installation. Inquiries on the administrative process of the Employee Computer Purchase Plan may be directed to the email address of pcpurch@hamilton.ca

**City of Hamilton Employee
Computer Purchase Plan**

**EQUIPMENT
ELIGIBILITY REQUIREMENTS**

The Information Technology Division of the Corporate Services Department has legislative authority to change the list of eligible products (Hardware and Software) as needed. The following are eligible under the Employee Computer Purchase Plan:

Hardware**Windows compatible personal computer****Windows compatible Notebooks/Laptops/Tablets etc.****Apple personal computer****Apple Notebooks/Laptops/Tablets etc.****Smart Watches – i.e. Apple watch, Samsung watch, etc****Routers – i.e. Mesh Wifi****Smart Phones****External peripherals**

- **Mouse/keyboard**
- **Monitor**
- **Printer/plotter**
- **Scanner**
- **All in one (i.e. scanner copier fax)**
- **Speakers**
- **Backup Device**
- **Power Protection (i.e. UPS)**

Software**All Microsoft Windows operating systems****All Microsoft office suites and/or development software****Any bundled software that is provided with computer package****Virus protection software****PC utilities software**

**City of Hamilton Employee
Computer Purchase Plan**

**AGREEMENT
PROMISSORY NOTE**

In consideration of my Employer, The City of Hamilton, agreeing to finance the computer equipment set out on the attached Schedule A,

I, _____ (name), Employee No. _____,

hereby agree to repay the sum of \$ _____ to The City of Hamilton according to the following terms and conditions:

1. I understand that my loan will be repaid to The City of Hamilton over a ____ month period.
2. My employer, the City of Hamilton, shall and is hereby authorized to deduct from my biweekly pay an amount equal to the total purchase price divided by the number of pays in the next _____ (12, 24, or 36) months.
3. I understand, and agree, that a \$25 administrative fee will be charged, payable by the employee, to cover the cost associated with processing the interest free loan.
4. I understand, and agree, that on any payroll date during the term of this agreement, I may, if I wish, pay the loan off in its entirety. I understand that partial payments are not allowed.
5. I understand, and agree, that in the event of termination of my employment with the City of Hamilton for any reason, including death, the balance of the amount payable at that time shall immediately become payable, and The City of Hamilton is hereby authorized to deduct this from my final pay, including vacation pay, and in the event my final pay is not sufficient to cover the balance I, or my estate, shall immediately pay directly to The City of Hamilton the amount outstanding to settle the debt.
6. In the event of the suspension of my employment with the City of Hamilton, for whatever reason, including but not limited to maternity leave, worker's compensation leave, long term disability leave, leave of absence, strike or lockout, I shall provide The City of Hamilton with a series of post-dated cheques to cover the payments I would otherwise have made to The City of Hamilton for the time period involved.
7. I understand, and agree, that upon delivery of my computer or upgrade, I shall be the owner of the computer equipment and the computer equipment purchased under this plan is my equipment to keep, to maintain, to insure and to repair at my expense, and that The City of Hamilton is in no way responsible for and cannot guarantee the quality of the equipment purchased or its suitability for my needs. I acknowledge and agree that neither I, or any subsequent owner of my computer or upgrade, shall have no recourse whatsoever against the City of Hamilton.

City of Hamilton
Employee Computer Purchase Plan
AGREEMENT/PROMISSORY NOTE

Page 2

8. I understand that any savings I realize from borrowing the money from The City of Hamilton is a taxable benefit under current tax legislation. The amount of taxable benefit is based on Canada Custom and Revenue Agency's prescribed rate and will appear on my annual statement of remuneration (T4 slip) as a taxable benefit. The taxes associated with this taxable benefit will be **included** on each bi-weekly pay

Employee Number

Employee Name

Witness

Employee's Signature

Dated at Hamilton, Ontario, this _____ day of _____, 20____

For Finance and Corporate Services Use Only upon approval

Authorized Corporate Signature

**City of Hamilton Employee
Computer Purchase Plan**

**SCHEDULE "A" to
AGREEMENT/PROMISSORY NOTE**

*Total Purchase Price (including taxes)	\$ _____
**Repayment Term	_____ (months)
***Retail Vendor's Name	_____

For contact purposes only

Employee Name _____

Employee Number _____

Employee's Department and Division _____

Employees Contact Phone Number _____

Employee's Fax Number _____

*The minimum loan amount is \$1,000, and the maximum loan amount is \$2,000 **Repayment term must be either 12, 24 or 36 months.
 ***Purchase must be from a retail vendor

Please submit the following to the Payroll Division of Finance and Corporate Services for loan processing:

- **Quote Approval Form – quote must be marked "Approved" by the Information Technology Division**
- **Receipt(s) for the purchased equipment**
- **Completed and signed Promissory Note**
- **Completed Schedule A to Promissory Note**

FOR PAYROLL USE ONLY

Effective date: _____

Total amount of Loan: \$ _____

Divided by # of pays (26, 52, or 78): _____

Amount per Pay: \$ _____



Hamilton

Office of the City Auditor

Road Maintenance Small Tools and Equipment Inventory Audit

Recommendations and Management Responses

September 23, 2021

Office of the City Auditor

Aleksandra Stojanova, Senior Auditor

Charles Brown, City Auditor

Brigitte Minard, Deputy City Auditor

Introduction

The following 19 recommendations will strengthen controls and increase process efficiencies related to inventory to reduce the risk of loss and misappropriation.

Recommendation 1

That the criteria for classification of small tools and small equipment be clearly defined. The definition should be risk based and consider establishing dollar value thresholds, so that if there are different set of controls for procurement, inventory management and disposal of inventory they be dependent on risk and dollar value of the inventory (Appendix A, para. 12, 13).

Management Response

Agree.

The Roadway Maintenance & Business Initiatives sections will develop a Standard Operating Procedure (SOP) to include all components of small tool and equipment inventory management. The SOP will define the classification of small tools and equipment by establishing a dollar value threshold.

Expected Completion Date: Q2 2022

Recommendation 2

That the small equipment purchasing practices be reviewed and modified to eliminate segregation of duties conflicts or enhance compensating controls which will mitigate the risk of loss and misappropriation. The process should be formally defined and implemented and should ensure that standard and consistent authorization and transfer records are created and retained to enable independent oversight, reconciliations and investigations (Appendix A, para. 16, 17).

Management Response

Agree.

The division is reviewing the organizational structure and will make changes accordingly. The associated changes to the roles and responsibilities will be outlined in the forthcoming SOPs. In order to support the changes in processes/procedures and further strengthening inventory controls in a sustainable manner, additional full-time staff resource will be allocated through the organizational structure review, using existing FTE allotments as available.

Expected Completion Date: Q1 2022

Recommendation 3

That the current small tool purchasing practices be reviewed, strengthened, and formalized to ensure standard quality and price savings of small tool purchases and consistent practices across the yards. Consideration should be given to centralizing the process and establishing segregation of duties; or establishing mitigating controls, such as enhancing and formalizing the requirements for pre-approvals of small tool purchases, which may include dollar value thresholds and standard pre-approval forms (Appendix A, para. 18, 19, 20).

Management Response

Agree.

The Roadway Maintenance & Business Initiatives sections will develop a Standard Operating Procedure (SOP) to include all components of small tool and equipment procurement. The SOP will establish segregation of procurement duties and implement mitigating controls.

Expected Completion Date: Q3 2022

Recommendation 4

That inventory cleanup exercises for both small tools and small equipment be completed at all yards. Where applicable, the clean up exercises should identify, investigate, reconcile, and adjust the inventory records for any discrepancies between Hansen's inventory records, the inventory records maintained at the yards and the actual inventory on hand (Appendix A, para. 22, 23, 26).

Management Response

Agree.

An inventory cleanup exercise (for both small tools and small equipment) will be completed at all yards.

Expected Completion Date: Q1 2022

Recommendation 5

That all small tools, including hand tools, such as brooms, rakes, and shovels, be assigned and recorded in inventory using unique inventory identification numbers for inventory control purposes (Appendix A, para. 25).

Management Response

Partially Agree.

Dollar value threshold will be identified for small tools that require unique inventory identification numbers in the SOP developed in recommendation #1. Small tools under the dollar value threshold will be considered consumable tools and not have a unique inventory identification numbers due to their low-cost value.

Expected Completion Date: Q2 2022

Recommendation 6

That a standard small tool inventory log format with more comprehensive records (such as acquisitions dates, purchase values, serial numbers, or other information that helps identify the tools) be developed and used across all yards. Consideration can also be given to centralizing the records and using an inventory management solution (Appendix A, para. 25).

Management Response

Agree.

Centralization and standardization of small tool inventory log will be included in the SOP developed in Recommendation #1.

Expected Completion Date: Q2 2022

Recommendation 7

That the current numbering system for small equipment in Hansen be reviewed and revised so it can enable reliable reporting and effective inventory management. In addition, any Hansen training and knowledge gaps should be assessed and remediated prior to this review. (Appendix A, para. 24).

Management Response

Agree.

Business Initiatives will coordinate and complete Hansen training for the required individuals. Standardization of small equipment inventory numbering systems will be included in the SOP developed in Recommendation #1.

Expected Completion Date: Q2 2022

Recommendation 8

That the current small tool inventory count practices be reviewed, strengthened, and formalized to ensure consistent practices across the yards and accuracy and reliability of inventory records. Consideration can be given to establishing segregation of duties; or establishing mitigating controls, such independent surprise validations of counts on a sample basis and requirements for timely investigation and adjustment process (Appendix A, para. 25, 26).

Management Response

Agree.

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

Expected Completion Date: Q4 2021

Recommendation 9

That the current small equipment inventory count practices be reviewed, strengthened, and formalized to improve their efficiency and effectiveness. Consideration can be given to establishing a process that avoids duplication of inventory records, has more frequent surprise counts on a sample basis by employees who are not in charge for safeguarding and inventory records management, and has requirements for timely investigations, approvals, and adjustments for discrepancies (Appendix A, para. 21, 28).

Management Response

Agree.

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

Expected Completion Date: Q4 2021

Recommendation 10

That the purchase and discarding of hand tools (i.e. rakes, brooms, and shovels) be logged and monitored for each yard, and that small tool inventory records be adjusted for the purchase and discarding of hand tools (Appendix A, para. 26.)

Management Response

Agree.

The development of a purchasing policy will be included in the SOP developed in Recommendation #3. The development of a disposal/discarding policy will be included in the SOP developed in Recommendation #13.

Expected Completion Date: Q3 2022

Recommendation 11

That a process be developed to track the movement of equipment and valuable tools when they are issued to other yards or sent for repair (Appendix A, para. 27).

Management Response

Agree.

Implementation of a process to track the movement of equipment and valuable tools will be included in the SOP developed in Recommendation #1.

Expected Completion Date: Q2 2022

Recommendation 12

That the small equipment disposal practices be reviewed and modified to bring more oversight of these activities and reduce segregation of duties issues and/or enhance compensating controls. The process should be formally defined and implemented and should define minimum timelines between auctions. The process should also ensure that signed transfer records are retained when equipment is handed off for disposal, logs of equipment designated for disposals are maintained, independent validations of equipment on hand are conducted on a surprise basis, and disposal records are independently reconciled to inventory logs (Appendix A, para. 29, 30, 31).

**Management
Response**

Agree.

The Roadway Maintenance & Business Initiatives sections will develop a Standard Operating Procedure (SOP) to include all components of small equipment disposal practices. The SOP will establish and define the minimum timelines between auctions and strengthen required inventory controls.

Expected Completion Date: Q3 2022

Recommendation 13

That a small tool disposal process be established to ensure that processes are consistent across yards, records of disposals are maintained, small tool wear and tear is tracked, and inventory records are adjusted to reflect the disposals (Appendix A, para. 32, 33).

**Management
Response**

Agree.

The Roadway Maintenance & Business Initiatives sections will develop a Standard Operating Procedure (SOP) to include all components of small tool disposal practices. The SOP will strengthen and standardize inventory controls practices across yards.

Expected Completion Date: Q3 2022

Recommendation 14

That the need of having multiple procurement card holders be reassessed, and if practical, the number of card holders be reduced. The reassessment should, where applicable, include re-aligning procurement card system approvals to direct supervisors of card holders, and consider the management actions that were developed as a response to Recommendation 3 above (Appendix A, para. 34, 35).

Management Response

Agree.

The Roadway Maintenance & Business Initiatives sections will reassess the need for multiple procurement card holders and reduce where applicable. Additional training will be provided to purchase approvers.

Expected Completion Date: Q3 2022

Recommendation 15

That management communicate the importance of due diligence when reviewing procurement card transactions, focusing on fully reviewing the receipts and the validity of the transactions and charging the expenses to the correct general ledger accounts (Appendix A, para. 35).

Management Response

Agree.

Additional training will be provided to purchase approvers to review the importance of validating transactions and the coding of expenses.

Expected Completion Date: Q1 2022

Recommendation 16

That consideration be given to establishing preventative maintenance and inspection schedules for more valuable tools and equipment. This should include establishing clear criteria of the tools and equipment that should have formal preventative maintenance and inspection schedules. The criteria should be risk based and should include dollar value thresholds (Appendix A, para. 36).

Management Response

Agree.

The Roadway Maintenance & Business Initiatives sections will develop a Standard Operating Procedure (SOP) to include all components of establishing and implementing a preventative maintenance plan for valuable small tools and equipment.

Expected Completion Date: Q4 2022

Recommendation 17

That records of warranties be maintained and checked when valuable tools and equipment are sent for repair to make sure that the City does not pay for repairs that are under warranty (Appendix A, para. 37).

**Management
Response**

Agree.

Implementation of a process to track warranties of equipment and valuable tools will be included in the SOP developed in Recommendation #16.

Expected Completion Date: Q4 2022

Recommendation 18

That consideration be given to tracking the history of repairs and repair cost for high value inventory items. As in Recommendation 16, clear risk-based criteria, including dollar value thresholds should be established (Appendix A, para. 38).

**Management
Response**

Agree.

Implementation of a process to track historical repair cost of equipment and valuable tools will be included in the SOP developed in recommendation #18. Repair dollar values thresholds will be established and incorporated in the SOP.

Expected Completion Date: Q4 2022

Recommendation 19

That management recommit to the management action plans applicable to Roadway Maintenance outlined in the original tool audit. Management should review the audit observations to understand the issues which led to the audit recommendations and consider implementing alternative action plans (as required) considering the new recommendations brought forward (Appendix A, para. 40).

**Management
Response**

Agree.

All outstanding recommendations will be addressed by the Roadway Maintenance & Business Initiatives sections with the development of a procedures and processes to strengthen all components of small tool and equipment Inventory Management.

Expected Completion Date: Q3 2022

**Office of the
City Auditor**

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Fax: 1-844-785-0699


Copies of our audit reports are available at:

hamilton.ca/audit

Alternate report formats available upon request



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
 City Clerk's Office

TO:	Mayor and Members of Council
COMMITTEE DATE:	September 29, 2021
SUBJECT/REPORT NO:	Declaration and Method to Fill the Vacancy for the Office of Councillor in Ward 5 (FCS21093) (Ward 5)
WARD(S) AFFECTED:	Ward 5
PREPARED BY:	Aine Leadbetter (905) 546-2424 Ext. 5555
SUBMITTED BY:	Andrea Holland City Clerk
SIGNATURE:	

RECOMMENDATION(S)

(a) That City Council under sub-section 262(1) of the *Municipal Act, 2001*, as amended, declare a vacancy in the Office of Councillor, Ward 5.

(b) That Council direct the City Clerk to fill the vacancy for the Office of Councillor in Ward 5 by way of the option outlined below:

Option A – Through Appointment. That City Council fill the vacancy by appointing a person qualified to hold office in the City of Hamilton at a special Council Meeting;

or

Option B – Through By-election. That the City Clerk hold a by-election to fill the vacancy in accordance with the *Municipal Elections Act, 1996*; and

(c) That Council approve the Procedure for Filling Vacancies of Members of Council, attached as Appendix A.

EXECUTIVE SUMMARY – N/A

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

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

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

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

Financial:

Option A – Staff estimate that filling the Council vacancy through appointment would cost approximately \$10,000. This estimate is largely based on the costs associated with advertisement, including the publication of the notice of nomination for office. This option would be funded out of the current election reserve.

Option B – Staff estimate that it would cost approximately \$190,000 to conduct a By-Election to fill the Council vacancy. This figure is largely comprised of staffing costs, as a temporary Coordinator would be recruited to plan and execute the by-election as current staff is in the process of preparing for the 2022 Municipal Election. Additional staff would be required for the polls on advance vote and voting days. Funding would be allocated to adhere to Public Health protocols, including ensuring proper PPE, signage and sanitation/cleaning supplies required for each poll location. The remainder of the budget estimate accounts for the costs associated with elections supplies, including ballots, voter information cards, and communications. Any costs associated with running the by-election would need additional funding to the election reserve account and would be presented during the 2022 operating budget.

Staffing:

Option A – Through Appointment:

No additional staffing will be required to complete the filling of the vacancy through appointment. Any on boarding of the new Member of Council will be completed using existing staffing.

Option B – Through By-Election:

Staff within the Office of the City Clerk are currently executing the work plan for the 2022 Municipal Election. Additional staff will be recruited to deliver the by-election, should Council select to fill the Ward 5 vacancy by this method. The costs associated with this increase in staffing is reflected in the financial costs listed above. Given staff have been redeployed for the purposes of responding to the Pandemic, there is a concern that these costs may rise if the City Clerk needs to fill most of the poll locations with single day recruitments.

Legal: N/A

HISTORICAL BACKGROUND – N/A

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Councillor Chad Collins sent his resignation to the City Clerk with an effective date of September 24, 2021. Councillor Collins was recently elected as a Member of Parliament to the House of Commons and under Section 258 (1) 3. of the *Municipal Act 2001*, as amended, a person may not hold both elected positions. Under section 259 (1) (a), his seat becomes vacant and Council is required to declare the seat vacant at the next meeting of Council.

Municipal Act, 2001, as amended,

Declaration

262 (1) If the office of a member of a council becomes vacant under section 259, the council shall at its next meeting declare the office to be vacant, except if a vacancy occurs as a result of the death of a member, the declaration may be made at either of its next two meetings. 2001, c. 25, s. 262 (1).

Filling vacancies

263 (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,

- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act, 1996*. 2001, c. 25, s. 263 (1).

Rules applying to filling vacancies

263 (5) The following rules apply to filling vacancies:

1. Within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, the municipality shall,
 - i. appoint a person to fill the vacancy under subsection (1) or (4), or
 - ii. pass a by-law requiring a by-election be held to fill the vacancy under subsection (1).

Term

264 A person appointed or elected to fill a vacancy under section 263 shall hold office for the remainder of the term of the person he or she replaced. 2001, c. 25, s. 264.

Option A – Through Appointment

If Council chooses to fill the vacancy with an appointment, the *Municipal Act, 2001*, as amended, outlines the timeframe for this process with an appointment within 60 days of the declared vacancy – September 29, 2021. Staff have drafted a detailed Procedure for Filling Vacancies of Members of Council outlined in Appendix A. While the Legislation provides options for Council to consider, previous corporate documentation on filling vacancies has been very high level and staff are putting forth the Procedure attached to provide greater clarity of the process to be followed.

Action	Date
Declaration of Vacancy	September 29, 2021
Decision to fill vacancy through appointment	September 29, 2021
Public advertising of Position	October 3 – 16, 2021
Application Deadline Date	October 29, 2021; 2pm
Confirmation of Eligibility by the City Clerk	November 4, 2021
Special Council Meeting for Appointment Selection	November 12, 2021
Inaugural Council Meeting for the New Member of Council	November 24, 2021

Option B – Through By-Election

If Council chooses to fill the vacancy through a by-election, the *Municipal Elections Act, 1996* determines the process and timelines for the City Clerk to deliver the by-election. The *Municipal Elections Act, 1996* specifies Election Day is 45 days after Nomination Day. As noted above, the By-Election team will be recruited to work on the by-election to allow those staff working on the 2022 Municipal Election to stay on track to meet the deadlines associated with the work plan. If a by-election is pursued, staff will return with a by-law for adoption on November 24, 2021. Staff will require this time to ensure a vendor can be sought to meet the technology, election supplies and materials to deliver the election within timelines. The Province is currently preparing for the Provincial election in the spring of 2022, and therefore the City will be unable to leverage the Provincial Voting Technology Leasing Program. This adds to a delay in staff bringing the by-law forward for adoption. Additionally, staff will work with Public Health to ensure all health and safety protocols are followed to ensure voting is safe for the electorate and staff working at polls.

Action	Date
Declaration of Vacancy	September 29, 2021
Decision to fill vacancy through By-Election	September 29, 2021
Council approved By-Law for By-Election	November 24, 2021
Nominations begin	December 6, 2021
Preliminary List of Electors from MPAC	December 31, 2021
Nomination Day (closes 2 p.m.)	January 21, 2022

Advanced Voting	February 25, 2022
Advanced Voting	February 26, 2022
Election Day (45 days after Nomination Day)	March 7, 2022
Inaugural Council Meeting for the Newly Member of Council	March 30, 2022

The *Municipal Act, 2001*, as amended provides that Council, within 60 days after the day the office is declared vacant (September 29, 2021), either fill the vacancy by appointing a person or pass a by-law requiring that a by-election be held to fill the vacancy. The City Clerk is seeking direction from Council on how to fill this vacancy. Staff have provided a Filling Vacancies of Members of Council Procedure, attached as Appendix A. Staff are seeking approval of this procedure which provides both Council and the public with the outline of how an appointment process would be handled and that any by-election will be carried out in accordance with the *Municipal Act, 2001*, as amended and *Municipal Elections Act, 1996*.

Membership on Boards and Committees

Councillor Collins sits on the following boards and committees and staff recommend these be backfilled by appointment by Council. Staff will work with existing members of these entities to backfill the Chair and Vice Chair positions immediately. Staff will seek direction from Council on backfilling these appointments, once a new Member is appointed or elected for Ward 5.

Councillor Collins – Committees 2021

Standing Committees and /or Boards:

- General Issues Committee
- Board of Health
- Audit, Finance and Administration Committee
- Planning Committee
- Public Works Committee

Advisory Committee / Sub-Committees / Board of Directors / Shareholders:

- Affordable Housing Site Selection – Chair
- Airport Sub-Committee
- CityHousing Hamilton Corporation Board of Directors
- CityHousing Hamilton Corporation Shareholder
- Development Charges Stakeholders Sub-Committee
- Expanding Housing and Support Services for Women, Non-Binary and Transgender Community Sub-Committee

- Hamilton Conservation Authority Board of Directors
- Hamilton Enterprises Holding Corporation Shareholder
- Hamilton Farmers' Market - Sole Voting Member
- Hamilton Licensing Tribunal – Vice-Chair
- Hamilton Police Services Board
- Hamilton Port Authority - City of Hamilton Liaison Committee
- Hamilton Renewable Power Inc. Shareholder
- Hamilton Street Railway Board of Directors
- Hamilton Street Railway Shareholder
- Hamilton Utilities Corporation Shareholder
- Housing and Homelessness Advisory Committee
- Interview Sub-Committee to Audit, Finance and Administration
- Multi-Year Budget Planning Sub-Committee
- Red Hill Valley Joint Stewardship Board
- School Board Properties – Chair
- Selection Committee
- Stoney Creek Business Improvement Area
- Transit Area Rating Review Sub-Committee
- West Harbour Development Sub-Committee

RELEVANT CONSULTATION

If Council chooses to hold a by-election to fill the Ward 5 Council seat, staff within the Office of the City Clerk will consult with the following entities to deliver the by-election:

- City of Hamilton Public Health, Legal Services, Customer Contact Centre, Corporate Communications
- Hamilton Wentworth Catholic School Board
- Hamilton Wentworth Public School Board
- Conseil Scolaire Catholique MonAvenir
- Conseil Scolaire Viamonde
- Ministry of Municipal Affairs and Housing;
- Chief Electoral Officer
- Municipal Property Assessment Corporation

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S) – N/A

ALTERNATIVES FOR CONSIDERATION – N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – Filling Vacancies of Members of Council Procedure



Corporate Procedure

Procedure: Filling Vacancies of Members of Council

Category: Departmental

Policy Author: City Clerk’s Office

Related Policies: n/a

Approved By: City Council

Effective Date: 09/29/2021

Revision Date: 09/29/2025

Purpose

In accordance with the Municipal Act, S.O. 2001, c.25, when the seat of a member of Council becomes vacant during the term of office, Council may fill a vacancy by appointing a person who has consented to accept the office if appointed, or requiring that a By-election be held to fill a vacancy in accordance with the Municipal Elections Act, S.O., 1996, c.32

The purpose of this procedure is to outline the process for filling a vacancy on Council.

Scope

This procedure shall apply to Council when a vacancy is declared by Council. This procedure also applies to the City Clerk or their designate when fulfilling the duties and requirements when a vacancy is to be filled.

Definitions

“**Act**” means the Municipal Elections Act, 1996, S.O., 1996, c.32, Sched. as amended.

“**Candidate**” means an individual seeking to be appointed to fill a vacancy in the office of Councillor, having met the eligibility requirements and who has completed the requisite documentation as required by this procedure.

“**Chair**” means the Member of Council presiding at the Council meeting to appoint an individual to fill a Council vacancy.

“**City**” means The City of Hamilton.

“**Council**” means the Council of The City of Hamilton.

"Eligible Elector" has the same meaning as subsection 17(2) of the *Municipal Elections Act, 1996*, namely a person:

- a) who is a resident of the City of Hamilton, or an owner or tenant of land in Hamilton or the spouse of such an owner or tenant;
- b) who is a Canadian Citizen;
- c) who is at least 18 years old; and,
- d) who is not prohibited from voting under any other Act or from holding municipal office.

"Lot" means a method of determination by placing the names of the Candidates on equal size pieces of paper and placed in a container with one Candidate name being drawn by the City Clerk.

"Procedural By-law" City of Hamilton By-law 21-021; A By-law to Govern the Proceedings of Council and Committees of Council

"Vacancy" means a seat on Council that is vacant in accordance with Section 259 of the *Municipal Act, 2001*.

Procedure

1.0 Declaring a Vacancy

1.1 Council is required to declare a seat vacant in accordance with Section 262(1) the *Municipal Act, 2001*, as amended.

1.2 Council shall determine whether to fill the vacancy, within 60 days after the day a declaration of vacancy is made, in accordance with Section 263 of the *Municipal Act 2001*, as amended by either:

- a. appointing a person who has consented to accept the office if appointed; or
- b. passing a by-law requiring a by-election be held to fill the vacancy.

Exceptions to Section 263 of the *Municipal Act, 2001*, as amended, include:

Section 65 (2) of the *Municipal Elections Act, 1996*, that no by-election shall be held to fill an office if the vacancy occurs after March 31 in the year of a regular election; and

Section 263(5)3. of the *Municipal Act, 2001*, as amended, if a vacancy occurs within 90 days before voting day of a regular election, the municipality is not required to fill the vacancy.

2.0 Considerations for Filling Vacancy

2.1 In order to help Council make its determination, staff will provide a report outlining the costs and timelines associated with filling a vacancy by appointment or by by-election.

3.0 By-Election

3.1 In accordance with Section 263 (5) of the *Municipal Act*, 2001, Council shall pass a by-law calling for a by-election within 60 days of declaring a vacancy on Council.

3.2 All other procedures regarding a by-election shall be administered by the Clerk in accordance with Section 65 of the *Municipal Elections Act*, 1996.

4.0 Appointment to Council

4.1 In accordance with Section 263(5)(1)(i) of the *Municipal Act*, 2001, any vacancy is to be filled by appointment shall be completed within 60 days of declaring the vacancy.

4.2 Once appointment is selected, Council must identify the Council meeting date where the review and selection of candidates will be held.

5.0 Notice

5.1 The City will post a Council Vacancy notice on the City's website, social media and in the local newspaper. The notice will outline the requirements to be considered for an appointment and the application process.

6.0 Application

6.1 Any individual wishing to be considered for appointment to fill the Council vacancy will complete and submit the following documents to the City Clerk by 2pm on the day of the nomination deadline:

- a) Nomination Paper - Form 1
- b) Endorsement of Nomination – Form 2
- c) CV/Resume (maximum of 3 pages including cover letter)

6.2 Any individual wishing to be considered for appointment to fill the Council vacancy will be required to provide identification to prove their identity and qualifying address to the satisfaction of the City Clerk. To be eligible to hold office as a Member of Council, a candidate must be an Eligible Elector and meet the following criteria:

- a) 18 years of age or older
- b) A Canadian Citizen
- c) A resident of the City of Hamilton, or an owner or tenant of land in the Municipality, or the spouse of such an owner or tenant; and
- d) Not prohibited from voting under any other Act or from holding municipal office.

6.3 The City Clerk will review the applications and confirm and certify eligibility.

6.4 The City Clerk will create a list of all eligible Candidates that have complied with the application process. All applications shall be considered public documents and will be made available for public viewing on the City's website and the Council meeting agenda.

6.5 The agenda for the Special Council Meeting will be published according to the timelines set out in the Procedural By-Law 21-021.

6.6 A Candidate who wishes to withdraw their application shall do so in writing to the City Clerk. The deadline for any withdrawal shall be any time up to noon of the day before the scheduled City Council meeting to fill the vacancy.

7.0 Selection

7.1 A vote to fill a vacancy on Council by appointment will occur at a Special Council meeting.

7.2 All certified candidates who have submitted an application for the vacant seat will be notified by the City Clerk of the date and time of the special meeting of Council. Certified Candidates will be required to confirm their intent to address Council during the Special Council meeting.

7.3 At the meeting, the Chair will make a short statement for the purpose of the meeting and will identify the order of the proceedings to be followed.

7.4 Each Candidate will be provided with a period of 5 minutes to address Council. The order of speakers will be randomly determined by Lot by the City Clerk and outlined on the agenda.

8.0 Voting Process

8.1 Upon considering all submissions of the Candidates, Council will proceed to vote as follows:

- a) Members of Council will vote openly
- b) Candidate names will be displayed in alphabetical order by the City Clerk
- c) Members of Council will vote for one Candidate only

8.2 In order for a vacancy to be filled, a Candidate must receive greater than 50% of the votes of Council members present.

8.3 If on the first ballot, a Candidate receives greater than 50% of the votes from the members of Council present, they shall fill the vacancy.

8.4 If on the first ballot, no Candidate receives greater than 50% of the votes from the members of Council present, then;

- a) the Candidate who received the fewest number of votes, in addition to any candidate(s) who received zero votes, will be excluded from further consideration and will be removed from the next ballot.
- b) Another vote will be taken with the updated list of Candidates.
- c) The process outlined in 8.3(a) will continue until a single candidate receives greater than 50% of the votes from the members of Council present.

8.5 Where the votes cast are equal for all the Candidates and if:

- a) There are three or more Candidates remaining, the City Clerk will by Lot select one such Candidate to be excluded from the subsequent voting;
- b) If only two (2) Candidates remain, the tie will be broken by selecting a Candidate by Lot to fill the vacancy, as conducted by the City Clerk.

8.6 Upon conclusion of the voting, the City Clerk will declare the Candidate receiving greater than 50% of the votes of the voting members of Council present to be the Candidate selected.

8.7 The appointment of the Candidate will be made by by-law. A by-law confirming the appointment will be enacted by Council.

8.8 Where a situation occurs that is not otherwise accounted for in these procedures, the City Clerk shall recommend an alternate process to Council, which Council may adopt with a simple majority vote.

9.0 Acclamation

9.1 If the Official List of Candidate(s) includes only one candidate, the City Clerk will declare the vacancy filled by acclamation. A by-law will be prepared and submitted to Council for enactment.

10.0 Authority of the Clerk

10.1 The City Clerk has the authority to make decisions outside of this procedure to fulfill Council's direction to fill vacancies.

Documents

Municipal Elections Act, 1996, as amended.

Municipal Act, 2001, as amended

City of Hamilton Procedural By-Law 21-021

Revision History

The procedure was prepared in September 2021.

CITY OF HAMILTON

MOTION

Council: September 29, 2021

MOVED BY COUNCILLOR J. P. DANKO.....

SECONDED BY COUNCILLOR.....

Amendments to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048 - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program

WHEREAS, on July 19, 2021, the Governments of Canada and Ontario announced grant allocations under the Transit Stream of the Investing in Canada Infrastructure Program (ICIP) for 7 projects in the City of Hamilton;

WHEREAS, the total gross cost of the capital projects approved for the City is \$504.7M with the City's share amounting to \$134.6M; and,

WHEREAS, Report PW19083 / FCS18048(a) was approved by Council on October 9, 2019, and later amended by Council on December 16, 2020.

THEREFORE, BE IT RESOLVED:

- (a) That sub-section (a) to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048(a) - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program, be **further amended**:
 - (i) by adding the word "**further**";
 - (ii) by deleting the dollar amount of \$370,984,500 and replacing it with the dollar amount of **\$370,078,800**; and,
 - (iii) by deleting the dollar amount of \$505,911,000 and replacing it with the dollar amount of **\$504,676,000**, to read as follows:
 - (a) That the projects listed in Appendix "A", as **further** amended, attached to Report 19-019, be approved as per the Ministry of Transportation Ontario's approval of the City of Hamilton's projects for the requested funding amount of **\$370,078,800** for projects with a total project cost of **\$504,676,000**, in accordance with the terms and conditions associated with the Investing in Canada Infrastructure Program (ICIP), Public Transit Stream; and as the Province of Ontario's approval of the City of Hamilton's contribution to the PRESTO Device Refresh in the amount of \$4,500,000, inclusive of non-recoverable taxes;

- (b) That Appendix “A” to Item 1 of the General Issues Committee Report 19-019, respecting Report PW19083/FCS18048(a) - Investing in Canada Infrastructure Program – Public Transit Stream Grant Program (attached hereto), which was approved by Council on October 9, 2019, and later amended by Council on December 16, 2020, be **further amended**, to reflect the Governments of Canada and Ontario announced grant allocations under the Transit Stream of the Investing in Canada Infrastructure Program (ICIP) for 7 projects in the City of Hamilton.
- (c) That sub-sections (b), (d), (i), (j), (k), (l) and (m), be amended by adding the word “**further**” after the words “Appendix “A””;
- (d) That sub-section (k) be further amended by deleting the dollar amount of \$82,277,000 and replacing it with the dollar amount of **\$82,001,000**; by deleting the dollar amount \$35,210,000 and replacing it with the dollar amount **\$33,748,000** and, by deleting the dollar amount of \$47,067,000 and replacing it with the dollar amount of **\$48,253,000**, to read as follows:
- (k) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms and placement of all debenture issue(s), and/or private placement debenture issue(s), in either a public or private market and/or bank loan agreements and debenture issue(s) and/or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed **\$82,001,000** Canadian currency for capital projects for Investing in Canada Infrastructure Program, Public Transit Stream as attached in Appendix “A”, as **further** amended, to Report 19-019, which includes **\$48,253,000** in Tax Supported municipal debt and **\$33,748,000** in Tax Supported Development Charges municipal debt;

Attachment - **Amended** Appendix "A" to Report PW19083/FCS18048(a)

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

1. Investing in Canada Infrastructure Program – Public Transit Stream Grant Program (PW19083/FCS18048(a)) (City Wide) (Item 9.1)

- (a) That the projects listed in Appendix “A”, as ***further*** amended, attached to Report 19-019, be approved as per the Ministry of Transportation Ontario’s approval of the City of Hamilton’s projects for the requested funding amount of **\$370,078,800** for projects with a total project cost of **\$504,676,000**, in accordance with the terms and conditions associated with the Investing in Canada Infrastructure Program (ICIP), Public Transit Stream; and as the Province of Ontario’s approval of the City of Hamilton’s contribution to the PRESTO Device Refresh in the amount of \$4,500,000, inclusive of non-recoverable taxes;
- (b) That Investing in Canada Infrastructure Program, Public Transit Stream Project Financing Strategy, as detailed in Appendix “A”, as ***further*** amended, attached to Report 19-019, be approved;
- (c) That the Mayor and Clerk be authorized and directed to execute all necessary documentation, including Funding Agreements to receive funding under Investing in Canada Infrastructure Program, Public Transit Stream with content satisfactory to the General Manager of Public Works and in a form satisfactory to the City Solicitor;
- (d) That staff be authorized and directed to tender and implement projects contained in Appendix “A”, as ***further*** amended, attached to Report 19-019 upon execution of a Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario to Receive Funding Investing in Canada Infrastructure Program, Public Transit Stream;
- (e) That the Director of Transit be authorized and directed to submit future project amendments that may be required to Infrastructure Canada and the Province of Ontario provided that such amendments are acceptable to the General Manager of Public Works and that no amendment shall result in the City’s maximum funding share being exceeded;
- (f) That the operating budget and staffing full time equivalent (FTE) impacts related to approved ICIP projects, as shown in Appendix “B” attached to Report 19-019, be incorporated in the Tax Supported Operating Budget for the appropriate fiscal year;
- (g) That where required to give effect and authorize the signing of a Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario, to receive funding under Investing in Canada Infrastructure Program, Public Transit Stream, Legal staff be directed to prepare a By-law in the form satisfactory to the City Solicitor for consideration by Council;

- (h) That where required to give effect and authorize the signing of amendments to the Transfer Payment Agreement between the City of Hamilton and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario, to receive funding under Investing in Canada Infrastructure Program, Public Transit Stream, Legal staff be directed to prepare By-law(s) in the form satisfactory to the City Solicitor for consideration by Council;
- (i) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into and execute any necessary agreements including any agreements with Infrastructure Ontario's Loan Program to secure the capital funding required for capital projects for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A, as **further** amended," to Report 19-019;
- (j) That the General Manager, Finance and Corporate Services, be authorized and directed to enter into and execute any necessary agreements to engage the services of all required persons, agencies and companies to negotiate and confirm the terms and issuance of all necessary debenture issue(s) including, but not limited to, external legal counsel, fiscal agents and financial professionals, to secure the capital funding required capital projects for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A", as **further** amended, to Report 19-019;
- (k) That the General Manager, Finance and Corporate Services, be authorized to negotiate and confirm the terms and placement of all debenture issue(s), and/or private placement debenture issue(s), in either a public or private market and/or bank loan agreements and debenture issue(s) and/or variable interest rate bank loan agreements and debenture issue(s), in an amount not to exceed **\$82,001,000** Canadian currency for capital projects for Investing in Canada Infrastructure Program, Public Transit Stream as attached in Appendix "A", as **further** amended, to Report 19-019, which includes **\$48,253,000** in Tax Supported municipal debt and **\$33,748,000** in Tax Supported Development Charges municipal debt;
- (l) That the Mayor and City Clerk be authorized and directed to enter into and/or execute, on behalf of the City of Hamilton, all agreements and necessary ancillary documents required for Investing in Canada Infrastructure Program, Public Transit Stream, as attached in Appendix "A" , as **further** amended, to Report 19-019 and any agreements related to PRESTO Device Refresh including those required to secure and confirm the terms and issuance of any required debenture issue(s), with content acceptable to the General Manager, Finance and Corporate Services, and in a form satisfactory to the City Solicitor; and,

- (m) That staff be directed to prepare all necessary By-Law(s) to authorize and implement Investing in Canada Infrastructure Program, Public Transit Stream Projects, as attached in Appendix "A", as **further** amended, to Report 19-019 including those By-laws necessary to negotiate, place and secure all required capital funding.

City of Hamilton ICIP - Transit Stream Projects Approved

Project Description	Notes	Cost Sharing Breakdown										
		2020 (000's)	2021 (000's)	2022 (000's)	2023 (000's)	2024 (000's)	2025 (000's)	2026 (000's)	Total (000's)	Federal 40%	Provincial 33.33%	City 26.67%
1. Maintenance & Storage Facility	1,2	\$ 120,000.0	\$ 130,000.0						\$ 250,000.0	\$ 100,000.0	\$ 83,325.0	\$ 66,675.0
2. Replacement Fleet	3	\$ 13,528.0	\$ 30,324.0	\$ 17,784.0	\$ 12,688.0	\$ 12,163.0	\$ 12,045.0	\$ 15,545.0	\$ 114,077.0	\$ 45,630.8	\$ 38,021.9	\$ 30,424.3
3. Expansion Fleet (10 Year Strategy)	1,3	\$ 10,400.0	\$ 11,424.0	\$ 11,653.0	\$ 12,735.0	\$ 12,990.0	\$ 14,132.0	\$ -	\$ 73,334.0	\$ 29,333.6	\$ 24,442.2	\$ 19,558.2
4. A-Line Priority Bus Corridor	2	\$ -	\$ 2,000.0	\$ 2,000.0	\$ 2,000.0	\$ 2,500.0	\$ -	\$ -	\$ 8,500.0	\$ 3,400.0	\$ 2,833.0	\$ 2,267.0
5. Birch Avenue Bridge/Road Works	2	\$ -	\$ -	\$ 39,965.0	\$ -	\$ -	\$ -	\$ -	\$ 39,965.0	\$ 15,986.0	\$ 13,320.3	\$ 10,658.7
6. Presto Device Refresh (DENIED BY MTO)	3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7. CAD/AVL Replacement	2	\$ -	\$ 6,250.0	\$ 2,750.0	\$ -	\$ -	\$ -	\$ -	\$ 9,000.0	\$ 3,600.0	\$ 2,999.7	\$ 2,400.3
8. Active Transportation Connections	3	\$ 900.0	\$ 1,000.0	\$ 900.0	\$ 1,500.0	\$ 3,000.0	\$ 2,500.0	\$ -	\$ 9,800.0	\$ 3,920.0	\$ 3,266.3	\$ 2,613.7
Total (000's):		\$ 144,828.0	\$ 180,998.0	\$ 75,052.0	\$ 28,923.0	\$ 30,653.0	\$ 28,677.0	\$ 15,545.0	\$ 504,676.0	\$ 201,870.4	\$ 168,208.4	\$ 134,597.2

City of Hamilton ICIP - Transit Stream Projects - MTO Denied / Alternative Funding

6. Presto Device Refresh	3	\$ 4,500.0							\$ 4,500.0	\$ -	\$ -	\$ 4,500.0
Total (000's):		\$ 149,328.0	\$ 180,998.0	\$ 75,052.0	\$ 28,923.0	\$ 30,653.0	\$ 28,677.0	\$ 15,545.0	\$ 509,176.0	\$ 201,870.4	\$ 168,208.4	\$ 139,097.2

Notes:

- 1: City Share of Total Project Cost will be financed from tax supported DC Debt.
- 2: City Share of Total Project Cost will be financed from tax supported debt.
- 3: City Share of Total Project Cost will be financed from City Transit Vehicle and DC Reserves

Financing Strategy with Denied Project		2020 (000's)	2021 (000's)	2022 (000's)	2023 (000's)	2024 (000's)	2025 (000's)	2026 (000's)	Aug 2021 Amending Motion Total (000's)
Federal Share		\$ 57,931.2	\$ 72,399.2	\$ 30,020.8	\$ 11,569.2	\$ 12,261.2	\$ 11,470.8	\$ 6,218.0	\$ 201,870.4
Provincial Share		\$ 48,271.2	\$ 60,326.6	\$ 25,014.8	\$ 9,640.0	\$ 10,216.6	\$ 9,558.0	\$ 5,181.1	\$ 168,208.3
City Share		\$ 43,125.6	\$ 48,272.2	\$ 20,016.4	\$ 7,713.8	\$ 8,175.2	\$ 7,648.2	\$ 4,145.9	\$ 139,097.3
Total with Denied Project		\$ 149,328.0	\$ 180,998.0	\$ 75,052.0	\$ 28,923.0	\$ 30,653.0	\$ 28,677.0	\$ 15,545.0	\$ 509,176.0
City Funding Details:									
Reserves									
2. Replacement Fleet	110030	\$ 3,607.9	\$ 8,087.4	\$ 4,743.0	\$ 3,383.9	\$ 3,243.9	\$ 3,212.4	\$ 4,145.9	\$ 30,424.4
3. Expansion Fleet (10 Year Strategy)	110030	\$ 1,932.7	\$ 2,122.8	\$ 2,166.9	\$ 2,368.4	\$ 2,414.4	\$ 2,626.0	\$ -	\$ 13,631.2
6. Presto Device Refresh		\$ 4,500.0							\$ 4,500.0
8. Active Transportation Connections	110030	\$ 240.0	\$ 266.7	\$ 240.0	\$ 400.1	\$ 800.1	\$ 666.8	\$ -	\$ 2,613.7
		\$ 10,280.6	\$ 10,476.9	\$ 7,149.9	\$ 6,152.4	\$ 6,458.4	\$ 6,505.2	\$ 4,145.9	\$ 51,169.3
DC Reserves									
Dev Charges - Non Res TCA Expansion Fleet	110311	\$ 311.0	\$ 342.0	\$ 348.0	\$ 380.0	\$ 388.0	\$ 423.0	\$ -	\$ 2,192.0
Dev Charges - Res TCA Expansion Fleet	110310	\$ 530.0	\$ 582.0	\$ 593.0	\$ 648.0	\$ 662.0	\$ 720.0	\$ -	\$ 3,735.0
		\$ 841.0	\$ 924.0	\$ 941.0	\$ 1,028.0	\$ 1,050.0	\$ 1,143.0	\$ -	\$ 5,927.0
Tax Supported DC Debt Financing									
Dev Charges - Non Res DEBT: Maintenance and Storage Facility (note 4)	110311	\$ 5,631.0	\$ 7,030.0						\$ 12,661.0
Dev Charges - Res DEBT: Maintenance and Storage Facility (note 4)	110310	\$ 9,117.0	\$ 11,970.0						\$ 21,087.0
		\$ 14,748.0	\$ 19,000.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 33,748.0
Tax Supported Debt Financing									
1. Maintenance & Storage Facility		\$ 17,256.0	\$ 15,671.0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 32,927.0
4. A-Line Priority Bus Corridor		\$ -	\$ 533.4	\$ 533.4	\$ 533.4	\$ 666.8	\$ -	\$ -	\$ 2,267.0
5. Birch Avenue Bridge/Road Works		\$ -	\$ -	\$ 10,658.7	\$ -	\$ -	\$ -	\$ -	\$ 10,658.7
6. Presto Device Refresh		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7. CAD/AVL Replacement		\$ -	\$ 1,666.9	\$ 733.4	\$ -	\$ -	\$ -	\$ -	\$ 2,400.3
		\$ 17,256.0	\$ 17,871.3	\$ 11,925.5	\$ 533.4	\$ 666.8	\$ -	\$ -	\$ 48,253.0
Total		\$ 43,125.6	\$ 48,272.2	\$ 20,016.4	\$ 7,713.8	\$ 8,175.2	\$ 7,648.2	\$ 4,145.9	\$ 139,097.3
Debt Financing Tax Impacts									
New Debt Charges		\$ 1,835.0	\$ 1,552.0	\$ 1,024.0	\$ 45.0	\$ 56.0	\$ -	\$ -	\$ 4,512.0
Tax Impact of New Debt Charges		0.21%	0.18%	0.12%	0.01%	0.01%	0.00%	0.00%	
Operating Budget Tax Impacts, subject to Council Approval in subsequent Budgets									
FTE Operating Budget Impact		\$ 35.0	\$ 39.0	\$ 60.0	\$ 38.0	\$ 41.0	\$ -	\$ -	\$ 254.0
\$ Operating Budget Impact		\$ 1,938.0	\$ 3,483.0	\$ 10,022.0	\$ 3,256.0	\$ 3,577.0	\$ 3,649.0	\$ -	\$ 25,925.0
Tax Impact of OIC		0.22%	0.40%	1.15%	0.37%	0.41%	0.42%	0.00%	
TOTAL TAX IMPACT \$		\$ 3,773.0	\$ 5,035.0	\$ 11,046.0	\$ 3,301.0	\$ 3,633.0	\$ 3,649.0	\$ -	
TOTAL TAX IMPACT %		0.43%	0.58%	1.27%	0.38%	0.42%	0.42%	0.00%	

Note 4: Debt charges for Tax Supported DC Debt will be funded from DC Reserves and have no impact on the tax operating budget

CITY OF HAMILTON

MOTION

Council: September 29, 2021

MOVED BY COUNCILLOR B. JOHNSON.....

SECONDED BY MAYOR / COUNCILLOR

Amendment to Item 10 of the Audit, Finance & Administration Committee Report 21-010, respecting the Grants Sub-Committee Report 21-002, which was approved by Council on June 23, 2021

- (a) That Category ART D-5, shown in Appendix “C” (attached hereto) to Item 10 of the Audit, Finance & Administration Committee Report 21-010, respecting the Grants Sub-Committee Report 21-001 – Report GRA21002, 2021 City Enrichment Funding Recommendations, **be amended** by adding the name “**Alysha Main**” to the organization name of The Hamilton Loft, to read as follows:

ART D-5	The Hamilton LOFT (Alysha Main)
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- (b) That Category ART D-7, shown in Appendix “C” (attached hereto) to Item 10 of the Audit, Finance & Administration Committee Report 21-010, respecting the Grants Sub-Committee Report 21-001 – Report GRA21002, 2021 City Enrichment Funding Recommendations, **be amended** by adding the name “**Kelly Wolf**” to the organization name of Open Heart Arts Theatre, to read as follows:

ART D-7	Open Heart Arts Theatre (Kelly Wolf)
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- (c) That sub-section (a)(iii) to Item 10 of the Audit, Finance & Administration Committee Report 21-010, respecting the Grants Sub-Committee Report 21-001 – Report GRA21002, 2021 City Enrichment Funding Recommendations, **be amended**, by adding the words “**as amended**”, to read as follows:

- (iii) That the City Enrichment Fund grants, listed in Appendix “C”, **as amended**, to Item 10 of Audit, Finance & Administration Report 21-010, be conditionally approved with the funds to be released pending the submission of the Program Status form and other additional information by July 9, 2021;

Main Motion, As Amended, reads as follows:

10. Grants Sub-Committee Report 21-001 - June 8, 2021 (Item 10.8)

- (a) 2021 City Enrichment Funding Recommendations (GRA21002) (City Wide) (Item 5.1)**
- (i) That Appendix “A” attached to Report GRA21002, City Enrichment Fund 2021 Summary, be received;
 - (ii) That the 2021 City Enrichment Fund recommended funding allocation, in the amount of \$ \$2,461,165 for Operating-based grants, as outlined in Appendix “B” to Item 10 of Audit, Finance & Administration Report 21-010, be approved;
 - (iii) That the City Enrichment Fund grants, listed in Appendix “C”, **as amended**, to Item 10 of Audit, Finance & Administration Report 21-010, be conditionally approved with the funds to be released pending the submission of the Program Status form and other additional information by July 9, 2021;
 - (iv) That Appendix “D” to Item 10 of Audit, Finance & Administration Report 21-010, City Enrichment Fund Payment Plan, be approved; and,
 - (v) That Appendix “E” attached to Report GRA21002, Application Summary, be received.

2021 City Enrichment Fund

OPERATING - BASED GROUPS

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
ARTS							
ART A-1	Supercrawl Productions	Annual Operations	97	\$ 137,957	\$ 175,000	\$ 1,294,000	\$ 137,957
ART A-2	Art Gallery of Hamilton	Annual Operations	93	\$ 1,000,000	\$ 1,500,000	\$ 6,035,000	\$ 1,000,000
ART A-3	Hamilton Philharmonic Orchestra	Annual Operations	91	\$ 175,099	\$ 250,000	\$ 1,400,500	\$ 175,099
ART A-4	Hamilton Artists Inc.	Annual Operations	90	\$ 59,303	\$ 73,000	\$ 297,200	\$ 59,303
ART A-5	Theatre Aquarius Inc.	Annual Operations	90	\$ 265,302	\$ 270,608	\$ 2,249,560	\$ 265,302
ART A-6	Centre[3] for Print and Media Arts	Annual Operations	89	\$ 54,653	\$ 80,000	\$ 1,057,000	\$ 54,653
ART A-7	Hamilton Arts Council	Annual Operations	89	\$ 42,700	\$ 80,985	\$ 428,460	\$ 42,700
ART A-8	Dundas Valley School of Art	Annual Operations	88	\$ 111,291	\$ 453,837	\$ 1,790,451	\$ 111,291
ART A-9	HCA Dance Theatre	Annual Operations	88	\$ 10,000	\$ 34,000	\$ 179,000	\$ 10,000
ART A-10	Brott Music Festival	Annual Operations	87	\$ 182,800	\$ 250,000	\$ 1,489,895	\$ 182,800
ART A-11	Factory Media Centre	Annual Operations	85	\$ 18,800	\$ 30,000	\$ 135,090	\$ 18,800
ART A-12	Workers Arts and Heritage Centre	Annual Operations	84	\$ 36,414	\$ 36,414	\$ 489,503	\$ 36,414
ART A-13	Hamilton Festival Theatre Company	Annual Operations	82	\$ 54,114	\$ 62,500	\$ 537,435	\$ 54,114
ART A-15	Hamilton Literary Festival Association	Annual Operations	81	\$ 13,525	\$ 14,000	\$ 68,700	\$ 13,525
ART A-16	The Westdale	Annual Operations	81	\$ -	\$ 30,000	\$ 722,708	\$ 12,808
ART A-17	Tottering Biped Theatre	Annual Operations	81	\$ 15,000	\$ 30,000	\$ 148,900	\$ 12,809
ART A-18	Carnegie Gallery	Annual Operations	80	\$ 15,300	\$ 20,000	\$ 249,364	\$ 15,300
ART A-19	Telling Tales	Annual Operations	80	\$ 17,037	\$ 30,000	\$ 264,700	\$ 17,037
ART A-20	Hamilton Children's Choir	Annual Operations	77	\$ 53,310	\$ 53,310	\$ 463,033	\$ 53,310
ART A-21	Hamilton All Star Jazz Bands Inc.	Annual Operations	76	\$ 9,500	\$ 9,500	\$ 43,550	\$ 9,500
ART A-23	Bach Elgar Choir	Annual Operations	75	\$ 28,500	\$ 35,000	\$ 119,210	\$ 28,500
ART A-24	Harlequin Singers of Hamilton	Annual Operations	74	\$ 3,850	\$ 3,850	\$ 20,240	\$ 3,850
ART A-25	Red Betty Theatre	Annual Operations	74		\$ 76,133	\$ 252,028	
ART A-26	Dundas Concert Band	Annual Operations	73	\$ 2,400	\$ 2,700	\$ 9,327	\$ 2,400
ART A-27	Hamilton Music Collective	Annual Operations	73	\$ 63,648	\$ 75,000	\$ 529,174	\$ 63,648
ART A-28	Hamilton Philharmonic Youth Orchestra	Annual Operations	70	\$ 9,500	\$ 10,000	\$ 55,537	\$ 9,500
ART A-30	Hamilton Mountain Writers' Guild	Annual Operations	66		\$ 3,180	\$ 10,600	
ART A-31	Momentum Choir	Annual Operations	65	\$ -	\$ 13,400	\$ 44,698	
ART A-32	Aeris Körper Contemporary Dance	Annual Operations	63		\$ 30,000	\$ 335,610	
ART A-33	Culture for Kids in the Arts	Annual Operations	63	\$ 24,117	\$ 30,000	\$ 371,906	\$ 24,117
ART A-34	Hamilton Black Film Festival	Annual Operations	62		\$ 9,774	\$ 39,500	

2021 City Enrichment Fund							
OPERATING - BASED GROUPS							
Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
ART A-35	Tune In Foundation	Annual Operations	56		\$ 28,000	\$ 148,000	\$ -
ART A-36	Musikay	Annual Operations	55	\$ -	\$ 7,500	\$ 24,050	\$ -
ART A-40	Hamilton Community Darkroom	Annual Operations	DNQ		\$ 7,698	\$ 25,660	\$ -
				\$ 2,404,120	\$ 3,815,389	\$ 21,329,589	\$ 2,414,737
ENVIRONMENT							
ENV A-2	Sustainable Hamilton Burlington	Business Development Initiative	86	\$ 15,975	\$ 25,000	\$ 96,320	\$ 15,975
ENV A-3	Hamilton Victory Gardens	Planting Happiness, Reducing Hunger	60	\$ -	\$ 19,296	\$ 64,320	\$ 9,648
ENV B-5	Sustainable Hamilton Burlington	Development of a Water Management Framework for Business Organizations	87	\$ 20,805	\$ 35,000	\$ 113,370	\$ 20,805
				\$ 36,780	\$ 79,296	\$ 274,010	\$ 46,428
TOTAL OPERATING BASED FUNDING				\$ 2,440,900	\$ 3,894,685	\$ 21,603,599	\$ 2,461,165

2021 City Enrichment Fund

AGRICULTURE

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
Agriculture - Programs and Events							
AGR A-1	Ancaster Agricultural Society	Ancaster Fair	86	\$ 26,000	\$ 26,000	\$ 595,367	\$ 26,000
AGR A-2	Binbrook Agricultural Society	Binbrook Fair	85		\$ 20,000	\$ 257,450	\$ 10,200
AGR A-3	Hamilton-Wentworth 4-H Association	Agriculture	82	\$ 6,120	\$ 6,000	\$ 24,550	\$ 6,000
AGR A-4	Rockton Agricultural Society	Rockton World's Fair	82	\$ -	\$ 50,000	\$ 928,530	\$ 27,139
AGR A-5	Hamilton-Wentworth Federation of Agriculture	Ag Communications and Mental Health Awareness	77		\$ 3,990	\$ 13,390	\$ 1,995
AGR A-6	Ancaster Farmers' Market	Ancaster Farmers Market	76	\$ 3,000	\$ 5,000	\$ 34,400	\$ 3,000
AGR A-7	Locke Street Farmers' Market	Locke Street Farmers Market Community Programming	74	\$ -	\$ 3,000	\$ 11,201	\$ 1,950
AGR A-8	The Equestrian Association for the Disabled (T.E.A.D.)	Leaders in the Field	74		\$ 10,000	\$ 35,000	\$ 5,000
AGR A-9	Farm Crawls of Ontario	Farm Crawl Hamilton	71	\$ 4,080	\$ 5,100	\$ 17,000	\$ 4,080
AGR A-10	Golden Horseshoe Beekeepers Association	GHBA Public Education Program	71	\$ 1,110	\$ 2,200	\$ 6,925	\$ 1,475
AGR A-11	Ancaster Horticultural Society	To beautify Ancaster and educate the residents on horticultural and ecological topics	70	\$ 4,000	\$ 4,000	\$ 15,894	\$ 4,000
AGR A-12	Southwentworth Plowmen's Association	Southwentworth Plowmen's Association- Annual Plowing Match	68	\$ -	\$ 2,000	\$ 6,100	\$ 1,428
AGR A-13	Ottawa Street Farmers' Market	Nutritional Education	66	\$ -	\$ 5,000	\$ 15,000	\$ 2,500
AGR A-14	Hamilton-Wentworth Soil & Crop Improvement Association	Advancing Agriculture in Hamilton 3.0	65	\$ 2,923	\$ 3,940	\$ 11,600	\$ 2,923
AGR A-15	Stoney Creek BIA	Agriculture - Programs and Events	64		\$ 3,000	\$ 12,000	\$ 1,500
AGR A-16	Canteen Destiny	The Art of Agriculture	61	\$ 8,800	\$ 12,000	\$ 55,350	Withdrawn
AGR A-17	North Wentworth Plowmen's Association	North Wentworth Plowing Match	60	\$ -	\$ 1,437	\$ 4,791	\$ 1,000
AGR A-18	Wentworth District WI	Hamilton Wentworth District Women's Institute 4_h Scholarships and Rose	60	\$ 2,500	\$ 5,000	\$ 17,000	\$ 2,500
AGR A-19	Westdale Village BIA/ Greater Hamilton Arts and Events	Agriculture - Programs and Events	60		\$ 3,000	\$ 12,000	\$ 1,500
TOTAL AGRICULTURE				\$ 58,533	\$ 170,667	\$ 2,073,548	\$ 104,190

2021 City Enrichment Fund

ARTS

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
ARTS Operating							
ART A-14	Dundas Pipes and Drums ¹	Annual Operations	81	\$ 3,860	\$ 3,027	\$ 10,090	\$ 3,027
ART A-22	Hamilton Youth Steel Orchestra (HYSO) ¹	Annual Operations	76	\$ 10,098	\$ 11,300	\$ 37,886	\$ 10,098
ART A-29	Immigrant Culture and Art Association ¹	Annual Operations	68	\$ 18,000	\$ 33,000	\$ 100,200	\$ 18,000
ART A-37	Chamber Music Hamilton ¹	Annual Operations	TBD	\$ -	\$ 20,000	\$ 75,300	\$ 5,635
ART A-38	Hamilton Academy of Performing Arts ¹	Annual Operations	TBD	\$ 20,000	\$ 30,000	\$ 166,655	\$ 20,000
ART A-39	Legacy Winter Guard ¹	Annual Operations	TBD	\$ 2,400	\$ 5,000	\$ 30,000	\$ 2,400
				\$ 54,358	\$ 102,327	\$ 420,131	\$ 59,160
ARTS Art Festivals							
ART B-1	Festival of Friends (Hamilton-Wentworth)	Festival of Friends	94	\$ 25,329	\$ 100,000	\$ 443,276	\$ 90,000
ART B-2	Westdale Village BIA/ Greater Hamilton Arts and Events	ArtsFest 2021	91	\$ 25,000	\$ 50,000	\$ 207,000	\$ 25,000
ART B-3	Centre francophone Hamilton	FrancoFEST	90	\$ 26,530	\$ 40,000	\$ 199,000	\$ 26,010
ART B-4	Hamilton Youth Poets	Poetic Licence	86	\$ 10,404	\$ 11,200	\$ 54,062	\$ 10,200
ART B-5	Shush Inc.	Strange Day at the Bay 2021	86	\$ 5,036	\$ 10,000	\$ 39,160	\$ 4,937
ART B-6	Steel City Jazz Festival	8th Annual Steel City Jazz Festival	61	\$ -	\$ 5,500	\$ 18,100	\$ -
				\$ 92,299	\$ 216,700	\$ 960,598	\$ 156,147
ARTS Capacity Building							
ART C-1	Culture for Kids in the Arts	Arts: Capacity Building	93		\$ 11,300	\$ 37,800	\$ 8,475
ART C-2	Supercrawl Productions	Supercrawl Equity and Diversity Plan	92		\$ 10,000	\$ 35,000	\$ 7,500
ART C-3	Hamilton Children's Choir	Hamilton Children's Choir	91		\$ 25,000	\$ 495,033	\$ 18,750
ART C-4	Hamilton Artists Inc.	Development Plan 2021	89		\$ 8,000	\$ 26,950	\$ 6,000
ART C-5	Hamilton Arts Council	Capacity Building 2021	89		\$ 4,635	\$ 15,435	\$ 3,476
ART C-6	HCA Dance Theatre	HCA Dance Theatre Capacity Building Project	77		\$ 10,000	\$ 35,000	
ART C-7	Harlequin Singers of Hamilton	Harlequin Singers Live! 2021 Concert Series	71		\$ 8,000	\$ 28,240	
ART C-8	Factory Media Centre	Capacity Building - Staff and Board Training	67		\$ 7,000	\$ 22,900	
ART C-9	Aeris Körper Contemporary Dance	Hamilton Theatre and Dance Enrichment Studio	DNQ		\$ 25,000	\$ 106,000	\$ -
				\$ -	\$ 108,935	\$ 802,358	\$ 44,201
ARTS Creations and Presentations Grants for Arts Professionals							

2021 City Enrichment Fund

ARTS

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
ART D-1	Josh Taylor	The Uncomfortable Project	100		\$ 7,875	\$ 26,250	\$ 5,906
ART D-2	Anne Bokma Writing & Editing	The 6-Minute Memoir: 60 Short True-Life Tales	93		\$ 6,000	\$ 24,900	\$ 4,500
ART D-3	Brandon Vickerd	Domesticated Forest	93		\$ 10,000	\$ 43,000	\$ 7,500
ART D-4	David J Trautrimas	Established Artist Project	93		\$ 10,000	\$ 35,000	\$ 7,500
ART D-5	The Hamilton LOFT (Alysha Main)	Creation and Presentation Arts - Established	93		\$ 10,000	\$ 42,145	\$ 7,500
ART D-6	Matthew MacFadzean	Creation and Presentation For Artists	92		\$ 10,000	\$ 38,991	\$ 7,500
ART D-7	Open Heart Arts Theatre (Kelly Wolf)	Conversations Around the Table	92		\$ 10,000	\$ 59,300	\$ 7,500
ART D-8	Laura Marotta	Established Artist Project	91		\$ 10,000	\$ 34,000	\$ 7,500
ART D-9	Mashal Khan	Anthology Film Series Production Grant - Title TBD	91		\$ 5,000	\$ 20,250	\$ 3,750
ART D-10	Paulo Enrique Leon-Reyes	Emerging Artist Project	91		\$ 5,000	\$ 19,433	\$ 3,750
ART D-11	Diana Panton	"blue"	90		\$ 8,970	\$ 29,900	\$ 6,728
ART D-12	Tom Wilson	Blood Memory	90		\$ 10,000	\$ 74,000	\$ 7,500
ART D-13	David Hudson	Proximal	88		\$ 7,600	\$ 25,450	\$ 5,700
ART D-14	David Lee	The Furies	86		\$ 6,000	\$ 40,000	\$ 4,500
ART D-15	Edgardo Moreno	Beginning is Near	86		\$ 4,000	\$ 13,550	\$ 3,000
ART D-16	Bonus Earth	Bonus Earth Art Lab	84		\$ 5,000	\$ 22,480	\$ 3,750
ART D-17	Kayla Whitney	For The Culture Mural	84		\$ 2,280	\$ 7,600	\$ 1,710
ART D-18	Anuja Varghese	Emerging Artist Project	83		\$ 2,750	\$ 12,200	\$ 501
ART D-19	Karen Ancheta	Established Artist Project	83		\$ 10,000	\$ 36,784	\$ -
ART D-20	Apostoleas	Apostoleas with Cesar F. Cordoba Correa	82		\$ 10,000	\$ 35,000	\$ -
ART D-21	Ariel Bader-Shamai	Mamaloshen	81		\$ 3,630	\$ 8,500	\$ -
ART D-22	Megan English	'The Feeling of Words'	81		\$ 10,000	\$ 44,300	\$ -
ART D-23	Alex Whorms	Emerging Artist Project	80		\$ 5,000	\$ 17,100	\$ -
ART D-24	Darren Stewart-Jones	Established Artist Project	80		\$ 10,000	\$ 40,000	\$ -
ART D-25	Lisa Crawford	Emerging Artist Project	78		\$ 5,000	\$ 95,000	\$ -
ART D-26	Paula Grove	"My Condolences" a sculptural installation with audio storytelling	77		\$ 10,000	\$ 10,000	\$ -
ART D-27	The Dill	CREATION AND PRESENTATION FOR ARTISTS	76		\$ 10,000	\$ 40,800	\$ -
ART D-28	Back Road Bourbon	Black Road Bourbon Launch Plan	73		\$ 1,661	\$ 5,537	\$ -
ART D-29	Karen Ann Logan	What's Alive in Hamilton	73		\$ 6,500	\$ 23,050	\$ -
ART D-30	Dave Cameron	Established Artist Project	72		\$ 5,010	\$ 16,700	\$ -

2021 City Enrichment Fund

ARTS

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
ART D-31	Hamilton Indie Theatre Project	The Team by Michael Kras	71		\$ 5,000	\$ 59,797	\$ -
ART D-32	Joseph Thomson	Emerging Artist Project	71		\$ 5,000	\$ 19,398	\$ -
ART D-33	Rabbit's Watercolour	\ "Life goes on~\"	71		\$ 4,035	\$ 13,500	\$ -
ART D-34	Bill King	Hamilton: Weird and Wonderful	70		\$ 500	\$ 1,850	\$ -
ART D-35	Joyce Grant and Nicola Winstanley	Established Artist Project (Collaborative Literary Work)	69		\$ 5,000	\$ 20,000	\$ -
ART D-36	Babak Lakghomi	Short Story Collection and Reading Events	66		\$ 3,600	\$ 10,800	\$ -
ART D-37	DrinkWATER Productions	THE ELEVATION EP	66		\$ 7,350	\$ 21,850	\$ -
ART D-38	Sweet Jake	Emerging Artist Project	65		\$ 1,821	\$ 6,070	\$ -
ART D-39	Manfred Sitmann	Art Creation and Presentation	63		\$ 5,000	\$ 15,770	\$ -
ART D-40	The Bailiff Sings	The Bailiff Sings - 2021 Traditional Country Music	60		\$ 6,000	\$ 20,000	\$ -
ART D-41	ChangerMusic	Changer Music - Enjoy Life Album - 2021	DNP		\$ 4,740	\$ 16,500	\$ -
ART D-42	Aaron Hutchinson (Individual Artist)	A Hutchie LP2	DNQ		\$ 10,000	\$ 47,232	\$ -
ART D-43	Arzoo Dance Theatre	Self-Portraits with Amrita	DNQ		\$ 10,000	\$ 35,000	\$ -
ART D-44	Gritty City Theatre Company	Established Artists	DNQ		\$ 10,000	\$ 75,000	\$ -
ART D-45	Kayla Whitney	Explorative Studio Practice and Public Art	DNQ		\$ 5,000	\$ 21,930	\$ -
ART D-46	New Harlem Productions	The First Stone	DNQ		\$ 10,000	\$ 232,750	\$ -
ART D-47	Radha Sciara-Menon	Ghost Train Riders Film	DNQ		\$ 10,000	\$ 61,651	\$ -
ART D-48	The Women's Art Association of Hamilton	Established Semi-Professional Organization	DNQ		\$ 6,000	\$ 20,450	\$ -
ART D-49	William James Gillespie	Emerging Artist Project	DNQ		\$ 3,000	\$ 10,000	\$ -
				\$ -	\$ 329,322	\$ 1,650,768	\$ 96,295
TOTAL ARTS				\$ 146,657	\$ 757,284	\$ 3,833,855	\$ 355,803
¹ Awaiting submission of additional information							

2021 City Enrichment Fund

COMMUNITIES, CULTURE & HERITAGE

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
CCH Events and Established Activities							
CCH A-1	SalsaSoul Productions	Core Programs: Salsa on the Waterfront & SalsaSoul Sundays	93	\$ 1,080	\$ 3,459	\$ 11,530	\$ 3,459
CCH A-2	The Rotary Club of Dundas	Dundas Rotary Canada Day Celebrations and Pancake Breakfast	92	\$ -	\$ 1,000	\$ 5,000	\$ 790
CCH A-3	Asociacion Fraternidad Hispana (Fraternity Hispanic Association)	2021 Hispanic/Latin American Heritage Month	88	\$ 3,000	\$ 3,500	\$ 12,820	\$ 3,000
CCH A-4	Winona Peach Festival	Winona Peach Festival - Communities, Culture & Heritage Program	87	\$ 17,013	\$ 97,000	\$ 337,800	\$ 86,700
CCH A-5	Ancaster Heritage Days	An Ancaster Village Christmas 2021	86	\$ -	\$ 2,115	\$ 7,050	\$ 1,995
CCH A-6	Zula Music & Arts Collective Hamilton	2021 Something Else! Festival	84	\$ 10,200	\$ 28,000	\$ 117,600	\$ 10,200
CCH A-7	Ancaster Heritage Days	Ancaster Heritage Days - Summer Event 2021	82	\$ -	\$ 16,440	\$ 54,800	\$ 16,440
CCH A-8	Musicata - Hamilton's Voices	Concert Series	82	\$ 3,000	\$ 3,000	\$ 17,454	\$ 3,000
CCH A-9	Downtown Dundas Business Improvement Area	Concert Series	81	\$ 1,055	\$ 34,545	\$ 115,150	\$ 28,886
CCH A-10	Durand Neighbourhood Association Inc.	Durand Neighbourhood Association Community Events	81	\$ -	\$ 1,378	\$ 4,714	\$ 1,378
CCH A-11	Comunità Racalmutese Maria SS Del Monte Inc.	Racalmutese Festival Maria Del Monte	79	\$ -	\$ 12,488	\$ 99,802	\$ 9,845
CCH A-12	Hamilton Arts & Letters magazine	HAL Presents	79	\$ 7,429	\$ 9,000	\$ 38,600	\$ 7,429
CCH A-13	Rotary Club of Hamilton AM	Imagine in the Park children's arts festival	77	\$ 295	\$ 6,000	\$ 29,250	\$ 5,100
CCH A-14	Barton Village Business Improvement Area	Barton Village Festival	76	\$ 1,272	\$ 16,250	\$ 67,130	\$ 3,433
CCH A-15	Bet Nahrain Assyrian Heritage Centre	Assyrian Festival of Nusardil	76	\$ -	\$ 5,101	\$ 17,004	\$ 1,196
CCH A-16	CACTUS FESTIVAL OF DUNDAS ONTARIO	Dundas Cactus Festival	76	\$ 17,978	\$ 43,914	\$ 147,548	\$ 35,700
CCH A-17	Dundas Historical Society Museum	Exhibition Program	76	\$ 10,200	\$ 11,000	\$ 65,724	\$ 10,200
CCH A-18	AFRO-CANADIAN CARIBBEAN ASSOCIATION OF HAMILTON & DISTRICT INC.	Quilt Stories- Memories in Black	75		\$ 5,000	\$ 20,000	\$ 2,500
CCH A-19	Downtown Hamilton BIA	Gore Park Summer Promenade	74	\$ -	\$ 13,500	\$ 59,762	\$ 9,762
CCH A-20	Hamilton and District Labour Council-CLC	2021 Labour Day Parade & Picnic	74	\$ 10,000	\$ 10,000	\$ 41,130	\$ 10,000
CCH A-21	Concession Street BIA	Concession Streetfest 2021	73	\$ 920	\$ 10,000	\$ 57,000	\$ 8,000

2021 City Enrichment Fund

COMMUNITIES, CULTURE & HERITAGE

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
CCH A-22	Ottawa Street Business Improvement Area	Sew Hungry	73	\$ -	\$ 14,228	\$ 47,426	\$ 7,892
CCH A-23	Pride Hamilton	Pride Hamilton 2021	73	\$ 2,250	\$ 50,000	\$ 150,000	\$ 7,650
CCH A-24	Dundas Valley Orchestra	Concerts or Activities as Allowed under Covid-19 Restrictions in 2021	72	\$ 5,000	\$ 5,000	\$ 21,780	\$ 5,000
CCH A-25	Hamilton Folk Arts Heritage Council	It's Your Festival	72	\$ 12,554	\$ 54,287	\$ 180,958	\$ 54,287
CCH A-26	Dundas Cactus Parade Inc.	Dundas Cactus Parade	71	\$ 501	\$ 10,665	\$ 35,550	\$ 10,649
CCH A-27	Lynden Canada Day Committee	Lynden Canada Day Celebration	71	\$ -	\$ 7,500	\$ 39,200	\$ 7,500
CCH A-28	South Asian Heritage Association of Hamilton & Region	South Asian Heritage Month (Ontario) celebration -Spring Festival	70	\$ 5,196	\$ 5,250	\$ 14,525	\$ 4,358
CCH A-29	Concession Street BIA	Concession Sidewalk Sounds 2021	67	\$ 2,235	\$ 7,497	\$ 24,990	\$ 4,000
CCH A-30	Oh Canada Rotary Ribfest	Waterdown's Oh Canada Rotary Ribfest	67	\$ -	\$ 25,000	\$ 97,100	\$ 2,500
CCH A-31	Sinfonia Ancaster (part of Ancaster Society for the Performing Arts)	Sinfonia Ancaster	67	\$ 3,861	\$ 10,720	\$ 35,735	\$ 8,231
CCH A-32	Dundas Historical Society Museum	Discover Your Historical Dundas	66	\$ 5,100	\$ 5,500	\$ 18,925	\$ 5,100
CCH A-33	Stoney Creek Santa Claus Parade	2021 Stoney Creek Santa Claus Parade	66	\$ -	\$ 3,500	\$ 23,000	\$ 2,155
CCH A-34	FESTITALIA CORPORATION	Festitalia 2021	64	\$ 18,750	\$ 22,500	\$ 131,700	\$ 18,750
CCH A-35	Chorus Hamilton	Chorus Hamilton 2020-2021 Season	63	\$ -	\$ 5,000	\$ 25,000	\$ 5,000
CCH A-36	The Living Rock Ministries	Arts of August	63	\$ 5,000	\$ 5,000	\$ 25,006	\$ 5,000
CCH A-37	Stoney Creek BIA	Stoney Creek Saturdays in the Creek - Strawberry, Pumpkin and Jazz Fests	60	\$ 3,000	\$ 5,000	\$ 43,692	\$ 3,000
CCH A-38	Binbrook Parade Committee	Binbrook Santa Claus Parade	60	\$ -	\$ 5,000	\$ 23,301	\$ 2,500
CCH A-39	The Children's International Learning Centre (Hamilton)	Festivals of Light	59		\$ 23,500	\$ 79,310	\$ -
CCH A-40	West Village BIA	Westdale LIVE!	58	\$ -	\$ 10,000	\$ 41,960	\$ -
CCH A-41	CAMEROONIAN ASSOCIATION IN HAMILTON ¹	Spotlighting Cameroonian Culture in Hamilton	TBD	\$ -	\$ 7,000	\$ 16,700	\$ 3,000
CCH A-42	Locke Street BIA	Sundays on Locke - Locke Street Festival	56	\$ 834	\$ 13,000	\$ 43,425	\$ -
CCH A-43	India Canada Society ¹	Gandhi Peace Festival	TBD	\$ 4,140	\$ 5,310	\$ 17,700	\$ 4,140
CCH A-44	Polish Symfonia Choir ¹	Festival of Friends, Multicultural Concert at Gage Park Hamilton #1	TBD	\$ 4,038	\$ 4,620	\$ 15,400	\$ 4,038

2021 City Enrichment Fund							
COMMUNITIES, CULTURE & HERITAGE							
Awaiting submission of additional information							
Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
CCH A-45	Hamilton Waterfront Trust ¹	Waterfront Tours - Hamilton Waterfront Trolley / Hamiltonian Sightseeing Tour	TBD	\$ 5,000	\$ 30,435	\$ 101,450	\$ 5,000
CCH A-46	Canadian Warplane Heritage	Remembrance Day Ceremony 2021	54		\$ 17,350	\$ 31,500	\$ -
CCH A-47	Flamborough Santa Claus Parade ¹	Flamborough Santa Claus Parade	TBD	\$ -	\$ 15,000	\$ 60,444	\$ 15,000
CCH A-48	Hamilton Santa Claus Parade Committee ²	The Hamilton Santa Claus Parade	TBD	\$ 11,908	\$ 55,000	\$ 112,360	\$ 46,231
				\$ 172,808	\$ 755,552	\$ 2,785,005	\$ 489,993
CCH - New Projects							
CCH B-1	Hamilton Indie Theatre Project	Hamilton indie theatre presenting series	96		\$ 29,934	\$ 126,831	\$ 22,451
CCH B-2	Zula Music & Arts Collective Hamilton	2021 Something Else! Composite Arts Series: Watch it Burn!	92	\$ 8,621	\$ 28,000	\$ 94,000	\$ 21,000
CCH B-3	Barton Village Business Improvement Area	Barton Connects	90		\$ 16,170	\$ 57,020	\$ 12,128
CCH B-4	The Linden Project	The Linden Project presents: Synesthesia	88		\$ 1,000	\$ 3,631	\$ 750
CCH B-5	Canadian Society of Contemporary Iron Arts	Community; new projects	78		\$ 2,000	\$ 6,400	\$ 1,000
CCH B-6	The Friends of the Aviary	Word with Birds	76		\$ 1,500	\$ 5,187	\$ 750
CCH B-7	Downtown Dundas Business Improvement Area	Dickens of a Christmas	73	\$ -	\$ 22,114	\$ 96,150	\$ 11,057
CCH B-8	RAFIKI	KARIBUNI - Afro Fest Culture	56		\$ 5,000	\$ 16,740	\$ -
CCH B-9	The Children's International Learning Centre (Hamilton)	IRL-In Real Life	56		\$ 41,670	\$ 141,000	\$ -
CCH B-10	COLOMBIAN REFUGEES ASSOCIATION	HAMILTON LATIN-AMERICAN FESTIVAL	54		\$ 35,500	\$ 202,100	\$ -
				\$ 8,621	\$ 182,888	\$ 749,059	\$ 69,135
CCH - Capacity Building for Cultural Organizations							
CCH C-1	Musicata - Hamilton's Voices	Concert Series Recording Sessions	81		\$ 5,000	\$ 24,454	\$ 3,750
CCH C-2	Give Proof to Our Youth	Give Proof to Our Youth	31		\$ 500	\$ 800	\$ -
					\$ 5,500	\$ 25,254	\$ 3,750
TOTAL COMMUNITIES, CULTURE & HERITAGE				\$ 181,429	\$ 943,940	\$ 3,559,318	\$ 562,878
¹ Awaiting submission of additional information							

2021 City Enrichment Fund

COMMUNITIES, CULTURE & HERITAGE

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
²	Funding recommended as per Council approved amount						

2021 City Enrichment Fund

COMMUNITY SERVICES

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
CS No One is Hungry or Without Shelter							
CS A-1	Mission Services of Hamilton	The Good Food Centre	100	29,269	48,421	642,306	29,269
CS A-2	YWCA Hamilton	Transitional Living	97	22,419	23,092	982,756	22,419
CS A-3	Good Shepherd Centre Hamilton	Marketplace	94	79,473	81,857	1,097,100	79,473
CS A-4	Neighbour to Neighbour Centre	Food Bank	91	30,754	32,291	221,217	30,754
CS A-5	Housing Help Centre - Hamilton & Area	Housing Stabilization	86	67,000	67,000	556,000	67,000
CS A-6	Indwell	Launch New Affordable Housing Community at McQuesten Lofts	86	68,101	75,000	412,950	56,250
CS A-7	Good Shepherd Centre Hamilton	Community Hot Meals	85	37,507	38,632	868,275	37,507
CS A-8	Neighbour to Neighbour Centre	Home Delivery Program	85	17,669	18,502	72,130	17,669
CS A-9	Governing Council of Salvation Army Canada	The Salvation Army Food Bank Program	80	23,627	65,000	937,399	23,627
CS A-10	THE SALVATION ARMY HAMILTON BOOTH CENTRE	Soup Van Ministry Program	65	26,590	30,000	163,148	26,590
				402,409	479,795	5,953,281	390,558
CS Everyone Feels Safe							
CS B-1	Sexual Assault Centre (Hamilton and Area)	Crisis Support	97	15,547	16,247	160,812	15,547
CS B-2	Sexual Assault Centre (Hamilton and Area)	Abuse Prevention	95	6,696	6,997	131,694	6,696
CS B-3	Sexual Assault Centre (Hamilton and Area)	Counselling and Advocacy	94	20,558	21,483	248,555	20,558
CS B-4	Sexual Assault Centre (Hamilton and Area)	Diverse Communities Outreach	94	12,190	12,738	151,197	12,190
CS B-5	Interval House of Hamilton	Peer Support and Counselling	83	47,954	50,351	307,097	47,954
CS B-6	YWCA Hamilton	Phoenix Place VAW Residential Program	83	15,000	15,000	174,336	15,000
CS B-7	Good Shepherd Centre Hamilton	2nd Stage Housing	80	59,619	61,408	741,387	59,619
CS B-8	Interval House of Hamilton	Community Outreach, Counselling, Advocacy and Telephone Crisis	77	25,240	26,502	960,806	25,240
CS B-9	Thrive Child and Youth Trauma Services	Child and Youth Trauma Services (CYTS)	77	87,781	91,493	391,862	87,781
				290,585	302,219	3,267,746	290,585
CS Every Child and Family Thrives							

2021 City Enrichment Fund

COMMUNITY SERVICES

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total	
						Program Budget	2021 Funding Recommendation
CS C-1	Immigrants Working Centre	IWC Childcare Program	96	24,456	25,679	878,974	24,456
CS C-2	Wesley Urban Ministries	Wesley Children and Family Programs	95	44,749	44,750	219,200	44,749
CS C-3	Elliott Heights Baptist Church	Larch After School Program	85	5,202	20,000	121,481	5,202
CS C-4	Big Brothers Big Sisters of Halton and Hamilton	Matching Programs	82	24,480	25,000	866,446	24,480
CS C-5	The Living Rock Ministries	Wellness Works	81	33,428	40,000	136,653	33,428
CS C-6	Big Brothers Big Sisters of Halton and Hamilton	Group Mentoring Programs for Girls	78	23,548	25,000	83,450	23,548
CS C-7	Big Brothers Big Sisters of Halton and Hamilton	Group Mentoring Programs for Boys	78	23,086	25,000	83,530	23,086
CS C-8	Boys and Girls Clubs of Hamilton	Community Outreach Program	78	39,846	40,000	135,019	39,846
CS C-9	Hamilton East Kiwanis Boys and Girls Club	Parent Education Outreach	78	51,664	52,000	175,000	51,664
				270,459	297,429	2,699,753	270,459
CS No Youth is Left Behind							
CS D-1	AY/Alternatives for Youth Hamilton	AY Outreach	84	26,874	28,218	148,761	26,874
CS D-2	Wesley Urban Ministries	Wesley Youth Housing	82	41,482	41,483	557,527	41,482
CS D-3	AY/Alternatives for Youth Hamilton	Street Involved Outreach	81	41,438	43,510	181,438	41,438
CS D-4	Dundas Youth Chaplaincy	Routes Youth Centre	79	10,716	10,716	173,380	10,716
CS D-5	The Living Rock Ministries	It's a New Day Breakfast Program	77	15,660	30,000	129,101	15,660
CS D-6	The Living Rock Ministries	Evening Program Oasis Coffee House	73	15,801	30,000	141,130	15,801
				151,971	183,927	1,331,337	151,971
CS Everyone Can Age in Place							
CS E-1	Banyan Community Services Inc.	Grocer-Ease	98	19,528	19,600	284,185	19,528
CS E-2	Ancaster Community Services	Meals on Wheels	95	5,412	5,683	103,126	5,412
CS E-3	Ancaster Community Services	Frozen Meals Program	94	6,079	6,383	66,288	6,079
CS E-4	Ancaster Community Services	Assisted Volunteer Driving Program	91	9,605	9,500	39,480	9,500
CS E-5	Glanbrook Community Services (GCS)	Community Supports Program	90	11,326	11,326	113,506	11,326
CS E-6	Victorian Order of Nurses for Canada-Ontario Branch	Meals on Wheels	90	57,989	57,989	1,242,497	57,989

2021 City Enrichment Fund

COMMUNITY SERVICES

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total	
						Program Budget	2021 Funding Recommendation
CS E-7	Glanbrook Community Services (GCS)	Meal Support Program	89	23,962	23,962	244,334	23,962
CS E-8	Flamborough Connects	Seniors Support	88	3,515	3,515	11,744	3,515
CS E-9	Glanbrook Community Services (GCS)	Health & Fitness Program	88	16,574	16,514	79,608	16,514
CS E-10	Victorian Order of Nurses for Canada-Ontario Branch	Adult Day Program	88	29,823	29,823	838,396	29,823
CS E-11	St. Joseph's Villa	A.C.T.I.V.E at the Villa Adult Day Program	86	20,808	20,808	871,990	20,808
CS E-12	Glanbrook Community Services (GCS)	Volunteer Assisted Transportation	84	12,993	12,993	60,103	12,993
CS E-13	Victorian Order of Nurses for Canada-Ontario Branch	Volunteer Visiting/Teletouch	84	53,235	53,235	472,764	53,235
CS E-14	Wesley Urban Ministries	Seniors Outreach Program	83	18,999	33,850	112,850	18,999
CS E-15	Dundas Community Services	Services for Seniors	80	45,016	45,917	328,393	45,016
CS E-16	Good Shepherd Centre Hamilton	SAM Adult Day Program	79	70,319	72,429	742,613	70,319
CS E-17	The Salvation Army Mountberrry Adult Day Services	The Salvation Army Mountberrry Adult Day Program	68	6,200	6,300	461,771	6,200
CS E-18	Shalom Village	Goldie's Place Adult Day Program	67	24,088	24,088	382,000	24,088
CS E-19	Catholic Family Services of Hamilton	Senior Intensive Case Management	65	12,003	38,000	863,419	12,003
CS E-20	Boys and Girls Clubs of Hamilton	Boys and Girls Clubs of Hamilton Adult Day Program (ADP)	65	13,000	13,000	274,396	13,000
				460,474	504,915	7,593,463	460,308
CS Community Capacity Grows							
CS F-1	Adult Basic Education Association	Lifelong Learning Opportunities and Pathways	99	8,670	9,000	87,840	8,670
CS F-2	Ancaster Community Services	Community Outreach	93	36,711	38,547	208,323	36,711
CS F-3	Ancaster Community Services	Youth Empowerment Program	88	14,303	15,018	93,059	15,018
CS F-4	Flamborough Connects	Outreach Services Program	87	49,353	49,403	161,205	38,792
CS F-5	Hamilton Literacy Council	Literacy and Basic Skills for Adults	84	6,000	6,000	304,203	6,000
CS F-6	Neighbour to Neighbour Centre	Middle East Outreach	83	2,874	3,000	23,023	2,874
CS F-7	Dundas Community Services	Community Outreach	81	11,316	11,542	38,500	11,316
CS F-8	Social Planning and Research Council of Hamilton	Community based research, planning and community development	80	44,529	46,755	397,145	44,529

2021 City Enrichment Fund

COMMUNITY SERVICES

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
CS F-9	St. John Ambulance - Hamilton Branch	Medical First Responder Program	80	6,213	9,600	52,500	6,213
CS F-10	Elizabeth Fry Society Southern Ontario Region	Court Support/Reintegration Program	67	11,373	15,000	60,000	11,373
CS F-11	Rotary Club of Hamilton	Rotary Literacy in Action Program	65	7,362	25,000	169,640	7,362
CS F-12	Hamilton ACORN	Enhancing civic connections among low-income tenants in Hamilton	79		20,000	69,792	
CS F-13	The HUB - Rest & Hygiene Center	The \"HUB\" Rest & Hygiene Center	65		35,000	116,000	
CS F-14	Hamilton Highrise (Hamiltonhighrise.ca)	Community capacity grows	45		8,000	27,050	-
				198,704	291,865	1,808,280	188,858
CS Everyone Has Someone to Talk to							
CS G-1	Canadian Mental Health Association, Hamilton	The Evening Social Recreation Rehabilitation Program	87	25,454	25,455	165,834	25,454
CS G-2	Dundas Community Services	Counselling & Referral	86	7,600	7,752	25,923	7,600
CS G-3	Catholic Family Services of Hamilton	Individual & Family Counselling	69	40,699	90,363	275,879	40,699
				73,753	123,570	467,636	73,753
CS Emerging Needs and Program Innovation							
CS H-1	Immigrants Working Centre	IWC Employment Services - Transitions to Work for Refugee Claimants	100	22,484	35,365	393,162	26,524
CS H-2	Welcome Inn Community Centre	Food Access Program	100	15,750	22,000	104,441	16,500
CS H-3	City Kidz Ministry	CityKidz Cares 2021	99	-	25,000	279,900	18,750
CS H-4	Mission Services of Hamilton	Willow's Place	97	26,250	35,000	438,091	26,250
CS H-5	Food4Kids Hamilton	Weekends without Hunger	96	30,000	50,000	1,100,000	37,500
CS H-6	Mission Services of Hamilton	Youth Afterschool Meal Program	96	-	33,222	166,760	24,917
CS H-7	AY/Alternatives for Youth Hamilton	Parent Education, Support and Skill Development Program	95		18,162	73,181	13,622
CS H-8	Wellwood	Information and Peer Support for Cancer Patients and Families/Caregivers	95	20,475	27,300	213,600	20,475
CS H-9	Dr. Bob Kemp Hospice Foundation Inc.	Supports-for children and families with life limiting illness, end of life and bereavement	92		37,500	183,245	28,125

2021 City Enrichment Fund

COMMUNITY SERVICES

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
CS H-10	Wayside House of Hamilton	Men's Addiction & Trauma Education (MATE) Program	92		30,000	139,850	22,500
CS H-11	Wesley Urban Ministries	Wesley Day Centre	90		160,000	540,588	70,104
CS H-12	Mealshare Aid Foundation	Helping End Youth Hunger in Hamilton	88		17,000	57,800	12,750
CS H-13	Scientists in School	Bringing Hands-On Virtual STEM Enrichment to Low-Income Communities in Hamilton	88		13,000	44,940	9,750
CS H-14	St. Matthew's House	Seniors in Kitchens (SinKs) and SinKs To Go	88		40,000	617,000	30,000
CS H-15	Sisters in Sync	'Recovering You' Program	87		28,000	93,000	21,000
CS H-16	Thrive Child and Youth Trauma Services	OASIS	84		41,700	170,430	30,222
CS H-17	Catholic Family Services of Hamilton	Credit Counselling	81		48,500	186,500	
CS H-18	Micah House Refugee Reception Services Inc.	Refugee Hearing Program - Hamilton	81		13,267	44,224	
CS H-19	COLOMBIAN REFUGEES ASSOCIATION	Refugee Claimant Settlement Service	78		95,500	402,100	
CS H-20	Healthy Youth Network	What's Your Path	78		27,600	92,600	
CS H-21	Mishka Social Serives	Community Counselling & Psychotherapy	73		75,800	252,680	
CS H-22	Social Planning and Research Council of Hamilton	Financial Empowerment and Problem Solving Program	73		75,000	250,000	
CS H-23	Boys and Girls Clubs of Hamilton	McQueston Boys and Girls Club	60		24,400	82,500	
CS H-24	Canadian National Institute for the Blind	Peer Programming for Hamiltonians Living with Sight Loss	60		7,000	50,980	
				114,959	980,316	5,977,572	408,988
TOTAL COMMUNITY SERVICES				1,963,315	3,164,036	29,099,068	2,235,481

2021 City Enrichment Fund

ENVIRONMENT

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
ENV Capacity Building							
ENV A-1	Green Venture	Enhanced Energy Capacity	87	\$ 10,503	\$ 22,500	\$ 75,000	\$ 10,503
				\$ 10,503	\$ 22,500	\$ 75,000	\$ 10,503
ENV Projects & Programs							
ENV B-1	Green Venture	Nature Ninjas	93	\$ 4,500	\$ 4,500	\$ 17,690	\$ 4,500
ENV B-2	Bay Area Restoration Council	School and Volunteer Programming for Hamilton Harbour Restoration	90	\$ 26,250	\$ 35,000	\$ 175,150	\$ 26,250
ENV B-3	Green Venture	Catch the RAIN Hamilton	89	\$ 25,000	\$ 29,500	\$ 189,550	\$ 25,000
ENV B-4	Environment Hamilton	EH Climate Action Campaign - Building Climate Resilience in Vulnerable Neighbourhoods component	87	\$ 9,660	\$ 25,530	\$ 266,557	\$ 9,660
ENV B-5	Sustainable Hamilton Burlington	Development of a Water Management Framework for Business Organizations	87	\$ 20,805	\$ 35,000	\$ 113,370	\$ 20,805
ENV B-6	A Rocha Canada	A Rocha Hamilton's Environmental Education and Conservation Activities	86	\$ 12,000	\$ 35,000	\$ 167,650	\$ 12,000
ENV B-7	Hamilton Naturalists' Club	Biodiversity in Action at Home	85	\$ 8,010	\$ 7,800	\$ 25,880	\$ 7,764
ENV B-8	Trees For Hamilton	Trees for Hamilton	81	\$ 1,400	\$ 3,030	\$ 39,580	\$ 1,400
ENV B-9	Beautiful Alleys	Birge Street Parkette	59	\$ -	\$ 5,550	\$ 18,550	\$ -
ENV B-10	Repeat Champions Foundation Inc	Repeat Champions Foundation Inc	51	\$ -	\$ 5,000	\$ 15,000	\$ -
				\$ 107,625	\$ 185,910	\$ 1,028,977	\$ 107,379
TOTAL ENVIRONMENT				\$ 118,128	\$ 208,410	\$ 1,103,977	\$ 117,882

2021 City Enrichment Fund

SPORTS & ACTIVE LIFESTYLE

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
SAL - Long-Term Athlete Development							
SAL A-1	Hamilton Ringette Association	FUNDamentals	82	\$ 3,750	\$ 7,500	\$ 26,725	\$ 5,625
SAL A-2	Flamborough Dundas Soccer Club	FDSC Follows LTPD for Grassroots Soccer	82	\$ 3,980	\$ 7,500	\$ 35,500	\$ 3,902
SAL A-3	The Hamilton and District Soccer Association	Hamilton Soccer - Grass Roots Soccer Program - Retention of Program Initiatives	78	\$ 7,500	\$ 7,500	\$ 65,000	\$ 7,500
SAL A-4	The Saltfleet Stoney Creek Soccer Club	SSC - LTAD - Player Development Program	77	\$ 3,825	\$ 7,500	\$ 260,000	\$ 3,825
SAL A-5	Croatian Sports and Community Centre of Hamilton (Hamilton Croatia)	Improving longevity of successful soccer program	63	\$ -	\$ 12,000	\$ 40,000	\$ 3,500
				\$ 19,055	\$ 42,000	\$ 427,225	\$ 24,352
SAL - Sport Awareness							
SAL B-1	The Equestrian Association for the Disabled (T.E.A.D.)	Communications/Marketing Person	91	\$ -	\$ 7,500	\$ 51,605	\$ 5,625
SAL B-2	Saltfleet Stoney Creek Soccer Club	Grass Roots - Leading the Training For The Youth	86	\$ 5,355	\$ 7,500	\$ 350,000	\$ 5,355
SAL B-3	The Hamilton and District Soccer Association	Hamilton Soccer - Continued Enhancement of the Match Official Mentorship Program	86	\$ 5,836	\$ 7,500	\$ 36,000	\$ 5,836
SAL B-4	National Cycle Centre Of Hamilton	Marketing and Communications Support	85		\$ 9,149	\$ 21,927	\$ 5,625
SAL B-5	Flamborough Dundas Soccer Club	Sport Awareness	85	\$ 7,491	\$ 7,500	\$ 30,200	\$ 7,491
				\$ 18,682	\$ 39,149	\$ 489,732	\$ 29,932
SAL - Capacity Building							
SAL C-1	The Golden Horseshoe Track & Field Council	Golden Horseshoe Track & Field Council - Capacity Growth Program	99	\$ 2,295	\$ 3,500	\$ 30,600	\$ 2,295
SAL C-2	Flamborough Dundas Soccer Club	FDSC Builds Capacity	83	\$ -	\$ 7,500	\$ 25,000	\$ 7,500
SAL C-3	The Saltfleet Stoney Creek Soccer Club	SSC - Sports After COVID	77		\$ 2,500	\$ 15,000	\$ 1,250
				\$ 2,295	\$ 13,500	\$ 70,600	\$ 11,045
SAL - Sport Development / Inclusion							
SAL D-1	Hammer City Roller Derby	Everyone Skates: HCRD's Diversity, Equity and Inclusion Plan	95		\$ 2,600	\$ 8,674	\$ 1,950

2021 City Enrichment Fund

SPORTS & ACTIVE LIFESTYLE

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
SAL D-2	Knot A Breast	Dragon Boat Sport Development and Wellness Program	91	\$ 5,649	\$ 7,500	\$ 26,655	\$ 7,500
SAL D-3	Liberty For Youth	Liberty and Justice Basketball Program	87		\$ 7,500	\$ 98,000	\$ 5,625
SAL D-4	The Equestrian Association for the Disabled (T.E.A.D.)	Outreach Program	87		\$ 7,500	\$ 47,155	\$ 5,625
SAL D-5	Wesley Urban Ministries	Wesley Youth Centre at Beasley	86	\$ 7,500	\$ 7,500	\$ 27,500	\$ 7,500
SAL D-6	Binbrook Minor Baseball Association	Rally Cap Program	76	\$ -	\$ 5,325	\$ 17,750	\$ 5,325
SAL D-7	Boys and Girls Clubs of Hamilton	Midnight Basketball	78	\$ 7,500	\$ 7,500	\$ 72,500	\$ 7,500
SAL D-8	Hamilton-Wentworth Aquatic Club	Jimmy Thompson Swimmer Participation Program	77	\$ 7,500	\$ 7,500	\$ 28,000	\$ 7,500
SAL D-9	SportHamilton	Communication Strategy Project	70	\$ 5,625	\$ 8,700	\$ 29,000	\$ 5,625
SAL D-10	The Saltfleet Stoney Creek Soccer Club	SSC - Special Needs & All Abilities Program	67	\$ -	\$ 5,000	\$ 42,000	\$ 2,500
SAL D-11	Hamilton Cardinals	Hamilton Cardinals Youth Summer Camps and Clinics	60	\$ -	\$ 6,150	\$ 20,500	\$ 3,075
				\$ 33,774	\$ 72,775	\$ 417,734	\$ 59,725
SAL - Accessibility							
SAL E-1	Flamborough Dundas Soccer Club	FDSC Special Soccer Program	89	\$ -	\$ 7,500	\$ 25,500	\$ 6,900
SAL E-2	Royal Hamilton Yacht Club	RHYC Able Sail	88	\$ -	\$ 7,100	\$ 23,910	\$ 6,120
SAL E-3	The Equestrian Association for the Disabled (T.E.A.D.)	Subsidies	88	\$ 7,500	\$ 7,440	\$ 24,976	\$ 7,440
SAL E-4	Boys and Girls Clubs of Hamilton	Healthy Active Vibrant Energetic Seniors (HAVES)	71	\$ 6,810	\$ 7,500	\$ 65,400	\$ 7,500
				\$ 14,310	\$ 29,540	\$ 139,786	\$ 27,960
SAL - Active for Life							
SAL F-1	Fit Active Beautiful Foundation	FAB Girls 5K Challenge Program	95	\$ 7,500	\$ 7,500	\$ 48,741	\$ 7,500
SAL F-2	Down Syndrome Association of Hamilton	Activity Kit Project	93		\$ 2,556	\$ 8,520	\$ 1,917
SAL F-3	Boys and Girls Clubs of Hamilton	Let's Get Moving	88	\$ 5,625	\$ 7,500	\$ 432,500	\$ 5,625
SAL F-4	Flamborough Dundas Soccer Club	Soccer for Life	83	\$ 3,425	\$ 7,500	\$ 25,000	\$ 5,625
SAL F-5	Hamilton Hornets Rugby Football Club	Rugby for newcomers and at-risk youth	83	\$ 5,571	\$ 7,500	\$ 28,200	\$ 5,571
SAL F-6	New Hope Community Bikes	NHCB Youth Cycling Program	80		\$ 3,250	\$ 10,860	\$ 2,438
SAL F-7	Hamilton Basketball Association	HBA 2020-21 Season	80	\$ 4,351	\$ 7,500	\$ 95,719	\$ 4,266

2021 City Enrichment Fund

SPORTS & ACTIVE LIFESTYLE

Awaiting submission of additional information

Ref No	Organization	Program-Event-Project Name	Final Rating	2020 Funded	2021 Funding Request	Total Program Budget	2021 Funding Recommendation
SAL F-8	Hamilton Chinese Sports Association	Go to Play	80	\$ 2,283	\$ 3,998	\$ 13,325	\$ 2,283
SAL F-9	The Living Rock Ministries	Rock-in-Action	80	\$ 4,000	\$ 8,000	\$ 33,541	\$ 4,058
SAL F-10	Hamilton Celtics Basketball	Youth Basketball Project	78		\$ 6,000	\$ 20,953	\$ 3,000
SAL F-11	National Cycle Centre Of Hamilton	Expansion of Programs to Larger facility to facilitate growth and COVID compliance	74		\$ 5,304	\$ 17,680	\$ 2,652
SAL F-12	Hamilton Bay Sailing Club	Sports and Active Lifestyle-Active for Life	74	\$ 7,442	\$ 7,500	\$ 42,600	\$ 7,500
SAL F-13	COLOMBIAN REFUGEES ASSOCIATION	True soccer Kids	63		\$ 7,500	\$ 67,500	\$ 3,750
SAL F-14	Hamilton Jewish Federation	JFitness@home	55	\$ -	\$ 2,010	\$ 6,700	\$ -
				\$ 40,197	\$ 83,618	\$ 851,839	\$ 56,185
SAL - Multi-Sport Hosting							
SAL G-1	Ontario Cycling Association Incorporated	Paris Ancaster Bicycle Race	82	\$ -	\$ 13,300	\$ 180,000	\$ 12,546
SAL G-2	91st Highlanders Athletic Association	City Enrichment Fund	81	\$ -	\$ 25,254	\$ 84,150	Withdrew
				\$ -	\$ 38,554	\$ 264,150	\$ 12,546
TOTAL SPORT & ACTIVE LIFESTYLE				\$ 128,313	\$ 319,136	\$ 2,661,066	\$ 221,745
¹ Awaiting submission of additional information							
² Funding recommended as per Council approved amount							

CITY OF HAMILTON MOTION

Council: September 29, 2021

MOVED BY COUNCILLOR A. VANDERBEEK.....

SECONDED BY COUNCILLOR B. CLARK.....

Repeal of Interim Control By-law 20-186 for the Pleasant View Area Lands

WHEREAS, Section 38 of the *Planning Act*, R.S.O. 1990 c.P. 13, as amended, permits the council of a municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies within the municipality or in any defined area or areas;

WHEREAS, on September 10, 2020, City Council passed Interim Control By-law 20-186 for the Pleasant View Survey lands for the purposes of undertaking a land use study in respect of land use policies and future underlying zoning by-law regulations to ensure the Rural Hamilton Official Plan and underlying Zoning By-laws are in conformity with Provincial policies including the Niagara Escarpment Plan within the Pleasant View Area of the former Town of Dundas;

WHEREAS, on August 13, 2021, City Council passed By-law 21-142 to extend the time period of Interim Control By-law 20-186 for an additional period of one year to expire on September 10, 2022;

WHEREAS, on September 10, 2021, the Ministry of Northern Development, Mines, Natural Resources and Forestry amended Ontario Regulation 826 under the *Niagara Escarpment Planning and Development Act* to include within the Area of Development Control the Pleasant View Survey lands located in the City of Hamilton, making the Niagara Escarpment Commission the approval authority for development in the Pleasant View Area and rendering zoning by-laws no longer in-effect in the Pleasant View Area;

WHEREAS, a Development Permit issued by the Niagara Escarpment Commission must conform to the policies Niagara Escarpment Plan and supersedes the Zoning by-law in effect;

THEREFORE, BE IT RESOLVED:

That the by-law to repeal Interim Control By-law 20-186 (attached hereto), being a by-law to Establish an Interim Control Zoning By-law, respecting lands within Zoning By-law No. 3581-86, 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 (Pleasant View), be passed.

COUNCIL COMMUNICATION UPDATES

September 10, 2021 to September 23, 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
September 10, 2021	Public Works	Chedoke Creek Order – Chedoke Creek Workplan – Short Term Offsets - HW.21.05	https://www.hamilton.ca/sites/default/files/media/browser/2021-09-13/communication-update-chedoke-creek-order-short-term-offsets-hw.21.05.pdf
September 14, 2021	Planning and Economic Development	Licensing and By-law Services Moving to 330 Wentworth Street North (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2021-09-16/communication-update-ped-lbsmove2021.pdf
September 23, 2021	Public Works	2021 Fall Community Compost Giveaway Event (WM21001) (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2021-09-24/communication_update_-_2021_fall_community_compost_giveaways_wm21001_city_wide.pdf
September 23, 2021	City Manager's Office	National Day for Truth and Reconciliation and Orange Shirt Day – September 30, 2021 (City Wide)	https://www.hamilton.ca/sites/default/files/media/browser/2021-09-23/comm-update-national-day-truth-reconciliation-orange-shirt-day-sept2021.pdf Appendix A - https://www.hamilton.ca/sites/default/files/media/browser/2021-09-24/comm-update-national-day-truth-reconciliation-orange-shirt-day-appendix-sept2021.pdf.pdf

Authority: Item 8, Public Works Committee
Report 21-013
(PW20002(a)/LS21035)
CM: September 29, 2021
Ward: City Wide
Bill No. 158

CITY OF HAMILTON
BY-LAW NO. 21-

**To Amend City of Hamilton By-law No. 01-215, being a By-law to Regulate Traffic,
to Designate Community Safety Zones in Hamilton**

WHEREAS Council enacted a By-law to Regulate Traffic in the City of Hamilton, By-law 01-215;

AND WHEREAS this amending by-law amends By-law 01-215 to designate Community Safety Zones as hereinafter described and depicted;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the amendments in this By-law include any necessary grammatical, numbering and letter changes.
2. That the following definition be added in Part 1, Definitions & Interpretations:

“Community Safety Zone” means a part of a highway which is designated by an authorized sign as a community safety zone and is listed in Schedule 34 of this By-law, being areas where public safety is of special concern, as identified by the City, and where fines imposed upon conviction of a moving violation, are increased.

3. That Part 2 – Traffic Regulations, be amended by adding the following section:

COMMUNITY SAFETY ZONES DESIGNATION

- 7.1 Community Safety Zones are established where an Authorized Sign to that effect has been posted on any Highway set out in Column 1 of Schedule 34 between the limits set out in Column 2, during the time of day set out in Column 3.
4. That the following Schedule 34 be included in and form part of By-law 01-215:

Schedule 34: Designated Community Safety Zones		
Column 1 Highway	Column 2 Between	Column 3 Times of day
Upper Sherman Avenue	Limeridge Road East to Mohawk Road East	Anytime
Cranbrook Drive	Gretna Court to Glenvale Drive	Anytime
Aberdeen Avenue	Locke Street South to Longwood Road South	Anytime
West 5 th Street	Limeridge Road West to Mohawk Road West	Anytime
Scenic Drive	Mohawk Road West to Sanatorium Road	Anytime
Centre Road	Parkside Drive to Concession 5 East	Anytime
Winterberry Drive	Glenhollow Drive to Paramount Drive	Anytime
Parkdale Avenue North	Queenston Road to Melvin Avenue	Anytime
Millen Road	Maple Drive to Highway 8	Anytime
Jerseyville Road East	Fiddler's Green Road to Meadowbrook Drive	Anytime
Old Ancaster Road	Dundana Avenue to Turnbull Road	Anytime
Mohawk Road East	Upper Wentworth Street to Upper Sherman Avenue	Anytime
Victoria Avenue North	Charlton Avenue East to Wilson Street	Anytime
Centennial Parkway North	Queenston Road to Barton Street East	Anytime
Upper Ottawa Street	Fennell Avenue East to Mohawk Road East	Anytime
Robson Road	Parkside Drive to Concession 5 East	Anytime
Kitty Murray Lane	Stonehenge Drive to Garner Road East	Anytime
Dundurn Street South	Herkimer Street to Aberdeen Avenue	Anytime
James Street South	St. Joseph's Drive to James Mountain Road	Anytime
James Mountain Road	James Street South to West 5 th Street	Anytime
Lake Avenue North	Jackson Lane to Barton Street East	Anytime
Kenilworth Avenue North	Cannon Street East to Barton Street East	Anytime
Upper Wellington Street	Limeridge Road East to Mohawk Road East	Anytime

To Amend City of Hamilton By-law No. 01-215, being a By-law to Regulate Traffic, to Designate
Community Safety Zones in Hamilton

Upper James Street	Lincoln Alexander Parkway to Stone Church Road	Anytime
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4. That in all other respects By-law 01-215 is confirmed; and,
5. That the provisions of this by-law shall become effective on the date approved by City Council.

PASSED this 29th day of September, 2021

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 17, Public Works Committee
Report 07-011
(TOE2005(b)/FCS02026(b)/PED07248)
CM: September 26, 2007
Item 8, Public Works Committee
Report 21-011 (PW21046)
CM: August 13, 2021
Ward: 9

Bill No. 159

CITY OF HAMILTON

BY-LAW NO. 21-

To Impose a Sanitary Sewer Charge Upon Owners of Land Abutting Rymal Road East from Approximately 200m East of Second Road West to Upper Centennial Parkway, in the City of Hamilton

WHEREAS the Council of the City of Hamilton authorized recovering a portion of costs associated with the construction of a sanitary sewer on Rymal Road East from approximately 200m east of Second Road West to Upper Centennial Parkway, in the City of Hamilton, by approving Item 8 of the Public Works Committee Report 21-011, (the “Sewer Works”);

WHEREAS pursuant to the Funding Methodology for Municipal Infrastructure Extension Policy approved by the Council on September 26, 2007 (Item 17 of Public Works Committee Report (TOE02005(b)/FCS02026(b)/PED07248), the Council of the City of Hamilton also authorized recovering a portion of costs associated with the construction of the Sewer Works by imposing a Sanitary Sewer Charge on the owners of land who benefit from the Sewer Work (the “Sewer Charges”);

WHEREAS the said Sewer Charges are imposed pursuant to Part XII of the Municipal Act, S.O., 2001, c. 25 as amended and pursuant to section 14 of the City of Hamilton Act, 1999, S.O., 1999, c. 14, Schedule C amended;

WHEREAS the cost of the Sewer Works, that relate to the benefitting property owners described in Schedule “A” is \$302,573.98 and has been funded from the City’s Development Charge Reserve Fund. This amount is to be recovered from all benefitting property owners as set forth in this By-law:

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sewer Charges are imposed upon the owners or occupants of land who benefit from the construction of the Sewer Works (the “Assessed Owners”).
2. The Assessed Owner’s lands and the respective Sewer Charges are more particularly described in Schedule “A”, which Schedule is attached to and forms part of this By-law.
3. The Sewer Charges have been established using the approved method for cost apportionment per City of Hamilton Report TOE02005(b)/FCS02026(b)/PED07248, (Funding Methodology for Municipal Infrastructure Extensions Review and Update),

establishing the 2021 User Flat Fee Sanitary Sewer Charge of \$7,945.00, in addition to each properties actual cost of each sanitary lateral connection. If the property owner chooses to connect to the sewer after this date, then the Service Extension Flat Fee shall be the rate in the year in which the property owner applies for the permit to connect and the actual cost for each sanitary lateral will be adjusted yearly by the City of Hamilton's 15 year serial all-in interest rate (2021 rate 1.60%).

4. The amount resulting from the application of the Sewer Charges (the "Indebtedness") shall be collected at the time of permit issuance for any connection to the said Sewer Works, in addition to any applicable permit fee.
5. The Assessed Owners have the option of paying the Indebtedness by way of annual payments over a period of 15 years from the date of permit issuance for connection by entry on the tax roll, to be collected in like manner as municipal taxes. The interest rate utilized for the 15 year payment shall be the City of Hamilton's then current 15 year borrowing rate (2021 rate 2.00%).
6. Notwithstanding Section 5, as Assessed Owner of a parcel described in Schedule "A" may pay the commuted value of the Indebtedness without penalty, but including interest, at any time.
7. Should an Assessed Owner sever or subdivide their parcel of land, the Sewer Charges owed to the City of Hamilton, whether the parcel of land is connected or not, and whether or not the Assessed Owner has previously exercised the repayment option set out in Section 5 above shall be paid forthwith to the City of Hamilton in a lump sum as a condition of the severance or subdivision approval.
8. Unpaid Sewer Charges constitute a debt to the City and may be added to the tax roll and collected in the same manner as municipal taxes.
9. If any provision or requirement of this By-law, or the application of it to any person, shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of the By-law, or the application of it to all persons other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected, and each provision and requirement of this By-law shall be separately valid and enforceable.
10. This By-law comes into force on the day following the date of its passing.

PASSED this 29th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule "A" to By-law No. 21-159

Rymal Road East

Sanitary Sewer including Sanitary Laterals on Rymal Road East from approximately 200m east of Second Road West to Upper Centennial Parkway

Sewer Charges

Property Address	Sanitary Sewer Charge	Sanitary Lateral (Estimate)	Total Estimated Cost
2099 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2105 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2109 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2113 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2119 Rymal Road East	\$7,945.00	\$5,220.16	\$13,165.16
2129 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
*2133 Rymal Road East	\$0	\$0	\$0
2149 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2153 Rymal Road East	\$7,945.00	\$0	\$7,945.00
2155 Rymal Road East	\$7,945.00	\$0	\$7,945.00
2157 Rymal Road East	\$7,945.00	\$7,612.80	\$15,557.80
0 Rymal Road East (PIN 170870648)	\$7,945.00	\$0	\$7,945.00
2227 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2237-2241 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2247 Rymal Road East	\$7,945.00	\$4,745.60	\$12,690.60
2251 Rymal Road East	\$7,945.00	\$2,966.00	\$10,911.00
2257 Rymal Road East	\$7,945.00	\$12,614.50	\$20,559.50
2273-2297 Rymal Road East	\$7,945.00	\$0	\$7,945.00
21 Upper Centennial Pkwy	\$7,945.00	\$12,614.50	\$20,559.50
2200 Rymal Road East	\$7,945.00	\$7,116.20	\$15,061.20
2250 Rymal Road East	\$7,945.00	\$21,973.11	\$29,918.11
2260 Rymal Road East	\$7,945.00	\$22,901.31	\$30,846.31
TOTAL			\$302,573.98

*Per current designation and zoning, property is not developable; excluded from cost recovery

Authority: Item 31, Economic Development and
Planning Committee
Report 06-005
CM: April 12, 2006
Ward: 11

Bill No. 160

CITY OF HAMILTON

BY-LAW NO. 21-

To Amend Hamilton Zoning By-law No. 05-200 Respecting Lands Located at 2411 Upper James Street, Glanbrook

WHEREAS the first stage of the new Zoning By-law, being By-law No. 05-200, came into force on the 25th day of May, 2005; and,

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding Provision from By-laws where the conditions have been met.

AND WHEREAS the conditions of Holding Provision 37 for the lands located at 2411 Upper James Street, Glanbrook have been satisfied;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Maps 1585 and 1629 of Schedule "A" – Zoning Maps is amended by changing the zoning from the Airport Prestige Business (M11, 47, H37) Zone to the Airport Prestige Business (M11, 47) Zone for the lands identified in Schedule "A" attached to this By-law.
2. That Schedule "D" – Holding Provisions is amended by deleting Holding Provision H37 from the lands identified in the Location Map attached as Schedule "A" to this By-law.
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law in accordance with the *Planning Act*.

PASSED this 29th day of September, 2021

F. Eisenberger
Mayor

A. Holland
City Clerk



This is Schedule "A" to By-law No. 21- Passed the day of, 2021	----- <p style="text-align: center;">Mayor</p> ----- <p style="text-align: center;">Clerk</p>
---	---

<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 21-_____</p> <p>to Amend By-law No. 05-200 Maps 1585 & 1629</p>	<p>Subject Property</p> <p>2411 Upper James Street</p> <p> Change in Zoning from the Airport Prestige Business (M11, 47, H37) Zone to the Airport Prestige Business (M11, 47) Zone</p>
---	---

CITY OF HAMILTON

BY-LAW NO. 21-

**To Amend Zoning By-law No. 6593, Respecting Lands located at
323 Rymal Road East, Hamilton**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS the *City of Hamilton Act, 1999*, provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS the Council of the Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951 (File No. P.F.C. 3821);

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding provision from By-laws where the conditions have been met; and

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E18e of the District Maps appended to and forming part of Zoning By-law No. 6593 (Hamilton), be amended by deleting "DE-2/S-1798-H" (Multiple Dwellings) District, Modified, Holding, and adding "DE-2/S-1798" (Multiple Dwellings) District, Modified.
2. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

To Amend Zoning By-law No. 6593, Respecting Lands located at
323 Rymal Road East, Hamilton

Page 2 of 3

PASSED this 29th day of September 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAH-21-010



<p>This is Schedule "A" to By-law No. 21-</p> <p>Passed the day of, 2021</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
--	---

<h2>Schedule "A"</h2> <p>Map forming Part of By-law No. 21-_____</p> <p>to Amend By-law No. 6593</p>	<p>Subject Property</p> <p>323 Rymal Road East</p> <p> Change in Zoning from the "DE-2/S-1798-H" (Multiple Dwellings) District, Modified, Holding to the "DE-2/S-1798" (Multiple Dwellings) District, Modified</p>
--	---

Scale: N.T.S	File Name/Number: ZAH-21-010	
Date: April 22, 2021	Planner/Technician: JV/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

CITY OF HAMILTON

BY-LAW NO. 21-

To Amend Zoning By-law No. 6593, Respecting Lands located at 370 Concession Road, Hamilton

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as the "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS the *City of Hamilton Act, 1999*, provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

WHEREAS the Council of the Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which By-law was approved by the Ontario Municipal Board by Order, dated the 7th day of December 1951 (File No. P.F.C. 3821);

WHEREAS the Council of the City of Hamilton, in adopting Section 31 of Report 06-005 of the Planning and Economic Development Committee at its meeting held on the 12th day of April, 2006, recommended that the Director of Development and Real Estate be authorized to give notice and prepare by-laws for presentation to Council, to remove the "H" Holding provision from By-laws where the conditions have been met; and

WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. E15 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), be amended by deleting "DE-2/S-5a-H1" (Multiple Dwellings) District, Modified, Holding, and adding "DE-2/S-5a" (Multiple Dwellings) District, Modified as shown on the plan hereto annexed as Schedule "A".
2. That Sheet No. E15 of the District Maps, appended to and forming part of Zoning By-law No. 6593 (Hamilton), be amended by deleting "RT-30/S-1781-H2" (Street – Townhouse) District, Modified, Holding, and adding "RT-30/S-1781" (Street – Townhouse) District, Modified as shown on the plan hereto annexed as Schedule "A".

3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED this 29th day of September 2021

F. Eisenberger
Mayor

A. Holland
City Clerk

ZAH-21-022



This is Schedule "A" to By-law No. 21-

Passed the day of, 2021

Mayor

Clerk

Schedule "A"

Map forming Part of
By-law No. 21-_____

to Amend By-law No. 6593

Subject Property

370 Concession Street



Block 1 - Change in zoning from "DE-2/S-5a-H1" (Multiple Dwellings) District, Modified, Holding to "DE-2/S-5a" (Multiple Dwelling) District, Modified



Block 2 - Change in zoning from "RT-30/S-1781-H2" (Street - Townhouse) District, Modified, Holding to "RT-30/S-1781-H2" (Street - Townhouse) District, Modified

Scale:
N.T.S

File Name/Number:
ZH-21-022

Date:
June 8, 2021

Planner/Technician:
JV/AL



Hamilton

Authority: Item 4, Planning Committee
Report 21-014 (PED21035(a))
CM: September 29, 2021
Ward: City Wide
Bill No. 163

CITY OF HAMILTON

BY-LAW NO. 21-

To Designate The Revitalizing Hamilton's Commercial Districts Community Improvement Project Area

WHEREAS Section 28 of the *Planning Act* entitled "Community Improvement" provides in subsection (2) that "Where there is an official plan in effect in a local municipality or in a prescribed upper-tier municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole or any part of an area covered by such an official plan as a community improvement project area";

AND WHEREAS under Section 28(1) of the *Planning Act*, a "community improvement project area" is defined as "a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason";

AND WHEREAS Section F.1.15 of the Hamilton Urban Official Plan contains provisions relating to community improvement;

AND WHEREAS By-law 21-___ identifies various commercial areas in the City of Hamilton including the Ancaster Commercial District Community Improvement Project Area, Barton Village Commercial District Community Improvement Project Area, Binbrook Commercial District Community Improvement Project Area, Concession Street Commercial District Community Improvement Project Area, Downtown Hamilton Commercial District Community Improvement Project Area Dundas Commercial District Community Improvement Project Area, Locke Street Commercial District Community Improvement Project Area, Ottawa Street Commercial District Community Improvement Project Area, Stoney Creek Commercial District Community Improvement Project Area, Waterdown Commercial District Community Improvement Project Area, Westdale Commercial District Community Improvement Project Area, the Mount Hope/Airport Gateway Community Improvement Project Area, Strategic Commercial Corridors Community Improvement Project Area (Maps 1 through 6) as well as all properties within the municipal boundary designated under Part IV or V of the *Ontario Heritage Act*, and collectively designates said areas as the "Revitalizing Hamilton's Commercial Districts Community Improvement Project Area";

AND WHEREAS attached hereto and forming part of this by-law as Schedule 'A', are maps of selected areas of the City of Hamilton dated January 2021 and titled 'Revitalizing Hamilton's Commercial Districts Community Improvement Project Area Map';

AND WHEREAS the Council of the City of Hamilton considers it appropriate to designate said areas of the municipality as a "community improvement project area", as hereinafter provided for in this by-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 16-125 is repealed on such day that By-law 21-163 enacting the Revitalizing Hamilton's Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*.
2. The geographic areas of the City of Hamilton as defined in Schedule "A" and forming part of this by-law, are hereby designated as the "Revitalizing Hamilton's Commercial Districts Community Improvement Project Area".
3. A heritage property that is not otherwise included in a defined area within the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area as described in Section 2 above, is designated as part of said Project Area, provided that the property/building is:
 - a) designated under Part IV or Part V of the *Ontario Heritage Act*;
 - b) located within the municipal boundary of the City of Hamilton; and,
 - c) currently, or will be, used for a commercial, institutional, industrial and/or multi-residential use.
4. A property that is not otherwise included in a defined area within the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area as described in Section 2 or 3 above, is designated as part of said Project Area, provided that the property is:
 - a) adjacent to an eligible CIPA property; and
 - b) is forming part of a comprehensive development with an adjacent CIPA property with the determination of properties forming part of a comprehensive development at the discretion of the City and will include consideration of physical elements which are required for the satisfactory functionality of both properties.
5. A property that is only partially included in a defined area within the Revitalizing Hamilton's Commercial Districts Community Improvement

Project Area as described in Section 2 or 3 above, may be designated wholly, partially or not at all as part of said Project Area at the discretion of the City based on considerations that may include, but may not limited to:

- a) the relative proportion of the property located within the CIPA boundary versus that located outside the CIPA boundary;
- b) the presence of any existing/planned buildings/structures and their planned use on the portion of the property within the CIPA boundary; and/or,
- c) the overall planned use/development of the property and its conformity with the purpose and goals of the Revitalizing Hamilton's Commercial Districts Community Improvement Plan and its applicable programs.

PASSED this 29th day of September, 2021

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule "A" to By-law No. 21-163

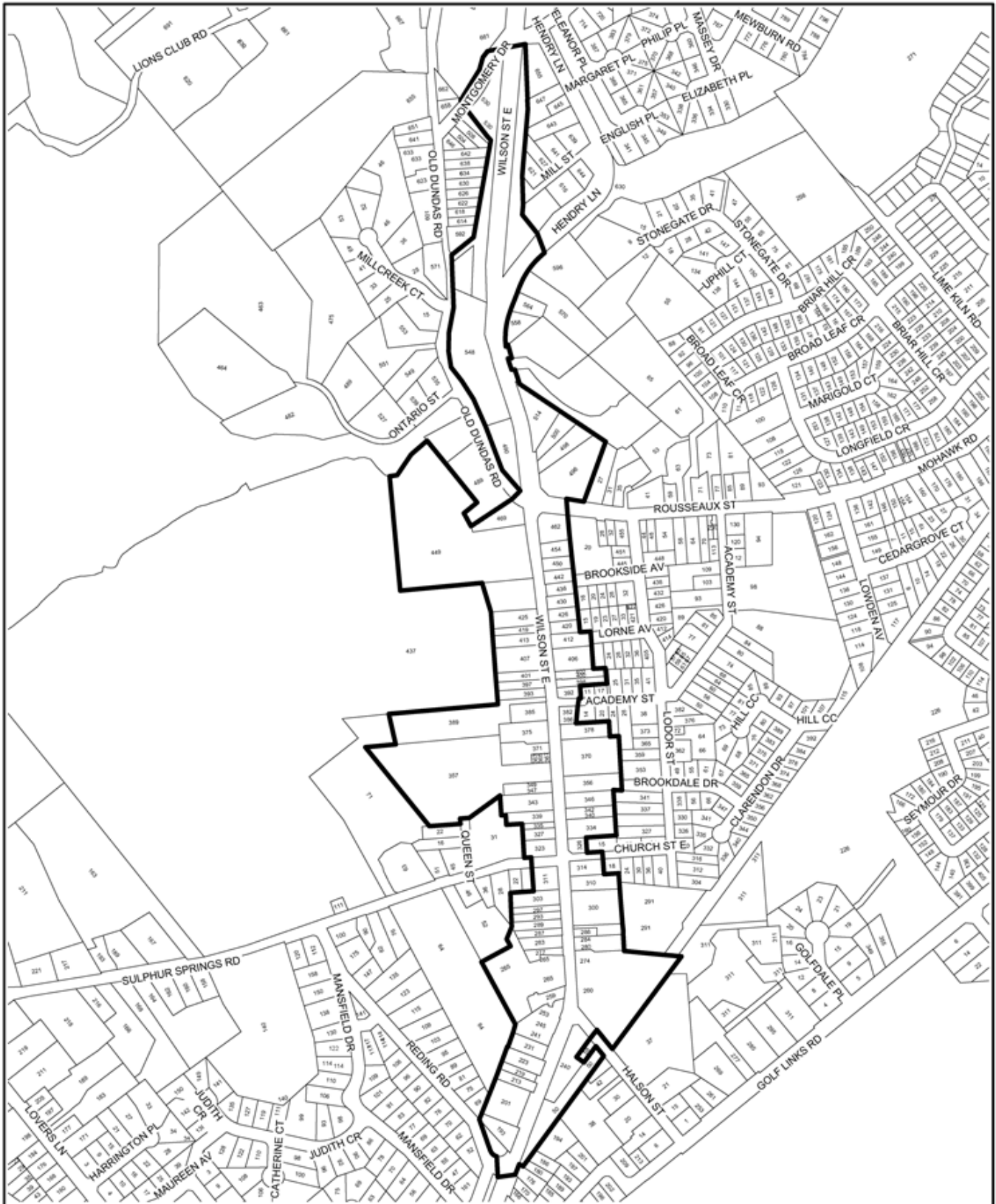
CITY OF HAMILTON

**REVITALIZING HAMILTON'S
COMMERCIAL DISTRICTS
COMMUNITY IMPROVEMENT
PROJECT AREA**

**Planning and Economic Development Department
Economic Development Division**

September 2021

This Project Area repeals and replaces the Downtown and Community Renewal Community Improvement Project Area, originally adopted and approved by Hamilton City Council on May 11, 2016 (By-law 16-125), as amended.



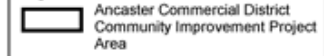
Schedule "A"
Map Forming Part of By-Law No. 21-

Date:
January 2021



Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map

Legend



Hamilton
PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT

To Designate The Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area



Hamilton
PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT

**Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map**

Date: January 2021

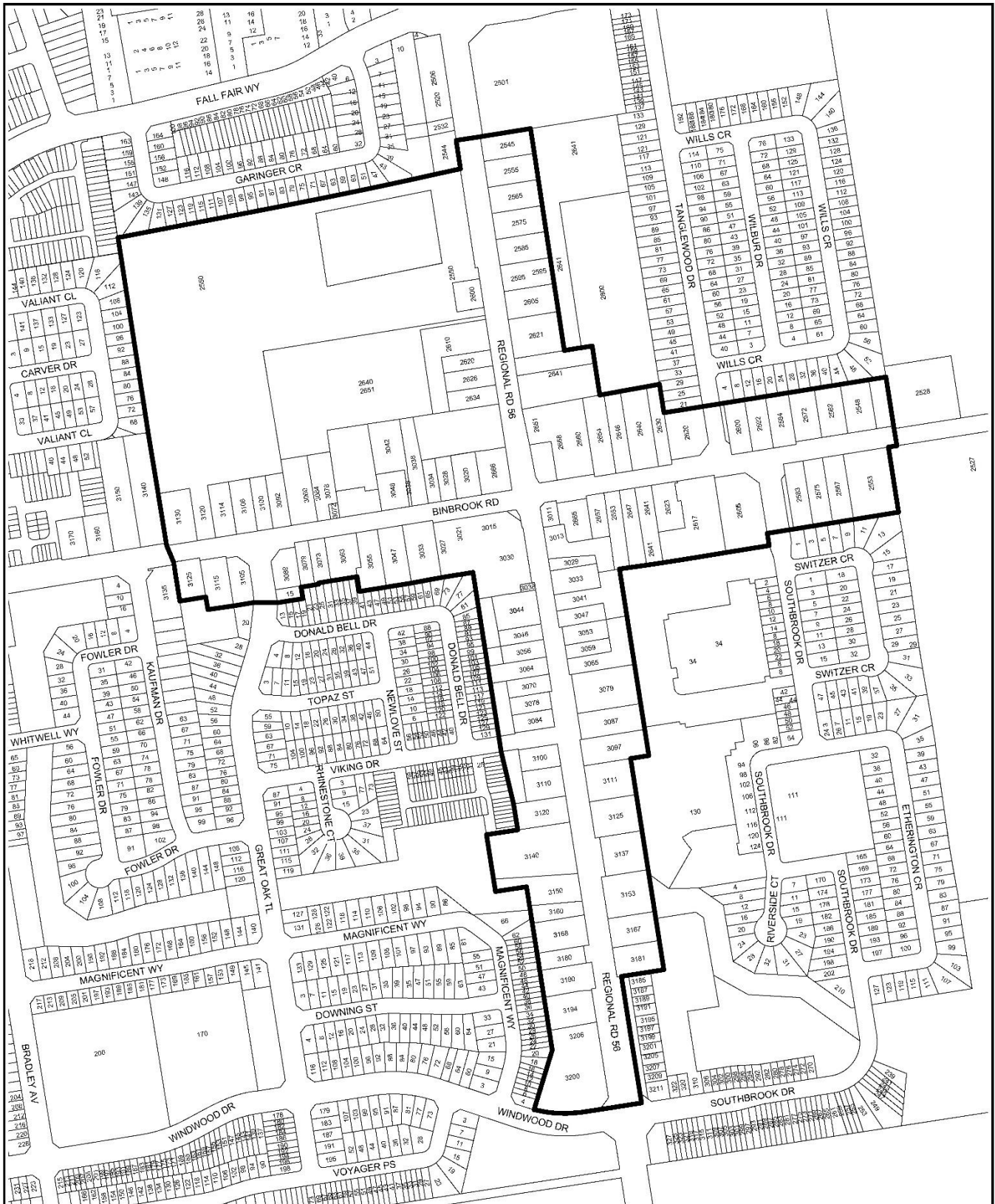
Legend

- Baron Village Commercial District Community Improvement Project Area

Not To Scale

Schedule "A"
Map Forming Part of By-Law No. 21-_____

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Schedule "A"
Map Forming Part of By-Law No. 21-

Date:
January 2021

**Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map**

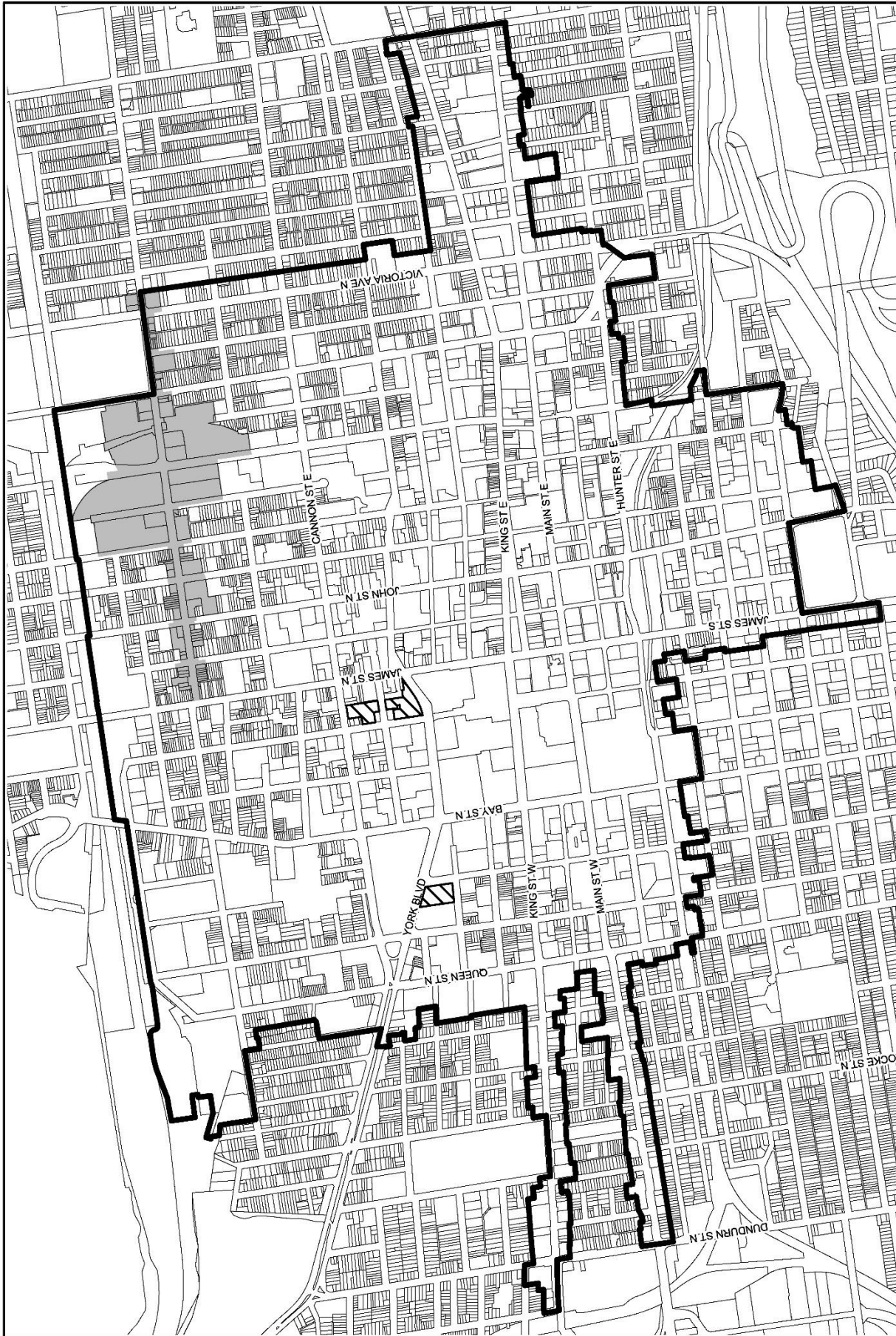


Legend
 Binbrook Commercial District
 Community Improvement Project Area



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To Designate The Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area



**Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map**

Legend

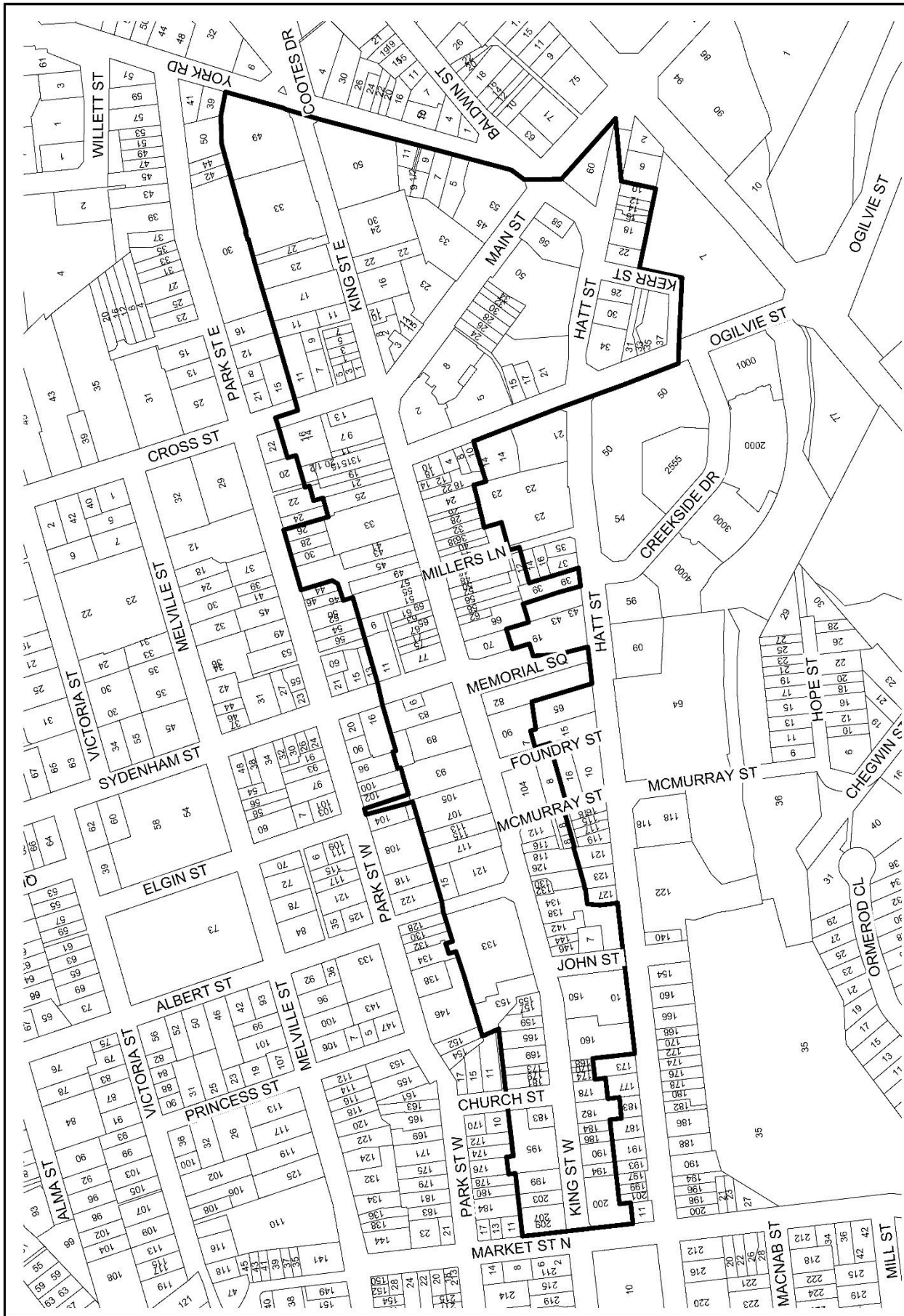
- Downtown Hamilton Commercial District Community Improvement Project Area
- Area also available for the Downtown Entertainment Precinct Advancement
- Area also available for Barton/Kenworthy Commercial Corridor Building Improvement Grant Program

Date: January 2021

Not To Scale

Schedule "A"
Map Forming Part of By-Law No. 21- _____

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Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map

Legend

Dundas Commercial District Community Improvement Project Area

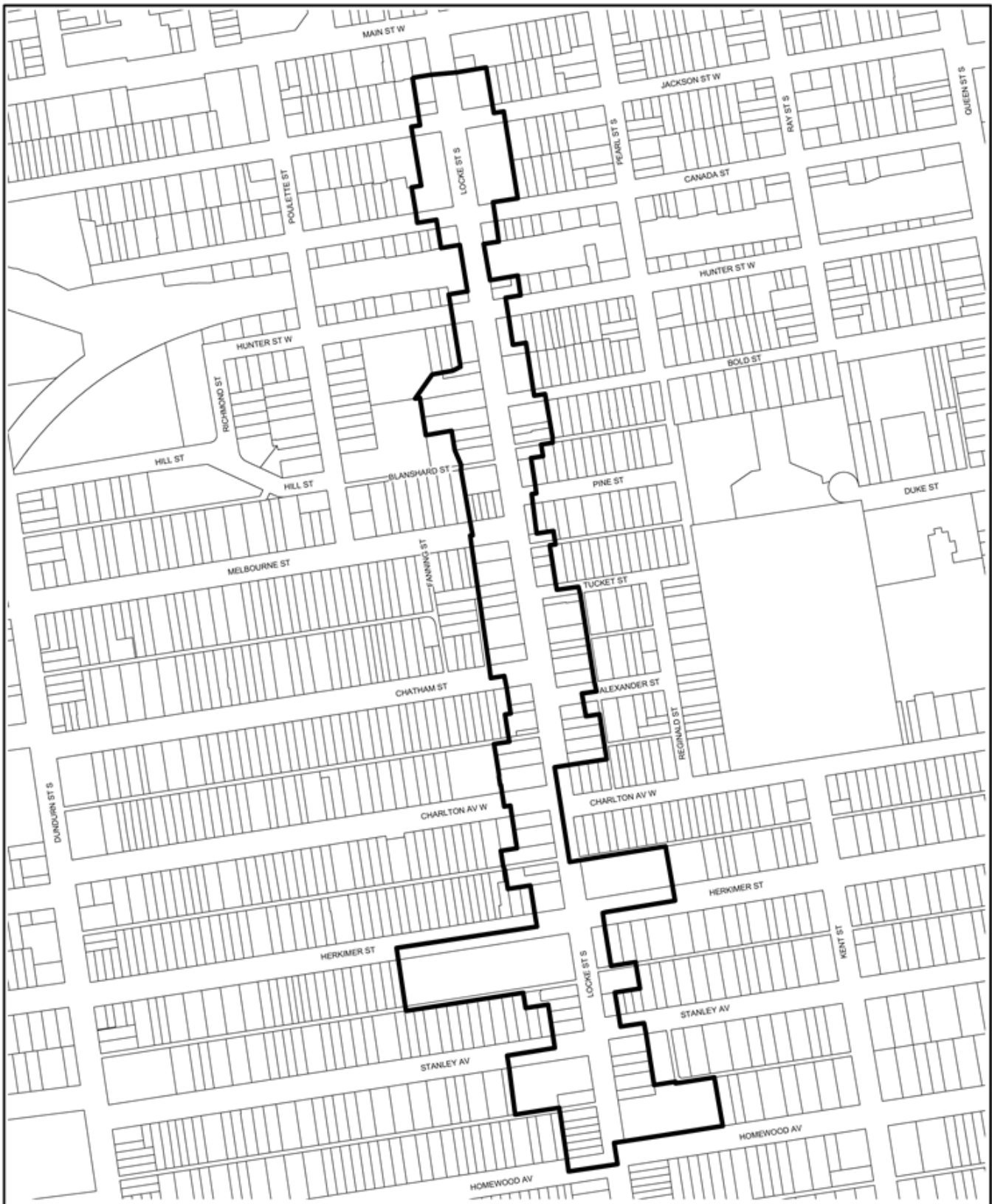
Date:
January 2021



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Schedule "A"
Map Forming Part of By-Law No. 21- _____

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Schedule "A"
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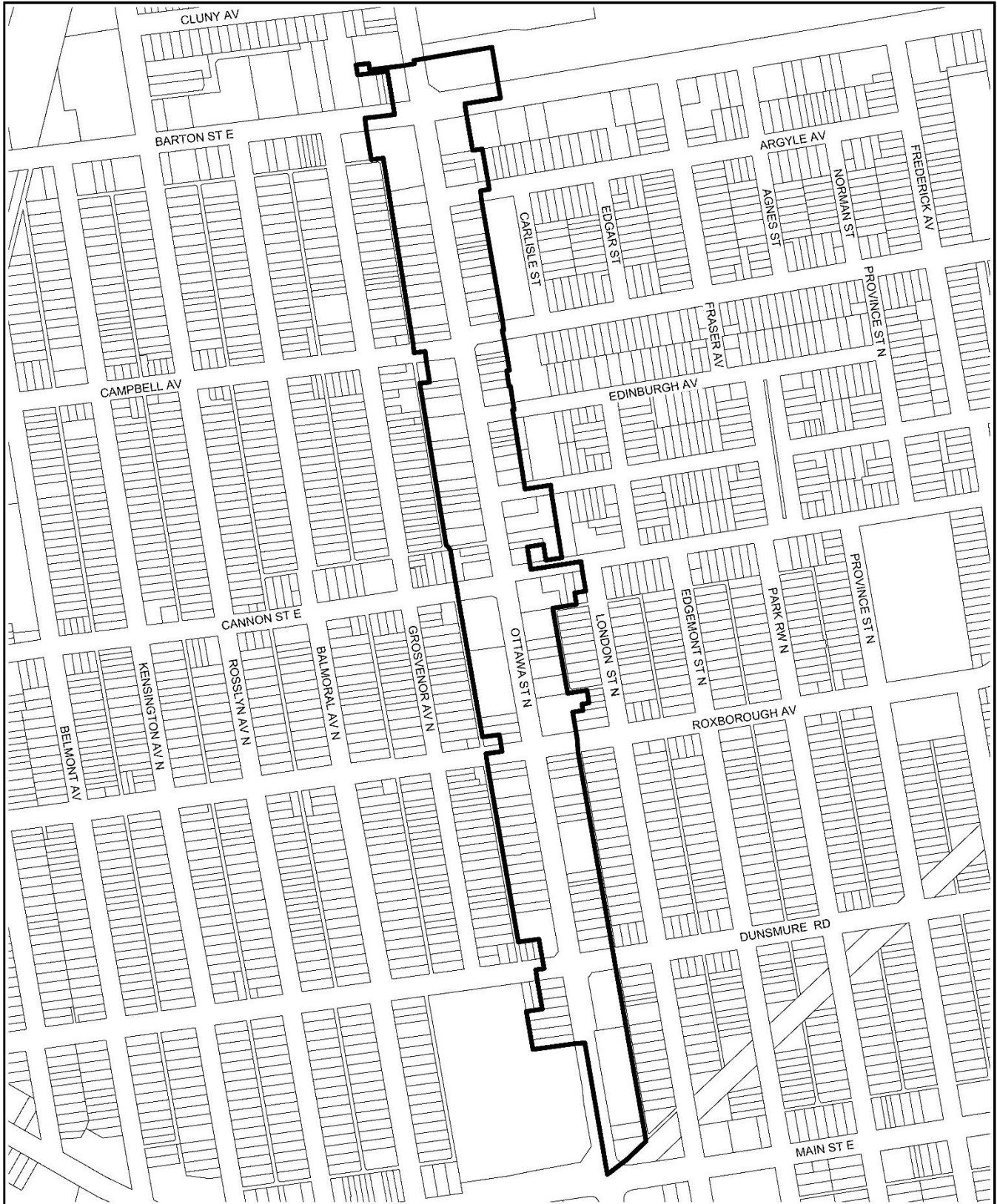
Date: January 2021
**Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map**

Legend



Locke Street Commercial District
Community Improvement Project Area





Schedule "A"
Map Forming Part of By-Law No. 21-_____

Date: January 2021	Revitalizing Hamilton's Commercial Districts Community Improvement Project Area Map	 HAMILTON <small>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</small>
 Not To Scale	Legend  Ottawa Street Commercial District Community Improvement Project Area	



Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map

Legend

Stoney Creek Commercial District
Community Improvement
Project Area

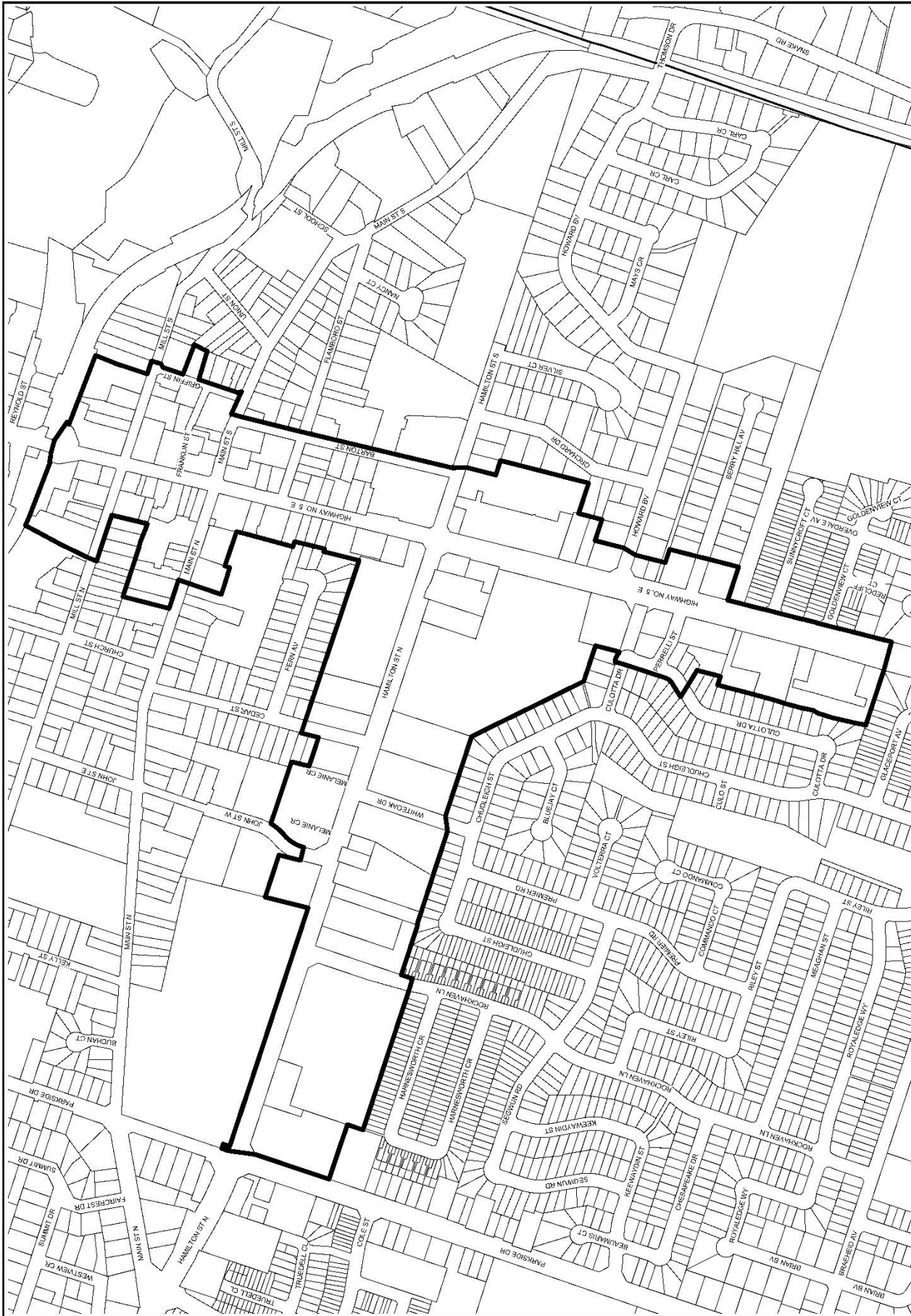
Date: January 2021

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Schedule "A"

Map Forming Part of By-Law No. 21-

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Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map

Legend

- Waterdown Commercial District
- Community Improvement Project Area

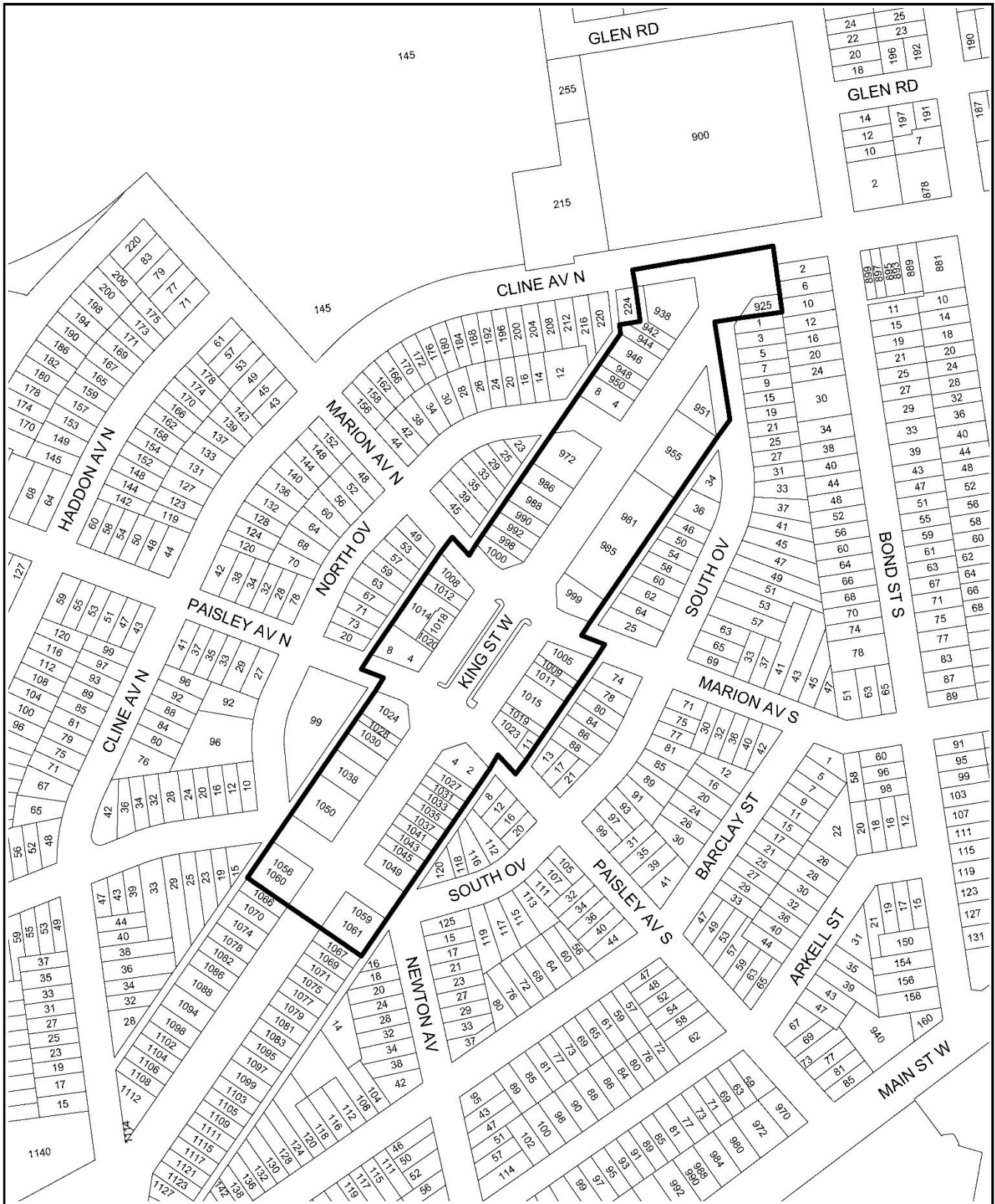
Date:
January 2021



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Schedule "A"
Map Forming Part of By-Law No.21- _____

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Schedule "A"
Map Forming Part of By-Law No. 21-

Date:
January 2021

Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map

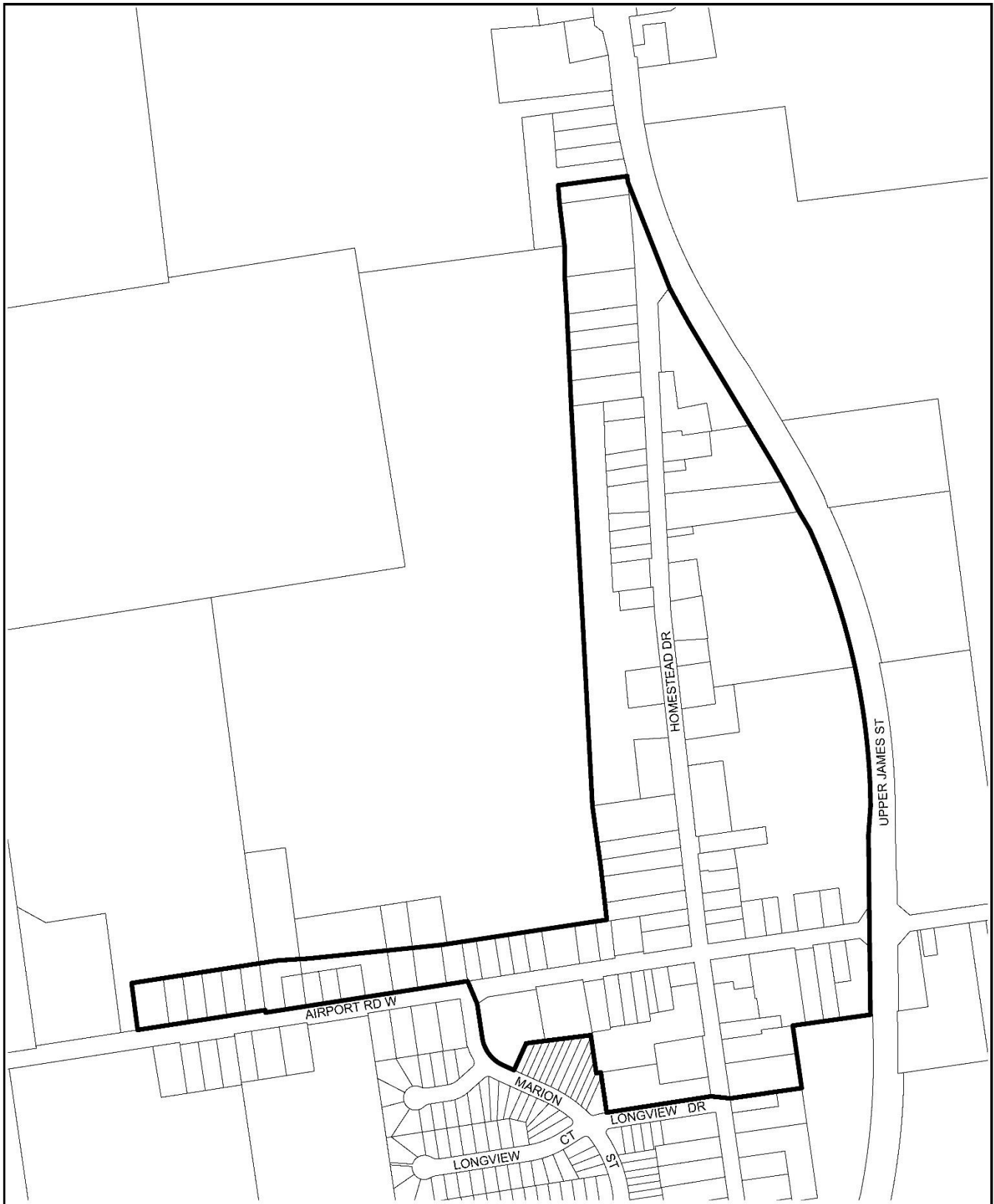


Legend

 Westdale Commercial District Community Improvement Project Area



Hamilton
2-AN-AN-AND ECONOMIC
DEVELOPMENT DEPARTMENT



Schedule "A"
Map Forming Part of By-Law No. 21-_____


Date:
January 2021

Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map



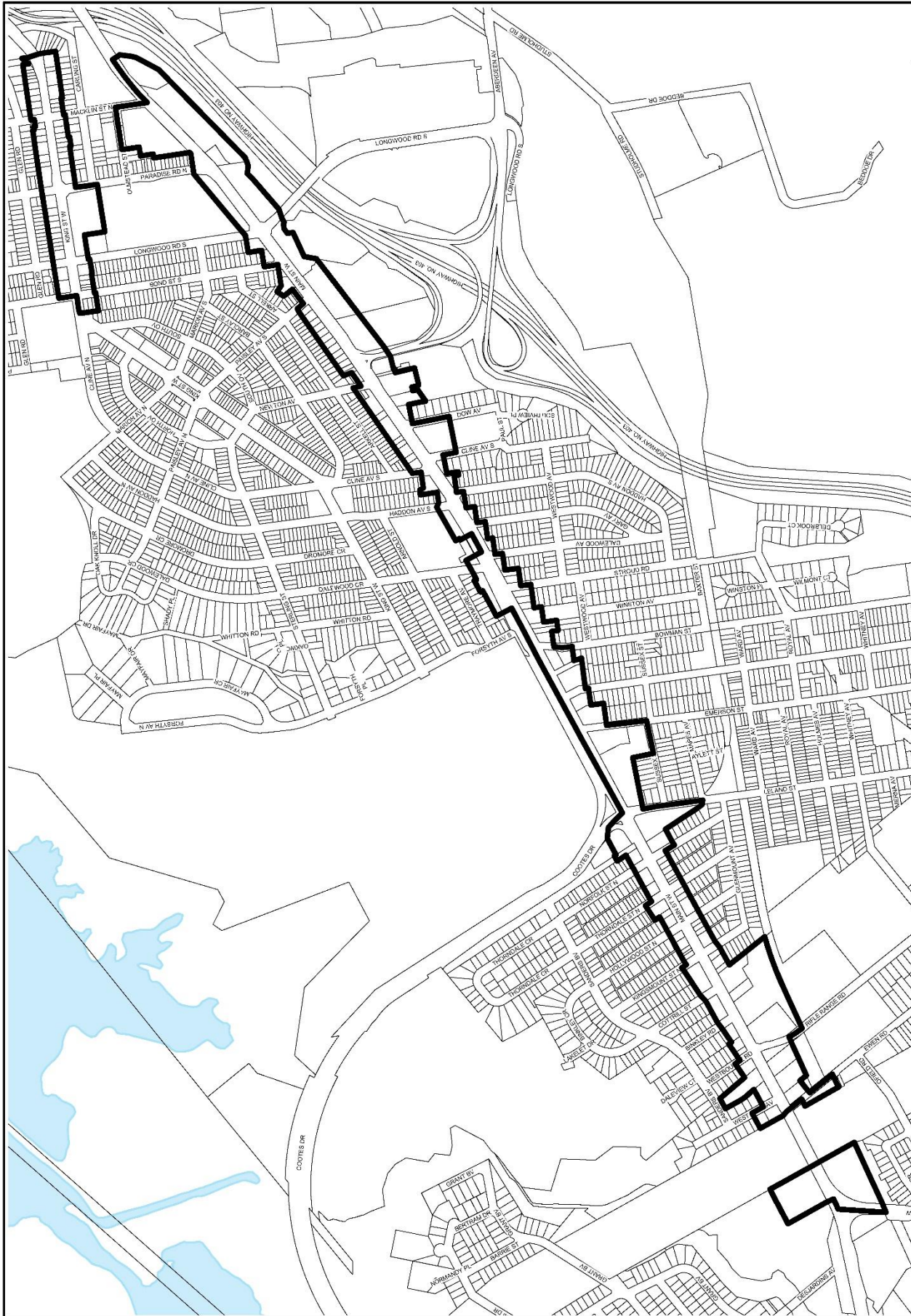
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Legend

 Mount Hope / Airport Gateway
Community Improvement Project Area



Hamilton
2020
PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT



Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map

Legend

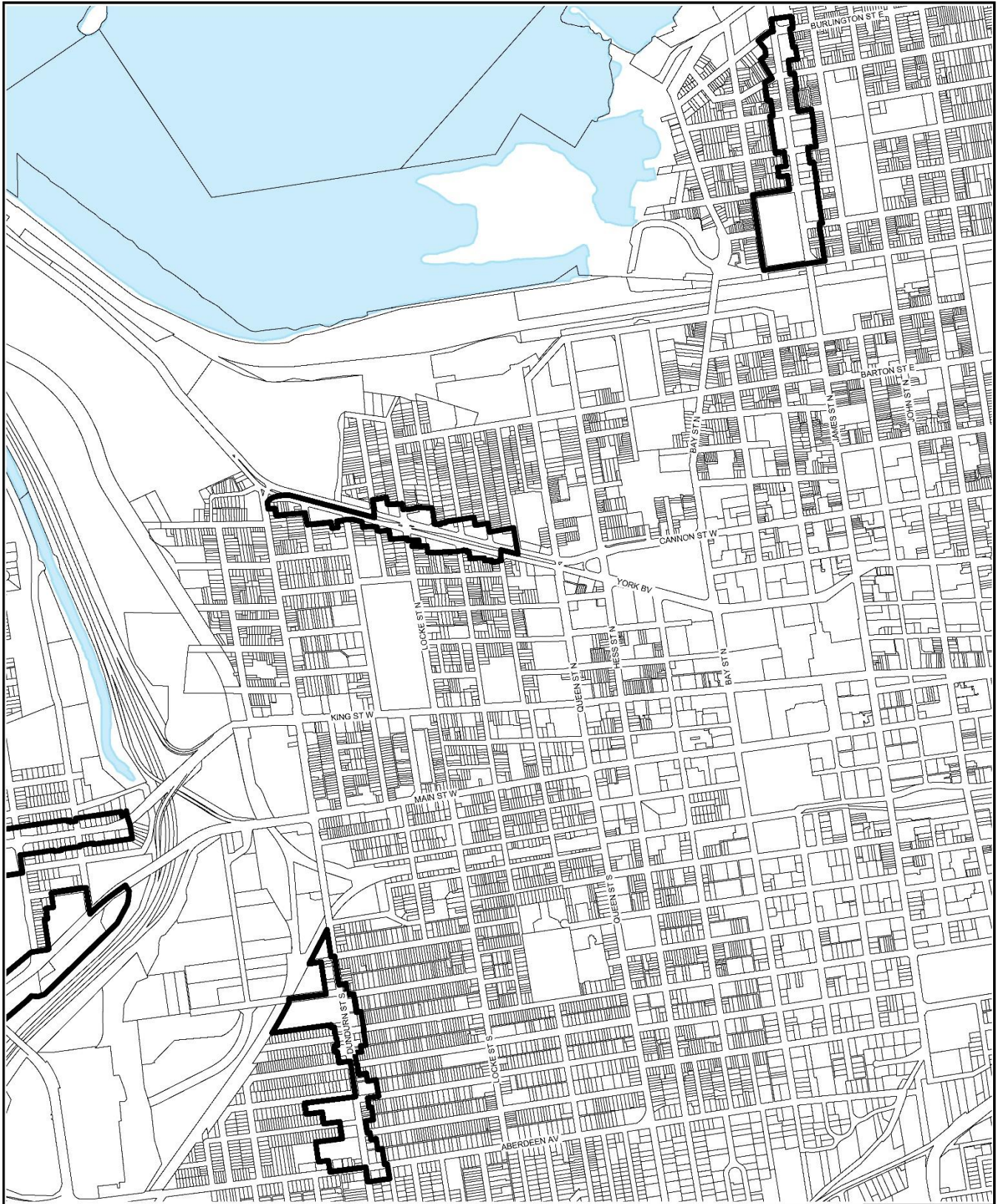
□ Strategic Commercial Corridors
Community Improvement Project Area (Map 1)

Date:
January 2021

North Arrow
Not To Scale

Schedule "A"
Map Forming Part of By-Law No. 21- _____

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Schedule "A"
Map Forming Part of By-Law No. 21-


Date:
January 2021



Not To Scale

**Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map**

Legend

 Strategic Commercial Corridors
Community Improvement Project
Area (Map 2)



Hamilton
PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT



**Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map**

Legend

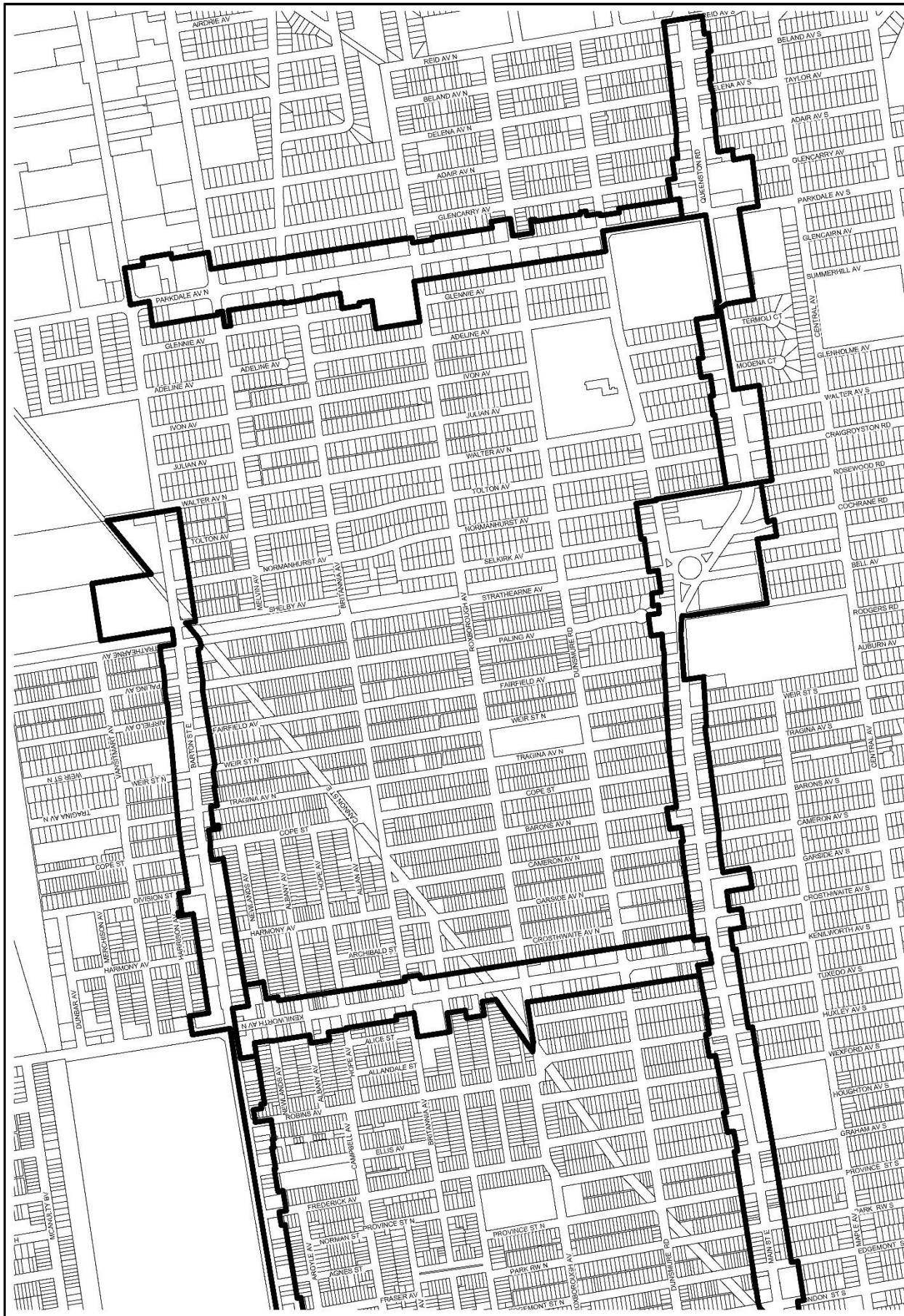
Strategic Commercial Corridors
Community Improvement Project
Area (Map 5)




Date:
January 2021

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Schedule "A"
Map Forming Part of By-Law No. 21- _____

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Revitalizing Hamilton's Commercial Districts Community Improvement Project Area Map	
Date: January 2021	Legend  Strategic Commercial Corridors Community Improvement Project Area (Map 4)
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<h2>Schedule "A"</h2> <h3>Map Forming Part of By-Law No. 21-</h3>	
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Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map

Legend
 Strategic Commercial Corridors
Community Improvement Project
Area (Map 5)

Date:
January 2021

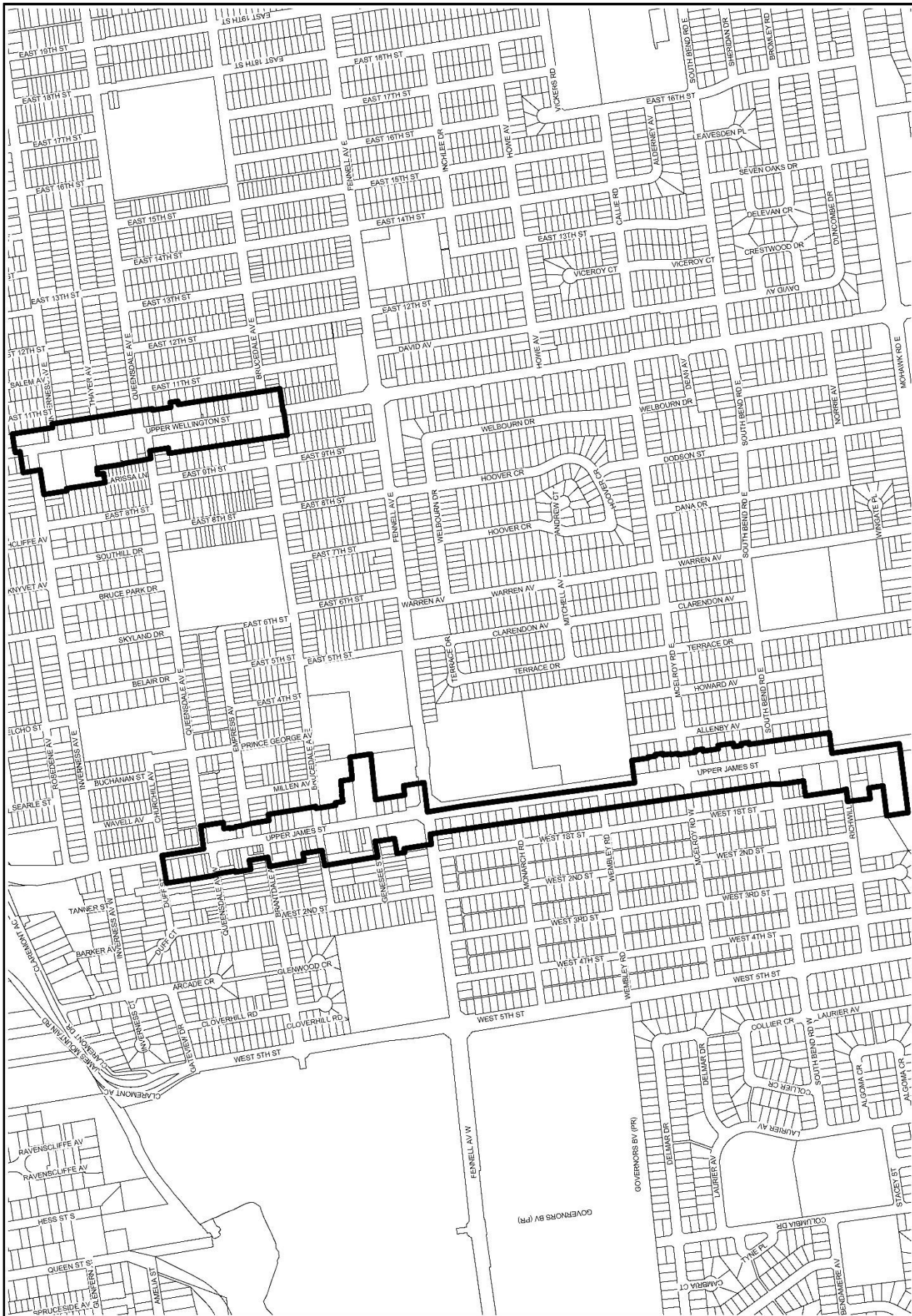


Not To Scale

Schedule "A"
Map Forming Part of By-Law No. 21- _____

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To Designate The Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area



Hamilton
PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT

**Revitalizing Hamilton's Commercial Districts
Community Improvement Project Area Map**

Date:
January 2021

Strategic Commercial Corridors
Community Improvement Project
Area (Map 6)

Legend

North Arrow

Not To Scale

Schedule "A"

Map Forming Part of By-Law No. 21-_____

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Authority: Item 4, Planning Committee
Report 21-014 (PED21035(a))
CM: September 29, 2021
Ward: City Wide

Bill No. 164

CITY OF HAMILTON

BY-LAW NO. 21-

To Adopt The Revitalizing Hamilton's Commercial Districts Community Improvement Plan

WHEREAS By-law No. 21-163 passed on the 29th day of September 2021, designated the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area;

WHEREAS Section 28(4) of the *Planning Act* states that where a by-law has been passed to designate a community improvement project area, the Council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

WHEREAS under Section 28(1) of the *Planning Act* "community improvement" means "the planning or re-planning, design or redesign, re-subdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary";

WHEREAS Section F.1.15 of the Urban Hamilton Official Plan contains provisions relating to community improvement;

WHEREAS Council, by its Planning Committee, held a public meeting on September 21, 2021 to discuss and receive public input regarding adoption of the Revitalizing Hamilton's Commercial Districts Community Improvement Plan, and has taken other required steps, prior to the enactment of this by-law, to adopt a community improvement plan for the Revitalizing Commercial Districts Community Improvement Project Area, as required by the *Planning Act* and Chapter F – Implementation, Section 1.17.2 of the Urban Hamilton Official Plan; and,

WHEREAS the City has prepared a plan entitled "Revitalizing Hamilton's Commercial Districts Community Improvement Plan" attached hereto as Schedule "A" and forming part of this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law No. 16-126 is repealed.

2. The Revitalizing Hamilton's Commercial Districts Community Improvement Plan attached hereto as Schedule 'A' and forming part of this By-law, is hereby adopted as the Community Improvement Plan for the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area designated by By-law No. 21-163.

PASSED this 29th day of September, 2021

F. Eisenberger
Mayor

A. Holland
City Clerk

Schedule "A" to By-law No. 21-164

CITY OF HAMILTON

**REVITALIZING HAMILTON'S
COMMERCIAL DISTRICTS
COMMUNITY IMPROVEMENT PLAN**

**Planning and Economic Development Department
Economic Development Division**

September 2021

This Plan replaces the Downtown and Community Renewal Community Improvement Plan, originally adopted and approved by Hamilton City Council on May 11, 2016 (By-law 16-126), as amended.

1.0 INTRODUCTION

As Hamilton has grown and prospered, so too have the commercial districts that have served as important destinations for Hamiltonians to work, shop, live and play. Overtime, these areas have become an integral part of Hamilton's urban fabric and to this day continue to serve an important role in supporting commerce in the city while also providing opportunities for a range of supporting amenities and uses including residential, institutional and recreational activities.

Today, not all commercial districts exist equally as their success ebbs and flows in response to changing commercial needs and trends. As a result, not all districts have continued to see the same level of investment and success that they once did despite the vital role these areas have in contributing to the overall prosperity of Hamilton and its residents.

This Plan, and the incentive programs it supports, are but one response to address the current and emerging issues facing Hamilton's commercial districts.

2.0 PURPOSE OF THIS CIP

This Community Improvement Plan is intended to provide a framework for the provision of financial incentive programs that will support the revitalization of strategic urban commercial districts by minimizing financial barriers to, and stimulating new private sector investment in, the development of under-utilized properties and/or improve the appearance, functionality, marketability, usability and/or safety of existing buildings.

The expected outcome of this CIP is to achieve sustainable investment and growth in commercial districts that will allow these areas to emerge as more socially cohesive, economically prosperous and environmentally sustainable communities.

As an implementation tool, this plan builds upon past community improvement efforts for Hamilton's commercial districts. Programs enabled through this CIP will complement and implement the vision and policies established in related plans and strategies including Provincial planning policies, the City of Hamilton's 2016-2025 Strategic Plan, 2016-2020 Economic Development Action Plan, and its successor, and the Urban Hamilton Official Plan. These and other supporting documents are reviewed in Section 5.0 and provide rationale for the Community Improvement Project Areas described in Section 6.0 as well as the context for this Plan's goals and objectives stated in Section 7.0.

Monitoring of this Plan's implementation is outlined through reporting as noted in Section 9.0. This Plan may be amended from time to time in accordance with Section 10.0.

3.0 LEGISLATIVE AUTHORITY

The provision of financial incentives or other undertakings by a municipality to facilitate or carry-out community improvement in Ontario are primarily governed by the *Planning Act* and *Municipal Act*. Together these acts identify the tools, and their parameters, which municipalities may authorize and utilize for community improvement.

3.1 Provincial Legislation

Section 28 of the *Planning Act* (as amended) permits a municipality to establish a Community Improvement Plan (CIP) for the purposes of facilitating the community improvement of an area through the provision of financial incentives or actions which would otherwise be prohibited under Sub-section 106(2) of the *Municipal Act* (as amended). A CIP may be enacted by a municipality, by by-law, provided that:

- The municipalities Official Plan contains provisions relating to community improvement;
- The CIP identifies the geographic Community Improvement Project Area (CIPA) for which Council is of the opinion it is desirable to improve because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason (*Planning Act*, Subsection 28(2)) and which includes the provision of affordable housing; and
- The total of all grants, loans and/or tax assistance provided with respect to lands or buildings within the CIPA do not exceed the eligible costs as described within the CIP.

Once a CIP has come into effect, a municipality may:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement;
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in the CIPA in conformity with the CIP, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;
- Sell, lease or otherwise dispose of any land acquired or held by it in the CIPA to any person or governmental authority for use in conformity with the CIP;
- Provide grants and/or loans in conformity with the CIP, to registered owners, assessed owners and tenants of lands and buildings within the CIPA, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole, or any part of the, eligible costs of the CIP; and

- Provide grants and/or loans for eligible costs identified within the CIP which may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of land and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.

3.2 Municipal Authorization

Community improvement policies are contained in Section 1.15 of the Urban Hamilton Official Plan (UHOP) (as amended). In particular, the UHOP states the following with respect to municipal authorization of CIPs:

- It is the intent of Council through Community Improvement to promote and maintain a high-quality living and working environment throughout the City. Community Improvement shall be accomplished through (1) the upgrading and ongoing maintenance of communities or areas as characterized by obsolete buildings, and/or conflicting land uses and/or inadequate physical infrastructure and community services, and, (2) the establishment of policies and programs to address identified economic, land development and housing supply issues or needs throughout the Urban Area.”; and
- Community Improvement shall be carried out through the designation, by Council, of Community Improvement Project Areas and through the preparation and implementation of Community Improvement Plans pursuant to the Planning Act, R.S.O., 1990 c. P.13. It is the intent of Council that the entire urban area or any part of the urban area as defined in this Plan, and as subsequently amended, may by by-law be designated as a Community Improvement Project Area.

4.0 PREVIOUS PLANS, PROGRAMS AND INITIATIVES

This Plan replaces the Downtown and Community Renewal Community Improvement Plan as adopted by By-law 16-126 (as amended) and formerly known through previous iterations as the Downtown Hamilton, Community Downtowns and Business Improvement Areas Community Improvement Plan.

This plan is a continuation of revitalization efforts in Hamilton's commercial districts which has occurred previously through various community improvement plans which were in place prior to the amalgamation of the Hamilton-Wentworth Region with its local area municipalities in 2001. In 2007 the Downtown Hamilton, Community Downtowns and Business Improvement Areas Community Improvement Plan (hereon referred to as the '2007 Plan') was adopted which combined twelve different CIPs into one new plan. Those individual plans and associated project areas were focused on Downtown Hamilton, the community downtowns of Dundas, Stoney Creek and Waterdown, as well as the Business Improvement Areas (BIAs). The 2007 Plan also introduced additional community improvement project areas in the Ancaster Village Core, Binbrook Community Core, and the Locke Street BIA. The 2007 Plan was then amended to extend programs to various commercial corridors within the City. The Plan was subsequently amended in 2014 to include the Mount Hope / Airport Gateway.

The Revitalizing Hamilton's Commercial Districts Community Improvement Plan maintains the intent of past plans and ensures that programs being offered by the City remain relevant to current policy direction including the City's 2016-2025 Strategic Plan, the 2016-2020 Economic Development Action Plan and its successor and the Urban Hamilton Official Plan.

As provided above, the various programs described within Section 8.0 of this Plan may be reviewed and amended from time to time, and new programs added, in accordance with Section 10.0.

In addition to this Plan, there have been other notable strategic initiatives and investments made in the Community Improvement Project Areas (CIPA) where this Plan applies. These initiatives have facilitated the creation of an environment that demonstrate the City's on-going commitment to the revitalization of Hamilton's commercial districts. These initiatives include:

- The partial waiving of development charges in the Downtown Hamilton Community Improvement Project Area (CIPA);
- Development charge reductions for small-scale, non-industrial developments in BIAs and other commercial areas identified as a CIPA under this Plan;
- The introduction of a program to provide rebates on City planning and building application fees in the Barton Street East and Kenilworth Avenue North corridors;

- A comprehensive review of the Downtown Hamilton Secondary Plan to guide development within the City's Urban Growth Centre (UGC);
- Funding commitments by City Council that contributed towards the establishment of the David Braley Health Sciences Centre in Downtown Hamilton as well as various affordable housing projects;
- The approval of the Urban Hamilton Official Plan which provided the foundation for robust direction for development, particularly with respect to infill and intensification in commercial districts and corridors;
- The conversion of one-way streets to two-way streets along with streetscape improvement projects to enhance pedestrian environment and urban street life;
- The undertaking of master plans, design guidelines and studies to support improved public spaces and building design;
- The establishment of the 10-year Downtown Capital Budget Plan to identify priorities improvements to infrastructure and public spaces resulting in capital projects such as the Lister Block revitalization, MacNab Street Transit Terminal development and Gore Park improvements;
- Capital projects in the community downtowns/village cores including Ancaster Square, Dundas Memorial Square, Waterdown Memorial Hall and new parks in Stoney Creek and Binbrook;
- The completion and updating of Commercial Market Analysis and Action Plans for Business Improvement Areas, as well as the design and installation of BIA gateway features;
- The undertaking of the Barton-Kenilworth Commercial Corridors Study;
- The introduction of the Hamilton Downtown Public Art Reserve to promote new public art projects that improve the quality of public spaces and contribute toward an animated street life in Downtown; and
- Future improvements to downtown entertainment facilities including the FirstOntario Centre, FirstOntario Concert Hall and the Hamilton Convention Centre.

5.0 SUPPORTING POLICY FRAMEWORK

Existing Provincial and City policy frameworks contain policies that support the purpose and goals and objectives of this CIP as outlined in Sections 2.0 and 7.0 respectively as well as the associated incentive programs described in Section 8.0. The key supporting policies from applicable policy documents are outlined below.

5.1 Provincial Policy Statement (2020)

The Province of Ontario's Provincial Policy Statement (PPS) provides policy direction for land use planning and development matters which are of Provincial interest including protecting resources, supporting public health and safety and creating high-quality natural and built environments. The PPS emphasizes the need for strong communities and identifies the need to provide sufficient housing which is affordable, and which will serve a broad range of needs within the community.

This CIP is consistent with the PPS and specifically addresses the following provincial interests identified within the PPS:

- Support land use patterns which efficiently use land and resources, efficiently use infrastructure and public services, minimize negative impacts to air quality and climate change, support active transportation and are transit-supportive (PPS, Subsection 1.1.3.2)
- Promote opportunities for transit-supportive development and a significant supply and range of housing options through intensification and redevelopment (PPS, Subsection 1.1.3.3);
- Coordinate economic, environmental and social planning considerations to support efficient and resilient communities (PPS, Subsection 1.2.3);
- Provide for an appropriate range and mix of housing options to meet market-based and affordable housing needs for current and future residents (PPS, Subsection 1.4.3);
- Promoting green infrastructure (PPS, Subsection 1.6.2);
- Promoting opportunities for economic development and community investment-readiness (PPS, Subsection 1.7.1 (a));
- Encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce (PPS, Subsection 1.7.1 (b));
- Maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets (PPS Subsection 1.7.1 (c)); and

- Supporting energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and preparing for the impacts of a changing climate by promoting compact form and a structure of nodes and corridors as well as encouraging transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion (PPS, Subsection 1.8.1 (a) and (e)).

5.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) provides a policy framework for implementing the Province’s vision for planning and managing growth and development within the Greater Golden Horseshoe (GGH), including Hamilton, in a way that supports complete communities, economic prosperity, protects the environment and helps communities achieve a high quality of life (Growth Plan, Section 1.2). To support this objective, the Growth Plan identifies a series of guiding principles which include, among other things, prioritizing intensification and higher density development in strategic growth areas so as to make efficient use of land and infrastructure and support transit viability (Growth Plan, Subsection 1.2.1). These principals are achieved through supporting policies and the establishment of minimum density targets to be achieved within the applicable planning horizon as stated in the Growth Plan.

This CIP is consistent with the Growth Plan, its guiding principles, and specifically, the following policies as identified within the Growth Plan:

- That, in Hamilton, a minimum of 50 percent of all residential development occurring annually will be within the built-up area (Growth Plan, Subsection 2.2.2 (a));
- Urban Growth Centres will be planned as focal areas for investment, serve as high-density major employment centres and accommodate significant population and employment growth (Growth Plan, Subsection 2.2.3 (1.));
- That:
 - Hamilton’s Urban Growth Centre be planned to achieve by 2031 or earlier a minimum density target of 200 residents and jobs per hectare (Growth Plan, Subsection 2.2.3 (2. b.)); and
 - major transit station areas on priority transit corridors be planned for a minimum density target of 160 residents and jobs combined per hectare when served by light rail transit or bus rapid transit (Growth Plan, Subsection 2.2.4 (3. b.)); and

*(See Section 5.5 of this CIP for modified and additional supporting density targets as established through the Urban Hamilton Official Plan)

- Development within major transit station areas will be supported to provide a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels (Growth Plan, Subsection 2.2.4 (9. a));
- Integrating land use planning and economic development goals and strategies to retain and attract investment and employment (Growth Plan, Subsection 2.2.5 (1. d));
- Retail and office uses will be directed to locations that support active transportation and have existing or planned transit (Growth Plan, Subsection 2.2.5 (3.));
- The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities (Growth Plan, Subsection 2.2.5 (15.));
- Support housing choice including affordable ownership housing and rental housing through the achievement of minimum intensification and density targets of the Growth Plan and utilizing available land use planning and financial tools to achieve these targets (Growth Plan, Subsection 2.2.6 a) and b)); and
- To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes (Growth Plan, Subsection 2.2.6 (3.)).

5.3 City of Hamilton 2016-2025 Strategic Plan (2016)

The City of Hamilton's 2016-2025 Strategic Plan (Strategic Plan) establishes a 10-year vision for the City that provides the context within which City services are provided in order to achieve the Plan's stated mission "to provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner". To achieve this, the Strategic Plan establishes seven priorities which were identified through community engagement and resident conversations including those that occurred through the Our Future Hamilton: Communities in Conversation initiative. These priorities are:

- Community Engagement and Participation
- Economic Prosperity and Growth
- Healthy and Safe Communities
- Clean and Green

- Building Environment and Infrastructure
- Culture and Diversity
- Our People and Performance

This CIP contributes towards the achievement of the Strategic Plan's vision for Hamilton as further outlined in Section 9.0 Monitoring, whereby performance measures and monitoring of this CIP and its associated programs are established and linked to the achievement of the Strategic Plan's vision.

5.4 2016-2020 Economic Development Action Plan (2016)

The 2016-2020 Economic Development Action Plan (EDAP) is a city-wide, action-oriented document that identifies areas of focus and key industry sectors that the City will concentrate resources and identify priority actions for. The EDAP identifies nine areas of focus in order to maximize economic benefits to the city and its residents. Of these, this CIP most directly supports the "Commercial Area Revitalization" area of focus which concentrates on the continued revitalization and increased vitality of the city's downtown, community downtowns, BIAs, and other commercial corridors. As part of this focus, the EDAP identifies the continued provision of financial incentives to stimulate development and revitalization in these areas and is the primary focus of this CIP; a focus that will continue as part of the next 2021-2025 EDAP.

5.5 Urban Hamilton Official Plan (2013)

The Urban Hamilton Official Plan (UHOP) is the City's long-term policy framework which establishes the City's vision for the future in terms of managing growth, land use change and the physical development of the city as it is affected by environmental, social and economic factors. The UHOP includes land use policy that establishes an urban structure based on nodes and corridors accompanied by overlaying land use designations that guide the development and redevelopment of the city including commercial and mixed-use areas. The UHOP also contains the necessary policies to enable the creation of this CIP, in accordance with the *Planning Act*, through Chapter F, Section 1.15 of the UHOP.

This CIP is consistent with the UHOP and specifically supports the following policies of the Plan:

Density Targets:

- Achieving an increased density target for Hamilton's Downtown Urban Growth Centre beyond that required by the Provincial Growth Plan of 250 people and jobs per hectare by 2031 (UHOP, Chapter A, Subsection 2.3.3.1);

- The City's primary intensification areas shall be the Urban Nodes and Urban Corridors (UHOP, Chapter B, Subsection 2.4.1.2); and
- A total of 26,500 residential units are to be accommodated within the built-up area between 2001 and 2031 (UHOP, Chapter A, Subsection 2.3.3.4) with the following general distribution as per UHOP, Chapter B, Subsection 2.4.1.3:
 - 20% of the residential intensification target planned for the Downtown Urban Growth Centre;
 - 40% of the residential intensification target planned for the Urban Nodes and Urban Corridors; and
 - 40% of residential intensification target planned for the Neighbourhoods.

Housing:

- Provide for a range of housing types, forms and densities to meet the social, health and well-being requirements of all current and future residents (UHOP, Chapter B, 3.2.1.1);
- Provide housing within complete communities (UHOP, Chapter B, 3.2.1.2)
- Increase the mix of and range of housing types, forms, tenures, densities, affordability levels and housing support throughout the City's urban area (UHOP, Chapter B, 3.2.1.6); and
- The achievement annual housing targets for both ownership and rental housing needs in the community including, market-based and affordable, low- and moderate-income targets as per UHOP, Chapter B, Subsection 3.2.2 and Tables B.3.2.1 and B.3.2.2).

Economy:

- The City will strengthen its economy by directing business activity to suitable locations (UHOP, Chapter B, Subsection 3.1.1 a)).

Environmental Sustainability/Climate Change

- The promotion of environmental sustainability through urban design including achieving compact development and resulting built forms and encouraging the use of Leadership in Energy and Environmental Design (LEED) or other environmental building rating tools for all development redevelopment (UHOP, Chapter B, Subsection 3.3.2.8 a) and d)).

In addition, the UHOP contains policies respecting existing, non-complying and non-conforming uses. Specifically, the UHOP contains the following policy:

- It is recognized there are some previously existing land uses that do not presently comply with the goals and objectives set out in this Plan. This Plan, while endeavouring to achieve a high degree of land use compatibility for new development, recognizes there is a degree of diversity in land use for existing areas where time and custom have achieved an acceptable level of tolerance. Many of these uses have been established for a considerable number of years. In some cases, it is recognized such situations exist and they can be continued in the interim. In other cases, there are some existing uses that not only do not comply with the Official Plan or conform to the Zoning By-law, and are incompatible with surrounding land uses (UHOP, Chapter F, Subsection 1.12).

As such, all existing and proposed developments participating in programs and initiatives contained within this Plan shall conform with the policies in the Official Plan and comply with all municipal by-laws and regulation, including applicable Zoning By-laws as per Section 1.15.4 of the UHOP.

Legally non-complying or non-conforming uses and/or properties located within a Revitalizing Hamilton's Commercial Districts CIPA may be eligible for participation in an applicable program under this Plan at the sole and absolute discretion of the City provided the use/building meets the following tests:

1. The proposed development must implement the intent and vision of the Urban Hamilton Official Plan (2013);
2. The Building Division records must validate the last recognized use as per a Zoning Verification stating the proposed use; and
3. Issuance of a Building Permit for the Legal Non-Conforming Use(s) must be qualified by the Building Division.

5.6 Secondary Plans

The following secondary plans include all or a portion of specific areas which are the subject of this Plan and identified in the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-Law.

Downtown Hamilton Secondary Plan

The Downtown Hamilton Commercial District CIPA encompass lands which are the subject of the Downtown Hamilton Secondary Plan (OPA 102). The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Reconnecting the Downtown to its neighbourhoods by developing vacant land and parking lots, and by rebalancing Downtown streets as attractive pedestrian places (UHOP Volume 2, Chapter B, 6.1.2 b));

- Recognizing and supporting the creation and continued development of Downtown residential neighbourhoods as key to revitalizing Downtown with residents contributing to the viability of downtown retailers and service providers (UHOP Volume 2, Chapter B, 6.1.2 c));
- Hamilton's legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort (UHOP Volume 2, Chapter B, 6.1.2 d));
- Shall accommodate a range of economic activities including retail and services that appeal to a broad Regional market and serve residents across the City and within the Downtown as well. (UHOP Volume 2, Chapter B, 6.1.3.2);
- Support Downtown Hamilton's role as the governmental, institutional, entertainment, and cultural centre of the City (UHOP Volume 2, Chapter B, 6.1.3.2 a));
- Promote retail areas geared to the needs of residents in the Downtown and adjacent neighbourhoods (UHOP Volume 2, Chapter B, 6.1.3.2 d));
- Investigate ways to leverage green infrastructure opportunities to improve air quality, absorb stormwater, minimize the urban heat island, and expand biodiversity (UHOP Volume 2, Chapter B, 6.1.3.6 e));
- Provide for a range of housing types, forms, and densities to meet the social, health, and well-being requirements of all current and future residents (UHOP Volume 2, Chapter B, 6.1.3.7 a));
- Increase Downtown's stock of affordable housing of all types (UHOP Volume 2, Chapter B, 6.1.3.7 c));
- The existing residential areas within the Downtown shall be maintained by encouraging the retention and adaptive re-use of existing buildings, including those identified as a built heritage resource through regulations and special programs that support the conversion of existing structures (UHOP, Volume 2, Chapter B, 6.1.5.2);
- All developments shall be encouraged to strive for LEED Gold or higher rating, or an equivalent standard (UHOP Volume 2, Chapter B, 6.1.13.1 h)); and
- Community Improvement Plans for the Downtown Hamilton Secondary Plan area shall align with the vision, principles, and objectives of the Secondary Plan (UHOP Volume 2, Chapter B, 6.1.14.2).

West Harbour (Setting Sail) Secondary Plan

The Downtown Hamilton Commercial District CIPA (between Cannon Street and the rail line) as well as the James Street North Strategic Commercial Corridor CIPA encompass properties which are the subject of the West Harbour (Setting Sail) Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Encourage compatible development on abandoned, vacant and underutilized land (UHOP Volume 2, Chapter B, 6.5.2.2 c));
- Support James Street North as the area's main commercial street (UHOP Volume 2, Chapter B, 6.5.2.2 d));
- Encourage new commercial uses that cater to the local neighbourhood (UHOP Volume 2, Chapter B, 6.5.2.2 e));
- Preserve, restore and/or reuse buildings of historic or architectural significance (UHOP Volume 2, Chapter B, 6.5.2.2 j));
- Community Improvements Plans and other programs and initiatives may be developed to identify, guide, encourage, and track future development in the study area (UHOP Volume 2, Chapter B, 6.5.12.5); and
- The objectives and criteria for all municipal grant and loan programs established under a Community Improvement Plan for West Harbour shall conform to this Secondary Plan (UHOP Volume 2, Chapter B, 6.5.12.7).

Ainslie Wood Westdale Secondary Plan

The Westdale Commercial District CIPA, King Street West Strategic Commercial Corridor CIPA and Main Street West Strategic Commercial Corridor CIPA encompass lands which are the subject of the Ainslie Wood Westdale Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Provide commercial areas, especially along the King Street historic community core and along portions of other major roads. (UHOP Volume 2, Chapter B, Subsection 6.2.4 h));
- Provide for the shopping needs of residents, as well as provide specialty shopping areas for visitors. (UHOP Volume 2, Chapter B, Subsection 6.2.6);
- Enhance appearance and encourage good maintenance of commercial buildings and areas. (UHOP Volume 2, Chapter B, Subsection 6.2.6.1 c)); and
- Financial incentive programs to enhance the appearance of commercial areas shall be provided within the framework of existing planning legislation

for areas designated as Business Improvement Areas (BIAs). The establishment of new BIA areas, or new funding programs, may be considered where these would be appropriate, and in keeping with relevant legislation (UHOP Volume 2, Chapter B, Subsection 6.2.6.2 g)).

Ancaster Wilson Street Secondary Plan

The Ancaster Commercial District CIPA encompasses lands which are the subject of the Ancaster Wilson Street Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Provide a variety of housing opportunities for various demographics, as well as mixed use and commercial areas, which offer employment opportunities and meet the shopping and personal service needs for area residents and visitors (UHOP Volume 2, Chapter B, Subsection 2.8.2);
- Direct a majority of growth and development towards the Community Node (UHOP Volume 2, Chapter B, Subsection 2.8.3);
- Achieving efficient use of buildings and infrastructure (UHOP Volume 2, Chapter B, Subsection 2.8.4 b));
- Provide for commercial opportunities (UHOP Volume 2, Chapter B, Subsection 2.8.4 h));
- Support the destination shopping role of the Ancaster Village Core and Business Improvement Area along Wilson Street, which serves the local community, as well as a wider regional market (UHOP Volume 2, Chapter B, 2.8.5 g)); and
- Encourage adaptive reuse of buildings to maintain the historic and town character (UHOP Volume 2, Chapter B, Subsection 2.8.5 l)).

Binbrook Village Secondary Plan

The Binbrook Commercial District CIPA encompasses lands which are the subject of the Binbrook Village Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Establish the Community Core as the identifiable commercial and service centre of Binbrook Village which serves the needs of Binbrook Village and the surrounding area (UHOP Volume 2, Chapter B, Subsection 5.1.2.5); and
- Make the Community Core a destination by providing a unifying theme which will identify it as a unique and special area in Binbrook Village and ensuring it develops in a coordinated, well designed and aesthetically pleasing manner (UHOP Volume 2, Chapter B, Subsection 5.1.2.6).

Old Town (Stoney Creek) Secondary Plan

The Stoney Creek Commercial District CIPA encompasses lands which are the subject of the Old Town Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- All development within the Old Town shall protect and maintain the economic viability of Stoney Creek's downtown and support its revitalization through conversion, infilling and redevelopment. (UHOP Volume 2, Chapter B, Subsection 7.2.1.1).

Mount Hope Secondary Plan

The Mount Hope / Airport Gateway CIPA encompasses a portion of lands which are the subject of the Mount Hope Secondary Plan. The secondary plan outlines important goals and policy objectives which directly correlate to this Plan including:

- Lands with District Commercial designation shall be encouraged to be redeveloped for District Commercial uses. (UHOP Volume 2, Chapter B, Subsection 5.4.4.1 c)); and
- The District Commercial designation adjacent to Airport Road West and Homestead Drive enjoys a high degree of visibility and provides a gateway to the John C. Munro International Airport. To ensure this area develops in a coordinated, well-designed and aesthetically-pleasing manner with adequate infrastructure and amenities, and to provide funding eligibility, the City shall investigate the designation of these lands as a Community Improvement Project Area (UHOP Volume 2, Chapter B, Subsection 5.4.4.1 f)).

5.7 Barton/Kenilworth Commercial Corridors Study

On September 10, 2014, Council approved the final recommendations of the Barton-Kenilworth Commercial Corridors Study. The Study identified priority actions with respect to financial incentives available in these areas in order to further facilitate the revitalization of the Barton Street East and Kenilworth Avenue North corridors. Details of the programs which apply to these corridors and which address these actions can be found in Section 8.0 of this Plan.

6.0 COMMUNITY IMPROVEMENT PROJECT AREA

This section describes the urban commercial districts which contain sites that are in transition, under-utilized and/or in need of repair, rehabilitation and redevelopment and thus intended to be the subject of one or more programs and/or initiatives established under this Plan. The specific geographic boundaries for each Community Improvement Project Area (CIPA) described below is further delineated within the companion Revitalizing Hamilton's Commercial Districts CIPA By-law (CIPA By-law) and should be referenced alongside this Plan.

Notwithstanding any area described below or further delineated within the companion CIPA By-law, a property which is partially located within a geographic CIPA boundary, shall be deemed to be either wholly, partially or not at all located within the CIPA at the sole discretion of the City based on considerations that may include, but may not be limited to, the relative proportion of the property located within the CIPA boundary versus that located outside the CIPA boundary and/or the planned use of existing/planned buildings and their ability to meet the purpose and goals of this CIP and any potentially applicable programs.

6.1 Downtown Hamilton

The strength and vitality of Hamilton's downtown is a clear signal of the strength and vitality of the city as a whole. Downtown Hamilton has been influenced by broad economic, social and physical change over the years and continues to represent an important area where municipal investment, planning and resources have been continually dedicated to support its revitalization.

The Downtown Hamilton Commercial District CIPA includes the historic core of the City of Hamilton and surrounding areas which have been the traditional centre of commercial and cultural activity, institutional uses and government for the broader city. Included within the Downtown Hamilton Commercial District CIPA are the following notable areas:

- The Downtown Hamilton Urban Growth Centre (UGC), as recognized in the Urban Hamilton Official Plan, which is the City's pre-eminent node for commercial and office development that will also accommodate a large and diverse population, major cultural facilities and entertainment uses, and function as a major transit hub. The Downtown Hamilton UGC includes properties within and abutting the area bounded by Cannon Street, Victoria Avenue, Hunter Street and Queen Street, and also includes the properties fronting onto James Street North to the CN railway and south to Charlton Avenue. This area serves as a central hub of the City's transit system via the MacNab Transit Terminal, the Hunter Street GO Transit station, as well as the new West Harbour GO Station. Key civic features within this area include Gore Park, City Hall, the Central Public Library, Hamilton Farmers Market, the Art Gallery of Hamilton, Theatre Aquarius, First Ontario Place,

First Ontario Concert Hall, as well as key commercial destinations including Jackson Square / City Centre, James Street and Hess Village;

- The Downtown Hamilton BIA, International Village BIA, King West BIA and Main West Esplanade BIA; and
- Specific properties which are the subject of a Master Agreement with the City where the redevelopment or intensification of which will support the advancement of improvements to the City's First Ontario Centre, First Ontario Concert Hall and the Hamilton Convention Centre.

Although this Plan's programs have supported notable improvements to numerous properties over the years, there continues to be a need to support the on-going revitalization of Downtown Hamilton through financial incentives due to the continued presence of a significant existing building stock in need of improvement and presence of underutilized properties which if improved/redeveloped, could further expedite the achievement of stated long-term objectives for Downtown.

6.2 Community Downtowns/Village Cores and Business Improvement Areas

Hamilton is a city of many communities. In addition to Downtown Hamilton, it features a variety of commercial districts and civic centres reflective of the past development and history of the former Hamilton-Wentworth Region. They include the Community Downtown/Village Core areas of the former municipalities of Ancaster, Dundas, Flamborough (Waterdown), Glanbrook (Binbrook) and Stoney Creek as well as the commercial corridors between them. Certain parts of these areas have established Business Improvement Areas (BIAs) to co-ordinate promotion and beautification. To varying degrees, the Community Downtowns/Village Cores and BIAs face many of the same issues as Downtown Hamilton that can be addressed through community improvement, such as the conservation / adaptive reuse of existing buildings, including heritage buildings, making better use of underutilized land and buildings through infill and redevelopment, and increasing the number of residents to support local business in mixed-use, multi-modal environments.

Each Community Downtown/Village Core, comprising Ancaster, Binbrook, Dundas, Stoney Creek and Waterdown as well as all current BIAs located outside of a Community Downtown/Village Core are identified as a CIPA for the purposes of this Plan as follows:

Community Downtowns/Village Cores:

- The Ancaster Commercial District CIPA designated as "Community Node" in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and includes the Ancaster BIA;

- The Binbrook Commercial District CIPA designated as “Neighbourhoods” in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and “Mixed Use Medium Density” and “Mixed Use Medium Density – Pedestrian Focus” in the Binbrook Village Secondary Plan (Land Use Plan Map B.5.1-1);
- The Dundas Commercial District CIPA designated as “Community Node” in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and includes the Dundas BIA;
- The Stoney Creek Commercial District CIPA designated as “Community Node” in the Urban Hamilton Official Plan (Schedule E, Urban Structure) and includes the Stoney Creek BIA; and
- The Waterdown Commercial District CIPA designated as “Community Node” in the Urban Hamilton Official Plan (Schedule E, Urban Structure), a portion of the area designated as “Mixed Use Medium Density” in the West Waterdown Secondary Plan (Land Use Plan Map B.4.1-1) and includes the Waterdown BIA.

Commercial districts with a BIA located outside of a Community Downtown/Village Core or Strategic Commercial Corridor CIPA:

- The Barton Village Commercial District CIPA containing the Barton Village BIA (to the east of the Downtown Hamilton Commercial District CIPA);
- The Concession Street Commercial District CIPA containing the Concession Street BIA;
- The Locke Street Commercial District CIPA containing the Locke Street BIA;
- The Ottawa Street Commercial District CIPA containing the Ottawa Street BIA; and
- The Westdale Commercial District CIPA containing the Westdale BIA.

6.3 Mount Hope/Airport Gateway

The Mount Hope/Airport Gateway CIPA is focused on the existing and historic built up commercial and mixed-use area of Mount Hope at the intersection of Airport Road and Homestead Drive and north to Upper James Street. The area possesses building stock and properties that are in need of rehabilitation, have heritage or architectural significance; are deteriorated or contain insufficient physical infrastructure or which are the subject of encroachment from incompatible land uses or activities affecting development opportunities. Community improvement programs and initiatives may help facilitate the transition of properties from residential to other permitted uses, address long standing vacancies and poor building conditions and promote infill development of vacant

lots. The Mount Hope/Airport Gateway CIPA includes a portion of the lands designated District Commercial in the Mount Hope Secondary Plan (Land Use Plan Map B.5.4-1).

6.4 Strategic Commercial Corridors

Throughout Hamilton's urban area are strategic commercial corridors with "main street" characteristics or significantly under-utilized commercial or mixed use properties that, while not located within a downtown area or organized as part of a BIA, nonetheless exhibit similar characteristics and face similar challenges as those outlined in 7.1 and 7.2. These corridors generally have a mix of land uses predominantly characterized by ground-floor commercial uses, in buildings situated close to the street on relatively small properties. The identified areas are primarily located within the lower, inner City, but also include targeted corridors above the Escarpment which contain underutilized commercial properties. These properties contain opportunities for infill or redevelopment that would utilize existing infrastructure and would be located in close proximity to transit.

These corridors are collectively identified as the Strategic Commercial Corridors CIPA and generally includes properties fronting on the following streets:

- Barton Street East between Sherman Avenue and Walter Avenue;
- Dundurn Street South from Aberdeen Avenue to the southerly CNR right-of-way;
- James Street North from Strachan Street to just north of Burlington Street;
- Kenilworth Avenue North between Main Street and Barton Street;
- King Street East between Main Street at the Delta and Wentworth Street;
- King Street West between Highway 403 and the Westdale BIA;
- Main Street East between Wentworth Street and Rosewood Road;
- Main Street West between Highway 403 and Osler Drive, also including abutting properties designated 'Mixed Use' on the Ainslie Wood Westdale Secondary Plan Land Use Plan;
- Parkdale Avenue North and South between Queenston Road and Barton Street;
- Queenston Road between the Queenston Traffic Circle and Reid Avenue;
- Upper James Street between Duff Street and Richwill Road (for the westerly side of Upper James Street and a portion of the east side);

- Upper Wellington Street from just south of Brucedale Avenue to just north of Inverness Avenue;
- York Boulevard between the Downtown Hamilton Community Improvement Project Area and Dundurn Street on the south side or Inchbury Street on the north side; and
- Cannon Street East between Emerald Street North and Smith Avenue and the south side of Cannon Street East between Smith Avenue and Wentworth Street North.

6.5 Other Areas

Notwithstanding the geographic descriptions described in Sections 6.1 through 6.5 or the geographic boundaries contained within the companion CIPA By-law, the following shall also apply:

- A property which is not located within a defined CIPA, but which is:
 - adjacent to an eligible CIPA property; and
 - is forming part of a comprehensive development with an adjacent eligible CIPA property

may be considered to form part of the same CIPA and eligible for the same applicable incentive programs as the abutting eligible CIPA property except where the eligible CIPA property has been explicitly identified for inclusion in a CIPA to support an objective within the purpose of this Plan as per the policies of the Urban Hamilton Official Plan, an applicable Secondary Plan or other Council approved policy.

The determination of properties forming part of a comprehensive development shall be at the discretion of the City and will include consideration of physical elements which are required for the satisfactory functionality of both properties (such as parking facilities, points of vehicular access and egress etc.).

- Properties containing buildings designated under Part IV or Part V of the *Ontario Heritage Act* and located within the City of Hamilton municipal boundary, may be eligible for one or more programs established under this Plan where it is identified that a program may apply to such properties in Section 8.0 of this Plan.

7.0 Goals and Objectives

With consideration to the purpose of this Plan as outlined in Section 2.0, and the cited Provincial and City plans and policies detailed in Section 3.0, the goals of this Plan are to ensure Hamilton's urban commercial districts are:

- Safe, clean, socially, economically and environmentally healthy areas where people want to work, shop, live and play;
- Contain a viable population of residents, jobs and visitors that support demand for local businesses and services in these areas;
- Continuing to grow in a manner that supports the achievement of applicable density and residential unit targets;
- Efficiently utilizing existing infrastructure;
- Places with opportunities to provide a range of housing options, in terms of affordability and tenure, that help meet the needs of current and future residents and support a strong and diverse local workforce;
- Places of investment that add value and increase assessment and property tax generation;
- A focus for improvements and redevelopment which, in addition to supporting the revitalization of the area, address current and future City priorities including, but not limited to, environmental sustainability, housing affordability and tenure options and attraction of office uses and developments; and
- Supported in terms of maintaining and enhancing the unique attributes and roles of commercial districts within the city.

To help realize those goals, the following objectives have been identified for this Plan and its associated incentive programs:

- Increase and improve the supply of residential units and commercial business;
- Facilitate intensification and infill of appropriate and compatible redevelopment of underutilized buildings and properties;
- Improve the accessibility, functionality and marketability of urban commercial districts, including the rehabilitation, maintenance and adaptive re-use of existing buildings including cultural heritage resources;
- Improve the aesthetics of private properties to create an attractive public realm;
- Support the presence of commercial uses that create vibrant and active commercial streets;

- Facilitate the development of urban commercial districts as mixed-use areas that will encourage walking, cycling and transit use;
- Support residential developments that will support existing and future recreational and cultural amenities;
- Identify and address economic barriers and/or restrictions to development and investment opportunities;
- Provide loans, grants and other economic incentives to stimulate private property improvement and/or redevelopment; and
- Focus the co-ordination of municipal expenditures and planning and development activity.

8.0 Incentive Programs and Other Initiatives

This CIP contains incentive programs which are intended to be applied within a targeted Community Improvement Plan Area based on the specific needs, priorities and context of that area. Notwithstanding the above, some programs may be applicable across more than one CIPA contained within the Revitalizing Hamilton Community Improvement Project Area By-law. Each program described in this section will identify the intended CIPA(s) within which each program is intended to apply. Detailed program descriptions for each program described in this section are adopted by City Council resolution and contained as appendices to this Plan for reference. The applicable program descriptions shall be those that were approved by City Council and in effect on the date an application under any program in this section was approved by City Council or their designate.

Notwithstanding any program descriptions approved by City Council, applications under any program authorized under this Plan can be rejected by City Council for any reason. Such a decision can take into account matters not set forth in the applicable program descriptions and are within City Council's sole, absolute and unfettered discretion.

Decisions and reasons for the City's accepting or rejecting an application shall not act as a precedent for any other application.

Programs described in this section address a variety of themes which support the broader revitalization of commercial districts including supporting housing creation and supply, promoting property improvement/redevelopment, business sector development and other municipal actions and strategies.

8.1 Commercial District Housing Opportunities Program

The Commercial District Housing Opportunities (CDHO) Program is intended to provide financial assistance in the form of a low-interest loan and grant to promote the improvement or development of dwelling units that will create new/improved housing opportunities and support robust local commercial district populations that add vibrancy and support demand for local commercial businesses/services. Activities supported by this program include:

- Converting existing non-residential spaces into dwelling units where permitted in accordance with the applicable City zoning by-law;
- *Undertaking renovations to existing dwelling units;
- Creation of new dwelling units, including accessory Dwelling Units, via building additions or new detached accessory buildings. Including laneway housing; and/or
- Creation of new dwelling units through development of vacant land, surface parking lots or redevelopment of existing buildings.

* Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix A.

This Program will apply within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Strategic Commercial Corridor CIPAs and those properties within the municipal boundary designated under Part IV or Part V of the *Ontario Heritage Act* as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law .

This Program's description including but not limited to: program terms, eligibility criteria, maximum loan amount, loan repayment requirements and administrative procedures, as adopted by City Council resolution, are contained in Appendix A

8.2 Downtown and Barton/Kenilworth Housing Opportunities Program

The Downtown and Barton/Kenilworth Housing Opportunities (DBKHO) Program is intended to provide financial assistance in the form of a low-interest loan to promote the development of multiple dwelling units that will create new housing opportunities and support robust local commercial district populations that add vibrancy and support demand for local commercial businesses/services. Activities supported by this program include:

- The creation of at least 10 new dwelling units through the development of a multiple dwelling on vacant land, surface parking areas or the redevelopment of existing buildings;
- A building addition containing at least 10 new dwelling units; and/or
- The conversion of existing non-residential space into housing consisting of at least 10 new dwelling units.

The maximum loan, applicable interest rates and basis for providing a loan are contained in the program description, as adopted by City Council resolution. City Council may modify such matters without amendment to this Plan.

This Program will apply within the Barton Village and Downtown Hamilton Commercial District CIPAs, the Barton Street East Strategic Commercial Corridor CIPA (east of the Barton Village Commercial District CIPA) and the Kenilworth Avenue North Strategic Commercial Corridor CIPA as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

In accordance with Council direction at its June 23, 2021 meeting, as part of the next scheduled review of the RHCD CIP, anticipated to commence in

2025, staff will present for a future Council's consideration a recommendation that the Downtown and Barton/Kenilworth Housing Opportunities Program cease to be made available within the Downtown Hamilton CIPA taking into consideration progress/timing of the Hamilton Light Rail Transit (LRT) Project.

This Program's description including but not limited to: program terms, eligibility criteria, maximum loan amount, loan repayment requirements and administrative procedures, as adopted by City Council resolution, are contained in Appendix B.

8.3 Revitalizing Hamilton Tax Increment Grant Program

The Revitalizing Hamilton Tax Increment Grant (RHTIG) Program is intended to provide a grant to incentivize property owners within strategic commercial districts to develop, redevelop or otherwise improve properties and/or buildings (including designated heritage buildings) in a manner that will support the broader revitalization of the commercial district as well as generate new municipal property tax revenue through increased property assessments.

As a tax increment-based program, Grants are provided relative to the actual increase in municipal property taxes that are generated as a result of an improvement/ development undertaken on a property. Grants are provided over a maximum term of four annual payments and subject to City Council approval. The pre-development municipal property taxes used for determining the actual municipal property tax increment are those from either the year in which the building permit that initiated the improvement/development was issued or, for projects that do not require a building permit, the year in which City Council approved the Program application. Each annual payment is to be provided based on the municipal property tax increment generated in each of the four years.

Grants under the program may be provided through one of two streams in response to how the project addresses specific City priorities. Projects will be identified as either a Revitalization Project or an Enhanced Revitalization Project. Revitalization Projects are defined as the undertaking of improvements/developments that will generate an increase in municipal taxes while Enhanced Revitalization Projects are defined as the undertaking of improvements/developments that will generate an increase in municipal taxes and which meet one or more of the following requirements in support of City priorities:

- The improvement/development will receive certification for the achievement of environmental sustainability standards from an eligible organization/program and/or will be connected to (or be designed to allow for future connection to) a district energy system. Eligible environmental sustainability certifications as well as building standards to allow for future district energy connections required to be provided shall be established

through the Program Description contained in Appendix C as amended from time to time; and/or

- The improvement/development has been approved for financial assistance under a Canada Mortgage and Housing Corporation (CMHC), provincial or City program for the purposes of creating residential rental housing that address housing affordability within the city.

The maximum grant amount prescribed for Revitalization Projects and Enhanced Revitalization Projects are identified in Table 1.

Table 1 – Prescribed Maximum Grant as a Percentage of Actual Municipal Tax Increment

Year of Grant	Maximum annual Grant amount as a percentage of actual municipal tax increment generated	
	Revitalization Projects	Enhanced Revitalization Projects
1	100%	100%
2	75%	100%
3	50%	100%
4	25%	100%

Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix C.

This Program will apply within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and those properties within the municipal boundary designated under Part IV or Part V of the *Ontario Heritage Act* as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

In accordance with Council direction at its June 23, 2021 meeting, as part of the next scheduled review of the RHCD CIP, anticipated to commence in 2025, staff will present for a future Council's consideration a recommendation that the Revitalizing Hamilton Tax Increment Grant Program cease to be made available within the Downtown Hamilton CIPA taking into consideration progress/timing of the Hamilton Light Rail Transit (LRT) Project.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix C.

8.4 Barton/Kenilworth Tax Increment Grant Program

The Barton/Kenilworth Tax Increment Grant (BKTIG) Program is intended to provide a grant to incentivize property owners located along the Barton Street East and Kenilworth Avenue North commercial corridors to develop, redevelop or otherwise improve properties and/or buildings (including designated heritage buildings) in a manner that will support the broader revitalization of these districts as well as generate new municipal property tax revenue through increased property assessments.

As a tax increment-based program, Grants are provided relative to the actual increase in municipal property taxes that are generated as a result of an improvement/ development undertaken on a property. Grants are provided over a maximum term of nine annual payments and subject to City Council approval. The pre-development municipal property taxes used for determining the actual municipal property tax increment are those from either the year in which the building permit that initiated the improvement/development was issued or, for projects that do not require a building permit, the year in which City Council approved the Program application. Each annual payment is to be provided based on the municipal property tax increment generated in each of the nine years. The maximum annual Grant prescribed under this program is identified in Table 2.

Table 2 – Prescribed Maximum Grant as a Percentage of Actual Municipal Tax Increment

Year of Grant	Maximum annual Grant amount as a percentage of actual municipal tax increment generated
1	100%
2	100%
3	100%
4	100%
5	100%
6	80%

7	60%
8	40%
9	20%

Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix D.

This Program will apply within the Barton Village Commercial District CIPA, the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs and properties within the Downtown Hamilton Commercial District CIPA which front on Barton Street East between James Street North and Victoria Avenue North as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix D.

8.5 Commercial District Revitalization Grant Program

The Commercial District Revitalization Grant (CDRG) Program is intended to provide grants that will support long-lasting and predominantly exterior physical improvements to the appearance, accessibility and environmental sustainability of commercial or mixed use commercial properties located within strategic commercial districts, including Business Improvement Areas (BIA), whose visibility and long-term success contributes to Hamilton's image for both residents and visitors. Activities supported by this program include:

- Exterior building façade improvements;
- Exterior/interior improvements that achieve *Accessibility for Ontarians with Disabilities Act (AODA)* standards;
- Exterior building/property improvements which improve appearance or functionality including those that enhance environmental sustainability of the building/property; and
- Limited interior mechanical/ventilation improvements for restaurant uses.

This Program is not intended to provide support for temporary or non-permanently affixed improvements such as, but not limited to, indoor/outdoor furniture. Additional details regarding ineligible costs/improvements are provided within the Program's description contained in Appendix E.

This Program will apply to commercial units on properties zoned to permit commercial uses which are located within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Strategic Commercial Corridor CIPAs as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix E.

8.6 Barton/Kenilworth Revitalization Grant Program

The Barton/Kenilworth Revitalization Grant (BKRG) Program is intended to support the development of properties as well as the maintenance, functionality, viability, accessibility and aesthetics of existing commercial, mixed use commercial, multi-residential or institutional use buildings within the Barton Street East and Kenilworth Avenue North commercial corridors which were the subject of the Barton and Kenilworth Commercial Corridors Study.

This Program is not intended to provide support for temporary or non-permanently affixed improvements such as, but not limited to, indoor/outdoor furniture. Additional details regarding ineligible costs/improvements are provided within the Program's description contained in Appendix F.

Any portion of a project involving renovations to rental residential units shall only be eligible under this Program in accordance with specific eligibility criteria provided through the Program Description contained in Appendix F.

This Program will apply within the Barton Village Commercial District CIPA, the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs and properties within the Downtown Hamilton Commercial District CIPA which front on Barton Street East between James Street North and Victoria Avenue North as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix F.

8.7 Gore Building Improvement Grant Program

The Gore Building Improvement Grant (CBIG) Program supports the maintenance, attractiveness, functionality and viability of the historic building stock that front into Gore Park in Downtown Hamilton known as the "Gore". Grants provided under this program are intended to support improvements to existing properties that will

allow buildings to meet present-day by-laws with respect to property standards and signage requirements as well as improve building accessibility.

This Program will apply within the Downtown Hamilton Commercial District CIPA on properties which front on King Street East between James Street North and Catharine Street North as defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix G.

8.8 Start-up and Office Tenant Attraction Program

The Start-up and Office Tenant Attraction (SOTA) Program is intended to provide a low-interest loan and/or forgivable loan that will facilitate the undertaking of eligible leasehold improvements, as described in the Program Description attached as Appendix H. to office space by property owners or authorized tenants in order to support the creation of new office space and improve the marketability and attractiveness of existing office space. This Program will serve as a tool to reduce office vacancy rates in Downtown Hamilton and other eligible commercial areas and serve as a means of attracting new and expanding office uses and businesses to Hamilton.

In addition to supporting general office tenancy, this Program will also serve as a means of attracting both start-up/business incubators and individual start-up businesses who are emerging from regional, national and international start-up/business incubators seeking to establish their first permanent office location.

City Council, in its sole and absolute discretion at the time of initially approving a loan commitment, and subject to the availability of funds, may:

- Provide that the maximum Loan amount can be greater than \$450,000.00; and/or
- Make a portion of the Loan to be provided forgivable in an amount equal to 10% of the total loan commitment approved and utilized by the applicant, to a maximum of \$25,000.00, or such other amount at the discretion of City Council, where:
 - the applicant is an Educational Establishment establishing a presence within the Downtown Hamilton Commercial District CIPA; or
 - the applicant is a start-up.

This Program will apply within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek,

Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation, maximum loan amount, loan repayment requirements and administrative procedures, as adopted by City Council resolution, are contained in Appendix H.

8.9 Commercial Vacancy Assistance Program

The Commercial Vacancy Assistance (CVA) Program is intended as a temporary program that is a direct response to minimize potential commercial vacancies arising during, and/or in the immediate recovery from, the COVID-19 pandemic and its impact on the local, provincial and national economy.

This Program will provide financial assistance in the form of a grant to new permanent or 'pop-up' commercial tenants of a presently vacant at, or below grade, commercial space so as to make permanent interior improvements for the purposes of improving the attractiveness and usability of the space for the intended commercial use. To be eligible, the intended commercial use must be accessible to the public/customers and may include, but not be limited to, retail uses, artists studios/galleries containing a retail component and/or dine-in or take-out restaurants but shall not include office uses, medical clinics, financial institutions, any residential use or any vehicle-oriented commercial service uses.

This Program is not intended to provide support for temporary or non-permanently affixed improvements such as, but not limited to, indoor/outdoor furniture. Additional details regarding ineligible costs/improvements are provided within the Program's description contained in Appendix I.

This Program will cease two years from the date this Plan is adopted by City Council unless an extension is provided by City Council via resolution. Such an extension shall not require an amendment to this Plan.

This Program will apply to commercial units on properties zoned to permit commercial uses within the Ancaster, Barton Village, Binbrook, Concession Street, Downtown Hamilton, Dundas, Locke Street, Ottawa Street, Stoney Creek, Waterdown and Westdale Commercial District CIPAs, the Mount Hope/Airport Gateway CIPA and the Strategic Commercial Corridor CIPAs as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix I.

8.10 Barton/Kenilworth Planning and Building Fees Rebate Program

The Barton/Kenilworth Planning and Building Fees Rebate (BKPBFRR) Program is intended to provide grants that will serve as a rebate of specific Planning and Building application fees for approved development-related applications which will support the redevelopment of under-utilized properties as well as further facilitate the undertaking of works that will improve the maintenance, functionality, viability, accessibility and aesthetics of existing commercial, mixed use commercial, multi-residential or institutional use buildings within the Barton Street East and Kenilworth Avenue North commercial corridors which were the subject of the Barton and Kenilworth Commercial Corridors Study.

The specific Planning and Building applications which are to be the subject of a grant/rebate under this Program are identified within the Program Description contained in Appendix J.

This Program will apply within the Barton Village Commercial District CIPA, the Barton Street East and Kenilworth Avenue North Strategic Commercial Corridor CIPAs and properties within the Downtown Hamilton Commercial District CIPA which front on Barton Street East between James Street North and Victoria Avenue North as collectively defined through the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law.

This Program's description including but not limited to: program terms, eligibility criteria and administrative procedures, as adopted by City Council resolution, are contained in Appendix J.

8.11 Downtown Entertainment Precinct Advancement Program

The Downtown Entertainment Precinct Advancement (DEPA) Program (the Program) is intended to provide a grant to incentivize the development, redevelopment or improvement of specific under-utilized properties within Downtown Hamilton which are also the subject of a Master Agreement with City respecting the advancement of improvements to the City's First Ontario Centre, First Ontario Concert Hall and the Hamilton Convention Centre.

As a tax increment-based program, Grants are provided relative to the actual increase in municipal property taxes that are generated as a result of an improvement/development undertaken on a property. Grants are provided over a maximum term of 30 annual payments and subject to City Council approval. The pre-development municipal property taxes used for determining the actual municipal property tax increment are those from the year in which the building permit that initiated the improvement/development was issued. Each annual payment is to be provided based on the municipal property tax increment generated in each of the 30 years. The maximum annual Grant prescribed under this program is identified in the following Table 3:

**Table 3 – Prescribed Maximum Grant
as a Percentage of Actual Municipal
Tax Increment**

Year of Grant	Maximum annual Grant amount as a percentage of actual municipal tax increment generated
1	100%
2	80%
3	60%
4	40%
5	20%
6-22 (inclusive)	39%
23-30 (inclusive)	35%

This Program applies to specific properties within the Downtown Hamilton Commercial District CIPA which are the subject of a Master Agreement entered into with the City respecting the advancement of improvements to the City's First Ontario Centre, First Ontario Concert Hall and the Hamilton Convention Centre. These properties are municipally identified as follows and further geographically defined within the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area By-law:

- 14 Vine Street;
- 12 & 28 York Boulevard; and
- 191 York Boulevard.

For further clarity, the above properties comprise part of the Downtown Hamilton Commercial District CIPA and may be eligible for any other applicable incentive program intended to apply to properties within the Downtown Hamilton Commercial District CIPA except that no more than one tax increment-based program shall be approved per project.

This Program's description including but not limited to: program terms, eligibility criteria, ability to assign the grant, grant calculation and administrative procedures, as adopted by City Council resolution, are contained in Appendix K.

8.12 Other Strategies

The following programs and initiatives are not subject to this Plan but are intended to be acted upon in tandem with the financial incentive programs contained in this Plan in order to meet the City's goals and objectives for the Plan's Community Improvement Project Areas.

8.12.1 Co-operation / Participation with Private Sector Entities

The City of Hamilton may participate financially or otherwise with private sector entities for the objective of furthering the goals and objectives of this Plan. For example, the City may enter into agreements with private developers where appropriate to achieve a desired public good such as the development and operation of a parking structure within Downtown Hamilton.

8.12.2 Capital Improvements

The City of Hamilton may undertake capital improvements in order to enhance the attractiveness of the pedestrian environment along streets and public spaces within areas identified in Section 6.0 of this Plan. These improvements may include but are not limited to expanding the Urban Braille system, providing street furniture, street lighting and pole upgrades, and wayfinding signage, among other public realm improvements. The entrances to the downtown areas and BIAs will be identified by appropriately designed and located gateway features.

8.12.3 Housing Affordability

The need for low to moderate and affordable housing is of paramount importance in many North American cities. This issue is at the forefront in many communities, including the City of Hamilton. The concerns of homelessness and gentrification are often tied to how we address the housing needs throughout the City. The need to address these concerns is reflective of the current housing market, and the potential for displacement as a result of the demand of housing in Hamilton.

To assist in addressing this, the Economic Development and Housing Services Division staff have been working collaboratively to ensure incentive programs under this CIP and City actions are addressing matters of gentrification and housing affordability.

In 2019 amendments were introduced to incentive programs authorized under the then titled Downtown and Community Renewal Community Improvement Plan which were intended to ensure City incentives were not being used to undertake renovations or redevelopment of residential units in such a way that would result in the illegal eviction of tenants and/or result

in tenants being subject to increases in rents beyond that permitted on an annual basis by the Province of Ontario. These amendments also included new notification procedures to tenants of buildings which were the subject of an application to an applicable City incentive program and to provide information and resources to ensure tenants were aware of their rights under Provincial legislation. It is the intention that those amendment introduced in 2019 be maintained within the applicable program descriptions contained as appendices to this Plan.

In addition, this CIP further highlights housing affordability as a priority through the introduction of an enhanced project classification under the Revitalizing Hamilton Tax Increment Grant Program to further incentive the creation of new housing that will support a mix and range of housing affordability options within applicable commercial districts.

Economic Development Division and Housing Services Division staff will continue to work collaboratively to identify additional opportunities for the use of Community Improvement Plans, financial incentives and other tools available to the City to further address housing affordability in Hamilton.

8.12.4 Arts and Culture

Downtown Hamilton is seen as the arts and cultural centre of the City, and numerous cultural events are also held within the various community downtowns and commercial districts. The City will continue to encourage cultural and recreational activities as well as festivals and other events in these areas. The City may partner with arts and culture groups to promote and support such events through initiatives such as services in kind.

The City's Public Art Master Plan identifies and prioritizes potential sites and opportunities for new public art projects, including locations within this Community Improvement Plan's Project Areas. The Public Art Master Plan also recommends the use of partnerships with the other public institutions, local cultural organizations and the private sector to facilitate the development of public art. To this end, community improvement initiatives such as the arts component of the applicable Programs under this Plan will promote partnerships with the private sector for the purpose of implementing exterior art works on privately owned land accessible to the public.

To increase the opportunity of public art, the Economic Development Division has also established the Hamilton Downtown Public Art Reserve. Public art projects funded from this reserve will be focused within the Downtown Hamilton CIPA to improve the quality of public space, animate street life and contribute to the evolving image of Downtown Hamilton as a place for the arts and cultural innovation.

8.12.5 Marketing and Promotion

In accordance with the Economic Development Division's Marketing Plan, the City of Hamilton may promote and advertise or contribute to the promotion or advertisement of programs, initiatives and events in Downtown Hamilton, the Community Downtown/Village Cores and various commercial districts for the purpose of achieving the goals and objectives of this Plan.

8.12.6 Neighbourhood Action Strategy

The Neighbourhood Action Strategy approved by Council in 2011 takes a holistic approach to neighbourhood planning and how best to maximize investments and deliver services in areas exhibiting poor health, social and economic outcomes. Neighbourhood / community strategies may address issues such as access and equity, access to housing and services, health inequalities, property maintenance, environmental issues, community appearance, economic stability, and crime. Such issues are often complex and require a multi-agency and community-based approach for their resolution. The core elements are:

1. Enhancing community development work;
2. Developing resident-led Neighbourhood Plans;
3. Increasing investments in neighbourhoods; and
4. Building new partnerships to support healthy neighbourhoods.

As part of the integrated team of City and community staff and resources, Economic Development Division staff will work with the Neighbourhood Action Strategy Office to ensure that existing and future opportunities related to community improvement are considered where appropriate.

9.0 MONITORING

Monitoring the Plan's implementation is undertaken through the City's performance measurement reporting and annual reports prepared by the Economic Development Division within the Planning and Economic Development Department.

Performance measures will be based on the objectives and desired outcomes as identified in this Plan, key activities set out in the Department's business plan and the City's 2016-2025 Strategic Plan. Performance measures which may be evaluated include, but may not be limited to:

- Increasing the overall number of residential units and local resident population in commercial districts;
- Improving non-residential assessment ratio;
- Increasing the number of housing units accessible to low and moderate-income households;
- Increasing the number of new businesses;
- Increasing taxable assessment growth in commercial districts;
- Decreasing the vacancy rates for commercial spaces;
- Supporting the achievement of Provincial and City population and employment growth targets;
- Decreasing office vacancy rates in the Downtown Hamilton Urban Growth Centre; and
- Increasing alternative transportation usage in including transit, walking and cycling.

10.0 AMENDMENTS AND TRANSITIONAL MATTERS

This Plan will be reviewed from time to time to ensure that it is adequately reflecting existing City policies and priorities, Provincial policies and community needs. Community and applicant feedback regarding this CIP and its associated incentive programs may also lead to amendments and / or minor revisions to the detailed incentive program descriptions contained in the Appendices to this Plan.

10.1 Formal Amendments

A formal amendment to this CIP is required in the following instances:

- To introduce new financial incentive programs;
- To increase the amount of financial assistance that may be provided to registered owners, assessed owners, tenants and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan except where the maximum amount of assistance is not referenced in Section 8.0 or the conditions under which increased assistance under a program may be provided is already established within this same section; or
- To add, extend, remove or otherwise change the Community Improvement Project Area's which are the subject of this CIP.

Formal amendments will require approval by City Council and shall be undertaken in accordance with Section 28 of the *Planning Act* and the City's Public Participation and Notification Policies contained in Chapter F – Implementation, Section 1.17.2 of the Urban Hamilton Official Plan. In addition, the City may undertake other communication methods to provide information and seek input, such as public information open houses, workshops, public meetings, the City's web site and direct or electronic mail outs and surveys.

10.2 Other Amendments

Detailed program descriptions providing for the efficient administration of each incentive program will be adopted, through resolution, by City Council. The program descriptions shall include, but not be limited to, program terms, eligibility criteria, maximum grant amounts, grant calculations, assignability, maximum loan amounts, repayment requirements and detailed administrative procedures terms and will form appendices to this CIP. Changes to the appendices will be adopted by City Council through resolution. In addition, City Council may discontinue any of the programs contained in this Plan, without amendment to this Plan. Formal amendments, including public meetings under the *Planning Act*, shall not be required for updates or amendments to program descriptions attached to this Plan as appendices. Minor administrative amendments to this Plan such as format

changes, typographical errors, grammatical errors and policy number changes shall not require a formal amendment.

10.3 Transitional Matters

Program applications will be processed under the terms of the program in effect at the time the application was submitted. When program terms are revised, applications submitted and approved under the former terms of the program will be subject to and processed under the revised terms.

11.0 APPENDICES

The following appendices are provided under separate cover.

- Appendix A Commercial District Housing Opportunities Program Description
- Appendix B Downtown and Barton/Kenilworth Housing Opportunities Program Description
- Appendix C Revitalizing Hamilton Tax Increment Grant Program Description
- Appendix D Barton/Kenilworth Tax Increment Grant Program Description
- Appendix E Commercial District Revitalization Grant Program Description
- Appendix F Barton/Kenilworth Revitalization Grant Program Description
- Appendix G Gore Building Improvement Grant Program Description
- Appendix H Start-up & Office Tenant Attraction Program Description
- Appendix I Commercial Vacancy Assistance Program Description
- Appendix J Barton/Kenilworth Planning and Building Fees Rebate Program Description
- Appendix K Downtown Entertainment Precinct Advancement Program Description

Authority: Item 4, Planning Committee
Report 21-014 (PED21035(a))
CM: September 29, 2021
Ward: City Wide
Bill No. 165

CITY OF HAMILTON
BY-LAW NO. 21-

To Enact a By-law to Delegate Authority to the General Manager Planning and Economic Development for Certain Grants and Loans under the Revitalizing Hamilton's Commercial Districts Community Improvement Plan and *Ontario Heritage Act*

WHEREAS Subsection 28(2) of the *Planning Act*, as amended, provides that City Council may, by by-law, designate the whole or any part of an area covered by an Official Plan as a community improvement project area;

AND WHEREAS under subsection 39(1) of the *Ontario Heritage Act*, as amended, City Council enacted City of Hamilton By-law No. 07-346 to make grants or loans to owners of a property designated under Part IV or Part V of the *Ontario Heritage Act* for the purpose of paying all or a portion of the cost of alteration to designated properties on such terms and conditions as City Council may prescribe;

AND WHEREAS By-law 21-163, as amended, identifies areas of the City of Hamilton as Community Improvement Project Areas and are collectively designated as the "Revitalizing Hamilton's Commercial Districts Community Improvement Project Area";

AND WHEREAS Subsection 28(4) of the *Planning Act*, as amended, provides that where a by-law has been passed to designate a community improvement project area, City Council may provide for the preparation of a plan suitable for adoption as a community improvement plan for the community improvement project area;

AND WHEREAS By-law 21-164, as amended, adopted the Revitalizing Hamilton's Commercial Districts Community Improvement Plan for the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area;

AND WHEREAS Subsection 28(7) of the *Planning Act*, as amended, provides that City Council may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs permitted under the community improvement plan;

AND WHEREAS Sections 9 and 10 of the *Municipal Act*, as amended, and in accordance with Section 23.1 of the *Municipal Act*, as amended, the powers of a municipality under that or any other Act may be delegated to a person or body subject

to the restrictions established in Sections 23.2 through 23.5, inclusive of the *Municipal Act*, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. By-law 10-052, as amended is repealed on such day that By-law No. 21-163 enacting the Revitalizing Hamilton's Commercial Districts Community Improvement Project Area and By-law 21-164 enacting the Revitalizing Hamilton's Commercial Districts Community Improvement Plan come into effect in accordance with Subsection 28(4) of the *Planning Act*;
2. In this By-law:

"City Council" means the Council of the City of Hamilton

"General Manager" means the General Manager of Planning and Economic Development, and in the case of a change in title of this position, shall include any successor position title;
3. Subject to Section 5 herein, City Council delegates to the General Manager power to approve grants/loans, which was given to City Council under Subsection 28(7) of the *Planning Act*, as amended, under the following financial incentive programs established under the Revitalizing Hamilton's Commercial Districts Community Improvement Plan, as amended:
 - (a) Commercial District Housing Opportunities Program;
 - (b) Commercial District Revitalization Grant Program;
 - (c) Barton/Kenilworth Revitalization Grant Program;
 - (d) Gore Building Improvement Grant Program;
 - (e) Commercial Vacancy Assistance Program; and
 - (f) Barton/Kenilworth Planning and Building Fees Rebate Program
4. Subject to Section 5 herein, City Council delegates to the General Manager power to approve grants or loans, which was given to City Council under subsection 39(1) of the *Ontario Heritage Act*, as amended, under the following financial incentive programs:
 - (a) Hamilton Heritage Conservation Grant Program; and,
 - (b) Hamilton Heritage Property Grant Program.

5. For the purposes of Sections 3 and 4 herein, the powers of the General Manager to approve grants, loans and/or rebates shall be limited to a maximum of \$200,000 per loan/grant
6. The General Manager is authorized to undertake all acts necessary to carry out the delegated power under Sections 3 and 4 herein, including the authority to sign any required documents.
7. This By-law may be cited as "A By-law to delegate authority to the General Manager of Planning and Economic Development for financial incentive programs".
8. This By-law comes into effect on the date that By-law 21-163 being a by-law to enact the Revitalizing Hamilton's Commercial Districts Community Improvement Plan comes into effect in accordance with Subsection 28(4) of the *Planning Act*.

PASSED this 29th day of September, 2021

F. Eisenberger
Mayor

A. Holland
City Clerk

Authority: Item 3, Planning Committee
Report 21-014 (PED21097(a))
CM: September 29, 2021
Ward: 1, 8, 14

Bill No. 166

CITY OF HAMILTON

BY-LAW NO. 21-

Rental Housing By-law No. 21-166 to Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

WHEREAS subsection 10 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “*Municipal Act, 2001*”) provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; and in paragraph 11, Business Licensing;

AND WHEREAS subsection 151 (1) of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may: provide for a system of licences with respect to a business;

AND WHEREAS the Council for the City of Hamilton considers it necessary and desirable for the public to regulate the renting of residential premises for the purpose of protecting the health and safety of the persons residing in residential rental premises by ensuring that certain regulations are met, that the required essentials such as plumbing, heating and water are provided, to ensure that the residential rental premises do not create a nuisance to the surrounding properties and neighbourhood and to protect the residential amenity, character and stability of residential areas;

AND WHEREAS for several years, Wards 1, 8 and parts of 14 have had the most Rental Housing Units, compared to the rest of Hamilton, and many complaints regarding housing issues and “absentee landlords” come from those wards, which is why Council has decided to begin a pilot project in Wards 1, 8 and 14 before deciding to expand the Rental Housing Unit licensing regime across the City;

AND WHEREAS the Council for the City of Hamilton is aware of the Ontario Human Rights Commission’s concerns that these types of rental licensing by-laws may reduce the availability of low-cost rental housing and impact disadvantaged groups that are protected under the *Ontario Human Rights Code* (Code) who rely on low-cost rentals and Council will therefore evaluate the pilot project after 2 years to see whether the licensing regime should be expanded to the entire City in further stages, or if the by-law should be repealed;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That By-law 01-170 be amended by adding the following at the end of Section 30:

Schedule 31 Rental Housing Units
2. That By-law 01-170 be amended by adding Appendix A to this amending by-law as Schedule 31 – Rental Housing Units, to By-law 01-170;
3. That in all other respects, By-law 01-170 is confirmed; and,
4. That the provisions of this by-law shall become effective on the date passed by Council.

PASSED this 29th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix A

SCHEDULE 31

RENTAL HOUSING UNITS

1: DEFINITIONS

1.1 In this Schedule:

“**Applicant**” means a person applying for a licence under this Schedule;

“**Building**” means a structure, whether permanent or temporary, with walls or a roof or part thereof, used or intended to be used for shelter, accommodation or enclosure of persons, animals, goods or chattels;

“**Building Code**” means Ontario Regulation 332/12, as amended, under the *Building Code Act*;

“**Building Code Act**” means the *Building Code Act*, 1992, S.O. 1992, c.23, as amended;

“**By-law**” means the City of Hamilton By-law No. 07-170, a By-law to License and Regulate Various Businesses, and includes this Schedule 31;

“**Chief Building Official**” means the Chief Building Official as appointed by Council pursuant to the *Building Code Act*, or their designate, and may include building inspectors for the purpose of doing inspections as contemplated under this Schedule;

“**Dwelling Unit**” means a room or suite of rooms used or intended to be used by one or more persons living together as one household, in which cooking and sanitary facilities are provided for the exclusive use of the household, and to which an independent entrance is provided from outside the building or from a common interior hallway, vestibule or stairway;

“**Fire Chief**” means the City of Hamilton Chief of the Hamilton Fire Department or his or her designate and includes all members of the Hamilton Fire Department that are designated as an “Assistant to the Fire Marshal” for the purpose of doing inspections as contemplated under this Schedule;

“**Fire Code**” means Ontario Regulation 213/07, as amended under the *Fire Protection and Prevention Act*;

“**Fire Protection and Prevention Act**” means the *Fire Protection and Prevention Act*, 1997 S.O. 1997, c.4, as amended;

“**Licensee**” means any person, corporation or partnership licensed under this Schedule;

“**Medical Officer of Health**” means the Medical Officer of Health for the Hamilton

Health Unit or their designate and includes public health inspectors for the purpose of doing inspections as contemplated under this Schedule;

“Multiple Dwelling” means a building or part thereof containing five or more self-contained Dwelling Units;

“Municipal Law Enforcement Officer” means an employee of the Licensing and By-law Services Division of the City of Hamilton who is assigned by the Director of Licensing to enforce the provisions of this By-law;

“Officer” shall include a Municipal Law Enforcement Officer, Medical Officer of Health, Fire Chief, Chief Building Official and a Hamilton Police Services police officer;

“Owner” includes:

- (i) each registered owner of a Rental Housing Unit;
- (ii) each person who permits occupancy of a Rental Housing Unit; and
- (iii) the heirs, assigns, personal representatives and successors in title of a person referred to in clauses (i) and (ii);

“Rental Housing Unit” means a Building or part of a Building:

- (i) Consisting of one or more rooms;
- (ii) Containing toilet and cooking facilities;
- (iii) Designed for use as a Single Housekeeping Establishment; and
- (iv) Used or intended for use as a rented residential premise;

“Ontario Fire Code” means O. Reg. 213/07, as amended, under the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c.4, as amended.

“Schedule” means this Schedule 31 to City of Hamilton By-law No. 07-170, a By-law to License and Regulate Various Businesses;

“Single Housekeeping Establishment” - shall mean a household whose members are an interactive group of persons jointly occupying a Dwelling Unit, including joint access to and use of all common areas including living, kitchen, and eating areas within the Dwelling Unit, and sharing household activities and responsibilities such as meals, chores, expenses and maintenance, and in which there is collective decision making with respect to the control of the premises, and the occupants have the largest degree of control over the use of the dwelling and property; and,

“Tenant” includes a person who pays rent or provides services in lieu of paying rent, in return for the right to occupy a Rental Housing Unit and includes the person’s heir, assigns (including subtenants) and personal representatives.

2. PROHIBITIONS

2.1 No person shall operate a Rental Housing Unit without holding a current valid licence

issued under the provisions of the By-law;

- 2.2 No person shall hold themselves out to be licensed under the By-law if they are not;
- 2.3 No person shall contravene or fail to comply with a term or condition of their licence imposed under the By-law;
- 2.4 No person shall operate a Rental Housing Unit while their licence issued under the By-law is under suspension;
- 2.5 No person shall transfer or assign a licence issued under the By-law;
- 2.6 No person shall provide false or misleading information to the City when applying for a licence under the By-law, renewing a licence or at any other time;
- 2.7 No person shall hinder or obstruct an Officer or attempt to hinder or obstruct an Officer who is performing a duty under the By-law; and,
- 2.8 Any person who provides false information to the City shall be deemed to have hindered or obstructed an Officer in the execution of his or her duties.

3. APPLICATION OF SCHEDULE 31 – RENTAL HOUSING UNITS

- 3.1 This Schedule shall apply to the geographic area as shown in Appendix “A” of this Schedule (Appendix “A” – Rental Housing Units in Wards 1, 8 and 14).
- 3.2 This Schedule shall not apply to:
 - a) a Multiple Dwelling;
 - b) a hotel, motel, inn or bed and breakfast; tourist home, lodging house or short-term rental; or
 - c) a Rental Housing Unit to which any of the following statutes, or their regulations, apply:
 - i. the *Homes for Special Care Act*, R.S.O. 1990, c. H.12, as amended;
 - ii. the *Innkeepers Act*, R.S.O. 1990, c. 17, as amended;
 - iii. the *Long-Term Care Homes Act*, 2007, S.O. 2007, c. 8, as amended;
 - iv. the *Retirement Homes Act*, 2010, S.O. 2010, c. 11, as amended;
 - v. the *Social Housing Reform Act*, 2000, S.O. 2000, c. 27, as amended; and,
 - vi. social housing or affordable housing that is not subject to *Social Housing Reform Act*, 2000, S.O. 2000, c. 27, as amended, but which is subject to an agreement with the City of Hamilton and which has been approved for exemption by the Director.

4. APPLICATIONS FOR A LICENCE AND RENEWAL OF LICENCE

- 4.1 Every application for a licence and renewal shall be made to the Director on the forms provided by the Director. Without limitation, and in addition to the

requirements under the General Provisions of By-law 07-170, every application for a licence or a renewal shall include the following information:

- a) the municipal address and legal description of the Rental Housing Unit;
- b) the name, municipal address, telephone number and email address of each Owner;
- c) If the Owner is a partnership, the name, address, telephone number and e-mail address of each partner;
- d) If the Owner is a corporation, the address of its head office, the name, address, telephone number of each director and officer and a copy of:
 - i. Articles of incorporation;
 - ii. A copy of the last initial notice or notice of change which has been filed with the provincial or federal government; and,
 - iii. A Certificate of Status issued by the Ministry of Government and Consumer services.
- e) Evidence of ownership of the property to the satisfaction of the Director;
- f) A sworn statement by each Applicant certifying the accuracy, truthfulness and completeness of the application;
- g) If none of the Owners reside in the City of Hamilton, or if the Owner is a corporation, the name and contact information of any local contact including their address, telephone number, facsimile number and e-mail address;
- h) Proof of Insurance that:
 - i. Includes a limit of liability of no less than \$2,000,000 (two million dollars) per occurrence for property damage and bodily injury;
 - ii. Identifies that the proposed use of the premise is that of a rental property; and,
 - iii. Requires that the Director be notified of any intended cancellation by the insurer no fewer than 14 days prior to such cancellation; and,
- i) Any other documentation or information as may be required in any other part of the By-law or this Schedule, and by the Director.

4.2 Every person applying for a license shall, in addition to completing the application provided for in this Schedule and in addition to the requirements under the General Provisions of By-law 07-170, provide the following additional materials in support of the license application:

- (a) Floor plan of the Rental Housing Unit including, for each room, its dimensions and proposed use, clearly indicating the location and number of bedrooms;
- (b) A site sketch that indicates the location of the Rental Housing Unit, any external garage/recycling facilities, and parking spaces (clearly indicate the number of spaces provided and their dimensions) for the Rental Housing Unit;
- (c) Evidence satisfactory to the Director confirming that the Rental Housing Unit and its proposed use complies with the *Electrical Safety Code*, O. Reg. 164/99;
- (d) Certificate of compliance from the City verifying that the Rental Housing Unit complies with the minimum maintenance requirement of the City's Property Standards By-law;
- (e) Certificate of zoning verification from the City;
- (f) Completed fire inspection from the City confirming compliance with the Fire

Code;

- (g) A completed self-certification check list, as provided by the City;
- (h) A signed written statement that: The Licensee acknowledges that the Rental Housing Unit must comply with all relevant federal and provincial legislation, including the Ontario Human Rights Code, as well as all relevant municipal by-laws, and that they will comply with all of them; and,
- (i) Any other documentation or information as may be required in any other Part of the By-Law or by the Director.

5. ISSUANCE OF LICENCES

5.1 Without limiting the requirements under the General Provisions of the By-law, every licence that is issued for the first time, and every renewal thereof, is subject to the following conditions of obtaining, continuing to hold and renewing a licence all of which shall be performed and observed by the Applicant or the Licensee:

- a) the Applicant or Licensee shall allow, at any reasonable time and when permitted by law, the City to inspect the Rental Housing Unit;
- b) the Rental Housing Unit shall be in accordance with the requirements of the *Building Code Act* and the regulations thereunder, the *Fire Protection and Prevention Act, 1997* and the regulations thereunder, and the City's Property Standards By-law 10-221;
- c) where the Rental Housing Unit is altered and a building permit is required to carry out the alterations, the Rental Housing Unit, as altered, shall be altered to the satisfaction of the City;
- d) the use of the Rental Housing Unit is permitted or conforms with the uses permitted under the applicable zoning by-law or is a legal non-conforming use;
- e) the Applicant or Licensee shall not directly or indirectly require or cause a Tenant to refuse to consent to lawful entry and inspection of a Rental Housing Unit for the purpose of determining compliance with the By-law; and,
- f) the Licensee shall produce a copy of its tenant agreement immediately when requested to do so by an Officer.

5.2 A licence issued under the By-law shall be valid only for the number of bedrooms that were indicated on the application form.

5.3 A separate licence shall be required for each Rental Housing Unit.

5.4 No licence issued under this By-law may be sold or transferred.

5.5 The Licensee shall notify the Director of any change in ownership of the Rental

Housing Unit and shall surrender his, her or its licence to the Director within seventy-two (72) hours of the completion of such change.

- 5.6 All licence fees and inspection fees related to this By-law shall be paid in accordance with the applicable fees and charges by-law, as may be passed and amended by the Council from time to time, and such licence fees and inspection fees paid shall be non-refundable;

6. POWERS OF THE DIRECTOR

- 6.1 Notwithstanding any other provision in the By-law, the power and authority to issue or renew a licence, refuse to issue or refuse to renew a licence, to cancel, revoke or suspend a licence, to impose terms and conditions, including special conditions on a licence are delegated to the Director.

- 6.2 (a) The Director shall issue a licence or renew a licence where the requirements or conditions of the By-law and this Schedule have been met:

(b) In addition to the powers granted to the Director under the General Provisions of the By-law, the Director may refuse to issue, refuse to renew or revoke or suspend a licence or impose a term or condition on a licence on the following grounds;

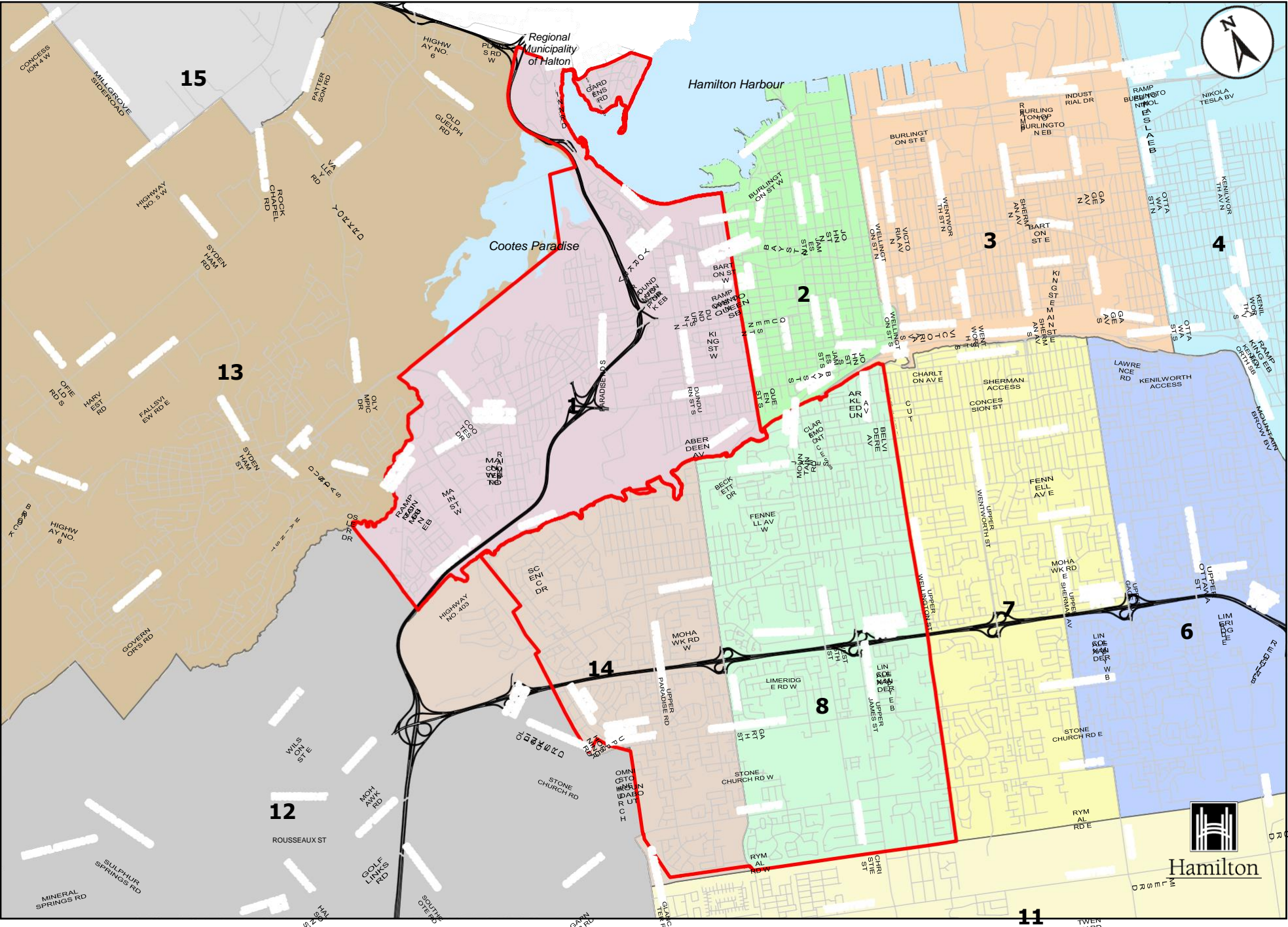
- i) The conduct of the Applicant or the Licensee, or any partner, officer, director, employee or agent of the Applicant or Licensee, affords reasonable cause to believe that the Applicant or Licensee will not carry on or engage in the operation of the Rental Housing Unit in accordance with the law or with honesty or integrity;
- ii) There are reasonable grounds to believe that an application or other documents provided to the Director by or on behalf of the Applicant or a Licensee contains a false statement;
- iii) There are reasonable grounds to believe that the issuing of the licence would not be in the public interest;
- iv) There are reasonable grounds to believe that the issuing of the licence would pose a threat to the health and safety of person or property;
- v) An Applicant or Licensee is carrying on activities that are in contravention of the By-law;
- vi) The Applicant or Licensee's Rental Housing Unit is subject to an order, or orders, made pursuant to or by:
 - 1) The City of Hamilton's Property Standards By-law No. 10-221, Property Maintenance (Yards) By-law No. 10-118, Snow and Ice By-law No. 03-296, By-law Respecting the Prohibition and Inspection of Marijuana Grow Operations (By-law 07-244), By-law to Prohibit and Regulate Fortification and Protective Elements of Land (By-law 10-122), or By-law to Regulate Enclosures for Privately-Owned Outdoor Pools (By-law 16-184);
 - 2) The *Building Code Act*, 1992 or any regulations made under it, including the Building Code;
 - 3) The *Fire Protection and Prevention Act*, 1997, as amended, or any

- regulation made under it, including the Fire Code; or
- 4) The *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7
- vii) An Applicant or Licensee does not meet all the requirements of the By-law or that the Rental Housing Unit does not comply with the provisions of the By-law;
 - viii) The Director has received an objection to the issuance or renewal of the license by:
 - 1) the Chief Building Official;
 - 2) the Fire Chief;
 - 3) Medical Officer of Health; and/or,
 - 4) chief planner for the City of Hamilton, or his or her designate.
- 6.3 The Director may reject an application or its renewal where any of the documents required by this By-law are incomplete or have not been filed.
- 6.4 Notwithstanding any other provision in the By-law, the Director may impose terms and conditions on any licence at issuance, renewal or any time during the term of the licence, including special conditions, as necessary in the opinion of the Director to give effect to this Schedule.
- 6.5 Before revoking or suspending a license, the Director shall consider:
- a) The impact of any such license revocation or suspension on any Tenant; and
 - b) Imposing terms or conditions on any such license revocation or suspension that would minimize the adverse impact on Tenants, including the possibility of providing a reasonable time period before the license revocation or suspension takes place to permit Tenants to find new housing or to seek relief in a Court or before the Ontario Landlord and Tenant Board;

7. ENFORCEMENT

- 7.1 This Schedule may be enforced by an Officer.
- 7.2 An Officer performing a duty under this By-law may be accompanied by a person under his or her direction.

File Name/Number: Appendix A - Rental Housing Units in Wards 1, 8 and parts of 14



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Authority: Item 6, Planning Committee
Report 21-014 (PED20093(b))
CM: September 29, 2021
Ward: City Wide

Bill No. 167

CITY OF HAMILTON

BY-LAW NO. 21-

To Amend Zoning By-law No. 05-200, Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough By-law No. 90-145-Z, Township of Glanbrook Zoning By-law No. 464. Hamilton Zoning By-law No. 6593 and City of Stoney Creek Zoning By-law No. 3692-92 Respecting Amendments to the Secondary Dwelling Unit Regulations

WHEREAS Council approved Item 6 of Report 21-014 of the Planning Committee, at the meeting held on September 29, 2021;

AND WHEREAS these By-laws are in conformity with the Urban and Rural Hamilton Official Plan.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Zoning By-law No. 05-200, as amended by By-law 21-71, be further amended, in accordance with Appendix "A", attached to this By-law.
- 2.. That the Town of Ancaster Zoning By-law No. 87-57, as amended by By-law 21-72, be further amended, in accordance with Appendix "B", attached to this By-law.
3. That the Town of Dundas Zoning By-law No. 3581-86, as amended by By-law 21-73, be further amended, in accordance with Appendix "C", attached to this By-law.
- 4.. That Town of Flamborough Zoning By-law No.90-145-Z, as amended by By-law 21-74, be further amended, in accordance with Appendix "D", attached to this By-law.
5. That Township of Glanbrook Zoning By-law No. 464, as amended by By-law 21-75, be further amended, in accordance with Appendix "E", attached to this By-law.
6. That Hamilton Zoning By-law No. 6593, as amended by By-law 21-76, be further amended, in accordance with Appendix "F", attached to this By-law.
7. That City of Stoney Creek Zoning By-law No. 3692-92, as amended by By-law 21-77, be further amended, in accordance with Appendix "G", attached to this By-law.

8. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the *Planning Act*.
9. That this By-law comes into force in accordance with Section 34 of the *Planning Act*.

PASSED this 29th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

CI-20-E

To Amend Zoning By-law 05-200, Town of Ancaster Zoning By-law No. 87-57, Town of Dundas Zoning By-law No. 3581-86, Town of Flamborough 90-145-Z, Township of Glanbrook Zoning By-law No. 464. Hamilton Zoning By-law No. 6593 and City of Stoney Creek Zoning By-law No. 3692-92 Respecting Secondary Dwelling Unit Regulations

Modifications to By-law 21-71 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
4.33 h) (existing)	<p>Parking shall be provided:</p> <p>1) In accordance with Section 5 of this by-law; and,</p> <p>2) Notwithstanding clause (h)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.</p>	<p>Parking shall be provided:</p> <p>1) In accordance with Section 5 of this by-law; and,</p> <p>2) Notwithstanding clause (h)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.</p>	<p>There have been some questions of interpretations on the parking requirements.</p> <p>This change will allow the existing single detached dwelling to retain whatever parking it legally had as of May 12, 2021 and to ensure the requirement for the SDU parking does not inadvertently affect the existing dwelling.</p>
4.33 n) (existing)	<p>Except as provided in Subsection 4.33q), the exterior appearance and character of the front façade of the Single Detached Dwelling, SemiDetached Dwelling or Street Townhouse Dwelling shall be preserved.</p>	<p>(regulation deleted)</p>	<p>The regulation has been deleted as the regulation is unnecessary. The regulation originated from Hamilton Zoning By-law No. 6593. The regulation was interpreted to not permit two front doors. As a regulation already exist in the SDU regulations, it is recommended to be deleted.</p>

Modifications to By-law 21-71 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
4.33 p) (existing)	Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line , interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.	Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.	Amendment addresses corner lots where the principal entrance faces a flankage lot line, and where the SDU entrance can only be located facing the front lot line.
4.33 o) 4.33 p) 4.33 q) 4.33 r) (existing)	4.33 o) n) 4.33 p) o) 4.33 q) p) 4.33 r) q)	4.33 n) 4.33 o) 4.33 p) 4.33 q)	A renumbering of existing regulations due to the deletion of Subsection 4.33 n) (see above).
4.33 q) (existing)	Notwithstanding 4.33 p) o) , an additional entrance may be located on the front façade of the building for lands identified on Special Figure 24 to Schedule "F".	Notwithstanding 4.33 o), an additional entrance may be located on the front façade of the building for lands identified on Special Figure 24 to Schedule "F".	A change in cross-referencing due to renumbering (see above).

Modifications to By-law 21-71 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
4.33.1a) (existing)	<p>A legally established accessory building existing as of May 12, 2021 in a Downtown (D5) Zone, Institutional (I1) Zone, Institutional (I2) Zone. Commercial and Mixed Use (C1) Zone or Transit Oriented Corridor (TOC3) Zone may be converted to a Secondary Dwelling Unit - Detached on a lot containing a single detached dwelling, semi-detached dwelling, and street townhouse dwelling subject to the following provisions:</p>	<p>A legally established accessory building existing as of May 12, 2021 in a Downtown (D5) Zone, Institutional (I1) Zone, Institutional (I2) Zone. Commercial and Mixed Use (C1) Zone or Transit Oriented Corridor (TOC3) Zone may be converted to a Secondary Dwelling Unit - Detached on a lot containing a single detached dwelling, semi-detached dwelling, and street townhouse dwelling subject to the following provisions:</p>	<p>Expand the preamble to separate Institutional (I1) Zone and Institutional (I2) Zone. Provides clarity to the preamble.</p>
4.33.1a) 2.	<p>Any additions over 10% of the existing gross floor area of the legally established accessory building to create a Secondary Dwelling Unit – Detached shall be in accordance with Subsections 4.33 a), c) to l), n), and p) q) and Subsections 4.33.1 (b) of this Zoning By-law;</p>	<p>Any additions over 10% of the existing gross floor area of the legally established accessory building to create a Secondary Dwelling Unit – Detached shall be in accordance with Subsections 4.33 a), c) to l), and q) and Subsections 4.33.1 (b) of this Zoning By-law;</p>	<p>A change in cross-referencing due to renumbering (see above).</p>
4.33.1b) 2. (existing)	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not</p>

Modifications to By-law 21-71 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added			
			impacting the integrity of the foundation and weeping tiles of the detached SDU.
4.33.1b) 3. (existing)	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.
4.33.1b) 4. (existing)	Notwithstanding Sections 4.33.1 b)2) and 3) and 3) , permeable pavers may be permitted where a parking space and driveway abut a laneway or street.	Notwithstanding Sections 4.33.1 b)2) and 3), permeable pavers may be permitted where a parking space and driveway abut a laneway or street.	Also allow permeable pavers in the side yard for purposes of parking.

Modifications to By-law 21-71 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
<p>Special Exception 325 (existing within Schedule "C" to Zoning By-law No. 05-200)</p>	<p>b) In addition to clause a), a Secondary Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010, and shall be in accordance with Section 4.33 of the By-law.</p>	<p>b) In addition to clause a), a Secondary Dwelling Unit may be permitted within a legally established single detached dwelling, semi-detached dwelling, street townhouse, or block townhouse dwelling existing as of May 26, 2010, and shall be in accordance with Section 4.33 of the By-law.</p>	<p>An amendment to the regulation cross-references Section 4.33 – Secondary Dwelling Units.</p>

Modifications to By-law 21-72 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added			
New clause	Add a new clause (jj) (jj) Notwithstanding Section 7.14(b)9i)(A), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.	(jj) Notwithstanding Section 7.14(b)9i)(A), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.	There have been some questions of interpretations on the parking requirements. This change will allow the existing single detached dwelling to retain whatever parking it legally had as of May 12, 2021 and to ensure the requirement for the SDU parking does not inadvertently affect the existing dwelling.
9.14.(a)(o) (existing)	Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line , interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.	Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.	Amendment addresses corner lots where the principal entrance faces a flankage lot line, and where the SDU entrance can only be located facing the front lot line.
9.14 (m) (existing)	The exterior appearance and character of the front façade of the Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse	(regulation deleted)	The regulation has been deleted as the regulation is unnecessary. The regulation originated

Modifications to By-law 21-72 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	Dwelling shall be preserved.		from Hamilton Zoning By-law No. 6593. The regulation was interpreted to not permit two front doors. As a regulation already exist in the SDU regulations, this regulation is deleted.
9.14.1(b)(ii) (existing)	A minimum 1.5 m Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.5 m Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.

Modifications to By-law 21-72 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
<p>9.14.1(b)(iii) (existing)</p>	<p>A minimum 1.5 m Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>A minimum 1.5 m Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.</p>
<p>10.3.7 (existing)</p>	<p>10.3.7 10.3.8 Secondary Dwelling Units</p>	<p>10.3.8 Secondary Dwelling Units</p>	<p>Correct the numbering of Section 10.3.7 as this number is shared with another existing subsection. Section 10.3.8 will now provide correct cross-reference. Regulation does not change.</p>

Modifications to By-law 21-73 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
6.31 xi)	<p>xi) Parking shall be provided:</p> <p>1) in accordance with Section 7 of this by-law; and,</p> <p>2) notwithstanding clause (k)1, no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.</p>	<p>xi) Parking shall be provided:</p> <p>1) in accordance with Section 7 of this by-law; and,</p> <p>2) notwithstanding clause (k)1, no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.</p>	<p>There have been some questions of interpretations on the parking requirements.</p> <p>This change will allow the existing single detached dwelling to retain whatever parking it legally had as of May 12, 2021 and to ensure the requirement for the SDU parking does not inadvertently affect the existing dwelling.</p>
6.31 xx)	<p>The exterior appearance and character of the front façade of the Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall be preserved.</p>	<p>(regulation deleted)</p>	<p>The regulation has been deleted as the regulation is unnecessary. The regulation originated from Hamilton Zoning By-law No. 6593. The regulation was interpreted to not permit two front doors. As a regulation already exist in the SDU regulations, this regulation is deleted.</p>

Modifications to By-law 21-73 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
6.31 xxii) (existing)	<p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line, interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.</p>	<p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.</p>	<p>Amendment addresses corner lots where the principal entrance faces a flankage lot line, and where the SDU entrance can only be located facing the front lot line.</p>
6:31.1ii)b) (existing)	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.</p>

Modifications to By-law 21-73 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
6:31.1ii)c) (existing)	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.
6:31.1ii)d) (existing)	Notwithstanding Sections Subsections be) and c) , permeable pavers may be permitted where a parking space and driveway abut a laneway or street.	Notwithstanding Subsections b) and c), permeable pavers may be permitted where a parking space and driveway abut a laneway or street.	Also allow permeable pavers in the side yard for purposes of parking.
7.12.1.10 (existing)	Secondary Dwelling Unit, Secondary Dwelling Unit - Detached 1 space per unit	Secondary Dwelling Unit, Secondary Dwelling Unit - Detached 1 space per unit	Secondary Dwelling Unit – Detached was inadvertently excluded from the parking space requirement.

Modifications to By-law 21-74 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
5.43.1 (o)	<p>The exterior appearance and character of the front façade of the Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall be preserved.</p>	(regulation deleted)	The regulation has been deleted as the regulation is unnecessary. The regulation originated from Hamilton Zoning By-law No. 6593. The regulation was interpreted to not permit two front doors. As a regulation already exist in the SDU regulations, this regulation is deleted.
5.43.1 (q) (existing)	<p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line, interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.</p>	<p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.</p>	<p>Amendment addresses corner lots where the principal entrance faces a flankage lot line, and where the SDU entrance can only be located facing the front lot line.</p>
5.43.3(b)ii) (existing)	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod</p>	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some</p>

Modifications to By-law 21-74 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	or ground cover.		rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.
5.43.3(b)iii) (existing)	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.
5.43.3(b)xi) (existing)	Each of the landscaped areas in Subsection 5.43.2r 5.43.1r shall screened on two sides by a visual barrier that has a minimum height of 0.3 metres.	Each of the landscaped areas in Subsection 5.43.1r) shall screened on two sides by a visual barrier that has a minimum height of 0.3 metres.	Amendment does not affect intent of the By-law. Correct the cross-referenced subsection.
11.13k)	k) Parking shall be provided: 1) in accordance with Section 7.35a) of this by-law; and, 2) notwithstanding clause (k)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking	k) Parking shall be provided: 1) in accordance with Section 7.35a) of this by-law; and, 2) notwithstanding clause (k)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which	There have been some questions of interpretations on the parking requirements. This change will allow the existing single detached dwelling to

Modifications to By-law 21-74 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added			
	spaces, which existed on May 12, 2021, shall continue to be provided and maintained.	existed on May 12, 2021, shall continue to be provided and maintained.	retain whatever parking it legally had as of May 12, 2021 and to ensure the requirement for the SDU parking does not inadvertently affect the existing dwelling.
17.1 (existing)	e) aa) Secondary Dwelling Units and Secondary Dwelling Units – Detached, subject to the provisions of Subsection 5.43.	aa) Secondary Dwelling Units and Secondary Dwelling Units – Detached, subject to the provisions of Subsection 5.43.	Amendment does not affect intent of the By-law. Correct the cross-referenced subsection.

Modifications to By-law 21-75 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
11.13k)	<p>(k) Parking shall be provided:</p> <p>1) in accordance with Section 7.35a) of this by-law; and,</p> <p>2) notwithstanding clause (k)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.</p>	<p>(k) Parking shall be provided:</p> <p>1) in accordance with Section 7.35a) of this by-law; and,</p> <p>2) notwithstanding clause (k)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.</p>	<p>There have been some questions of interpretations on the parking requirements.</p> <p>This change will allow the existing single detached dwelling to retain whatever parking it legally had as of May 12, 2021 and to ensure the requirement for the SDU parking does not inadvertently affect the existing dwelling.</p>
11.13n) (existing)	<p>The exterior appearance and character of the front façade of the Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall be preserved.</p>	<p>(regulation deleted)</p>	<p>The regulation has been deleted as the regulation is unnecessary. The regulation originated from Hamilton Zoning By-law No. 6593. The regulation was interpreted to not permit two front doors. As a regulation already exist in the SDU regulations, this regulation is</p>

Modifications to By-law 21-75 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
			deleted.
11.13p) (existing)	Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line , interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.	Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.	Amendment addresses corner lots where the principal entrance faces a flankage lot line, and where the SDU entrance can only be located facing the front lot line.
11.13.1b)(ii) (existing)	A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.

Modifications to By-law 21-75 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added			
11.13.1b)(iii) (existing)	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.

Modifications to By-law 21-76			
SECTION 19: RESIDENTIAL CONVERSIONS Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
19.(1) (existing)	Notwithstanding anything contained in this By-law, any new or legally established single detached, semi-detached, and street townhouse dwelling in all Residential Districts, and “H” (Community Shopping and Commercial, etc.) District...	Notwithstanding anything contained in this By-law, any new or legally established single detached, semi-detached, and street townhouse dwelling in all Residential Districts, and “H” (Community Shopping and Commercial, etc.) District...	Provides clarity that a applicant can construct a purpose built single, semi, or street townhouse, plus a purpose built SDU at the same time.
19.(1)(v) (existing)	Delete Clause. (v) A Secondary Dwelling Unit shall not be permitted in a cellar.	n/a	SDUs are permitted in clears in accordance with the requirements of the Ontario Building Code.
19.(1)(vi) to (xxi)	Renumber Clauses (vi) to (xxi) to (i) to(xx)	n/a	Renumbering required as a result of the deletion of clause (v)
19.(1)(xii) (existing)	Notwithstanding Section 19.(1) (xii) , (xi) for a lot containing a Secondary Dwelling Unit and or Secondary Dwelling Unit - Detached identified in Schedule “P” of Section 22, no additional parking space shall be required for any dwelling unit on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained;	Notwithstanding Section 19.(1)(xi) for a lot containing a Secondary Dwelling Unit or Secondary Dwelling Unit - Detached identified in Schedule “P” of Section 22, no additional parking space shall be required for any dwelling unit on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained; 1. Sections 19.(1)(xii) 2., 3. and 4. shall apply.	Correcting cross references as a result of the deletion of clause (v) The word ‘and’ should be ‘or’.

Modifications to By-law 21-76			
SECTION 19: RESIDENTIAL CONVERSIONS Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	<p>1. Sections 19.1(xiii) (xii) 2., 3. and 4. shall apply.</p> <p>4. Notwithstanding Section 19.1(xiii) (xii) 3., for a corner lot, a maximum of one driveway may be permitted from each street frontage.</p>	<p>4. Notwithstanding Section 19(xii) 3., for a corner lot, a maximum of one driveway may be permitted from each street frontage.</p>	
<p>19.(1)(xi) (existing)</p>	<p>Delete clause and replace with a new one:</p> <p>(xii) Parking shall be provided in accordance with Section 18(A) of this by law.</p>	<p>New clause:</p> <p>Notwithstanding Sections 18 - SUPPLEMENTARY REQUIREMENTS AND MODIFICATIONS and 18A – PARKING AND LOADING, the following parking requirements shall apply:</p> <p>1. Sections 18A(7), (7a), (9) and (10) shall apply.</p> <p>2. One parking space shall be provided for each Secondary Dwelling Unit and Secondary Dwelling Unit – Detached.</p> <p>3. no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021,</p>	<p>There have been some questions of interpretations on the parking requirements.</p> <p>This change will allow the existing single detached dwelling to retain whatever parking it legally had as of May 12, 2021 and to ensure the requirement for the SDU parking does not inadvertently affect the existing dwelling.</p> <p>Age of Construction: Before July 25, 1950: 0 parking spaces</p>

Modifications to By-law 21-76			
SECTION 19: RESIDENTIAL CONVERSIONS Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
		<p>shall continue to be provided and maintained.</p> <p>4. For all properties, with the exception of corner lots, parking may be permitted in the front yard provided that not less than 50% of the gross area of the front yard shall be used for a landscaped area excluding concrete, asphalt, gravel, pavers, or other similar materials.</p> <p>5. For properties on a corner lot, parking may be permitted in the side yard that abuts the street line provided that: (i) the area for parking shall not occupy more than 50% of the gross area of the side yard; and, (ii) not less than 50% of the gross area of the side yard shall be used for a landscaped area, excluding concrete, asphalt, gravel, pavers or other similar materials.</p> <p>6. For the purposes of calculating the gross areas of the front yard, Sections 18A (14)(d) to (f) shall apply.</p>	<p>July 26, 1950 – May 26, 1997: 1 parking space</p> <p>After May 27, 1997: 2 parking spaces for the first 8 habitable rooms in a dwelling unit, plus 0.5 parking spaces for each additional habitable room.</p>
19(1)(xiii) (existing)	Notwithstanding Section 19.(1)(xii), for a lot containing a Secondary Dwelling Unit and or Secondary Dwelling Unit - Detached identified in Schedule "P" of	Notwithstanding Section 19.(1)(xii), for a lot containing a Secondary Dwelling Unit or Secondary Dwelling Unit - Detached identified in Schedule "P" of Section 22,...	Amendment provides clarity that Schedule "P" applies on a lot containing either types

Modifications to By-law 21-76			
SECTION 19: RESIDENTIAL CONVERSIONS Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
	Section 22,...		of SDUs, not both.
19.(1)(xv) (existing)	<p>Except as provided in Subsection 19.(1)(xvii)1., the exterior appearance and character of the front façade of the Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall be preserved.</p>	(regulation deleted)	The regulation has been deleted as the regulation is unnecessary. The regulation originated from Hamilton Zoning By-law No. 6593. The regulation was interpreted to not permit two front doors. As a regulation already existin the SDU regulations, this regulation is deleted.
19.(1)(xvii) (existing)	<p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line, interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.</p>	Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.	Amendment addresses corner lots where the principal entrance faces a flankage lot line, and where the SDU entrance can only be located facing the front lot line.
19.(1)(xviii) (existing)	Notwithstanding 19.(1)(xvii)(xvi)	Notwithstanding 19.(1)(xvi)	Amendment does not change the intent of the original regulation. Corrections in the cross-

Modifications to By-law 21-76			
SECTION 19: RESIDENTIAL CONVERSIONS Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted		bolded text = text to be added	
			referencing.
19(1).1(i)(2) (existing)	2. Any additions over 10% of the existing gross floor area of the legally established accessory building to create a Secondary Dwelling Unit – Detached shall be in accordance with Subsections 19.(1) ii), iv), vi) to xiv) to xiii) inclusive, xix) xx), and xxi) , xviii), xix) and xx) and Subsections 19.(1).1 (ii) of this Zoning By-law	2. Any additions over 10% of the existing gross floor area of the legally established accessory building to create a Secondary Dwelling Unit – Detached shall be in accordance with Subsections 19.(1) ii)iv) to xiii) inclusive, xviii), xix) and xx) and Subsections 19.(1).1 (ii) of this Zoning By-law	Amendment does not change the intent of the original regulation. Corrections in the cross-referencing.
19(1).1(ii)(2) (existing)	A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.

Modifications to By-law 21-76			
SECTION 19: RESIDENTIAL CONVERSIONS Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
19(1).1(ii)(3) (existing)	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.
19(1).1(ii)(4) (existing)	Notwithstanding Sections 19.(1).1(ii) 2 3. and 3. , permeable pavers may be permitted where a parking space and driveway abut a laneway or street.	Notwithstanding Sections 19.(1).1(ii)2. and 3., permeable pavers may be permitted where a parking space and driveway abut a laneway or street.	Also allow permeable pavers in the side yard for purposes of parking.
19(1).1(ii)(5) (existing)	Notwithstanding Section 19.(1).1(ii)3., where the SDU Secondary Dwelling Unit - Detached entrance faces the laneway, a minimum 0.3 metres Rear Yard shall be provided abutting a laneway	Notwithstanding Section 19.(1).1(ii)3., where the Secondary Dwelling Unit - Detached entrance faces the laneway, a minimum 0.3 metres Rear Yard shall be provided abutting a laneway	Amendment does not change the intent of the original regulation. The acronym "SDU" is spelled out in its entirety.

Modifications to By-law 21-77 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
Grey highlighted strikethrough text = text to be deleted bolded text = text to be added			
6.1.7k)	(k) Parking shall be provided: 1) in accordance with Section 4.10 of this by-law; and, 2) notwithstanding clause (k)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.	(k) Parking shall be provided: 1) in accordance with Section 4.10 of this by-law; and, 2) notwithstanding clause (k)1), no additional parking space shall be required for any dwelling on a lot, provided the number of legally established parking spaces, which existed on May 12, 2021, shall continue to be provided and maintained.	There have been some questions of interpretations on the parking requirements. This change will allow the existing single detached dwelling to retain whatever parking it legally had as of May 12, 2021 and to ensure the requirement for the SDU parking does not inadvertently affect the existing dwelling.
6.1.7n) (existing)	The exterior appearance and character of the front façade of the Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall be preserved.	(regulation deleted)	The regulation has been deleted as the regulation is unnecessary. The regulation originated from Hamilton Zoning By-law No. 6593. The regulation was interpreted to not permit two front doors. As a regulation already exist in the SDU regulations, this regulation is deleted.

Modifications to By-law 21-77 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
6.1.7p) (existing)	<p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the Flankage Lot Line, interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.</p>	<p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented toward the interior Side Lot Line or Rear Lot Line, or in the case of a corner lot, the street frontage where the principal entrance is not located on.</p>	<p>Amendment addresses corner lots where the principal entrance faces a flankage lot line, and where the SDU entrance can only be located facing the front lot line.</p>
6.1.7.2b)ii) (existing)	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>A minimum 1.2 metres interior Side Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.</p>	<p>Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.</p>

Modifications to By-law 21-77 Secondary Dwelling Units			
Clause	Proposed Change	Proposed Revised Regulation	Rationale
<p>Grey highlighted strikethrough text = text to be deleted bolded text = text to be added</p>			
6.1.7.2b)iii) (existing)	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	A minimum 1.2 metres Rear Yard shall be provided which shall be unobstructed and not contain structures, walkways, sidewalks, hard surfaced material, and landscaping other than sod or ground cover.	Ground cover such as clovers and some ornamental grass also functions to stabilize soils and absorb some rainwater, while not impacting the integrity of the foundation and weeping tiles of the detached SDU.
6.1.7.2b)(xi) (existing)	Each of the landscaped areas in Subsection 4.1.13q) 6.1.7(q).	Each of the landscaped areas in Subsection 6.1.7(q).	Amendment does not change the intent of the original regulation. Corrections in the cross-referencing.
6.1.7.2b)(vi)(1) (existing)	For the purpose of this regulation, a Gross Floor Area shall not include exclude a garage, breezeway, porch, veranda, balcony, attic, basement, cellar, elevator shaft area or boiler room	For the purpose of this regulation, a Gross Floor Area shall not include a garage, breezeway, porch, veranda, balcony, attic, basement, cellar, elevator shaft area or boiler room	Amendment corrects the words “exclude” to “include”.
6.3.6.1 6.4.6.1 6.5.6.1 6.6.5.1 6.7.6.1 6.8.3i) 6.9.5.1 6.10.6.1	Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.9 6.1.7.	Secondary Dwelling Units and Secondary Dwelling Units – Detached are permitted in accordance with Section 6.1.7.	Amendment does not change the intent of the original regulation. Corrections in the cross-referencing.

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001
Ward: 10

Bill No. 168

CITY OF HAMILTON

BY-LAW NO. 21-

Respecting Removal of Part Lot Control

Part of Block 9, Block 13 and 14, Registered Plan No. 62M-1241, municipally known as 67, 69, 71, 73 to 111 Pinot Crescent, and 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175 and 177 Sonoma Lane, 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 61 lots for street townhouse dwellings, shown as Parts 1 to 111 inclusive and 50 access and maintenance easements (Parts 3, 4, 7, 8, 11, 12, 16, 17, 21, 22, 26, 27, 31, 32, 36, 37, 41, 42, 46, 47, 51, 52, 56, 57, 60, 61, 64, 65, 69, 70, 73, 74, 76, 77, 80, 81, 85, 86, 89, 90, 92, 93, 96, 97, 101, 102, 105, 106, 109 and 110), on deposited Reference Plan 62R-21674, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:

Part of Block 9, Block 13 and 14, Registered Plan No. 62M-1241, 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 29th day of September 2023.

Respecting Removal of Part Lot Control, Part of Block 9, Block 13 and 14, Registered Plan No. 62M-1241, municipally known as 67, 69, 71, 73 to 111 Pinot Crescent, and 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175 and 177 Sonoma Lane, Stoney Creek

Page 2 of 2

PASSED this 29th day of September 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk

PLC-21-007

CITY OF HAMILTON

BY-LAW NO. 21-

To Confirm the Proceedings of City Council at its meeting held on September 29, 2021.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 29th day of September 2021, in respect of each recommendation contained in

Board of Health Report 21-009 – September 20, 2021,
Public Works Committee Report 21-013 – September 20, 2021,
Planning Committee Report 21-014 – September 21, 2021,
General Issues Committee Report 21-018 – September 22, 2021,
and,
Audit, Finance & Administration Committee Report 21-014 – September 23, 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 29th day of September, 2021.

F. Eisenberger
Mayor

A. Holland
City Clerk