



City of Hamilton
GENERAL ISSUES COMMITTEE
REVISED

Meeting #: 22-009
Date: May 4, 2022
Time: 9:30 a.m.
Location: 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

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

1. CEREMONIAL ACTIVITIES

2. APPROVAL OF AGENDA

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

3. DECLARATIONS OF INTEREST

4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1. April 20, 2022

5. COMMUNICATIONS

- *5.1. Correspondence from Frances Grabowski, Vice-President, Development & Design, McMaster Innovation Park, respecting Item 10.4 - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests

Recommendation: Be received and referred to the consideration of Item 10.4.

6. DELEGATION REQUESTS

- *6.1. Dave Aston, MHBC Planning, respecting Item 10.4 - Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, as it relates to 1400 South Service Road

7. CONSENT ITEMS

- 7.1. Court Security and Prisoner Transportation Program Agreement for 2022 (FCS22030) (City Wide)
- 7.2. Clerk's Report 22-001 for the Cleanliness and Security in the Downtown Core Task Force, April 11, 2022
- 7.3. Business Improvement Area Advisory Committee Minutes, 22-003, March 22, 2022

8. STAFF PRESENTATIONS

- 8.1. COVID-19 Verbal Update

9. PUBLIC HEARINGS / DELEGATIONS

- 9.1. Bianca Caramento, Bay Area Climate Change Council, to present the BACCC's Options for Travel: Giving Residents a Real Choice Report

10. DISCUSSION ITEMS

- 10.1. 2022 Tax Policies and Area Rating (FCS22031) (City Wide)
- 10.2. Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 870 Queenston Road, Stoney Creek ERG-21-04 (PED22077) (Ward 5)
- 10.3. Open Streets Temporary Linear Urban Park (PED22075) (City Wide)
- 10.4. DEFERRED Sub-sections of Report PED17070(p) - GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests

(Deferred by the General Issues Committee at their meeting of April 20, 2022)

- *a. GRIDS 2 and Municipal Comprehensive Review – Follow-up Regarding Deferred Employment Land Conversion Requests (PED17010(r)) (City Wide)
- 10.5. Facility Naming Sub-Committee Report 22-001, April 25, 2022
- *10.6. Advisory Committee for Persons with Disabilities Report 22-004, April 12, 2022

- *10.7. Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide)

11. MOTIONS

- 11.1. Climate Change Action – Bay Area Climate Change Council Options for Travel Recommendations

12. NOTICES OF MOTION

- *12.1. Depaving Initiatives on Barton Street in Ward 3
- *12.2. Potential Costs Associated with the Termination of Non-Vaccinated City Employees

13. GENERAL INFORMATION / OTHER BUSINESS

- 13.1. Amendments to the Outstanding Business List
 - a. Items to be Removed
 - a. Requests or Expansion from Waterdown
(Addressed on this agenda as Items 10.4 and 10.4(a) - Reports PED17010(p) and PED17010(r)).
 - b. Proposed New Due Dates
 - a. Hamilton Tourism Strategy 2021 to 2025
Current Due Date: April 20, 2022
Proposed New Due Date: August 8, 2022

14. PRIVATE AND CONFIDENTIAL

- 14.1. Closed Session Minutes - April 20, 2022

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

14.2. Update on Recent Ontario Land Tribunal Decisions (LS22014-PED22119) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (e), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the 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.

Referred by the Planning Committee at its meeting of April 25, 2022 to the General Issues Committee.

15. **ADJOURNMENT**



GENERAL ISSUES COMMITTEE MINUTES 22-008

9:30 a.m.

April 20, 2022

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

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

Absent: Councillor S. Merulla – Personal

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

**1. Summary Report on 2022 Hamilton Business and Workforce Survey
(PED22080) (City Wide) (Item 7.1)**

(Pearson/VanderBeek)

That Report PED22080, respecting the Summary Report on the 2022 Hamilton Business and Workforce Survey, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

2. Labour Relations Activity Report & Analysis (2017 - 2021) (HUR22004) (City-Wide) (Item 7.2)

(Clark/Danko)

That Report HUR22004, respecting the Labour Relations Activity Report & Analysis (2017 - 2021), be received.


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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

3. GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (PED17010(p)) (City Wide) (Item 8.2)

(Jackson/Eisenberger)

- (a) That the City of Hamilton Employment Land Review: Deferred Conversion Requests and Analysis, dated April 2022, attached as Appendix “A” to Report PED17010(p), be received;
- (b) That, in addition to the approved conversion of certain employment lands to non-employment designations through Report PED17010(k), the conversion of an additional 7.4 hectares of Employment Lands, as identified in Appendix “A” to Report PED17010(p), through the Municipal Comprehensive Review process, be approved;
- (c) That the MCR Official Plan Amendment (UHOP Conformity Amendment) to be brought forward in May 2022 to include the following amendments to implement the recommendations of the City’s Employment Land Review:

- (i) The redesignation of 58.9 ha of employment lands to a non-employment designation, as recommended through Reports PED17010(k) and PED17010(p);
- (ii) Refinements to previously approved conversion for the lands located in the Flamborough Business Park, as identified in Appendix “B” to Report PED17010(p); and,
-  (v) Revision to the existing Institutional designation policies of the Airport Employment Growth District Secondary Plan as they relate to the future development of the lands at 700 Garner Road East.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Absent	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

4. Evaluation of Urban Boundary Expansion Requests - Waterdown (PED17010(q)) (Ward 15) (Item 8.3)

(Partridge/Powers)

- (a) That the following changes to the urban boundary for the Waterdown Urban Area be approved for implementation through the Municipal Comprehensive Review process:
 - (i) A portion of the lands located at 329 and 345 Parkside Drive, with an area of approximately 5.0 ha, be added to the Urban Area and designated Neighbourhoods in the Urban Hamilton Official Plan, as identified on Appendix “A” attached to Report PED17010(q);
 - (ii) Minor adjustments to the urban boundary to correct mapping errors in the vicinity of 100 Sunnycroft Avenue to align the Urban Area

boundary in the Urban Hamilton Official Plan with the Urban Area boundary in the Niagara Escarpment plan, identified on Appendix "B" attached to Report PED17010(q); and,

- (b) That the changes to the urban boundary be incorporated into the Municipal Comprehensive Review Official Plan Amendment to be considered at a statutory public meeting to be held on May 17, 2022.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

5. Barton Kenilworth Tax Increment Grant Program - 110 Barton Street East, Hamilton (PED22089) (Ward 2) (Item 10.1)

(Farr/Johnson)

- (a) That a Barton Kenilworth Tax Increment Grant Program application submitted by Jose Alejandro Lopez, for the property at 110 Barton Street East, Hamilton, estimated at \$1,522.36 over a maximum of a nine-year period, and based upon the incremental tax increase attributable to the renovations of 110 Barton Street East, Hamilton, be authorized and approved in accordance with the terms and conditions of the Barton Kenilworth Tax Increment Grant Program;
- (b) That the Mayor and City Clerk be authorized and directed to execute a Grant Agreement together with any ancillary documentation required, to give effect to the Hamilton Tax Increment Grant for Jose Alejandro Lopez for the property known as 110 Barton Street East, Hamilton, in a form satisfactory to the City Solicitor;

- (c) 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 Barton Kenilworth Tax Increment Grant Program, as approved by City Council, are maintained.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

6. Lease Extension – Royal Canadian Mounted Police (RCMP), 777 Highway No. 8, Stoney Creek (PED22053) (Ward 10) (Item 10.2)

(Pearson/Johnson)

- (a) That an Agreement of Annual Rent For Lease Extension Term between the City of Hamilton (Lessor) and Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee), for the subject premises located as identified in attached Appendix “A” to Report PED22053, and based substantially on the terms and conditions outlined in Appendix “B” to Report PED22053, and such other terms and conditions deemed appropriate by the General Manager of the Planning and Economic Development Department, be entered into by the City of Hamilton;
- (b) That all rental proceeds continue to be received into Dept. ID Account No.46035-791514;

- (c) That all costs related to the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee), including the real estate and legal costs of \$77,951.39, be funded from Dept. ID Account No. 55778-791514 and credited to Dept. ID Account No. 55778-812036 (Real Estate – Admin Recovery);
- (d) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City as Lessor, be authorized to administer the existing Lease and the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee) and provide any requisite consents, approvals, and notices related to the Agreement of Annual Rent For Lease Extension Term;
- (e) That the City Solicitor be authorized to amend and waive terms and conditions on such terms as considered reasonable to complete the leasing transaction, respecting the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee);
- (f) That the Mayor and Clerk be authorized and directed to execute the Agreement of Annual Rent For Lease Extension Term with Her Majesty The Queen In Right Of Canada, as represented by the Minister of Public Safety and Emergency Preparedness Canada, responsible for the Royal Canadian Mounted Police (Lessee), or such other form and all other necessary associated documents with all such documents to be in a form satisfactory to the City Solicitor; and,
- (g) That Appendix “B” to Report PED22053, respecting Lease Extension – Royal Canadian Mounted Police (RCMP), 777 Highway No. 8, Stoney Creek, remain confidential and not be released as a public document.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson

Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Yes	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

7. Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide (CM22007) (City Wide) (Item 10.3)

(Eisenberger/Powers)

- (a) That Hamilton Council request the Federal Government (specifically Infrastructure Canada, Industry, Science and Economic Development (ISED) to:
- (i) Ensure that incremental investments in broadband from other orders of government are made in urban areas and directed to fill gaps in the GTHA;
 - (ii) Recognize high-speed internet as an essential service, including a definition for affordability that combines fixed and mobile costs as a percentage of household income; and,
 - (iii) Collect and share local level data on assets, internet speeds, and service terminations/collection activities, in cooperation with internet service providers;
- (b) That the Hamilton Council request the Canadian Radio-television and Telecommunications Commission (CRTC) examine supports for municipal carriers who wish to promote access to their fibre broadband networks for public and private service providers;
- (c) That the City of Hamilton Council request the Province of Ontario, specifically Infrastructure Ontario (Ministry of Infrastructure) and Ministry of Finance or appropriate designate be requested to:
- (i) ensure that incremental investments in broadband from other orders of government are made in urban areas and directed to fill gaps in the GTHA, and,

- (ii) identify provincially owned fibre assets that can be leveraged to help close the digital divide such as schools, hospitals and traffic corridors;
- (d) That the Minister of Infrastructure or appropriate designate be requested to review existing legislation to include provisions on open access to telecommunications cabling and trenching activities for all developments; and,
- (e) That a copy of Report CM22007, respecting Intergovernmental Partnership to Improve Digital Infrastructure and Address the Digital Divide, be forwarded to for information to all local MPs and MPPS, the Federation of Canadian Municipalities (FCM) and the Association of Municipalities of Ontario (AMO).

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**8. Lease Agreement - 1579 Burlington Street East, Hamilton (PED22084)
(Ward 4) (Item 10.4)**

(Ferguson/Eisenberger)

- (a) That a Lease Agreement between the City of Hamilton (Lessor) and GFL Environmental Solutions Inc. (Lessee) for the occupancy and use of a building located at 1579 Burlington Street East, as depicted in Appendix "A" to Report PED22084, based substantially on the terms and conditions outlined in Appendix "B" attached to Report PED22084, and on such other terms and conditions deemed appropriate by the General Manager of

Planning and Economic Development Department or designate, be approved;

- (b) That the General Manager, Planning and Economic Development Department or designate, acting on behalf of the City of Hamilton (Lessor), be authorized to provide any consents, approvals, and notices related to the Lease Agreement - 1579 Burlington Street East;
- (c) That the City Solicitor be authorized to amend and waive such terms and conditions to the Lease Agreement - 1579 Burlington Street East as considered reasonable;
- (d) That the Base Rent, outlined in Appendix "B" attached to Report PED22084, be credited to Account No. 791907;
- (e) That the transactional costs, including real estate and legal fees of \$210,136, be funded from Account No. 791907 and credited to Dept. ID Account No. 45408-812036;
- (f) That the Mayor and Clerk be authorized and directed to execute the Lease Agreement - 1579 Burlington Street East or such other form and all other necessary associated documents, and all such documents to be in a form satisfactory to the City Solicitor; and,
- (g) That Appendix "B" to Report PED22084 remain confidential and not be released as a public document.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

9. Advisory Committee for Persons with Disabilities Report 22-003, March 8, 2022 (Item 10.5)

(Eisenberger/VanderBeek)

(a) Delegation to the General Issues Committee Respecting Support for the Advisory Committee for Persons with Disabilities and its Working Groups (Added Item 12.2)

WHEREAS, a request for Support for the Advisory Committee for Persons with Disabilities and its Working Groups is expected to be considered at a future meeting of the Advisory Committee for Persons with Disabilities; and,

WHEREAS, the General Issues Committee is expected to consider the request for Support for the Advisory Committee for Persons with Disabilities and its Working Groups as part of the Advisory Committee for Persons with Disabilities Report at a future meeting;

THEREFORE, BE IT RESOLVED:

That Tim Nolan be authorized to delegate at a meeting of the General Issues Committee on behalf of the Advisory Committee for Persons with Disabilities to speak in favour of the request for Support for the Advisory Committee for Persons with Disabilities and its Working Groups.

(b) Ability First – Accessibility Event, October 5, 2022 (Added Item 12.3)

WHEREAS, the Outreach Working Group of the Advisory Committee for Persons with Disabilities requests to organize and host an event to educate and increase awareness respecting accessibility and abilities; and,

WHEREAS, representatives of the Outreach Working Group of the Advisory Committee for Persons with Disabilities, as well as representatives from various community organizations and stakeholders (such as the Canadian National Institute for the Blind, Multiple Sclerosis Society, Canadian Hard of Hearing Association, L'Arche Hamilton, Hamilton Region Indian Centre, etc.), will be invited to take part in the event to highlight abilities and accessibility;

THEREFORE, BE IT RESOLVED:

- (i) That members of the Outreach Working Group of the Advisory Committee for Persons with Disabilities be authorized to organize and host an in-person event with a virtual component on October 5, 2022, including presentations, interactive programs and information

tables for agencies and services related to ability and accessibility;
and,

- (ii) That the Advisory Committee for Persons with Disabilities be authorized to use up to \$8,000 from the Volunteer Committee Reserve (#112212) for advertising, presenters, ALS interpreters, set up and take down and other elements for running the event.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

10. Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide) (Item 10.6)

(Whitehead/Pearson)

- (a) That the City suspend its Mandatory COVID-19 Vaccination Verification Policy requiring proof of full vaccination in the workplace, and that the following provisions in the current policy, be amended by:
- (i) removing the general requirement to provide proof of vaccination or participate in rapid antigen testing program as an ongoing condition of employment, thereby eliminating the termination of employment for those employees failing to provide evidence of vaccination by May 31, 2022;
- (ii) discontinuing the requirements for employees who have not disclosed their vaccination status (or who are subject to an accommodation) to participate in rapid antigen testing, effective May 2, 2022; and,

- (iii) removing citizen appointees from the application of the Policy.
- (b) That the conditions put into place to support provincial Directives in three specific areas be maintained as follows:
- (i) That the City Lodges maintain the requirement to be fully vaccinated, and those employees not disclosing proof of vaccination will remain on an unpaid leave of absence;
 - (ii) That the City Lodges maintain the daily Rapid Antigen Testing program that was put in place under the provincial Directives; and,
 - (iii) That the Hamilton Paramedic Services maintain the Rapid Antigen Testing program in place for unvaccinated employees put in place under provincial Directives;
- (c) That the Red Hill Childcare Centre maintain the Rapid Antigen Testing program that was put in place for unvaccinated employees under provincial Directives;
- (d) That all new hires continue to be required to provide proof of full vaccination as a condition of employment with the City; and,
- (e) That staff continue to monitor the COVID related environment with respect to any changes and/or necessary increased measures that may require further amendments or reinstatement of policy, and report back to the General Issues Committee, as required.

Upon Committee's request, sub-sections (a) and (e) were voted on separately.

Result: MOTION, on Subsection 10.1(a), CARRIED by a vote of 6 to 4, as follows:

No	-	Mayor Fred Eisenberger
No	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Absent	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
No	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
No	-	Ward 11 Councillor Brenda Johnson

**General Issues Committee
Minutes 22-008**

**April 20, 2022
Page 13 of 37**

Absent - Ward 12 Councillor Lloyd Ferguson
 Yes - Ward 13 Councillor Arlene VanderBeek
 Yes - Ward 14 Councillor Terry Whitehead
 Absent - Ward 15 Councillor Judi Partridge

Result: Motion, on Subsections 10.1(b), (c) and (d), CARRIED by a vote of 9 to 0, as follows:

Yes - Mayor Fred Eisenberger
 Yes - Ward 1 Councillor Maureen Wilson
 Yes - Ward 2 Councillor Jason Farr
 Absent - Ward 3 Councillor Nrinder Nann, Deputy Mayor
 Absent - Ward 4 Councillor Sam Merulla
 Absent - Ward 5 Councillor Russ Powers
 Absent - Ward 6 Councillor Tom Jackson
 Absent - Ward 7 Councillor Esther Pauls
 Yes - Ward 8 Councillor J. P. Danko
 Yes - Ward 9 Councillor Brad Clark
 Yes - Ward 10 Councillor Maria Pearson
 Yes - Ward 11 Councillor Brenda Johnson
 Absent - Ward 12 Councillor Lloyd Ferguson
 Yes - Ward 13 Councillor Arlene VanderBeek
 Yes - Ward 14 Councillor Terry Whitehead
 Absent - Ward 15 Councillor Judi Partridge

Result: MOTION, on Subsection 10.1(e), CARRIED by a vote of 8 to 1, as follows:

Yes - Mayor Fred Eisenberger
 No - Ward 1 Councillor Maureen Wilson
 Yes - Ward 2 Councillor Jason Farr
 Absent - Ward 3 Councillor Nrinder Nann, Deputy Mayor
 Absent - Ward 4 Councillor Sam Merulla
 Absent - Ward 5 Councillor Russ Powers
 Absent - Ward 6 Councillor Tom Jackson
 Absent - Ward 7 Councillor Esther Pauls
 Yes - Ward 8 Councillor J. P. Danko
 Yes - Ward 9 Councillor Brad Clark
 Yes - Ward 10 Councillor Maria Pearson
 Yes - Ward 11 Councillor Brenda Johnson
 Absent - Ward 12 Councillor Lloyd Ferguson
 Yes - Ward 13 Councillor Arlene VanderBeek
 Yes - Ward 14 Councillor Terry Whitehead
 Absent - Ward 15 Councillor Judi Partridge

11. Construction Litigation Update (LS18012(a)) (City Wide) (Item 14.2)

(Pearson/Eisenberger)

- (a) That direction provided to staff in Closed Session, respecting Report LS18012(a) – Construction Litigation Update, be approved; and,
- (b) That Report LS18012(a), respecting the Construction Litigation Update, remain confidential.

Result: MOTION, CARRIED by a vote of 9 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Absent	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Absent	-	Ward 6 Councillor Tom Jackson
Absent	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

12. Liquor License Applications for 622 Upper Wellington St, Hamilton and 415 Melvin Avenue, Hamilton (LS22019) (Ward 4 and 8) (Item 14.5)

(Eisenberger/Danko)

- (a) That the direction provided to staff in Closed Session, respecting Report LS22019 - Liquor License Applications for 622 Upper Wellington St, Hamilton and 415 Melvin Avenue, Hamilton, be approved;
- (b) That Report LS22019 - Liquor License Applications for 622 Upper Wellington St, Hamilton and 415 Melvin Avenue, Hamilton, remain confidential; and,
- (c) That Appendices “A” to “C” attached to Report LS22019, be released as public documents.

Result: MOTION, CARRIED by a vote of 8 to 1, as follows:

Yes - Mayor Fred Eisenberger

**General Issues Committee
Minutes 22-008**

**April 20, 2022
Page 15 of 37**

Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Jason Farr
Absent	-	Ward 3	Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4	Councillor Sam Merulla
Absent	-	Ward 5	Councillor Russ Powers
Absent	-	Ward 6	Councillor Tom Jackson
Absent	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
No	-	Ward 14	Councillor Terry Whitehead
Absent	-	Ward 15	Councillor Judi Partridge

13. Amendment to the Mandatory COVID-19 Vaccination Verification Policy - Legal Assessment (HUR21008(c)) (City Wide) (Item 14.6)

(Whitehead/Pearson)

- (a) That Report HUR21008(c), respecting the Amendment to the Mandatory COVID-19 Vaccination Verification Policy - Legal Assessment, be received; and,
- (b) That Report HUR21008(c), respecting the Amendment to the Mandatory COVID-19 Vaccination Verification Policy - Legal Assessment, remain confidential.

Result: MOTION, CARRIED by a vote of 9 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
No	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

FOR INFORMATION:**(a) APPROVAL OF AGENDA (Item 2)**

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

5. ADDED COMMUNICATIONS ITEMS**5.1. Correspondence respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests**

- (a) David Aston, Vice President and Partner, MHBC Planning, Urban Design and Landscape Architecture
- (b) Joyce van Dop
- (c) Mary Thompson

Recommendation: Be received and referred to the consideration of Item 8.2.

5.2. Correspondence respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests - Waterdown

- (a) Connor Harris, Rayman Beitchman LLP

Recommendation: Be received and referred to consideration of Item 8.3.

6. DELEGATION REQUESTS

- 6.1. Bianca Caramento, Bay Area Climate Change Council, to present the BACCC's Options for Travel: Giving Residents a Real Choice Report (For the May 4, 2022 GIC)
- 6.2. John Corbett and/or Nick Wood, Corbett Land Strategies Inc., respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (For today's meeting)
- 6.3. Frances Grabowski, McMaster Innovation Park, respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive

Review – Deferred Employment Land Conversion Requests (For today's meeting)

- 6.4. Nancy Friday, GSP Group Inc., respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown (For today's meeting)
- 6.5. Mike Crough, IBI Group Inc., respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests – Waterdown (For today's meeting)
- 6.6. Louis Frapporti and P.J. Mercanti, Hamilton100 Commonwealth Games Committee, respecting an update on the 2030 Commonwealth Games Bid initiative (For a future GIC)
- 6.7. Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown (For today's meeting)
- 6.8. Nancy Smith, Turkstra Mazza Associates, respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests – Waterdown (For today's meeting)

12. NOTICES OF MOTION

- 12.1 Change Action – Bay Area Climate Change Council Options for Travel Recommendations

(VanderBeek/Pauls)

That the agenda for the April 20, 2022 General Issues Committee meeting, be approved, as amended.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson

**General Issues Committee
Minutes 22-008**

**April 20, 2022
Page 18 of 37**

Absent	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) April 6, 2022 (Item 4.1)

(Partridge/Pearson)

That the Minutes of the April 6, 2022 General Issues Committee meeting, be approved, as presented.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(d) COMMUNICATION ITEMS (Item 5)

(i) Correspondence respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (Item 5.1)

(Farr/Powers)

That the following Communication Items, respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, be received and referred to the consideration of Item 8.2:

- (a) David Aston, Vice President and Partner, MHBC Planning, Urban Design and Landscape Architecture (Item 5.1.a.)
- (b) Joyce van Dop (Item 5.1.b.)
- (c) Mary Thompson (Item 5.1.c.)

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

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

- (ii) **Correspondence respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown (Item 5.2)**

(Farr/Powers)

That the correspondence from Connor Harris, Rayman Beitchman LLP, respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests – Waterdown, be received and referred to consideration of Item 8.3.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

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

(e) DELEGATION REQUESTS (Item 6)

(Jackson/Farr)

That the Delegation Requests, be approved, as follows:

- (i) Bianca Caramento, Bay Area Climate Change Council, to present the BACCC's Options for Travel: Giving Residents a Real Choice Report (For the May 4, 2022 GIC) (Item 6.1)
- (ii) John Corbett and/or Nick Wood, Corbett Land Strategies Inc., respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (For today's meeting) (Item 6.2)
- (iii) Frances Grabowski, McMaster Innovation Park, respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (For today's meeting) (Item 6.3)
- (iv) Nancy Frieday, GSP Group Inc., respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown (For today's meeting) (Item 6.4)
- (v) Mike Crough, IBI Group Inc., respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown (For today's meeting) (Item 6.5)

- (vi) Louis Frapporti and P.J. Mercanti, Hamilton100 Commonwealth Games Committee, respecting an update on the 2030 Commonwealth Games Bid initiative (For a future GIC) (Item 6.6)
- (vii) Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests - Waterdown (For today's meeting) (Item 6.7)
- (viii) Nancy Smith, Turkstra Mazza Associates, respecting Item 8.3 - Report PED17010)(q), Evaluation of Urban Boundary Expansion Requests – Waterdown (For today's meeting) (Item 6.8)

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(f) STAFF PRESENTATIONS (Item 8)

(i) COVID-19 Verbal Update (Item 8.1)

(Powers/VanderBeek)

That the verbal update respecting COVID-19, be DEFERRED until such time as the Medical Officer of Health is able to be in attendance to speak to the matter.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor

**General Issues Committee
Minutes 22-008**

**April 20, 2022
Page 22 of 37**

Absent	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Absent	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

Grace Mater, Acting Director of the Emergency Operations Centre; and, Dr. Elizabeth Richardson, Medical Officer of Health, provided the verbal update respecting COVID-19.

(Ferguson/Johnson)

That the verbal update respecting COVID-19, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(Pearson/Partridge)

That the General Issues Committee recess for one half hour until 1:50 p.m.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Yes	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

**(ii) GRIDS 2 and Municipal Comprehensive Review – Deferred
Employment Land Conversion Requests (PED17010(p)) (City Wide)
(Item 8.2)**

Lauren Vraets, Planner, provided the presentation respecting Report PED17010(p), respecting GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests.

(Whitehead/Pearson)

That the presentation, respecting Report PED17010(p), respecting GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Absent	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek

**General Issues Committee
Minutes 22-008**

**April 20, 2022
Page 24 of 37**

Yes - Ward 14 Councillor Terry Whitehead
Yes - Ward 15 Councillor Judi Partridge

(Wilson/Powers)

That consideration of Report PED17010(p), respecting GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, be DEFERRED until the delegates have been heard.

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

Yes - Mayor Fred Eisenberger
Yes - Ward 1 Councillor Maureen Wilson
Yes - Ward 2 Councillor Jason Farr
Yes - Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent - Ward 4 Councillor Sam Merulla
Yes - Ward 5 Councillor Russ Powers
Yes - Ward 6 Councillor Tom Jackson
Yes - Ward 7 Councillor Esther Pauls
Yes - Ward 8 Councillor J. P. Danko
Yes - Ward 9 Councillor Brad Clark
Yes - Ward 10 Councillor Maria Pearson
Absent - Ward 11 Councillor Brenda Johnson
Yes - Ward 12 Councillor Lloyd Ferguson
Yes - Ward 13 Councillor Arlene VanderBeek
Yes - Ward 14 Councillor Terry Whitehead
Yes - Ward 15 Councillor Judi Partridge

1. Deferral of sub-section (c)(iii) to Report PED17010(p) to the May 4, 2022 General Issues Committee

(Pearson/Clark)

That that sub-section (c)(iii) to Report PED17010(p), respecting the GRIDS 2 Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, which reads as follows, be DEFERRED to the May 4, 2022 General Issues Committee:

- (iii) Addition of a new Site Specific Policy in the Fruitland Winona Secondary Plan for the lands known as 1400 South Service Road, Stoney Creek;

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

Yes - Mayor Fred Eisenberger

Yes	-	Ward 1	Councillor Maureen Wilson
Yes	-	Ward 2	Councillor Jason Farr
Yes	-	Ward 3	Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

2. Deferral of sub-section (c)(iv) to Report PED17010(p) to the May 4, 2022 General Issues Committee

(Wilson/Eisenberger)

- (a) That that sub-section (c)(iv) to Report PED17010(p), respecting the GRIDS 2 Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, which reads as follows, be DEFERRED to the May 4, 2022 General Issues Committee:
- (iv) Revisions to the existing Area Specific Policy – A in the West Hamilton Innovation District Secondary Plan for McMaster Innovation Park;
- (b) That staff be directed to review the request from McMaster Innovation Park (MIP) to provide flexibility within the 15% threshold, using language that protects the City and the MIP moving forward.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls

Absent	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Yes	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

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

(iii) Evaluation of Urban Boundary Expansion Requests - Waterdown (PED17010(q)) (Ward 15) (Item 8.3)

Heather Travis, Senior Project Manager, provided the presentation respecting Report PED17010(q), respecting the Evaluation of Urban Boundary Expansion Requests – Waterdown.

(Partridge/Clark)

That the presentation, respecting Report PED17010(q), respecting the Evaluation of Urban Boundary Expansion Requests – Waterdown, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

(Partridge/Clark)

That consideration of Report PED17010(q), respecting the Evaluation of Urban Boundary Expansion Requests – Waterdown, be DEFERRED until such time as the delegates have been heard.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

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

(g) DELEGATIONS (Item 9)

(i) Matt Bremer, respecting the termination of employees based on their decision to not accept the COVID-19 vaccine (Item 9.1)

Matt Bremer addressed Committee respecting the termination of employees based on their decision to not accept the COVID-19 vaccine.

(Eisenberger/Partridge)

That the presentation provided by Matt Bremer, respecting the termination of employees based on their decision to not accept the COVID-19 vaccine, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla

Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Absent	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

For disposition of the above matter, please refer to Item 10.

Councillor T. Whitehead challenged the Chair with respect to her decision that he should speak to his questions on process with respect to City staff delegations respecting the City's vaccine policy under the General Information/Other Business Section of the agenda.

The Committee Clerk assumed the Chair; however, before the challenge could be voted upon, the matter was resolved, and Councillor Whitehead withdrew his challenge of the Chair.

Deputy Mayor Nann assumed the Chair.

(ii) John Corbett and/or Nick Wood, Corbett Land Strategies Inc., respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (Item 9.2)

John Corbett and Nick Wood, Corbett Land Strategies Inc., addressed Committee respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests.

(Eisenberger/Partridge)

That the presentation provided by John Corbett and Nick Wood, Corbett Land Strategies Inc., respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson

Yes	-	Ward 2	Councillor Jason Farr
Yes	-	Ward 3	Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4	Councillor Sam Merulla
Yes	-	Ward 5	Councillor Russ Powers
Yes	-	Ward 6	Councillor Tom Jackson
Yes	-	Ward 7	Councillor Esther Pauls
Yes	-	Ward 8	Councillor J. P. Danko
Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Absent	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

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

(iii) Frances Grabowski, McMaster Innovation Park, respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests (Item 9.3)

Frances Grabowski and Drew Hauser, McMaster Innovation Park, addressed Committee respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests.

(Eisenberger/Partridge)

That the presentation provided by Frances Grabowski and Drew Hauser, McMaster Innovation Park, respecting Item 8.2 - Report PED17010(p), GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson

Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

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

(iv) Nancy Friedday, GSP Group Inc., respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests - Waterdown (Item 9.4)

Nancy Friedday, GSP Group Inc., addressed Committee respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown.

(Eisenberger/Partridge)

That the presentation provided by Nancy Friedday, GSP Group Inc., respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

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

(v) Mike Crough, IBI Group Inc., respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown (Item 9.5)

Mike Crough, IBI Group Inc., addressed Committee respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown.

(Eisenberger/Partridge)

That the presentation provided by Mike Crough, IBI Group Inc., respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

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

(vi) Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests - Waterdown (Item 9.6)

Dr. Lynda Lukasik, Environment Hamilton, addressed Committee respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown.

(Eisenberger/Partridge)

That the presentation provided by Dr. Lynda Lukasik, Environment Hamilton, respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeeck
Absent	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

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

(vii) Nancy Smith, Turkstra Mazza Associates, respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown (Item 9.7)

Nancy Smith, Turkstra Mazza Associates, addressed Committee respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown.

(Eisenberger/Partridge)

That the presentation provided by Nancy Smith, Turkstra Mazza Associates, respecting Item 8.3 - Report PED17010(q), Evaluation of Urban Boundary Expansion Requests – Waterdown, be received.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark

Yes	-	Ward 10	Councillor Maria Pearson
Absent	-	Ward 11	Councillor Brenda Johnson
Yes	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
Absent	-	Ward 14	Councillor Terry Whitehead
Yes	-	Ward 15	Councillor Judi Partridge

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

(h) DISCUSSION ITEMS (Item 10)

(i) Amendment to the Mandatory COVID-19 Vaccination Verification Policy (HUR21008(b)) (City Wide) (Item 10.6)

(Ferguson/Clark)

That consideration of Report HUR21008(b), respecting an Amendment to the Mandatory COVID-19 Vaccination Verification Policy, be DEFERRED until after the Committee reconvenes in Open Session.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Yes	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Yes	-	Ward 15 Councillor Judi Partridge

For disposition of this matter, please refer to Item 10.

(i) NOTICES OF MOTION (Item 12)

Councillor J. P. Danko introduced the following Notice of Motion:

(i) Climate Change Action – Bay Area Climate Change Council Options for Travel Recommendations (Item 12.1)

WHEREAS, the City of Hamilton recognizes that Climate Change is an emergency and a threat to municipalities across the world and urgent climate action is needed;

WHEREAS, Hamilton City Council declared a climate emergency on March 27, 2019, and directed staff to form a Corporate Climate Change Task Force;

WHEREAS, over 12% of Hamilton emissions come from the transportation sector and low carbon forms of transportation facilitate our collective efforts to decarbonize; and,

WHEREAS, transportation connectivity and the safety of residents are priorities for the City of Hamilton, as reflected in the Ten-Year Local Transit Strategy, Vision Zero, and the Cycling Master Plan;

THEREFORE, BE IT RESOLVED:

That the General Manager of the Planning and Economic Development Department be directed to work with staff to review how each recommendation in the Bay Area Climate Change Council's Options for Travel report could be actioned, and report back to the General Issues Committee by September 21, 2022.

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

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

(Johnson/Pearson)

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

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

(a) Items to be Removed (Item 13.1.a.)

- (1) Protection of Privacy**
Current Due Date: May 4, 2022
Proposed New Due Date: September 7, 2022

- (2) Options on How the City May Pedestrianize a Street or Collection of Streets
Current Due Date: April 20, 2022
Proposed New Due Date: May 4, 2022

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Yes	-	Ward 11 Councillor Brenda Johnson
Yes	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
Yes	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(k) PRIVATE & CONFIDENTIAL (Item 14)

(i) Closed Session Minutes – April 6, 2022 (Item 14.1)

(Clark/Danko)

- (a) That the Closed Session Minutes of the April 6, 2022 General Issues Committee meeting, be approved; and,
- (b) That the Closed Session Minutes of the April 6, 2022 General Issues Committee meeting, remain confidential.

Result: MOTION, CARRIED by a vote of 11 to 1, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko

**General Issues Committee
Minutes 22-008**

**April 20, 2022
Page 36 of 37**

Yes	-	Ward 9	Councillor Brad Clark
Yes	-	Ward 10	Councillor Maria Pearson
Yes	-	Ward 11	Councillor Brenda Johnson
Absent	-	Ward 12	Councillor Lloyd Ferguson
Yes	-	Ward 13	Councillor Arlene VanderBeek
No	-	Ward 14	Councillor Terry Whitehead
Absent	-	Ward 15	Councillor Judi Partridge

(Pearson/VanderBeek)

That Committee move into Closed Session to discuss Items 14.2, 14.5 and 14.6, pursuant to Section 9.1, Sub-sections (d), (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (d), (e), (f) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matters pertain to labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

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

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
No	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

(I) ADJOURNMENT (Item 14)

(Clark/Pearson)

That there being no further business, the General Issues Committee be adjourned at 6:33 p.m.

Result: MOTION, CARRIED by a vote of 9 to 0, as follows:

Yes	-	Mayor Fred Eisenberger
Yes	-	Ward 1 Councillor Maureen Wilson
Yes	-	Ward 2 Councillor Jason Farr
Yes	-	Ward 3 Councillor Nrinder Nann, Deputy Mayor
Absent	-	Ward 4 Councillor Sam Merulla
Absent	-	Ward 5 Councillor Russ Powers
Yes	-	Ward 6 Councillor Tom Jackson
Yes	-	Ward 7 Councillor Esther Pauls
Yes	-	Ward 8 Councillor J. P. Danko
Yes	-	Ward 9 Councillor Brad Clark
Yes	-	Ward 10 Councillor Maria Pearson
Absent	-	Ward 11 Councillor Brenda Johnson
Absent	-	Ward 12 Councillor Lloyd Ferguson
Yes	-	Ward 13 Councillor Arlene VanderBeek
No	-	Ward 14 Councillor Terry Whitehead
Absent	-	Ward 15 Councillor Judi Partridge

Respectfully submitted,

Nrinder Nann, Deputy Mayor
Chair, General Issues Committee

Jason Farr, Acting Deputy Mayor
Chair, General Issues Committee

Stephanie Paparella
Legislative Coordinator,
Office of the City Clerk



175 Longwood Road South, Suite 101A
Hamilton, ON
L8P 0A1

May 2, 2022

Re: General Issues Committee, May 4th
McMaster Innovation Park Lands; GRIDS 2 and Municipal Comprehensive Review – Deferred
Employment Land Conversion Requests

Madam Chair and Members of Council,

With careful consideration, McMaster Innovation Park, in collaboration with the City of Hamilton Planning Committee staff, are in acceptance of the following recommendations for the Site Specific Policy;

6.4.10.1 In addition to Policy B.6.4.3.1 – General Development Policies, the following policies shall apply to the lands shown as Site Specific Policy – Area A - McMaster Innovation Park on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan:

a) Educational, residential **multiple dwellings** and commercial uses permitted ancillary to McMaster Innovation Park shall be developed in accordance with the long-term vision to create a dynamic, integrated state-of-the-art research community that shall foster innovation, entrepreneurialism and creativity. **Residential Uses shall be subject to the following policies:**

i) **Multiple dwellings in mixed use buildings shall be permitted;**

~~ii) Multiple dwellings will be clustered in the North-East quadrant of the site;~~

~~iii) A maximum of two multiple dwellings shall be permitted;~~

ii) The Gross Floor Area for multiple dwellings shall be limited to a maximum of 15% of the total gross floor area of all existing and proposed buildings, which are to be used for other permitted M1 uses, located on the said lands, save and except for the following uses:

- a. Educational Establishments;
- b. **Multiple Dwelling(s);**
- c. Commercial Parking Facilities; and,
- d. Warehouse (as a primary use);

iii) The development of any **multiple dwellings or sensitive land uses** shall require the submission and implementation of a Land Use Compatibility study to the satisfaction of the City to demonstrate that the use avoids, or where avoidance is not possible, minimizes and mitigates any adverse impacts on employment uses permitted through Policy B.6.4.3.3. The Land Use Compatibility study shall be submitted as part of a Complete Application in accordance with Section F.1.19 of Volume 1;

- iv) **The Zoning By-law shall regulate matters related to timing and sequencing of residential development to ensure that any residential use permitted on the site is proportional to the development of the established employment uses within McMaster Innovation Park; and,**
- v) **The Zoning By-law shall regulate matters for residential use, among other regulations as required – including, building heights, parking requirements, and other site-specific performance standards for development.”**

Thank you in advance for your support of the Innovation Park.

Sincerely,



Frances Grabowski
Vice-President, Development & Design
McMaster Innovation Park
fgrabowski@mcmasterinnovationpark.ca



Submitted on Friday, April 29, 2022 - 12:18pm Submitted by anonymous user: 172.70.178.105
Submitted values are:

==Committee Requested==

Committee: General Issues Committee

Will you be delegating in person or virtually? Virtually

Will you be delegating via a pre-recorded video? No

==Requestor Information==

Name of Organization (if applicable): MHBC Planning

Name of Individual: Dave Aston

Preferred Pronoun:

Contact Number: 519-504-4647

Email Address: daston@mhbcplan.com

Mailing Address: 540 Bingemans Centre Drive, Suite 200

Reason(s) for delegation request: Respond to Item 10.4 re: 1400

South Service Rd

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes



MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

1400 SOUTH SERVICE ROAD EMPLOYMENT LAND CONVERSION REQUEST

General Issues Committee

May 4, 2022

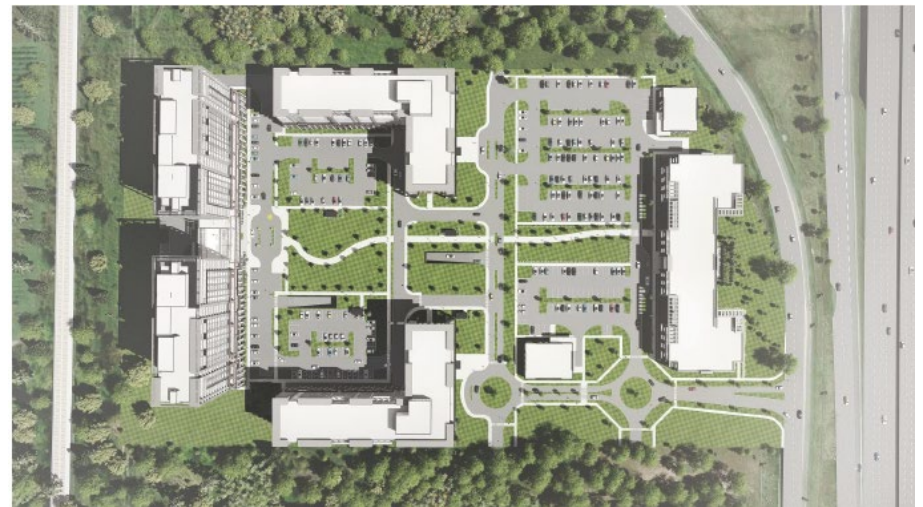
GATEWAY VISION

- Losani proposes a comprehensively planned, transit supportive mixed use development with:
 - Minimum of over 400 jobs, greater than the density in the City LNA
- Proposed development would support more jobs than a typical business park / industrial development
- Subject lands are well positioned to assist with residential needs and intensification in the Urban Area / Built Up Area
- Conversion will not impact the long term viability of any other employment lands and lands not within a PSEZ



PREVIOUS SUBMISSIONS AND PLANNING APPLICATIONS

- Previous submissions have been made to allow review of the conversion criteria and discussions with City staff
- OPA and ZBA applications submitted in August, 2021 – continue to be under review by staff and agencies



SUMMARY

- We support the City's recommendation for deferral to allow time for the land use assessment and further consideration of the ongoing site specific Official Plan Amendment and Zoning By-law Amendment applications





INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 4, 2022
SUBJECT/REPORT NO:	Court Security and Prisoner Transportation Program Agreement for 2022 (FCS22030) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Cyrus Patel (905) 546-2424 Ext. 7698 Kirk Weaver (905) 546-2424 Ext. 2878
SUBMITTED BY:	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
SIGNATURE:	

COUNCIL DIRECTION

Not Applicable.

INFORMATION

Commencing in 2012, the Ontario government began reimbursing a portion of Court Security and Prisoner Transportation (CSPT) costs to help municipalities fund the service in their jurisdictions. The City of Hamilton is responsible for the costs of providing security for court premises during hours of court operations and security of persons attending court and / or the costs of transporting prisoners and custodial minors (i.e. persons between twelve and seventeen years of age) between correctional institutions, custodial facilities and court locations for the purposes of court attendance. The CSPT Program will provide a maximum total of \$125 M for 2022 province wide.

An expenditure-based model was used to determine allocation for 2022. Funding is allocated based on each municipality's relative share of the total 2020 CSPT cost across the province. For example, if a municipality's CSPT cost represents 1% of the total provincial CSPT cost, then it will be allocated 1% of the available funding. For the current funding period 2022, the City of Hamilton's funding allocation is \$4.90 M (3.9%). Based on this allocation model, the City's proportionate share of the funding will vary from year to year based on the relative spending for CSPT by other municipalities in the Province.

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.

SUBJECT: Court Security and Prisoner Transportation Program Agreement for 2022 (FCS22030) (City Wide) – Page 2 of 3

In the Fall of 2020, the Ministry undertook a review of the delivery of court security and prisoner transportation in Ontario, including the Court Security and Prisoner Transportation (CSPT) Transfer Payment (TP) Program, to help strengthen best practices and explore ways to improve efficiencies. On March 31, 2021, the City was notified that no changes to the program were made for 2021 as a result of the review.

As a condition for receiving the Provincial funding, the agreement requires the City to:

- Use the funds only for eligible activities; and
- Report back to the Province using the Annual Financial and Performance Measurement Report template provided (this report to be prepared by Hamilton Police Service).

Each year, the Province requires the City to enter into a new agreement in order to access the funds made available for the CSPT Program. In the interest of operational efficiency, authorization was provided through Report FCS21036 for the General Manager, Finance and Corporate Services, to be able to execute similar future agreements between the City of Hamilton and the Province as represented by its Solicitor General, in a form satisfactory to the City Solicitor.

Ontario is the only province in Canada where legislation dictates court security be paid with municipal property tax dollars and delivered through local police service boards via police chiefs. By entering into the Agreement, the City of Hamilton will receive partial reimbursement from the Province of Ontario for eligible services and activities under the Court Security and Prisoner Transportation Program, in accordance with the terms and conditions of the agreement effective January 1, 2022. The Agreement sets out the criteria for eligible services and activities. The City will receive funding amounting to \$4.90 M for 2022 against a 2022 Police budget estimate of \$5.05 M. The lower allocation for 2022 will result in a recovery shortfall of \$160.2 K for the Police compared to the approved budget.

Table 1 shows details of the funding received by the City from 2012 to 2022 and the actual CSPT expenditures incurred by the City. The funding shortfall has been increasing over the last few years and for 2022, there is an anticipated funding shortfall of \$3.2 M.

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.

**SUBJECT: Court Security and Prisoner Transportation Program Agreement for
2022 (FCS22030) (City Wide) – Page 3 of 3**

Table 1

CSPT Funding and City Expenses – 2012 to 2022

Year	Total Provincial Funding \$'000	City Expenses \$'000 Budget	City Share of Provincial Funding \$'000	% of City Expense Funded by Province	Funding Shortfall \$'000	City Share % of Provincial Funding
2012	17,800	5,017	705	14%	(4,312)	4.0%
2013	35,700	4,871	1,410	29%	(3,461)	3.9%
2014	53,500	4,779	2,115	44%	(2,664)	4.0%
2015	71,300	5,067	2,546	50%	(2,521)	3.6%
2016	89,200	5,792	3,182	55%	(2,610)	3.6%
2017	107,100	6,315	3,601	57%	(2,714)	3.4%
2018	125,000	6,467	4,201	65%	(2,266)	3.4%
2019	125,000	7,177	4,947	69%	(2,230)	4.0%
2020	125,000	7,411	5,055	68%	(2,356)	4.0%
2021	125,000	7,839	5,173	66%	(2,666)	4.1%
2022	125,000	8,114	4,895	60%	(3,219)	3.9%
Total		68,849	37,830		(31,019)	

Although total funding from 2018-2022 has been maintained at \$125 M, the City of Hamilton's apportionment has fluctuated slightly over that period as a percentage share of the total CSPT allocation.

The funding amount of \$4,895,063 for 2022 represents approximately 3.9% of the available funding.

Funding is conditional upon the execution of the Agreement for 2022 between the Province and the City by March 31, 2022.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report FCS22030 – Letter from the Province dated March 15, 2022, outlining the details of the funding offered for 2022 for Court Security and Prisoner Transportation along with terms and conditions.

KW/CP/dt

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.

March 15, 2022

Mr. Kirk Weaver
Manager, Current Budgets and Fiscal Planning
City of Hamilton
71 Main Street West
Hamilton ON L8P 4Y5

Dear Mr. Weaver:

We are pleased to inform you that we are proceeding with the Court Security and Prisoner Transportation (CSPT) Program and providing a maximum total of \$125M to assist municipalities in offsetting their CSPT costs in 2022.

As you may know, in September 2020, the Ministry of the Solicitor General (ministry) hired an independent consultant to conduct a review of court security and prisoner transportation in Ontario, including the design of the CSPT Program. Municipalities, police services and other justice sector partners were engaged during the review process.

The review is complete and on January 21, 2022, a letter was sent to review participants, including policing stakeholders and municipal partners, sharing an update on the review as well as a high-level summary and full report. As noted in the letter, the ministry is continuing the CSPT TP Program with no changes to the overall funding envelope, subject to the regular fiscal process.

In addition, a phased approach is being taken in response to the program review to ensure a pathway for future planning and continuous improvement founded on evidence that addresses gaps in the program review. As a first step in this phased approach, and based on one of the vendor's recommendations, the ministry is enhancing reporting requirements for the CSPT TP Program through the introduction of a performance measurement framework (PMF). This will help create a foundation for continuous quality improvement and program efficiencies that is evidence-based.

Beginning in 2022, as part of the CSPT TP program, a report-back on provincially identified performance measures and indicators will be required as outlined in the Transfer Payment Agreement. Reporting will be on an annual basis and aligned with the timelines for financial reporting.

Similar to previous years, an expenditure-based model is used to determine allocation for 2022. Funding is allocated based on each municipality's relative share of the total 2020 CSPT cost across the province. For example, if a municipality's CSPT cost represents one per cent of the total provincial CSPT cost, then it will be allocated one per cent of the available funding. With that, subject to the enclosed agreement being finalized, your allocation for 2022 is **\$4,895,063.02**. The payment schedule is outlined under Schedule D of the enclosed agreement.

Please have the authorized signatory for the grantee sign the enclosed agreement, where noted, and return by email to Nithuzha.Navendram@ontario.ca by **March 31, 2022**, along with proof of your general liability insurance (\$5 million), indemnifying "Her Majesty the Queen in Right of Ontario, her Ministers, Agents, Appointees and Employees", as per section A10.2 of the agreement. If you are unable to obtain signature for the agreement prior to March 31st, please email a written attestation committing to returning the signed agreement to the ministry by no later than April 11th.

A fully executed copy of the agreement will be returned to you for your records.

If you have any questions, or require support related to the new performance measurement requirements, please contact Nithuzha Navendram, Community Safety Analyst, Program Development Section at Nithuzha.Navendram@ontario.ca or Tiana Biordi, Team Lead, Program Development Section at Tiana.Biordi@ontario.ca.

Sincerely,

Emily Jefferson

Emily Jefferson
Manager, Program Development Section
External Relations Branch

Enclosures



Hamilton

BUSINESS IMPROVEMENT AREA ADVISORY COMMITTEE

MINUTES 22-003

8:00 a.m.

Tuesday, March 22, 2022

Virtual Meeting

Hamilton City Hall

71 Main Street West

Present: Councillor Esther Pauls (Chair)
 Susie Braithwaite – International Village BIA
 Tracy MacKinnon – Westdale Village BIA and Stoney Creek BIA
 Cristina Geissler – Concession Street BIA
 Kerry Jarvi – Downtown Hamilton BIA
 Katie Poissant-Paul – Ancaster BIA
 Bettina Schormann – Locke Street BIA
 Susan Pennie – Waterdown BIA
 Jessica Myers – Barton Village BIA

Absent: Michal Cybin – King West BIA
 Bender Chug – Main West Esplanade BIA
 Maggie Burns – Ottawa Street BIA
 Lisa Anderson – Dundas BIA

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

(Poissant-Paul/Geissler)

That the agenda for the March 22, 2022 Business Improvement Area Advisory Committee meeting be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

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

(i) February 8, 2022 (Item 4.1)

(Braithwaite/Jarvi)

That the February 8, 2022 Minutes of the Business Improvement Area Advisory Committee be approved, as presented.

CARRIED

(d) STAFF PRESENTATIONS (Item 8)

(i) Starter Company Plus Program for 2022 (Item 8.1)

Luisa Cicconi, Business Development Officer addressed the Committee with information on the Starter Company Plus Program for 2022.

(Myers/MacKinnon)

That the staff presentation respecting the Starter Company Plus Program for 2022, be received.

CARRIED

(ii) Christmas Free Parking Program (Item 8.2)

Brian Hollingworth, Director of Transportation Planning and Parking and Amanda McIlveen, Manager of Parking Operations and Initiatives addressed the Committee with information on the Christmas Free Parking Program.

(Braithwaite/Pennie)

That the staff presentation respecting the Christmas Free Parking Program, be received.

CARRIED

(e) DISCUSSION ITEMS (Item 10)

(i) Meetings of the BIA Boards of Management (Item 10.1)

Loren Kolar, Legislative Coordinator addressed the Committee respecting the Meetings of the BIA Boards of Management.

(MacKinnon/Geissler)

That the discussion respecting the Meetings of the BIA Boards of Management, be received.

CARRIED

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

(i) Commercial Districts and Small Business Verbal Update (Item 13.1)

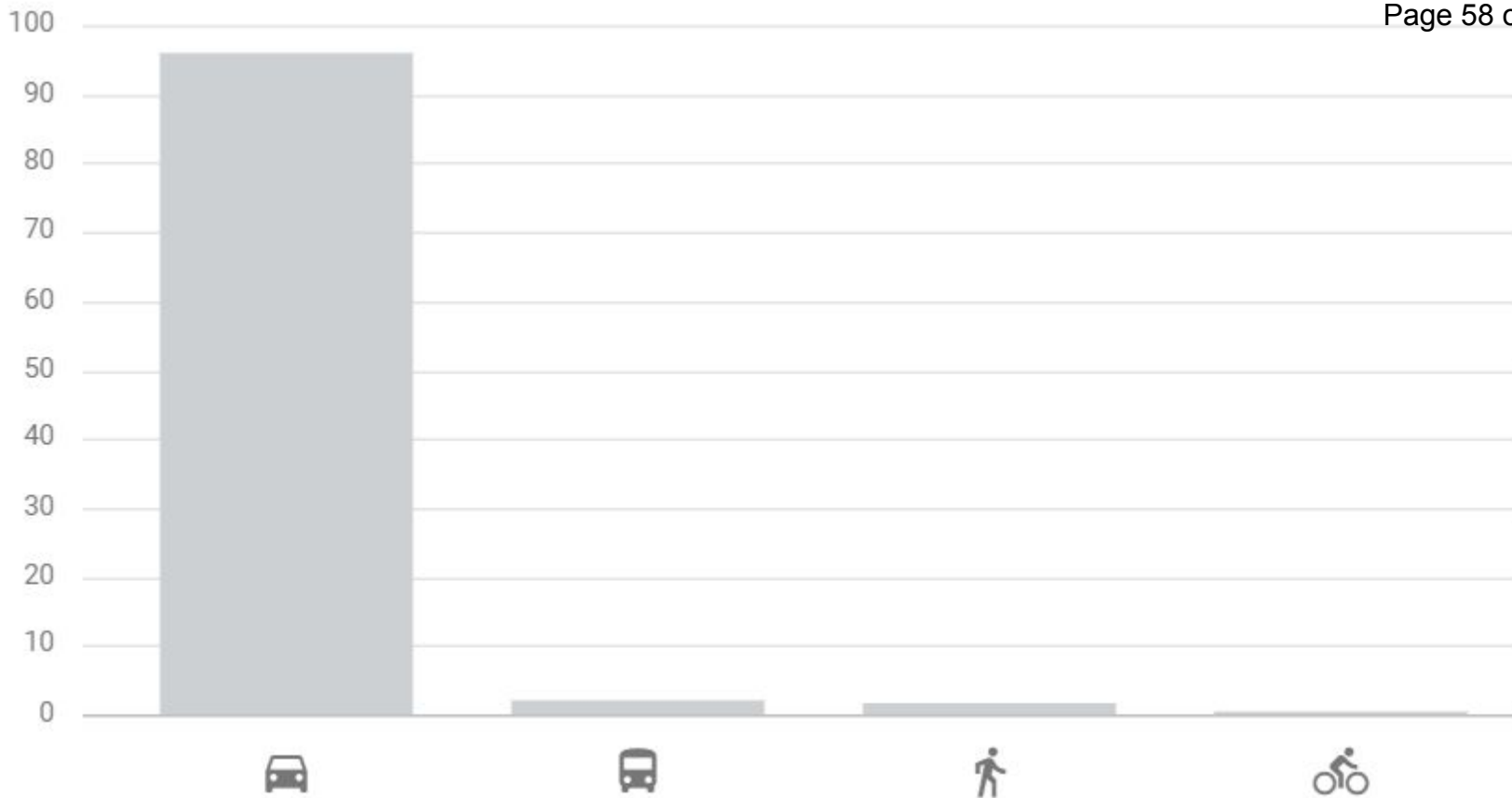
Judy Lam, Manager of Commercial Districts and Small Business and Karol Murillo, Senior Business Development Consultant, addressed the Committee respecting an update on Commercial Districts and Small Business.

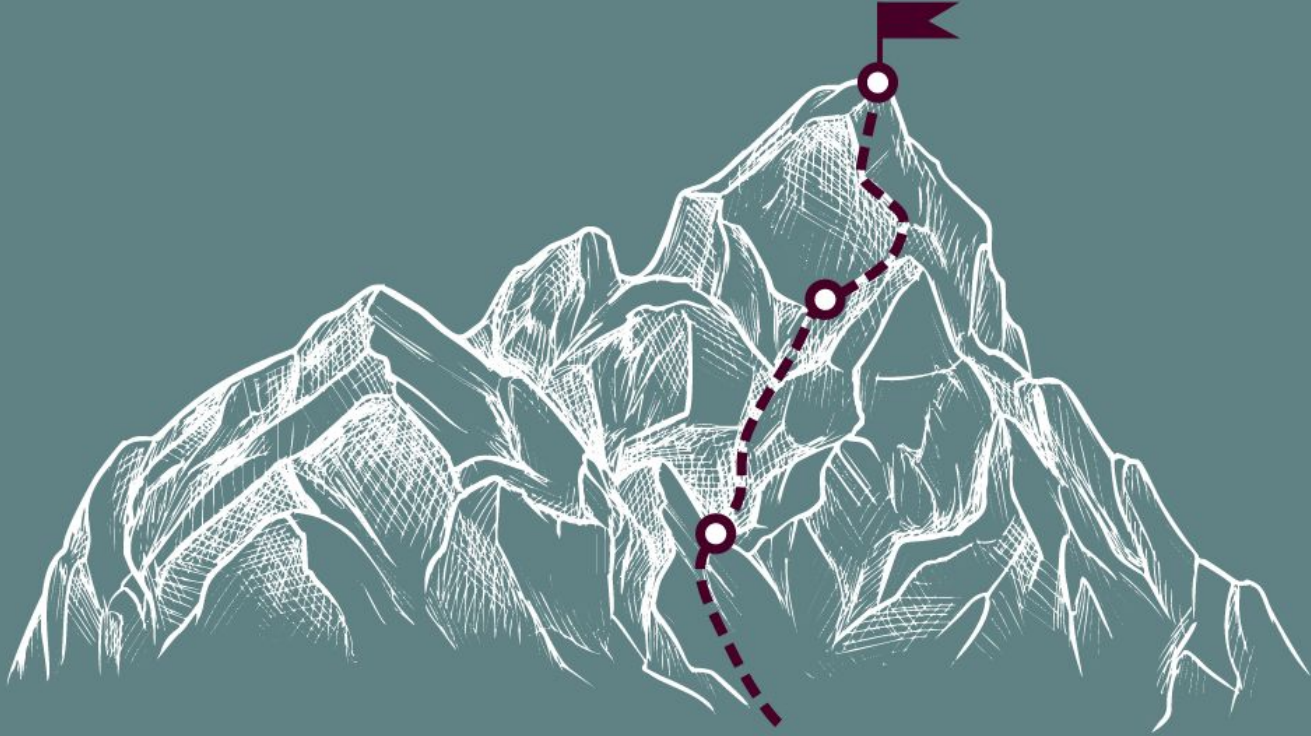
Quorum was lost at 9:40 a.m. and therefore the meeting adjourned.

Respectfully submitted,

Councillor E. Pauls
Chair Business Improvement Area
Advisory Committee

Angela McRae
Legislative Coordinator
Office of the City Clerk





Public Transit

- Improve bus frequency and consider the needs of workers and businesses
- Better align local buses with GO train services



Cycling

- Expand bike share operations
- Fill gaps in cycling infrastructure and upgrade protection



Walking & Mobility Devices

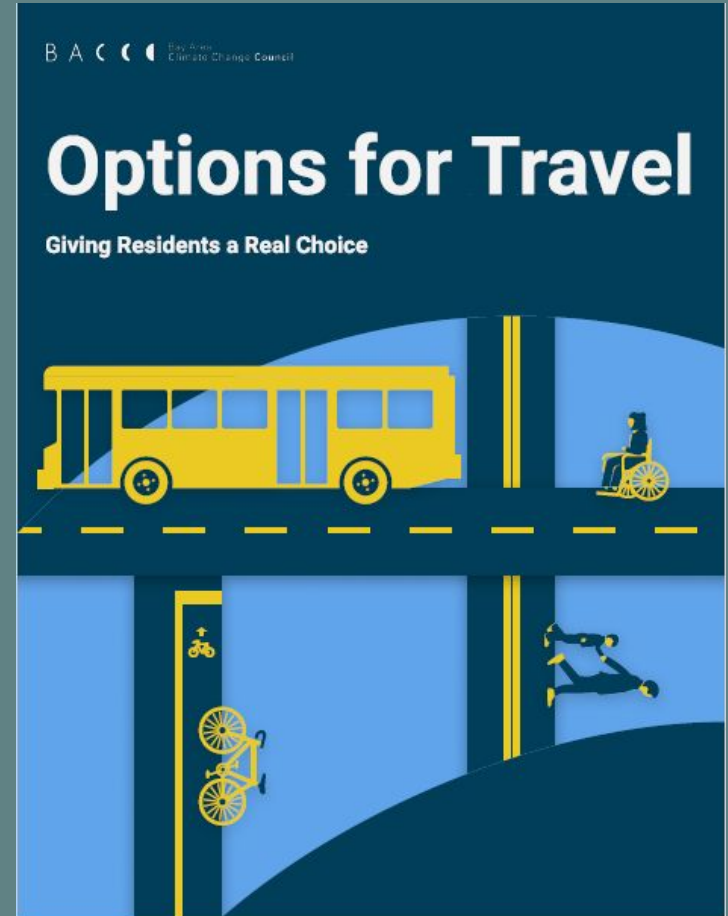
- Ensuring every road - existing and new - has a sidewalk for pedestrians to move safely
- Review and update lighting for perceptions of safety



- Technical experts
- Community groups
- City Staff
- BACCC members



A formal staff review of how each recommendation could be actioned.

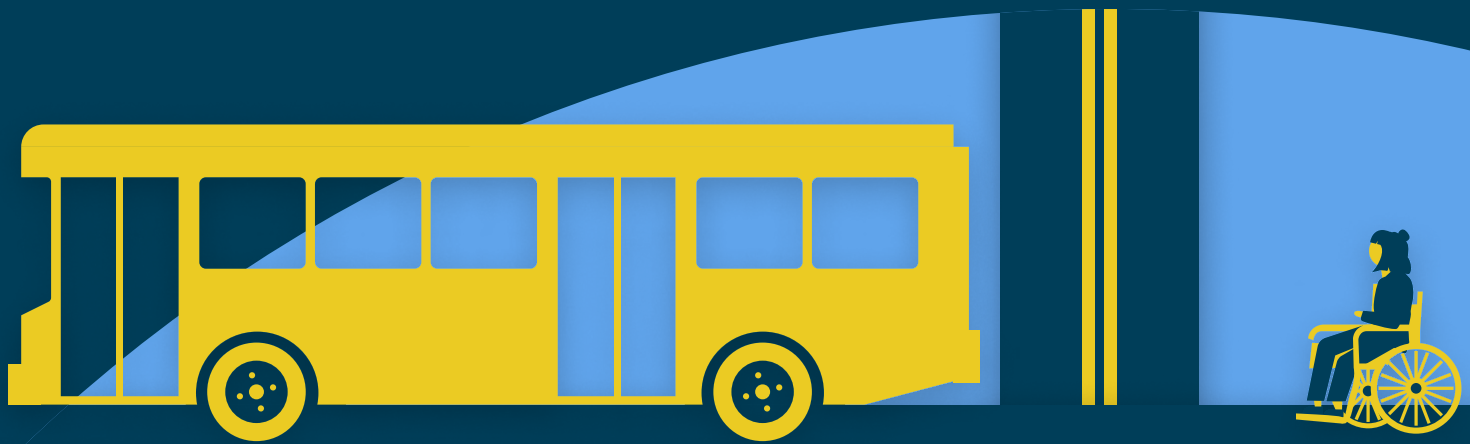




Questions?

Options for Travel

Giving Residents a Real Choice



Bay Area Climate Change Council

bayareaclimate.ca

Author: Bianca Caramento (2022)

We recognize that our work, and the work of our member organizations, takes place on traditional Indigenous territories, of the Haudenosaunee, Anishinaabe, Six Nations of the Grand River and the Mississauga's of the Credit, First Nation. This territory is part of the Dish with One Spoon Treaty, an agreement between the Anishinaabe, Haudenosaunee and allied nations to peaceably share and care for the resources around the Great Lakes.

BACCC recognizes and actively works to ensure Indigenous rights to data sovereignty by ensuring consent before, during, and after input is provided by our Indigenous partners, as is outlined in Article 19 of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

Acknowledgements

The Bay Area Climate Change Council wishes to acknowledge and express gratitude to those that helped make this report possible. At various stages of the report, BACCC was fortunate to receive input from:

Vijai Singh

Nicholas Francesco Bruno

Daniel Etele

Gregory Cotton

Michael Kong

Chelsea Cox (Hamilton Bikeshare)

Eric Johnson (The Rambling Hamiltonian)

Lura Consulting

Municipal staff from both City of Hamilton and City of Burlington

Members of our Implementation Team on Transportation:

Adrienne Madden (Centre for
Climate Change Management)

Beatrice Ekoko (Environment
Hamilton)

Dan Ozimkovic (City of
Burlington)

Elise Desjardins (McMaster
University)

Ian Borsuk (Environment
Hamilton)

Jay Adams (HSR)

Kate Berry (Ontario Active School
Travel)

Liz Marr (Youth Representative)

Marwa Selim (BurlingtonGreen)

Nick Day (Metrolinx)

Nico Strabac (Mohawk College)

Omar Shams (City of Hamilton)

Rachel Johnson (City of
Hamilton)

Richard Koroscil (BACCC Chair)

Rob Hagley (Burlington Transit)

Safia Khan (Citizen

Representative)

Sean Nix (Mohawk College)

Sebastian Stula (HSR)

Thomas Cassidy (Citizen
Representative)

Trevor Jenkins (City of Hamilton)

Table of Contents

Introduction	12
Improving Public Transit	16
Improving Cycling in the Bay Area	38
Improving Walking and Mobility Devices	60
Overall Network Improvements	65
Conclusion	71
Appendix	77
<u>Appendix 1</u> – Travel Tool Methodology And Origin Points	77
<u>Appendix 2</u> – Headway Analysis Methodology	81
<u>Appendix 3</u> – Go Train Alignment	83
<u>Appendix 4</u> – Snow Clearing One-Way Protected Cycle Tracks	84
<u>Appendix 5</u> – Bike Repair Station Rationale	85
<u>Appendix 6</u> – Minimum Maintenance Standards	89

Executive Summary

Low carbon forms of transportation, like walking, using mobility devices, biking, and public transit require improvements to be considered a real choice for most residents of Hamilton and Burlington. If low carbon forms of transportation are not perceived as safe, convenient, reliable, and equitable, we cannot reasonably expect residents to select those options to get around.

“If low carbon forms of transportation are not perceived as safe, convenient, reliable, and equitable, we cannot reasonably expect residents to select those options to get around.”

This report aims to improve the choices available to Bay Area residents, ensuring they can opt for low carbon transportation, should they want to.

At present, about 17% of the Bay Area’s greenhouse gas emissions come from transportation. By improving the low carbon options available to residents, the cities of Hamilton and Burlington can reduce their respective transportation emissions, thereby pursuing their emission reduction targets and improving the everyday lives of citizens.



The analysis and recommendations included in this report are a product of extensive qualitative and quantitative research, in addition to comparative policy analysis (described in detail in the Methodology section).

Below, readers will find a summary of all recommendations listed herein. Each of the recommendations are tangible and specific, in order to aid city staff with implementation. Annual follow ups on the status of each cities' progress will be made public through BACCC, to ensure accountability and give due credit to the hard work of those involved.

Recommendations Summary

TRANSIT RECOMMENDATIONS	HAMILTON	BURLINGTON
Improve the frequency of public transit routes, with more consistently timed service.	X	X
Review arrival schedules for public transit buses for better alignment with GO train services.	X	X
Complete a feasibility analysis for express routes or improved public transit service to business parks.	X	X
Complete audits of all city bus stops to determine safety improvements for transit riders, particularly women. Track the number of improvements flagged and completed over time.	X	X
Ensure all public transit staff complete diversity and anti-bias training.	X	X
Collect data on snow removal for bus stops and release it in real time on an open data platform.	X	X
Collect data on the number of bus stops with seating and strive to increase the percentage of stops with seating for users to rest, particularly pregnant women and the elderly.	X	X
Provide clarity to post-secondary institutions on whether student bus passes will be accepted on the new light rail transit (LRT) line.	X	
Meaningfully and respectfully consult Six Nations on their views and preferences regarding a public transit connection between Six Nations and Hamilton.	X	
Review the feasibility of offering free public transit during the Holiday Season, to complement the existing program for free parking downtown to encourage local shopping.	X	
CYCLING RECOMMENDATIONS	HAMILTON	BURLINGTON
Improve cycling infrastructure to improve connectivity	X	X

and safety for residents.		
Determine intersections that have poor safety records for protection upgrades. Implement enhanced safety features at the identified locations, complimented by an education campaign for travelers.	X	
Collect data on snow removal for bike lanes and release them in real time on an open data platform, like the City of Ottawa.	X	X
Create a priority cycling network to be plowed, de-iced, and cleared in winter months.	X	
Develop a marketing campaign to encourage and normalize winter cycling.	X	X
Complete a comprehensive update to the Cycling Master Plan, utilizing a gap analysis and the recommendations listed herein.	X	
Fund promotional campaigns to encourage cycling generally.	X	X
Expand secure bike parking infrastructure by developing detailed secure bike parking guidelines for developers and employers, similar to other cities.	X	X
Consider expanding bikeshare infrastructure across Hamilton, to better serve residents.	X	
Create a Burlington bikeshare program, similar to the program offered in Hamilton.		X
Improve access to free publicly accessible bike repair stations.	X	X
Prevent bike theft by bolstering existing bike registry programs.	X	X
Seek the Bike Friendly Community Gold designation, operated by the Share the Road Cycling Coalition.	X	X
Enlist TransLAB, under the supervision of Dr. Darren Scott at McMaster University to analyze cycling data to prioritize network improvements and expansion.	X	X

WALKING AND MOBILITY DEVICE RECOMMENDATIONS	HAMILTON	BURLINGTON
Complete walk audits surrounding all schools to determine safety improvements for pedestrians, particularly children. Track the number of improvements flagged and completed over time.	X	X
Assess and improve the 'sidewalk to road ratio' across the city, aiming for 1:1, where feasible.	X	X
Improve safety by completing city-wide lighting studies for pedestrians.	X	X
OVERALL NETWORK RECOMMENDATIONS	Hamilton	Burlington
Commit to open data, wherever possible. Update these data sets regularly.	X	X
Develop data sharing agreements with local school boards to optimize public transit routes for schools.	X	X
Invite CityLab and MacChangers to work on the low carbon mobility initiatives listed herein, to find innovative solutions and reduce the burden on city staff.	X	
Invite the MacData Institute to host a hackathon competition with collected transportation data, to find innovative solutions and reduce the burden on city staff.	X	X
Commit to including a standing item on all Greater Bay Area Sub-Committee meetings to review each city's respective transportation data trends and allow for discussions of collaboration and shared learnings.	X	X



. 01

Introduction.

.01 Introduction.

The Bay Area Climate Change Council (BACCC) is a social impact initiative made up of community leaders across Hamilton and Burlington. BACCC's vision is for the Bay Area (Hamilton and Burlington) to be a thriving and resilient net-zero carbon community by 2050. In order to reach net-zero, BACCC is collaborating with partners to cut carbon emissions in the big three emitting sectors: buildings, transportation and industry.

At present, about 17% of our region's greenhouse gas emissions come from transportation. In Spring 2020, BACCC commissioned a research report to

understand barriers to and opportunities for integrated mobility in the Bay Area. A key recommendation of the report was to further the use of data to improve decision-making and support emissions reductions through greater uptake of low-carbon transportation options (View the Recommendations Report [[click to download the PDF](#)]).

Following this work, BACCC convened its Implementation Team to research and analyze transportation systems in the Bay Area to offer specific, tangible recommendations to improve low carbon transportation for residents. This report reflects that work.

Methodology

The analysis and recommendations included in this report are a product of extensive qualitative and quantitative research, in addition to comparative policy analysis.

In winter of 2021, BACCC engaged LURA Consulting to support a consultation process that would reach individuals in the following groups:

- The CIO and CDOs of Hamilton and Burlington
- Experts in data policy
- Experts in transportation policy
- Representatives from Burlington Transit, HSR, and Metrolinx
- Owners of existing local and regional transportation data
- Students, academics and community-based researchers
- Representatives of equity-seeking groups
- Open data advocates
- Active transportation and transit advocates
- Youth and active school travel advocates
- Business representatives
- Economic Development staff of Hamilton and Burlington
- Representatives of local post-secondary school students

The aim of the consultation process was to understand the perspectives of community and technical experts on the current and potential uses of data to improve low-carbon transportation options and increase uptake among the diverse populations in our region. Consultations ran from February through April 2021 and consisted of two surveys (community and technical), two workshops (community and technical), and a series of one-on-one interviews, reaching a total of over 40 groups and perspectives.

Participants were asked about:

- What kinds of data are currently available in Hamilton and Burlington and how to make the best use of what is available
- How can data collection or analysis improve low carbon transportation options (including walking, transit, biking, using mobility devices, etc.) for a diverse population
- What are the most important opportunities in using data to help create a shift away from personal vehicle trips within Hamilton and Burlington
- What perspectives and experiences might be overlooked in transportation planning
- Concerns about “big data” and “smart transportation”, including privacy concerns
- Challenges collecting, sharing and managing data across organizations

This report also involved quantitative analysis of transit routes in Hamilton and Burlington. As a first step, we created a list of key travel destinations within each city

and compared the time it takes for residents to reach the destinations by bus, versus using a personal vehicle. Inherently, bus travel takes longer than travelling in a personal vehicle, on account of the frequent stops public transit operators must make. Despite this barrier to perfect parity, comparing the difference in travel times for public transit versus personal vehicle allowed us to direct our search towards clear anomalies and significant disparities between modes. The basis for this step was the understanding that significantly longer travel times for public transit make that option less attractive and therefore less likely for residents to consider for travel within and between Hamilton and Burlington.

The key destinations used for this initial analysis and the methodology for this comparison can be found in Appendix 1. Those interested in viewing BACCC's Interactive Travel Tool comparing public transit to personal vehicle travel time can [access the tool here](#).

As a next step, we selected key routes between and among the two cities, completed what is known as 'headway analysis' and reviewed bus schedule alignment with local GO trains alignment. BACCC has also sought data requests from Hamilton Street Railway (HSR) and Burlington Transit to extrapolate necessary insights related to demographics, travel time, and boarding and alighting. From there, we offer recommendations to improve public transit in the City of Hamilton and City of Burlington.

In addition to this form of quantitative analysis, qualitative analysis included a review of existing literature, a review of planning documents for both cities, and comparative policy analysis from other municipalities. This data has been used to provide specific, tangible recommendations that would improve walking, biking, and taking public transit in the Hamilton-Burlington Bay Area.



. 02

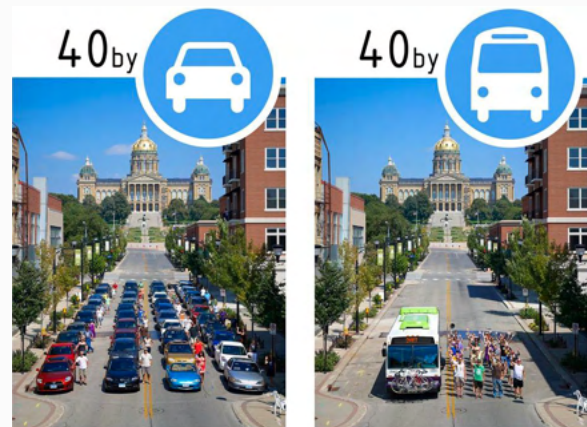
Improving Public Transit.

.02 Improving Public Transit.

Using public transit contributes to lower greenhouse gas emissions. The use of public transit lowers per person emissions, particularly if there is a shift from commutes in a personal vehicle to commutes in public transit. A bus or train can carry a large number of travellers while emitting lower amounts of greenhouse gasses as compared to the number of vehicles which would be required to transport the same number of travellers.

As part of the quantitative analysis utilized in this report, a list of key travel destinations within each city was created to compare the time it takes for residents to reach the destinations by bus, versus using a personal vehicle. Details can be found in Appendix 1.

The basis for this step was the understanding that significantly longer travel times for public transit make that option less attractive and therefore less likely for residents to consider for travel within and between Hamilton and Burlington.



[Image Source](#)

As a next step in this report's quantitative analysis, we selected key routes that service major travel destinations between and among the two cities, completed what is known as

'headway analysis', boarding and alignment analysis, and schedule alignment with local GO trains. We describe each in detail below.

HEAD WAY ANALYSIS

BACCC conducted a review of wait times (headway) for several key bus routes in Hamilton and Burlington. This was achieved by viewing the schedule of each selected route and recording the time that it took between buses arriving at the same stop. This analysis allows us to compare different routes to each other in an effort to illustrate the length of time one must wait at a stop if they miss a scheduled bus and determine service levels.

Methodology on this headway analysis can be found in Appendix 2. The full headway analysis [can be found here](#).

BOARDING AND ALIGHTING DATA ANALYSIS

BACCC sent a data request to HSR and Burlington Transit to acquire data on boarding and alighting for several key bus routes. The data request involved boarding and alighting data for each route on a typical weekday and a typical weekend during hours of operation. HSR data specifically contains average dwell times for riders, distance between stops along the route, population density

within 400m of the stops along route, percentage of transit to work within 400 metres of stops (employment data for riders using census data), and low income ridership (using census data). This data was then used to assess each route and substantiate rationale for headway recommendations. Full details on the data requests can be found in Appendix 2.



GO TRAIN ALIGNMENT

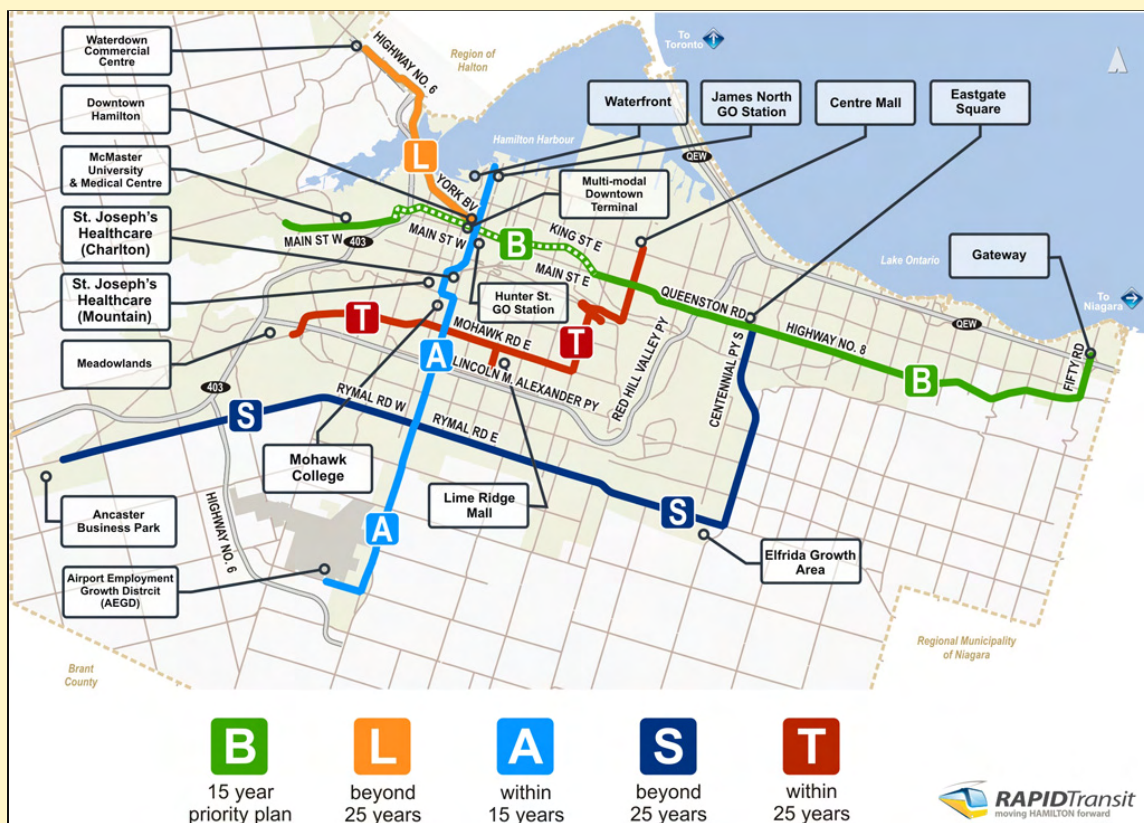
BACCC staff reviewed the HSR and Burlington Transit's respective bus schedules for their alignment with local GO trains at key stations. This analysis was conducted by comparing the schedules of GO trains at West Harbour GO and Burlington GO with the schedules of municipal bus transit routes that connect to each station. This was done in an effort to illustrate the average amount of time a commuter must wait if they choose to utilize both the municipal bus network, and the Lakeshore West GO line. This measure

can be used to gain more insight as to how long a commuter must wait for their connection at the station in the event that they miss the optimal connection. Two measurements were taken, one with the shortest possible connection time, and another with the shortest possible connection time that allows at least six minutes to get to the train from the bus or vice versa. Details of our GO train alignment methodology can be found in Appendix 3.

ASPIRATIONAL TRANSIT GOALS BY EACH CITY

Hamilton, ON

Hamilton has plans for what is referred to as the BLAST network (shown below). To meet the goals stated in the 10 year strategy released by HSR in 2015, the introduction of additional express bus service on the BLAST corridors. HSR has already [completed a frequency gaps analysis](#) for several routes corresponding to proposed BLAST corridors. Included in the 10 year strategy is the goal of bringing headway down to 10 minutes for express buses to denote a differentiated level of service, with connecting routes down to approximately 30 minutes including on the weekends.



ASPIRATIONAL TRANSIT GOALS BY EACH CITY (CONT'D)

Burlington, ON

Burlington Transit has released a [5 Year Plan](#) for 2020-2024. They intend to move toward a grid-based system (shown below), resulting in quicker trips with more riders by making better use of arterial roads. As part of Burlington's Integrated Mobility Plan, the City has shared their [preferred network solution](#) for transit, reflecting a grid system.



Based on these existing goals and our analysis, we offer specific tangible recommendations to improve public

transit in the cities of Hamilton and Burlington Recommendations found below.



Transit Recommendations

RECOMMENDATION 1

City of Hamilton could benefit from improved frequency, with larger fleets assigned to several routes.

The Hamilton Street Railway (HSR) operates a fleet comprised of approximately 267 buses and is scheduled to grow by 85 buses by 2025, according to the 2022 Preliminary Tax Supported Capital Budget. Infrastructure Canada has also recently announced that they will [commit \\$29,333,600](#) of funding to purchase up to 85 forty-foot Compressed Natural Gas (CNG) buses, expanding the City of Hamilton's fleet and adding 300,000 service hours. This funding can be used to make strategic improvements to the current state of headway for the following HSR routes. Securing additional funding from senior levels of government may also be necessary.

HSR ROUTE 41: MOHAWK

Current Headway	Recommendation	Rationale
Weekdays: 40 minutes; Weekends: 60 minutes	15 minute headway weekdays and weekends	This is the proposed T-Line in the BLAST Network, requiring a differentiated level of service

HSR ROUTE 20: A LINE

Current Headway	Recommendation	Rationale
Weekdays: 15 minutes on peak is planned No service on weekends	Improve headway to 10 minutes on weekdays Commence service on weekends	This is the proposed A-Line in the BLAST Network, requiring a differentiated level of service

HSR ROUTE 44: RYMAL

Current Headway	Recommendation	Rationale
Weekdays: 15 minutes planned Weekend: 60 minutes eastbound, 30 minutes westbound	10 minute head way on weekdays 15 minute headway on weekends Ensure consistency in headway for travel in both directions	This is the proposed S-Line in the BLAST Network, requiring a differentiated level of service Route 44 services Elfrida, which is projected to have 80,000 new residents by 2031 The route also services 3 separate business parks

HSR ROUTE 11: PARKDALE

Current Headway	Recommendation	Rationale
Weekdays and weekends: 30 minutes	Improve headway to 15 minutes	Connects Hamilton to Burlington Significant demand on this route on weekdays and weekends

HSR ROUTE 55: STONEY CREEK

Current Headway	Recommendation	Rationale
West bound: 30 minutes East bound: 15 minutes	Ensure consistent headway in both directions	Consistent and reliable travel times encourage use

RECOMMENDATION 2

City of Burlington could benefit from improved headway, with larger fleets assigned to several routes.

As part of the [Canada Community-Building Fund](#), for which public transit is an eligible project, Burlington will receive [\\$6.1 million](#) for the 2021–22 fiscal year, with nearly \$6 million in top up funds. In 2021, Burlington Transit also received [\\$1.5 million](#) in additional provincial funding, added onto \$2 billion previously committed by Ontario and the federal government through the Safe Restart Agreement. We recommend utilizing funding to improve transit headways and securing additional funding from senior levels of government as necessary for the following routes.

BT ROUTE 101: PLAINS EXPRESS

Past Headway	Recommendation	Rationale
<p>Cancelled recently</p> <p>Past headway while it was in service was 15 minutes</p>	<p>Reinstate this route, as it was.</p>	<p>Connects Burlington to Hamilton. Services the most demanded route.</p>

BT ROUTE 4: CENTRAL

Current Headway	Recommendation	Rationale
<p>60 minute headway</p>	<p>Improve headway to less than 30 minutes</p>	<p>60 minutes headway is unnecessarily long for riders.</p> <p>Boarding and alighting reaches ~800 on weekdays and is therefore demanded.</p>

BT ROUTE 80: HARVESTER

Current Headway	Recommendation	Rationale
<p>30 minute headway</p> <p>This route only operates on weekdays.</p> <p>No service on the weekends</p>	<p>Improve headway to 15 minutes or less</p> <p>Extend Service on Weekends</p>	<p>This route services the Harvester Business Area and is included in the grid-based improvements for 2024</p>

RECOMMENDATION 3

City of Hamilton: review arrival schedules for HSR Routes 4 and 20, to better serve West Harbour GO and ensure smooth connections.

Aligning rail and bus transit services provides Hamilton residents the option of realistically and conveniently using both modes of transportation without the inconvenience of waiting at the station for a prohibitive amount of time.

As of August 2021, GO Transit began offering daily, hourly passenger rail service from West Harbour Station to Toronto Union Station. In 2019, prior to pandemic lockdowns, the city's service totalled 40 trains a week. This shift has expanded service substantially to 250 trains a week ([Source](#)).

BACCC staff reviewed the HSR bus schedule's alignment with the increased local GO trains at West Harbour station. Route 4 eastbound and westbound, in addition to Route 20 northbound and southbound were analyzed to uncover the average time a commuter has to wait when connecting to or from West Harbour GO station. We found that when utilizing optimal scheduled times, one must wait at West Harbour GO for approximately 9 minutes during the week, and approximately 11 minutes on the weekend. Using the six minute minimum measurement these figures grow to approximately 18 minutes each.

Mean Wait Time in Minutes	Measurement 1 (no minimum)	Measurement 2 (6 minute minimum)
Weekdays arriving at West Harbour GO	9	19
Weekdays departing from West Harbour GO	9	17
Weekends arriving at West Harbour GO	14	20
Weekends departing from West Harbour GO	9	16

It was found that in a large number of cases, the train and bus schedules are spaced too closely together, resulting in missing one's connection. [See full alignment analysis here on the *Alignment Analysis* tab.](#)

“In a large number of cases, the train and bus schedules are spaced too closely together, resulting in missing one's connection.”

The City of Hamilton should therefore review arrival schedules for HSR routes 4 and 20, to better serve West Harbour GO and ensure smooth connections.

RECOMMENDATION 4

City of Burlington: review arrival schedules for Burlington Transit Route 1, to better serve Burlington GO and ensure smooth connections.

BACCC staff reviewed the Burlington Transit bus schedule's alignment with local GO trains at Burlington GO. Route 1 eastbound and westbound were analyzed to uncover the average time a commuter has to wait when connecting to or from Burlington GO station using this route. [See full alignment analysis here on the *Alignment Analysis* tab.](#)

Mean Wait Time in Minutes	Measurement 1 (no minimum)	Measurement 2 (6 minute minimum)
Weekdays arriving at Burlington GO	8	14
Weekdays departing from Burlington GO	4	17
Weekends arriving at Burlington GO	7	15
Weekends departing from Burlington GO	14	14

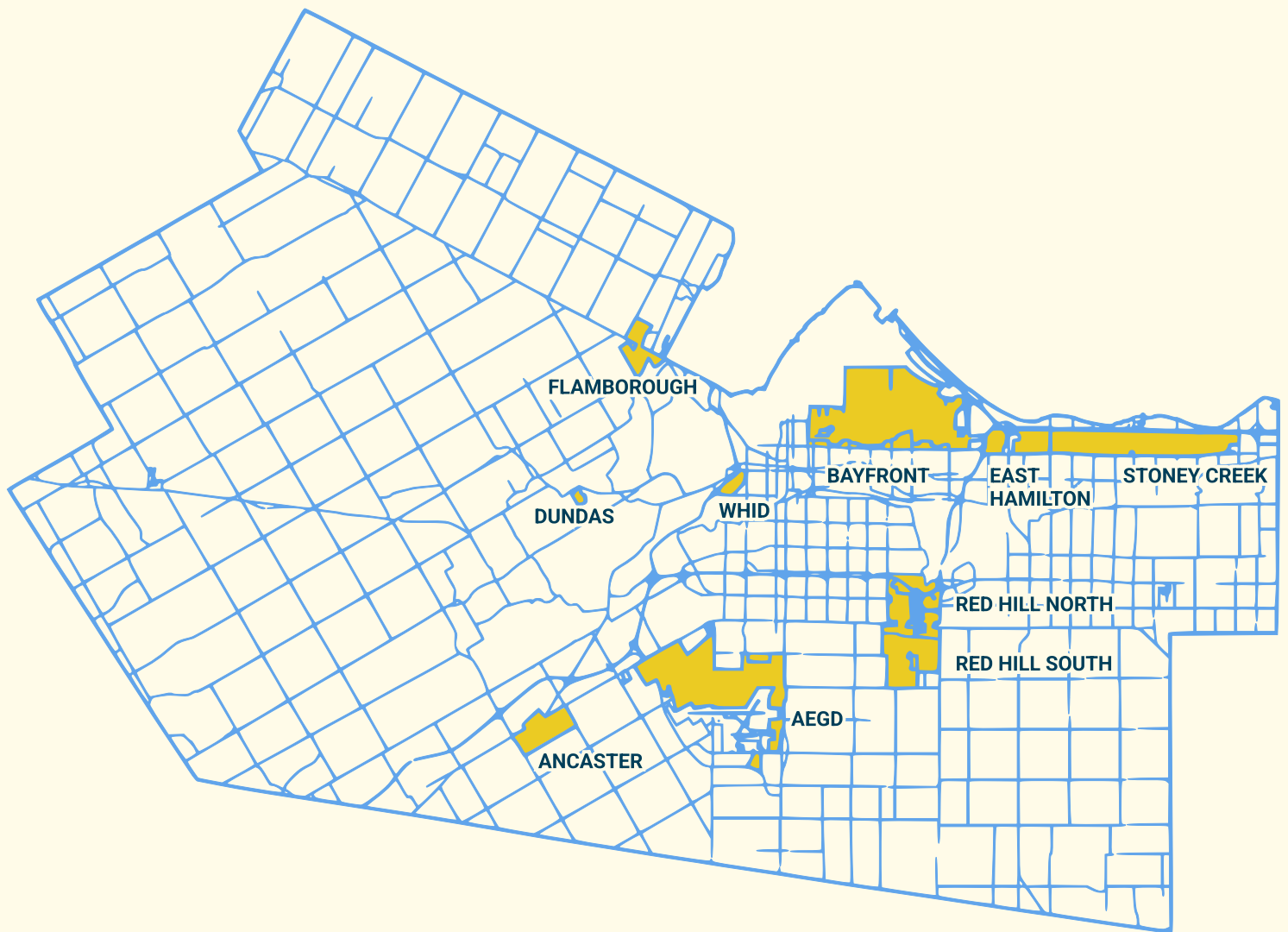
While the above figures display mean times using Route 1 (Plains-Fairview) there are 11 total routes that service Burlington GO.

It was discovered that when connecting to Route 1 from Burlington GO (westbound arrival) on the weekend, the Lakeshore West GO train arrives at the same time as the bus throughout the day. As such, passengers must wait a full 15 minutes for the next bus. It is recommended that these arrivals be slightly adjusted to better align with the GO train and allow passengers to more quickly connect into the municipal system. However, in all other situations, municipal scheduling is well aligned with GO train arrivals at Burlington GO.

RECOMMENDATION 5

Both cities should complete feasibility analysis for express routes or improved service to business parks. Consider shifts of major employers when conducting the analysis.

Employees, particularly shift workers, rely on predictable and dependable bus schedules to get to work. Failing to provide public transit as a real option for getting to work can result in economic repercussions for both cities, as employers struggle to attract and retain talent.



"Nearly one third of Hamilton's overall employment comes from business park employment lands."



Business parks are extremely valuable to the economy of the region. In Hamilton, business park employment lands take up about [4%](#) of the city's land area, and yet, they contain [27%](#) of overall employment ([Source](#)). In Burlington, business parks are similarly crucial to Burlington's economy. Halton Region Employment Areas accommodate about 129,000 jobs, representing approximately 54% of the Region's employment base ([Source](#)). [Nearly all](#) industrial development and the majority of "905" office development is provided by employment lands such as business parks.

It is therefore critical for economic development in Hamilton and Burlington that business parks are well serviced by public transit.

RECOMMENDATION 6

Complete audits of all city bus stops to determine safety improvements for transit riders, particularly women. Track the number of improvements flagged and completed over time.

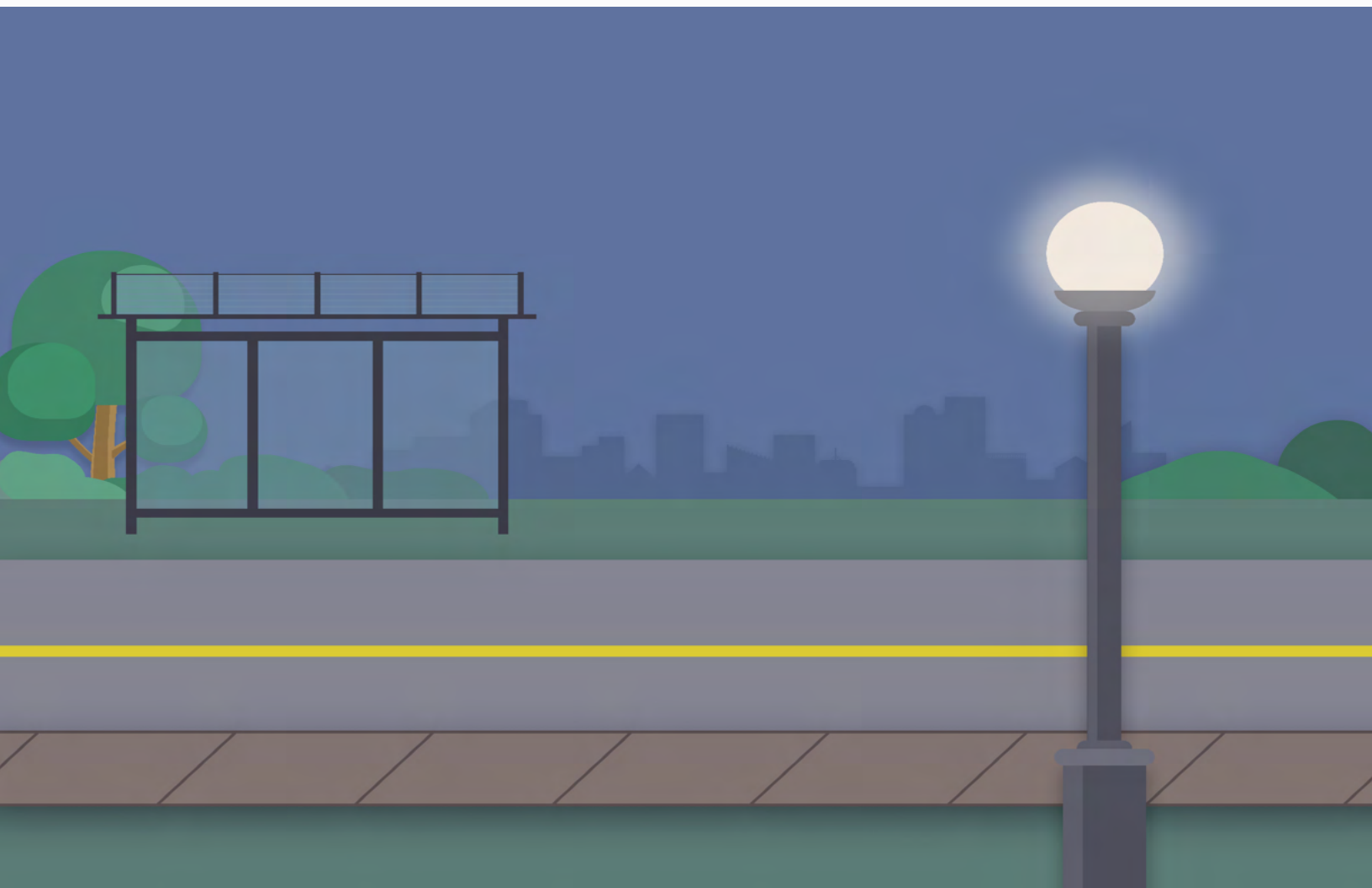
It is important to ensure that all transit riders feel safe when using transit in the Bay Area, not only to encourage transit ridership but also to maintain perceptions of safety in the community. It is unreasonable to expect residents to utilize public transit if they do not perceive it to be safe.

"It is unreasonable to expect residents to utilize public transit if they do not perceive it to be safe."

Perception of safety is often just as important as safety itself. Ceccato et al. (2021) find that safety perceptions of young riders are affected by previous experience of crimes but not affected by actual victimization. High crime environments co-located with transit stops unsurprisingly reduce people's perceptions of safety. ([Source](#)).

Design principles can be utilized to improve safety perception. Sanchez and Julita (2010) present in their study several design considerations for bus stops. For example, designers may consider providing adequate illumination at bus stops, adding an emergency call box to stops and trimming bushes and trees which may otherwise obstruct visibility within bus stops ([Source](#)). Relocating bus stops even a few feet away from empty spaces or vacant lots can improve overall security. Where it is not possible to make these changes, heightened security measures can improve the perception of safety among bus riders ([Source](#)).

In a 2020 study, 50% of female participants cite not feeling safe while waiting in a bus stop at night. Chowdury finds that women are particularly sensitive to waiting times at stops. Real-time information such as audio announcements can help soothe anxieties with transfers and displays showing arrival and departures times ease the burden of waiting for a bus ([Source](#)).



RECOMMENDATION 7

Both cities should ensure all public transit staff complete diversity and anti-bias training.

An unwelcoming environment can negatively affect riders' willingness to utilize transit. The value of diversity training is to ensure that Burlington and Hamilton are welcoming places for everyone.

"The value of diversity training is to ensure that Burlington and Hamilton are welcoming places for everyone."

Riders [raised suggestions in 2017](#) that drivers should undergo specific diversity training in addition to their regular training. Specific diversity training for bus drivers will ensure that they are trained with the appropriate cultural competency to better deal with these situations should they arise, and that they avoid involving the police, when unnecessary.

RECOMMENDATION 8

Collect data on snow removal for bus stops and release it in real time on an open data platform.

A common theme heard throughout consultations was the need for increased accessibility, particularly with respect to snow removal for bus stops. Collecting data at the level of bus stops will ensure snow is properly cleared to make way for riders, particularly seniors and individuals using mobility devices.

Through consultation carried out by the City of Burlington, snow at bus stops has been [identified as a barrier](#) to seniors and bus shelters do not accommodate wheelchairs. The City of Hamilton has also made its commitments to aging populations clear through its vision: "To be the best place to raise a child and age successfully".

The population in the Bay Area is increasing, with seniors (65+) representing Burlington's fastest growing population. Burlington's percentage ([19.3%](#)) of seniors is higher than the provincial average, almost one in five residents is aged 65 and over in 2018.

In Hamilton, individuals 55+ represent about [30%](#) of the total population (as of 2019). Seniors (65+) represent [17%](#) of the population. The percentage of older adults using a bus pass increases with age; 12% of older adults report having a local bus or transit pass, with [26%](#) of individuals aged 85 or older reporting to utilize a bus pass.



To properly accommodate these individuals, it is important to make paths as clear and walkable as possible as to allow for mobility devices and the elderly to pass through unencumbered. The City of Hamilton is [planning to begin clearing sidewalks](#) on transit routes as of 2022, relieving property owners on these routes from having sole responsibility for snow and ice removal. The City of Burlington clears 850 km of sidewalks, including residential streets, and primary routes (arterial routes and transit) are given highest priority.

An open data platform allows for residents to view plowing information in real time. The City of Hamilton is already utilizing an official [plow tracker](#) at the street level and there is an [unofficial](#) tracker for the City of Burlington which uses GPS data.

By uploading these existing efforts to open data platforms, it allows for residents to view plowing information in real time and make transportation choices that suit their needs and ability.

RECOMMENDATION 9

Both cities should collect data on the number of bus stops with seating and strive to increase the percentage of stops with seating for users to rest, particularly pregnant women and the elderly.

A common theme heard throughout consultations is the need for accessibility. Pregnant women and the elderly, in particular, may find it difficult to stand while waiting for the bus. Providing riders with seating allows them to wait comfortably and accommodates the diversity of bus users. Seating also enables users to consider using transit to do groceries, for example, as they can refrain from holding their groceries while they wait for the bus.

The City of Hamilton pilot tested a prototype bench and pole combination in 2021 for customer seating. The original prototype was installed at Upper James and Rymal but has since been expanded to other stops in Hamilton. Not only does this demonstrate the demand for seating at stops, but the feedback from this pilot can help to design seating for bus stops across the region ([Source](#)).



BACCC recommends reviewing the percentage of stops with seating for users to rest and to ensure that every bus stop contains seating for riders. This makes public transit an easier choice to make by accommodating a variety of users and trip purposes.

RECOMMENDATION 10

City of Hamilton should provide clarity to post-secondary institutions on whether student bus passes will be accepted on the new light rail transit (LRT) line.

McMaster students hold a 12-month, unlimited ride bus pass administered by HSR. The City of Burlington also offers students of McMaster, Redeemer, and Mohawk a [U-Pass](#) for unlimited access to Burlington Transit. Mohawk College Students also have unlimited access to HSR transit through the [HSR U-Pass](#).

University/College Transit Pass Agreements (UCTP) with Mohawk, McMaster and Redeemer University account for [\\$8,691,702](#) in HSR revenues in 2019 and account for approximately 23 per cent of total ridership, according to a report prepared by the [public works department](#).

At present, it is unclear if student bus passes will be accepted on the forthcoming Hamilton B-line LRT. Considering the revenue contribution that the passes offer the HSR, it is imperative that the City of Hamilton provides clarity on the use of bus passes on the LRT.

RECOMMENDATION 11

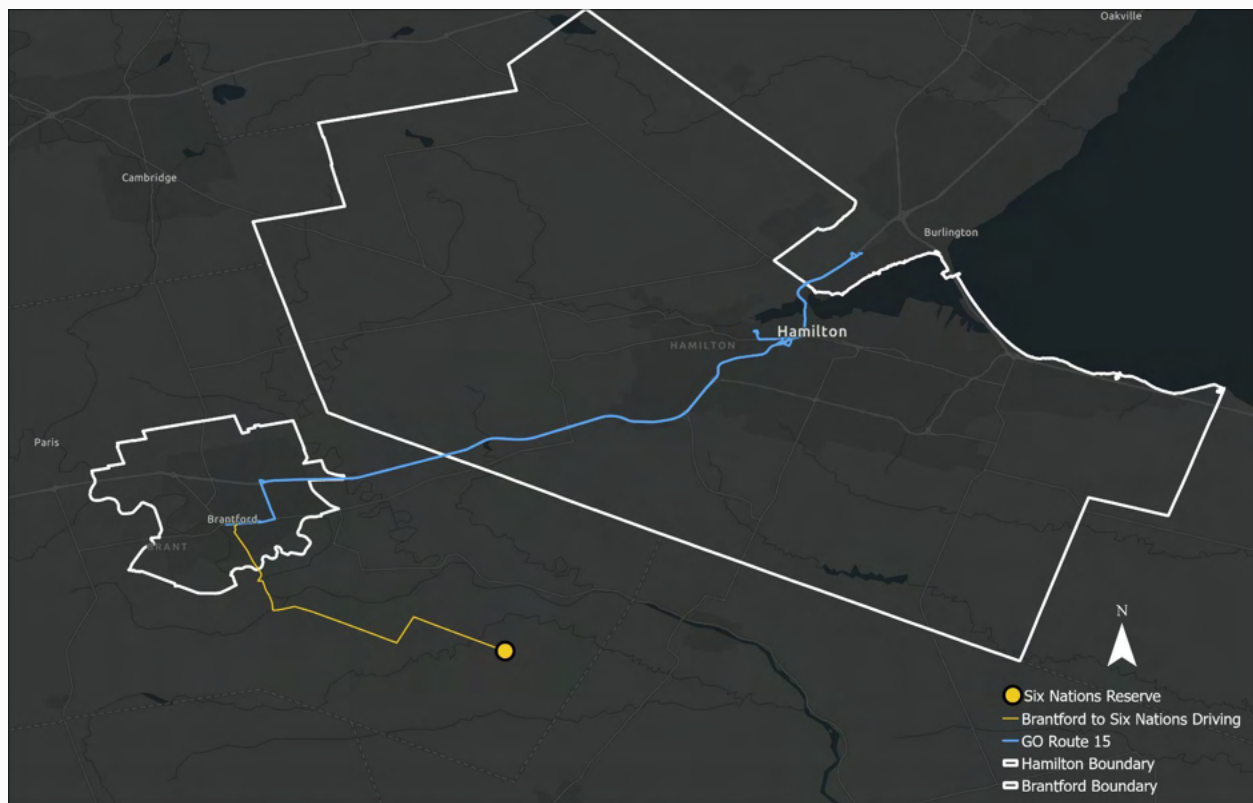
City of Hamilton should meaningfully and respectfully consult Six Nations on their views and preferences regarding a public transit connection between Six Nations and Hamilton. As part of this work, collaborate with Six Nations in consultations, brainstorming, and assessment of different options for consideration.

The Six Nations of the Grand River are about 30km outside of the City of Hamilton. These nations are the Mohawk, Cayuga, Onondaga, Oneida, Seneca, and Tuscarora. At the end of 2017, Six Nations had 27,276 members with 12,848 living on reserve.

A lack of transportation has been cited as a problem for the residents of the Six Nations reserve. Lack of transportation to the reserve has impacted quality of life, compromising residents' ability to get to jobs, go to school and medical appointments. The [first-ever transportation survey](#) to investigate transportation needs on Six Nations reserve was launched in 2010. A more [general survey](#) of Grand Eerie's six communities was carried out in 2020.

At the moment, there is one GO bus (Route 15) that connects Hamilton to Brantford, which is a 25 minute drive from the reserve. Brantford does not currently offer a public transit route that goes towards the reserve. One must use a vehicle to travel to the reserve from this point.

Given the proximity of the Six Nations to Hamilton, there is a responsibility to meaningfully consult on whether to connect Six Nations and Hamilton. Working with other transit providers, including Metrolinx, may be required in this process.



Current Connection: Hamilton - Brantford - Six Nations Reserve

RECOMMENDATION 12

City of Hamilton should review the feasibility of offering free public transit during the Holiday Season, to complement its existing program for free parking downtown to encourage local shopping.

The City of Hamilton offers [free 2 hour parking](#) from November 24th and December 24th in the various Business Improvement Areas (BIA) across the city. A similar program for free public transit would contribute to the goal of encouraging traffic into local businesses while offering residents more choice for travel. By offering free transit, public transportation becomes a legitimate choice to get to local shops and allows individuals who do not have a car to also benefit from holiday shopping in BIAs. The City of Hamilton should therefore review the feasibility of complimenting its free parking initiative with public transit offerings to incentivize local shopping.



. 03

Improving Cycling in the Bay Area.

.03 Improving Cycling in the Bay Area.

Bike ridership contributes to lower greenhouse gas emissions. As previously mentioned, shifting mode share away from individual vehicles towards more sustainable mode of transportation will help the Bay Area reach net zero by 2050, and bikes are one said mode of transportation. This means that municipalities should be focused on empowering all interested residents to choose to ride their bike for a trip that they would have otherwise used a vehicle for.

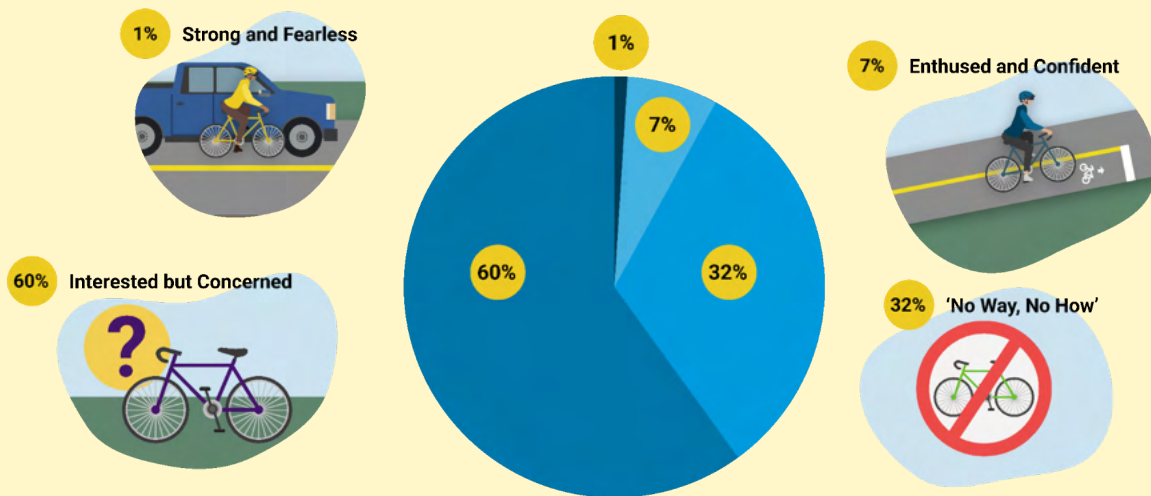
Within this section of the report, we provide tangible recommendations to increase cycling in the Bay Area, drawing from extensive qualitative and quantitative research, in addition to comparative policy analysis.

The considerations herein draw from the understanding that different people approach cycling differently. Some folks are willing to cycle under some conditions, while others are not. Consideration of this reality ought to inform cycling policy decisions.

THE DIVERSITY OF CYCLISTS

Cyclists vary in significant ways. A well planned cycling network should consider the needs of all potential users. One common description of cyclists is the Geller Typology, which divides cyclists into four categories ([Source](#)). See the diagram below for details.

GELLER TYPOLOGY



Strong and fearless

- Have advanced cycling skills and are comfortable riding alongside motorized traffic
- Will cycle regardless of roadway conditions, although users in this group may prefer to use on-street bike lanes.

Enthused and confident

- Comfortable sharing the roadway with vehicular traffic
- Prefer to do so within their own designated area with pavement markings and signage for the preferential or exclusive use of cyclists.

Interested but concerned

- Avoid cycling in areas with medium to high volumes of motor vehicle traffic;
- Become discouraged by high-speed traffic, extreme topographic conditions and inconsistent bicycle facilities;
- May be attracted to cycling by the implementation of designated facilities, particularly separated and in-boulevard bicycle facilities which provide more space between cyclists and motorists.

No way, no how

- Represents people who are not, and may never be, interested in cycling as a main means of transportation

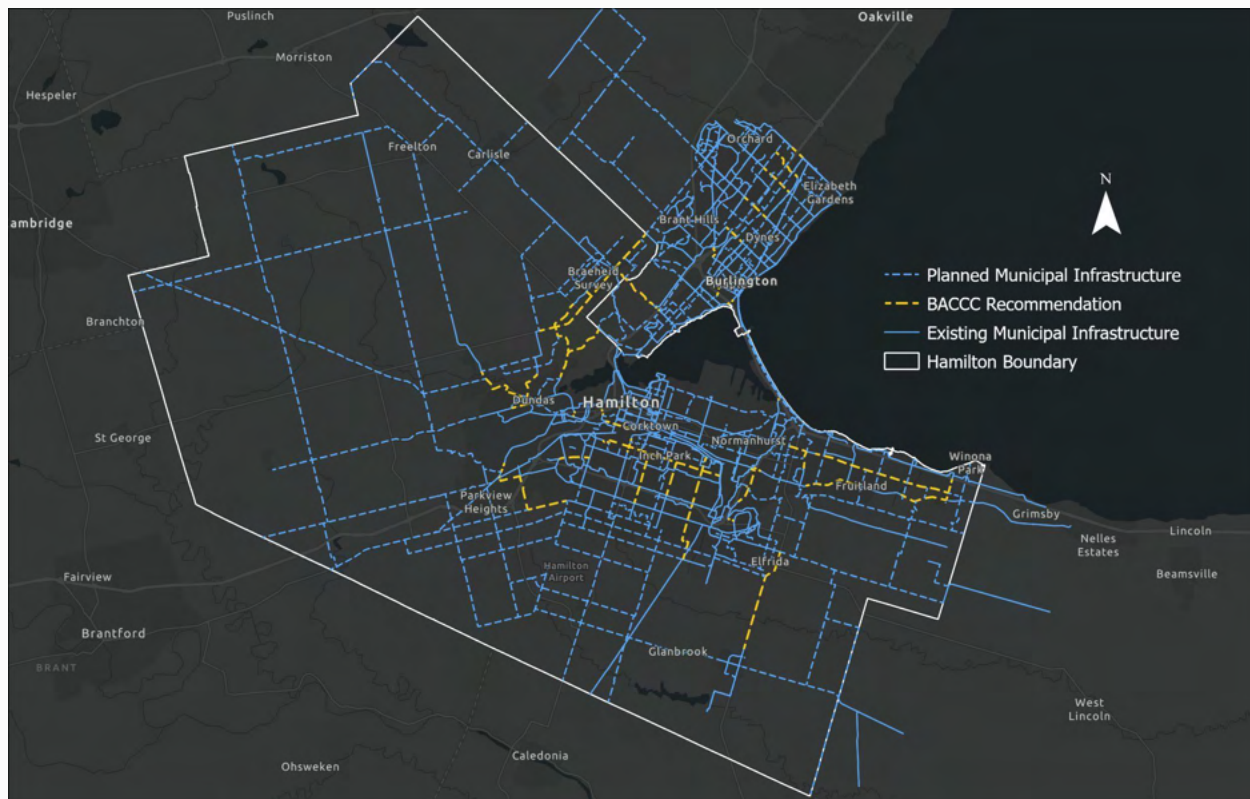
This typography suggests that the average municipality in Ontario stands to persuade the majority of residents to consider cycling for some of their trips, with the ‘interested but concerned’ group accounting for about 60% of the population.

Given that the current cycling rates in [Hamilton](#) and [Burlington](#) are [just shy of 1%](#) in both cities, this analysis suggests there is plenty of room to increase cycling and have a significant impact on transportation emissions. The recommendations presented below aim to consider the needs of all potential users.

Cycling Recommendations

RECOMMENDATION 1

City of Hamilton should improve cycling infrastructure at the following key locations, to improve connectivity and safety for residents. [See explained suggestions here.](#)



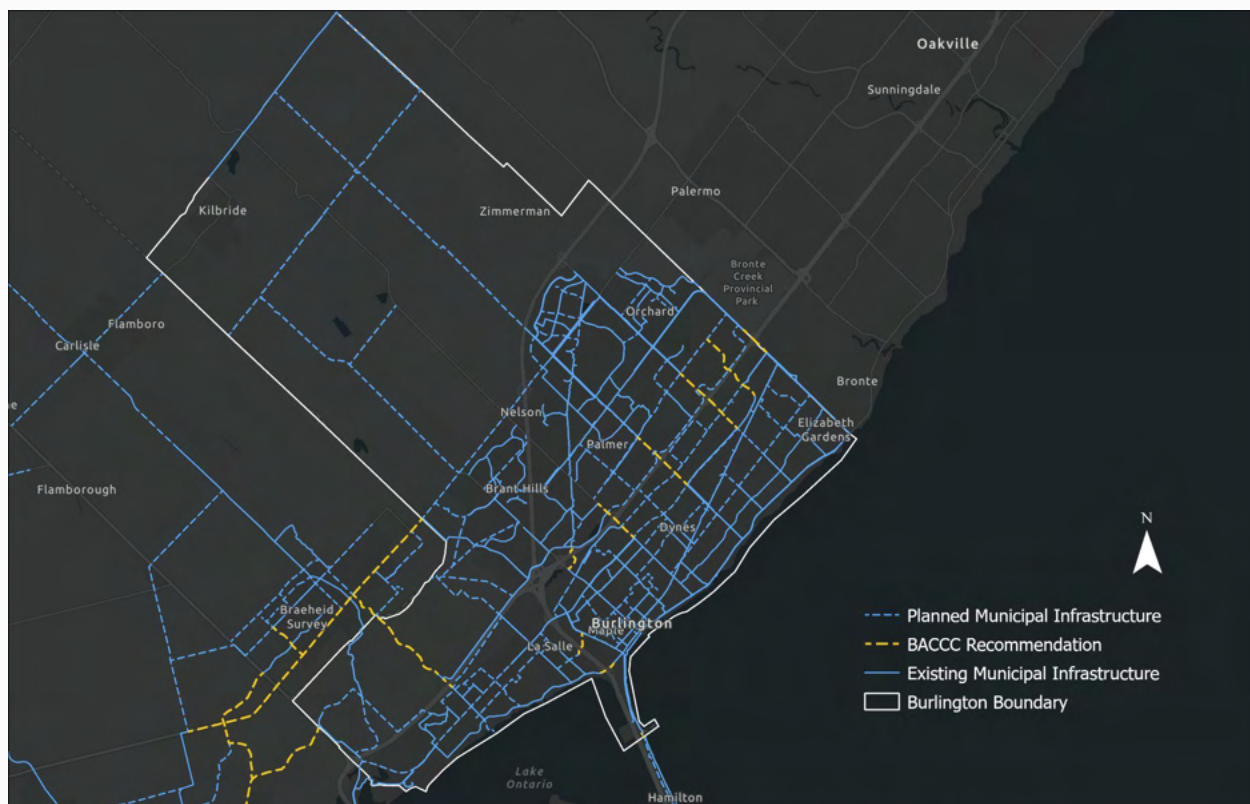
Hamilton recommended cycling infrastructure.

Across the city, all bike lane infrastructure should be protected, wherever feasible, to ensure the safety of residents. Myths surrounding the feasibility of protected bike lanes in the winter are debunked in Recommendation #5 and Appendix 4.

RECOMMENDATION 2

City of Burlington should improve cycling infrastructure at the following key locations, to improve connectivity and safety for residents.

In March 2021, City of Burlington approved their updated [Cycling Plan](#), which includes a number of excellent plans to improve cycling infrastructure throughout the city. There remain a few areas for the city to consider further. These recommendations serve to identify gaps in the plan and prioritize implementation. [See explained suggestions here.](#)



Burlington recommended cycling infrastructure.

Across the city, all bike lane infrastructure should be protected, wherever feasible, to ensure the safety of residents. Myths surrounding the feasibility of protected bike lanes in the winter are debunked in Recommendation #5 and Appendix 4.

RECOMMENDATION 3

The City of Hamilton should determine any intersections within the city that have poor safety records for protection upgrades. Implement enhanced safety features at the identified locations, complimented by an education campaign for travelers.

A protected intersection is designed to better protect cyclists and pedestrians from motor vehicles by increasing their visibility, installing physical barriers where permitted, and enhancing the flow of movement. Protected intersections provide a more complete approach to intersection design, including broad aspects that allow for physical separation between all modes of transportation and increased visibility. Utilizing protected intersection design principles improves safety and ease of passage for everyone: motorists, cyclists, and pedestrians.

"Utilizing protected intersection design principles improves safety for everyone: motorists, cyclists, and pedestrians."

The National Association of City Transportation Officials (NATCO) explains in their 2019 [report](#) that protected intersections have led to quantifiable improvements in safety.

In San Francisco's monitored protected intersection:

- 96% of drivers approaching a bicyclist yielded and 100% of drivers approaching a pedestrian yielded
- 98% of vehicles turned at speeds at or below the speed limit
- 85% of bicyclists and 55% of pedestrians reported their level of comfort and feeling of safety increased ([Source](#))

In New York's monitored protected intersections:

- 93% of bicyclists surveyed felt safe riding through
- 30% reduction of intersection crashes per bicyclist ([Source](#))

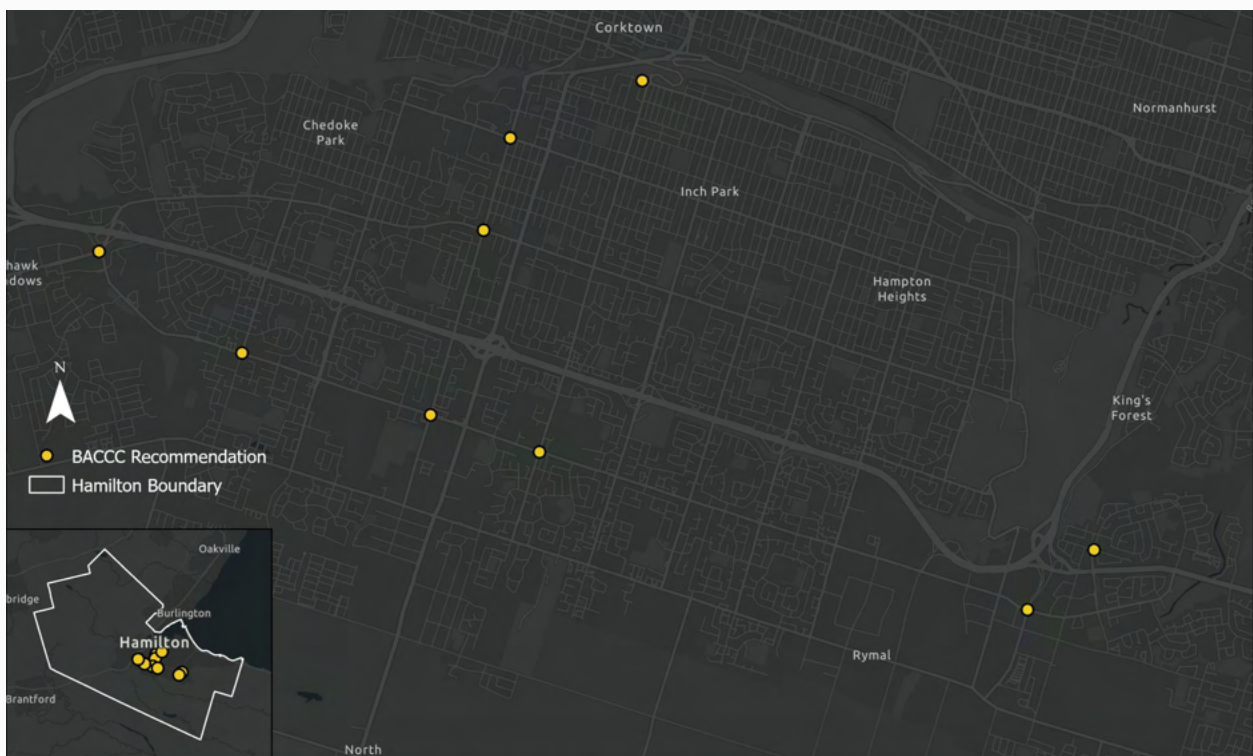
The City of Ottawa is a regional leader in protected intersections, already [redesigning a number of intersections](#) across the city. In 2021, the City of Ottawa released a [Protected](#)

[Intersection Design Guide](#), with extensive details for optimal design and considerations for universal accessibility. This guide could serve city staff well in Hamilton and Burlington.

This report recommends that city staff determine, through traffic data and public process, any intersections within Hamilton that have poor pedestrian and cyclist safety records and that would be feasible for protected intersection upgrades. Considering intersections listed in the City's annual Vision Zero collision report is encouraged.

Some intersections BACCC staff heard through stakeholder consultations include:

- Fennel Avenue and West 5th Street
- Mohawk and West 5th Street
- West 5th and Stone Church
- Jolley Cut onto Concession Street
- Upper Wellington at Stone Church
- Upper Paradise at Stone Church
- Upper Red Hill and Stone church
- Stone Church and Golf Links



Hamilton recommended protected intersections.

Following the identification of key intersections, we recommend that the City of Hamilton implement enhanced safety features at the identified locations, complimented by an education campaign for travelers. A campaign would educate the public to allow for easier transition and reduce accidents.

The City of Burlington's updated Cycling Plan includes a strong commitment to intersection improvements, including physical separation. BACCC awaits the installation of Burlington's extensive intersection improvement program.

RECOMMENDATION 4

Collect data on snow removal for bike lanes and release them in real time on an open data platform, like the City of Ottawa.

A common theme heard throughout BACCC consultations with stakeholder groups was a desire to increase accessibility to data in real-time. One of the major challenges to year-round adoption of cycling is the winter season. One of the ways to mitigate this challenge is swift snow removal for bike lanes, reflected in real-time online. This complements existing efforts by the City of Hamilton to provide live data for road plowing. The [City of Burlington](#) also has an [unofficial tool](#) which uses GPS data. Having the ability to determine whether bike lanes have been plowed will contribute substantially to adoption of cycling during the winter.

A concern that was learned through BACCC consultations was the problem of closing the Keddy Access Trail for snow plowing. Understandably, plowing the trail with cyclists on it would be dangerous. Instead, a real time data platform would provide a much needed service for winter cyclists. They will be able to reliably determine when the Keddy Access Trail is closed for plowing and when it is fully clear for use before embarking on their journey. This platform, combined with priority plowing status for the Keddy Access Trail, should ameliorate frustrations and improve safety.

Bike Ottawa has produced [a very detailed and user-friendly map](#) of the region's cycling network, allowing users to toggle between city's plowing routes, unplowed bike routes, plowed bike routes, and routes with unknown status.

RECOMMENDATION 5

Create a priority cycling network in Hamilton to be plowed, de-iced, and cleared.

Priority cycling networks may also be known as “spine routes” or “spine network” which follow major roadways and have dedicated space for cyclists. ([Source](#))

Ensuring clean bike routes will promote safety and contribute to uptake of cycling during colder seasons. [Burlington’s](#) “spine network” designation indicates that the route should be a priority for operations (snow plowing, street cleaning, etc.).

Questions have been raised as to whether snow clearing is possible for one-way protected cycle tracks that utilize physical barriers; this question has been answered and solved by cities around the world. It is possible. Readers can find a detailed list of examples and solutions for clearing one-way protected cycle tracks in Appendix 4.

CASE STUDY CITIES - SNOW REMOVAL

[City of Toronto](#) adopted winter maintenance improvements in 2014 to promote winter cycling. Prioritized cycle tracks are plowed within 6-8 hours of snowfall stopping.

[Oulu, Finland](#) is considered the winter cycling capital of the world. It is not uncommon for commuters to travel long distances in cold, icy, and snowy weather to get to work. [Oulu](#) plows lanes within 3 hours of a 2cm snowfall and will be plowed multiple times a day if necessary.

[Linköping, Sweden](#) clears its expansive network of prioritized lanes after 1cm of snow accumulates

The City of Edmonton has created a [Downtown Bike Network](#) which has 7.8 km of protected bike lanes, shared roadways, and paths with priority snow plowing within 24 hours.

MINIMUM MAINTENANCE STANDARDS

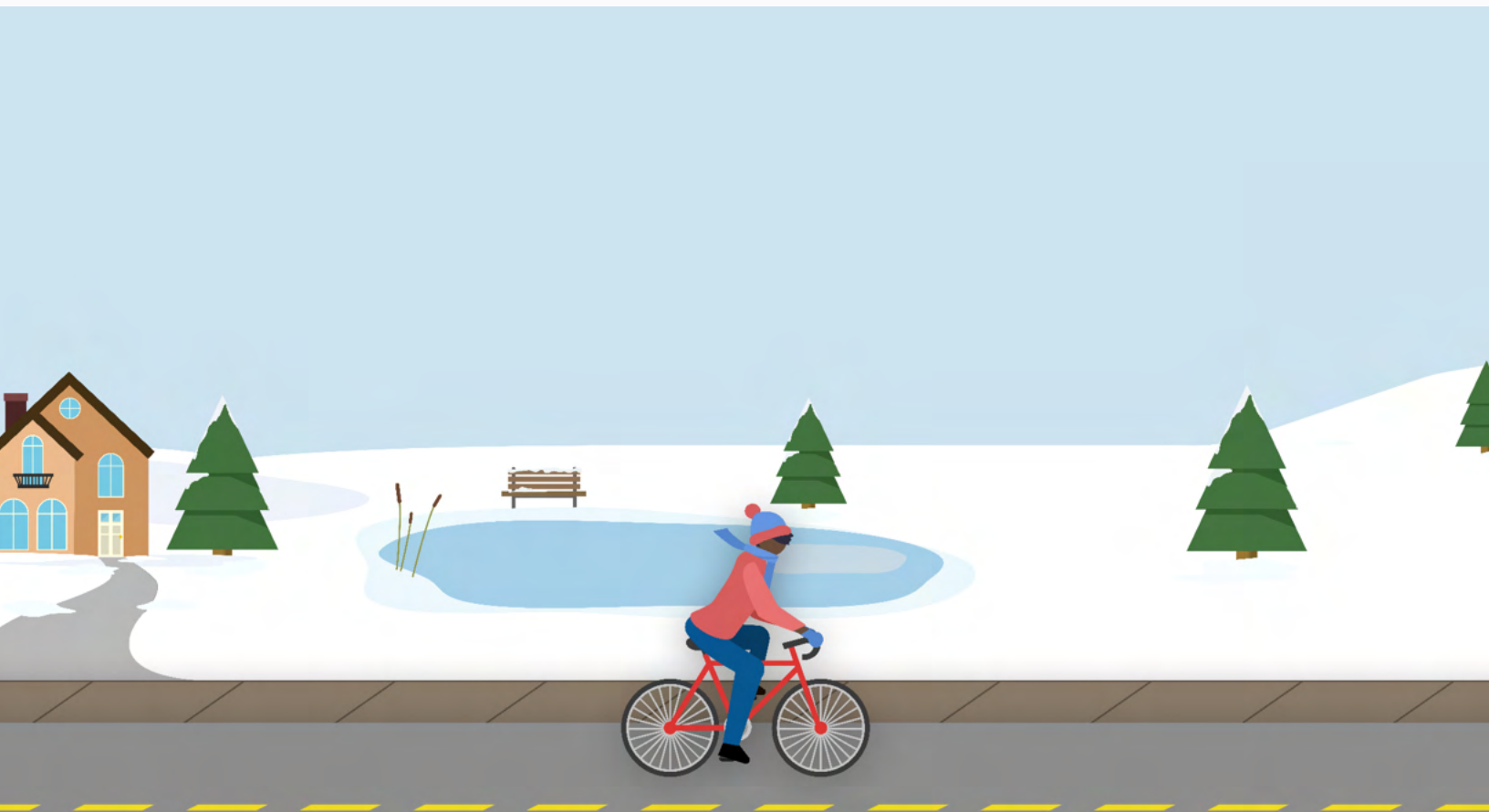
Minimum Maintenance Standards outline the level of responsibility that municipalities have in caring and maintaining roads and bridges, providing a defense against liability. Our recommendations herein consider Minimum Maintenance Standards.

The City of Toronto has outlined for themselves a timeframe of 6-8 hours to begin plowing cycling tracks when there is 5cm of snow. This timeframe is lower than the Minimum Maintenance Standard, which outlines 12 hours for 5cm of snow. Readers who would like to learn more about Minimum Maintenance Standards, as they pertain to bike lanes, can refer to Appendix 6.

RECOMMENDATION 6

Develop a marketing campaign to encourage and normalize winter cycling.

As per recommendations by the Centre for Active Transportation, implementing a campaign to encourage winter cycling may help with adoption. The campaign should involve partnerships with local advocacy groups and local employers to help promote



cycling. For example, Montreal has their Two Wheels, Four Season campaign called [“2 roues, 4 saisons”](#), facilitated by Velo Quebec, which encourages year-round cycling and offers helpful information on winter cycling. Montreal has seen an increase in winter cycling. Calgary also has a campaign by the City of Calgary Bicycle Program called [“Who bikes in the winter?”](#) featuring testimonials from winter cycling.

City of Hamilton currently celebrates Winter Bike Day every February and adopted Winter Commute Month, encouraging various forms of active travel during winter.

RECOMMENDATION 7

In Hamilton, complete a comprehensive update to the Cycling Master Plan, utilizing a gap analysis and the recommendations listed herein.

A point raised throughout BACCC consultations was that it is time for an update to Hamilton’s Cycling Master Plan, which was last completed in [2018](#). The changing demographic, economic, sociological circumstances of the city, as well as evolving knowledge around sustainability make it so that updates are crucial when building infrastructure to improve low carbon choices for residents. Moreover, given the progress that has been made since 2018 in cycling infrastructure, Hamilton can benefit from a comprehensive update.

The Cycling Master Plan is set to be updated in 2023. The next master plan ought to include a network gap analysis to identify gaps, connectivity issues, and infrastructure challenges. BACCC recommends the city of Hamilton consider the recommendations and considerations listed within this report when updating its plan.

The Hamilton Cycling Plan would benefit from the data driven approach done in the Burlington Plan. Traffic levels and demand heat maps would be beneficial for implementation of future facilities. This type of data would also help justify the choice and priority of the individual facilities.

RECOMMENDATION 8

Continue funding promotional campaigns to encourage cycling generally.

Utilizing soft approaches and campaigns can lead to tremendous uptake in cycling. For example, Chicago utilized a combination of approaches to promote cycling along with new investment in bicycle infrastructure. Compared with Salt Lake City, which also invested in bike infrastructure but saw no promotional activities, Chicago saw bicycle mode share nearly double from 0.28% to 0.50%. Salt Lake City, on the other hand, saw mode share remain relatively flat ([Source](#)).

Additionally, the City of York combined their cycling infrastructure with a promotional strategy under the UK Cycling City and Towns Program (2008–2011). Between 40%–50% of the total project budget was earmarked for promotional programs. York saw cycling mode share double from 10% to 20% over the course of the program. The City of York now holds the distinction of having the 3rd highest cycling rates in the UK ([Source](#)).

The City of Burlington promotes cycling at its events, including education seminars and Bike to Work/School Week. The City of Hamilton promotes cycling during Smart Commute Week, Winter Commute Month, Bike Day, and Bike to Work Day. Continued and expanded funding for promotions is recommended.

RECOMMENDATION 9

Expand secure bike parking infrastructure by developing detailed secure bike parking guidelines for developers and employers, similar to other cities.

Secure bike parking, or the lack thereof, is regarded as a major barrier to cycling. In a survey of cyclists and non-cyclists in Auckland, New Zealand, Clement et al. (2016) found that secure bike parking was among the most important factors to both groups (third out of 23 for cyclists and fourth out of 23 for non-cyclists). The only factors deemed more important were travel time, and distance to destination, with the addition of weather for non-cyclists ([Source](#)).

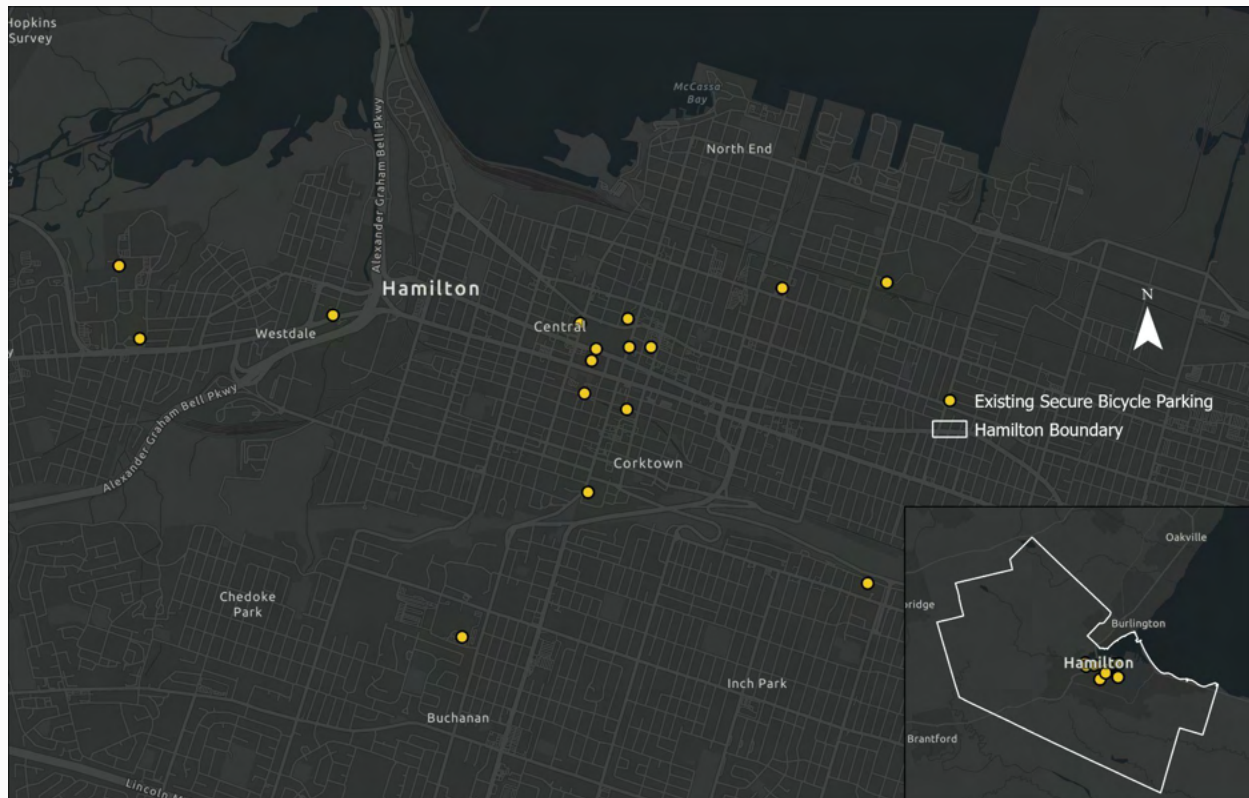
Downtown Hamilton houses over 50 secure bike parking spots. Employers throughout the city also offer secure bike parking, though this is for staff use only (City of Hamilton, Government of Canada, Hamilton Health Sciences, Alectra Utilities, McMaster

University, Mohawk College, St. Joseph's Healthcare). An increase in secure bike parking infrastructure may help encourage cycling among those who own a bicycle and opt not to use it due to security concerns.

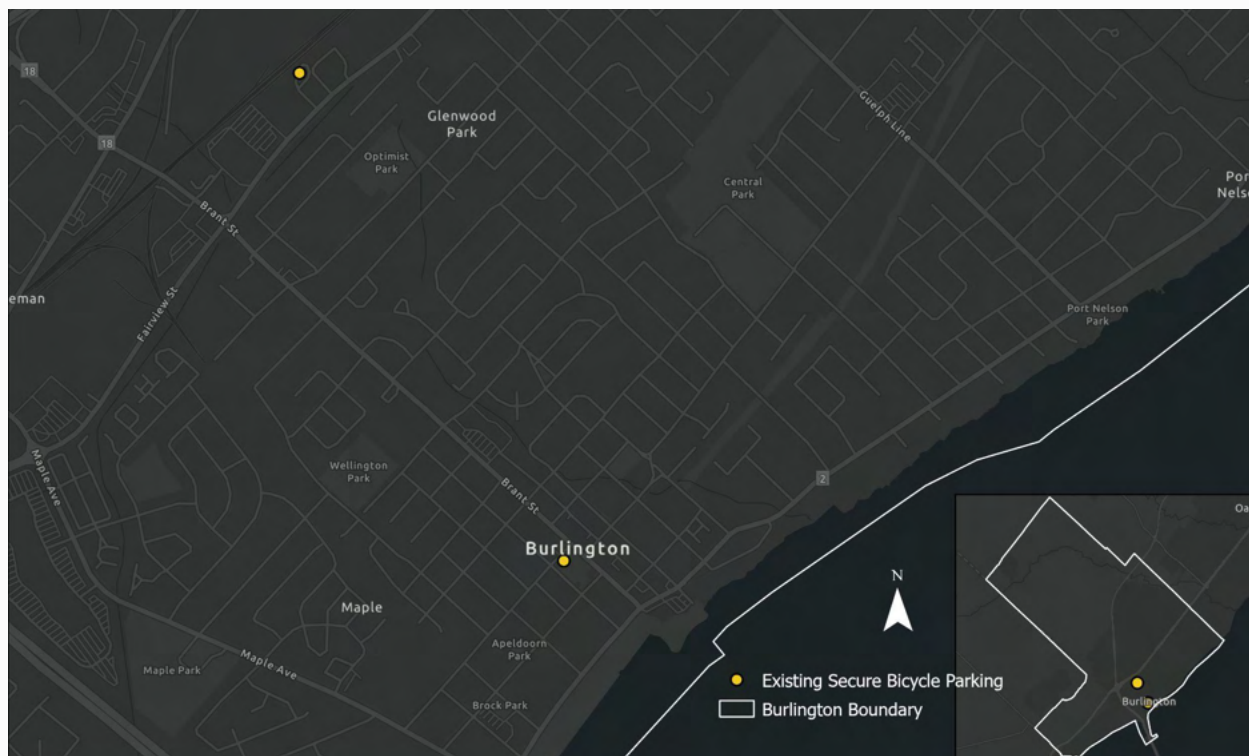
Secure parking in Burlington is limited compared to Hamilton. The city does offer [bike lockers](#) at City Hall. The Burlington Cycling Plan does address the need for more bike parking going forward. While specific locations and infrastructure are not suggested, it does mention that zoning by-laws can be used to ensure minimum amounts of bicycle parking on new developments.

[GO Transit](#) also offers secure bike storage at some of their stations in Hamilton and Burlington for \$50 per year, with a 1 year minimum.

Diagrams of existing secure bike parking, across the Bay Area, can be found on the following page.



Hamilton secure bicycle parking.



Burlington secure bicycle parking.

"Secure bike parking, or the lack thereof, is regarded as a major barrier to cycling."

As part of their Bicycle Parking Strategy, the City of Toronto has included guidelines for the [Design and Management of Bicycle Parking Facilities](#). While the cities of Hamilton and Burlington, as well as private landowners and businesses, provide secure bike parking, there are no documents like the City of Toronto's guidelines for landowners on the installation process. A similar document from both Hamilton and Burlington could provide direction and justification for employers to install secure bike parking as well as helping employees to advocate for these types of facilities.

The installation of secure bicycle parking facilities is supported by the Official Plans of both Cities (Burlington S. 3.5.2(f), Hamilton S. 4.5.16). The City of Hamilton currently encourages secure bike parking in new builds through the 2015 Traffic Demand Management Guide for Development.

RECOMMENDATION 10

In Hamilton, review the analysis included in the [existing feasibility study](#) and [Shared-Micro Mobility Report](#) to consider expanding bikeshare infrastructure across Hamilton, to better serve residents.

In 2016, City of Hamilton staff completed a feasibility study to analyze the capital and maintenance costs of expanding the bikeshare program on Hamilton Mountain for both a 5 square kilometer system and a 13.5 square kilometer system. According to the Shared Micro-Mobility Report, the capital cost to establish a Mountain system would be between \$577,000 and \$1.4 M, depending on the extent of the service area (small or large). Annual operations would cost between \$148,000 and \$263,000. The cost estimate did not take into consideration user fees (revenue).

There are a number of reasons to review and reassess the feasibility of bike share on Hamilton mountain.

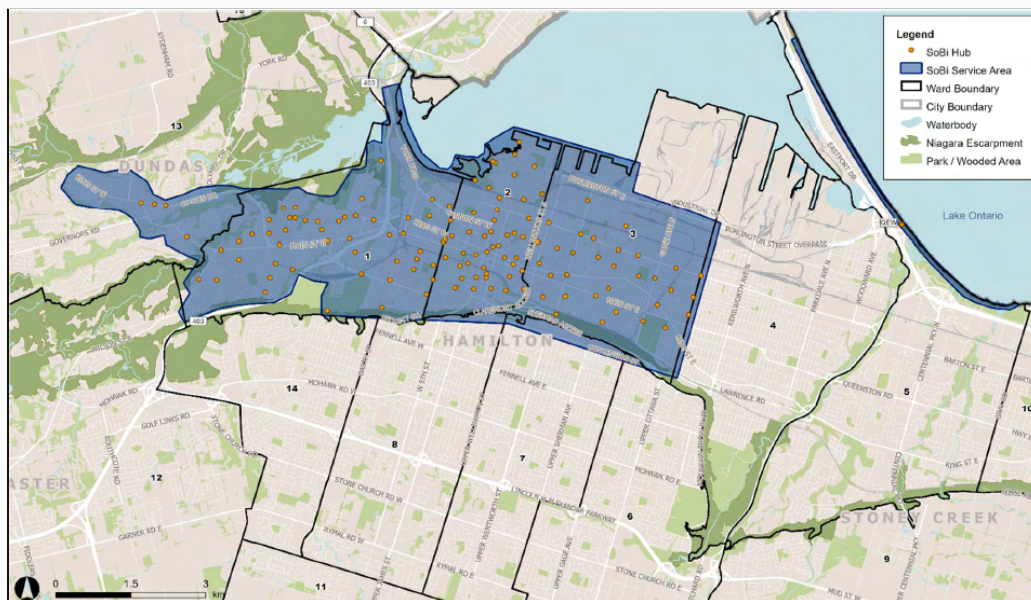
DEMAND & READY USERS

According to Scott and Ciuro (2019) many of the most frequently used bikeshare hubs in Hamilton, in terms of daily mean trip departures and daily mean trip arrivals, are located in and around McMaster University. McMaster University and Mohawk College each educate roughly 30,000 full time and part time students (McMaster University, 2021; Mohawk College; 2020).

It can be reasonably inferred that expanding the Hamilton Bike Share network to the top of the mountain will see similar or larger student driven usage for the new hubs, provided they are placed in desirable places for departure and arrival.

EXISTING INVESTMENT

With the recent \$6 million Keddy Access Trail investment in 2020, there is now a concrete barrier separating cars and cyclists up and down Hamilton mountain. The bidirectional path [has several access points](#) along the way, including sidewalks, bike lanes, stairs and trails. This recent investment combined with the Mountain Climber program investment - which works to integrate public transit and cycling by offering free HSR access to cyclists up and down the escarpment - would perfectly complement a bikeshare.



Existing bike share service area ([Source](#))

In addition to the feasibility study of 2016, a 2020 [Shared-Micro Mobility Report](#) found that Wards 4, 5, 6, 7, 8, and 14 show the highest propensity for micro-mobility. Total capital cost estimate for this expansion would be approximately \$2.3 million for 120 additional stations and 557 bikes; The total operating cost estimate for this expansion per year would be approximately \$435,000.

Hamilton is also receiving about [650 bikes from Portland's bike share](#) program, which may be used for the expansion even if they are used for parts.

BACCC's consultations confirm the need and community interest in bikeshare expansion.

RECOMMENDATION 11

Create a Burlington bikeshare program, similar to the program offered in Hamilton.

There is no bikeshare in Burlington similar to Hamilton Bikeshare, formerly known as Sobi. There is an [existing program](#) running out of the [Burlington Senior Centre](#) that provides free access to bikes during regular business hours. The senior centre program is insufficient, largely because there is only one location for pick-up and drop-off. This is more analogous to a bike rental than a bikeshare. Moreover, the bikeshare can only be used during the hours of service for the seniors centre and there are a limited number of bikes available.

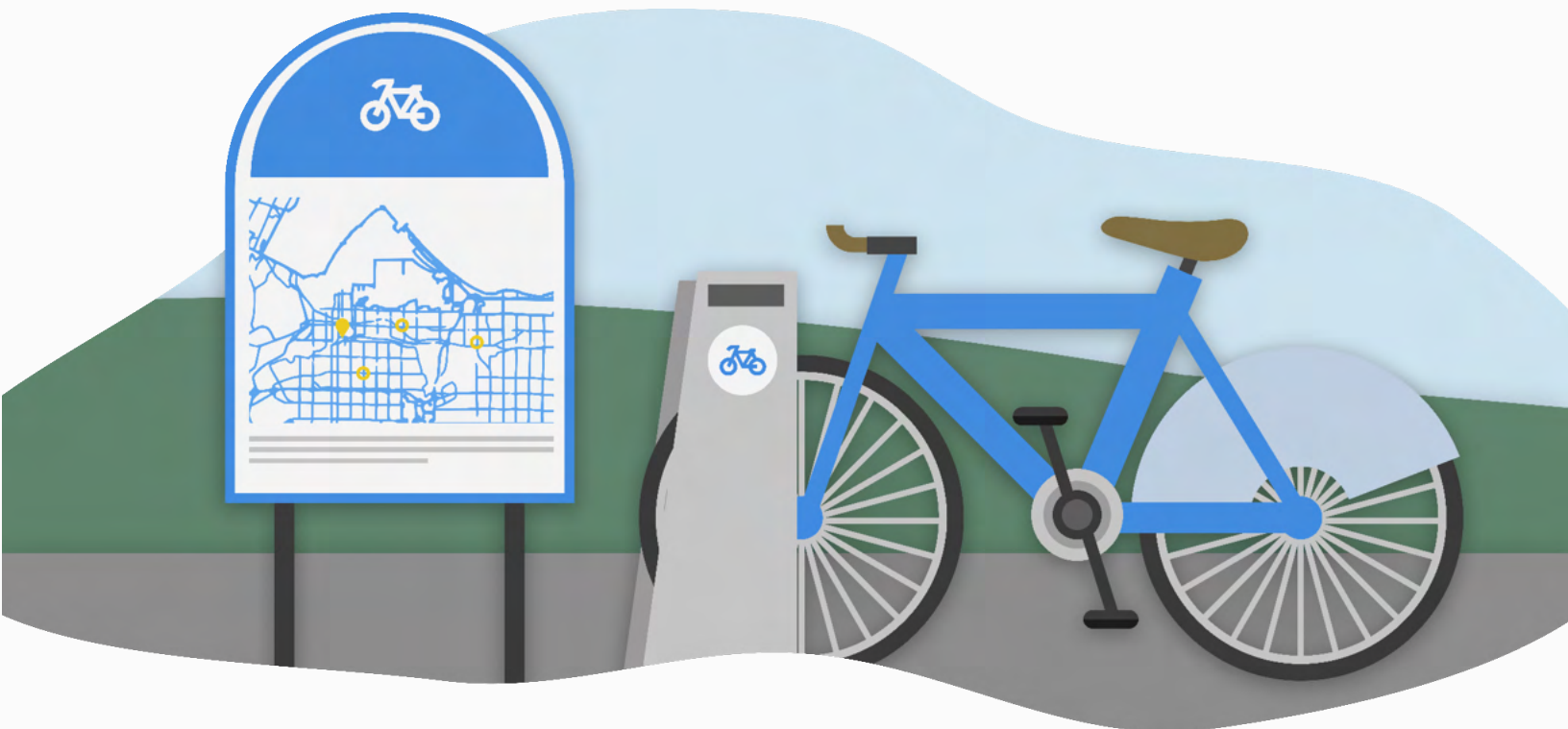
As the City of Burlington creates an expansive bikeshare program for its residents, staff ought to consider:

Accessibility: Providing E-bikes for seniors would help ensure that a Burlington bikeshare is equitable.

Low Income Support: Bike shares are helpful for providing a mobility option to low income individuals, particularly if designed with lessons from Hamilton Bikeshare. Hamilton Bikeshare should be looked at for its achievements in serving disadvantaged groups. Hamilton Bikeshare is uniquely designed to serve lower income groups through the “Everyone Rides Initiative”. The Everyone Rides initiative aims to lessen barriers to using the network by providing subsidized memberships, riding lessons, training on the bike share system, and translation for newcomers. ([Verlinden et al., 2019, p.20](#))

Minimizing the Walking Threshold: Recommended station density of 300m between stations or 10 stations per square km.

Partnership: Consider working with Hamilton BikeShare to expand into Burlington, perhaps under different branding.



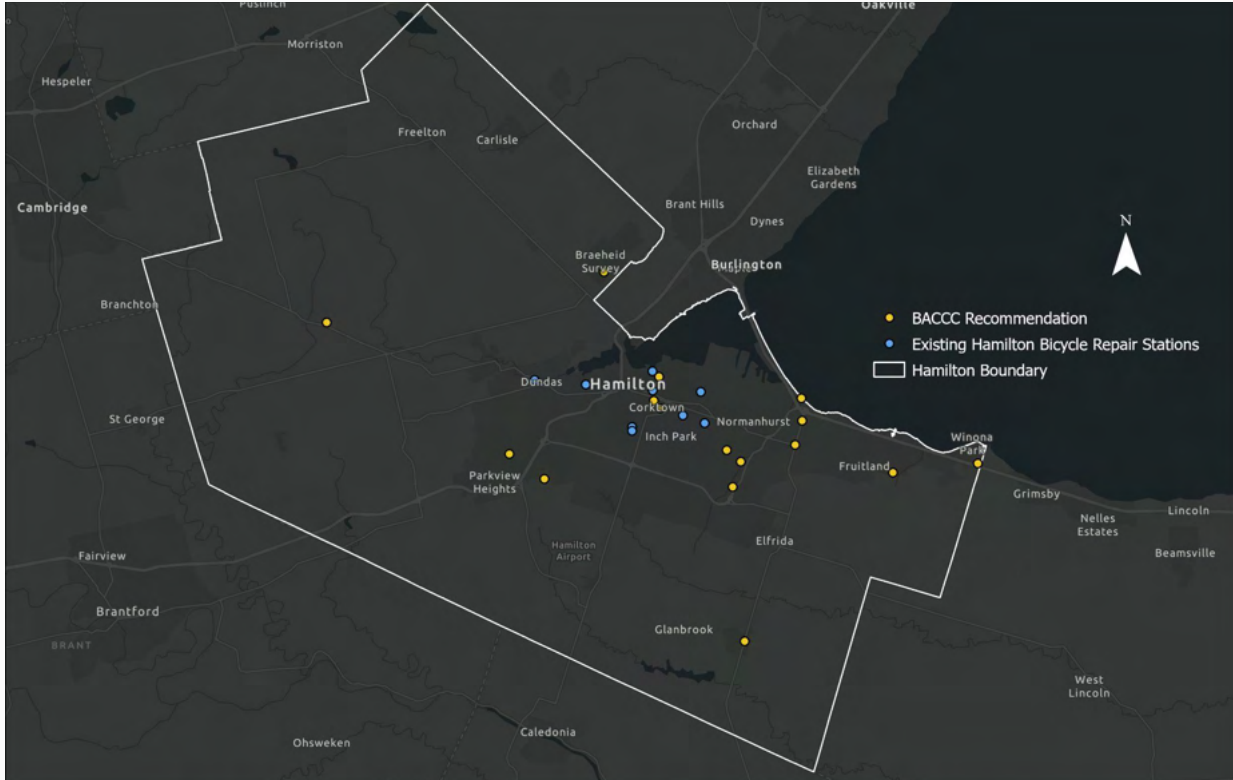
RECOMMENDATION 12**Improve access to free publicly accessible bike repair stations across Hamilton and Burlington.**

Repair stations are an important part of the municipal cycling infrastructure as they allow for cyclists to make minor repairs without purchasing equipment. New fixit stations in [Windsor](#) were installed with the mindset that they are there for the cyclist's peace of mind and to show cyclists that safety is being taken seriously.

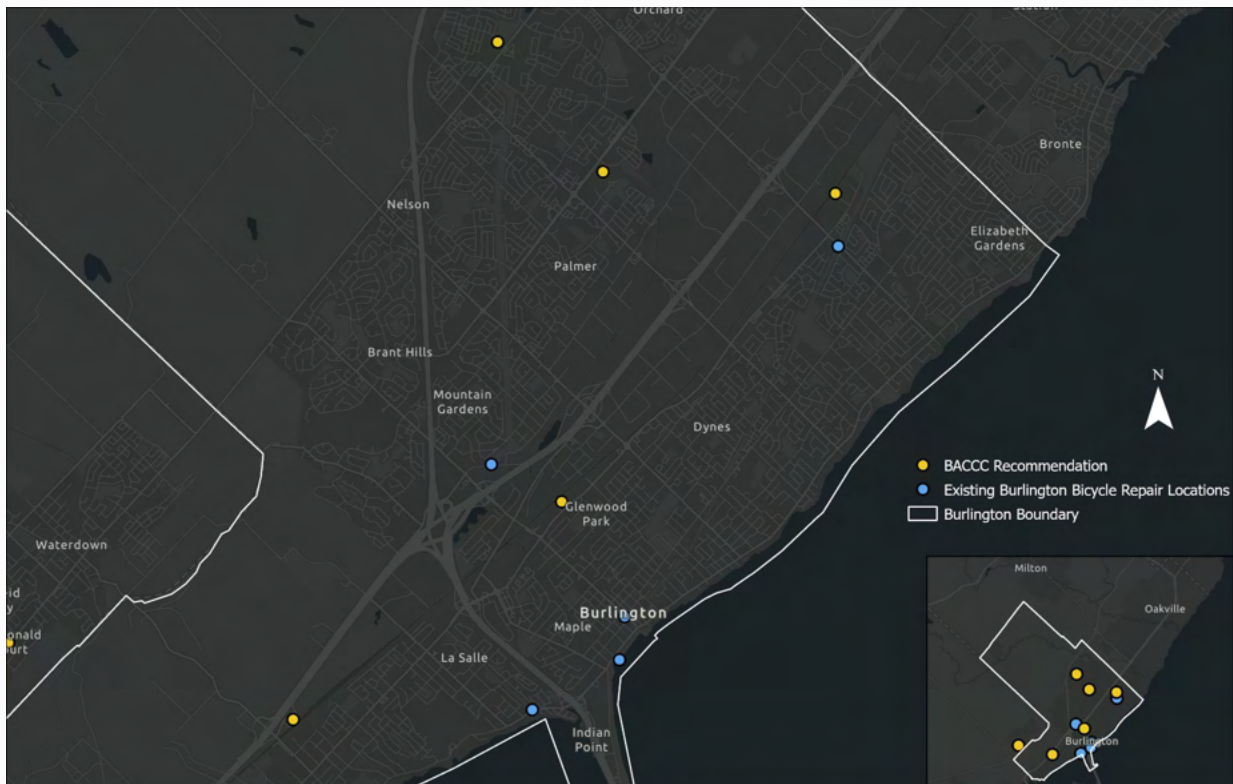
Minor repairs on [Dero](#) fixit stations (currently in use in Hamilton) can be made with the provided Philips and flathead screwdrivers, Allen wrenches, box wrenches, tire levers and the optional tire pumps.

Evaluating the trends in other municipalities, bicycle repair stations are generally located at key cycling facilities such as the start of trails, as well as residential and populated areas such as downtown cores, destinations such as schools and libraries. The most consistent locations in larger cities are higher order transit facilities such as subway ([Toronto](#)) and LRT ([Ottawa](#)) stations.

For Hamilton and Burlington to offer free bike repair stations for residents across the two cities, we recommend the following locations be considered for repair stations. We provide a fulsome explanation for each location recommendation in Appendix 5.



Hamilton recommended bicycle repair stations.



Burlington recommended bicycle repair stations.

RECOMMENDATION 13**Both cities should prevent bike theft by bolstering their existing bike registry programs.**

Since residents cannot ride their bikes if they have been stolen, bike theft should be considered when removing barriers to cycling. Guelph Police Services and Halton Regional Police have their own bike registry systems, partnering with 529 Garage where individuals can fill in details on their bikes, such as serial numbers, manufacturer, and model, so that police can contact them should they recover their bike if it is stolen. Police recover bikes frequently, but have no information to deliver stolen bikes to their rightful owners. This system also goes a long way in making potential cyclists feel safer with locking up their bikes or storing them, further promoting adoption of cycling as a whole. Cyclists can also receive shields/decals that can be applied to their bikes which act as a deterrent for thieves. If bikes are stolen, users can alert the cycling community (other registrants).

According to Hamilton Police, about 600 bikes are stolen in Hamilton per year and only 4% of stolen bikes in Hamilton are recovered. When [police find stolen items](#), they also struggle to return these items to their rightful owners. Hamilton Police has their own bike registry system ([found here](#)), though it should consider adopting a registry similar to [Project 529](#), incorporating the shield and community alerts, which will not only help to make recovering bikes more efficient but also promote a feeling of safety and security among the cycling community.

Burlington should promote their existing theft prevention service to ensure there is adoption as cycling is promoted throughout the city.

RECOMMENDATION 14**Both cities should seek the Bike Friendly Community Gold designation, operated by the Share the Road Cycling Coalition.**

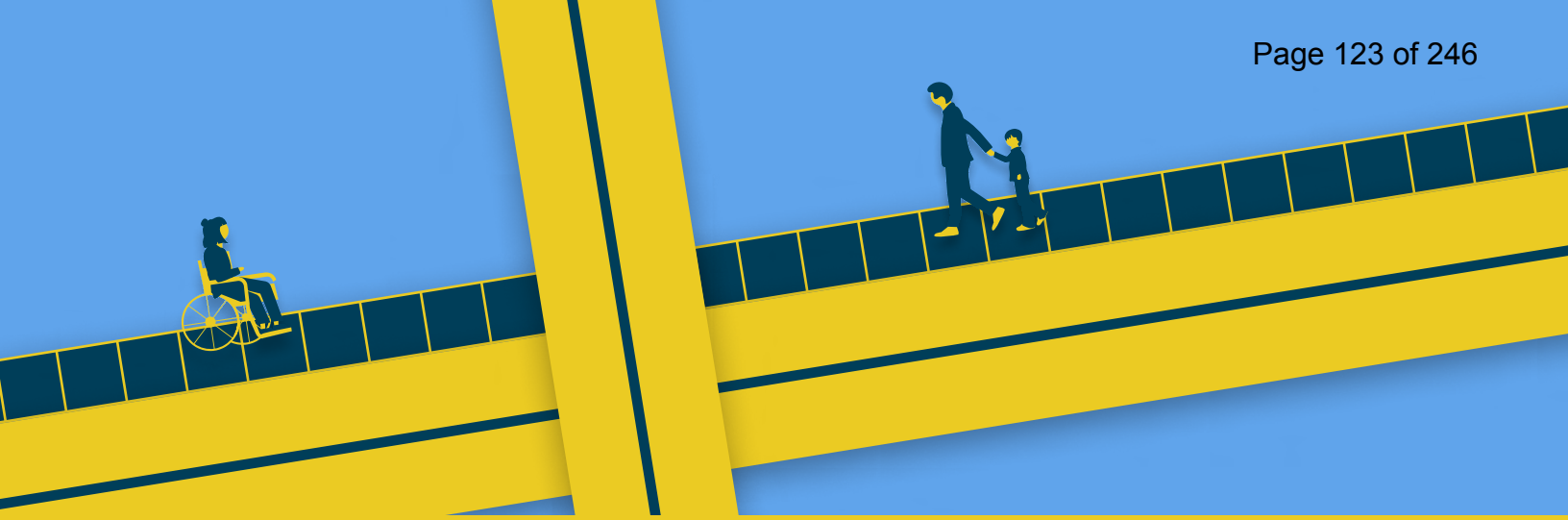
Bike Friendly Communities Award designates communities which have been [evaluated](#) on the basis of physical infrastructure and hardware to support cycling, program and campaigns that educate people on bikes and road safety, incentives to get people to ride, and measure results and planning for future cycling promotion.

A Gold designation is something to aspire towards when recommendations are adopted; Hamilton and Burlington currently have a Silver designation. Right now only 3 cities have a Gold designation: Ottawa, Toronto, Waterloo. The criteria involved in judging bike friendly communities include providing educational opportunities, infrastructure, statistics that support cycling adoption and safety, and advocacy.

RECOMMENDATION 15

Both cities should enlist TransLAB, under the supervision of Dr. Darren Scott at McMaster University, to analyze cycling data to prioritize network improvements and expansion.

Dr. Darren Scott established the Transportation Research Lab (TransLAB) in the School of Earth, Environment & Society at McMaster University in 2008. TransLAB enlists the expertise of Dr. Scott and his team to produce advanced transportation research. TransLAB has produced in-depth research on urban planning, spatial analysis, and geomatics. Dr. Scott's team has a proven record on research projects such as understanding factors that influence ridership at bike share stations, identifying dominant (preferred) routes of bike share users between stations, developing predictive models of bike share ridership for road segments that can be used to predict the impact of new cycling infrastructure on ridership, to name a few.



. 04

Improving Walking and Mobility Devices.

.04 Improving Walking and Mobility Devices.

Increased walking or use of mobility devices contribute to lower greenhouse gas emissions. Increased pedestrianization can help residents choose walking for short distance trips. Adequate walking infrastructure also bolsters adoption of public transit. When combined with biking, it can also provide travelers with suitable last mile options. These three modes of transportation create robust alternatives to individual vehicle transportation.

Within this section of the report, we provide tangible recommendations to increase walking or the use of mobility devices in the Bay Area.

Walking and Mobility Device Recommendations

RECOMMENDATION 1

Both cities should complete walk audits surrounding all schools to determine safety improvements for pedestrians, particularly children. Track the number of improvements flagged and completed over time.

Audits that review the safety of pedestrians are particularly important for schools, where children and their guardians might consider walking as a form of transportation. School travel planning (STP) is an approach to auditing that aims to increase the number of residents choosing active transportation to get to school.

As of 2021, 110 schools in Hamilton have school travel plans or are in progress. The City of Hamilton has a goal of every elementary school in Hamilton completing an STP. It is incumbent on the City of Hamilton to complete and publicly track these audits in the near future.

Currently, City of Burlington representatives take part in the Every Metre Counts initiative to encourage families to walk and roll to school. That said, the City of Burlington does

not currently have an audit program or goal in place. This can be included as an action item for the upcoming Integrated Mobility Plan.



RECOMMENDATION 2

Both cities should assess and improve their 'sidewalk to road ratio', aiming for 1:1, where feasible.

Sidewalk to road ratios refer to the amount of sidewalk available relative to the amount of road. In simple terms, a 1:1 ratio suggests that for as long as there is road, there is sidewalk. See diagram below.



1:1 Ratio

0:1 Ratio

Ensuring pedestrian infrastructure will encourage walking. Based on community consultations for this report, a number of stakeholders pointed to the lack of sidewalk infrastructure causing major barriers to walking and mobility devices, in both Hamilton and Burlington. This has major implications on safety and accessibility.

A lack of sidewalk infrastructure forces residents to walk and use mobility devices on the road alongside live traffic.

In Hamilton, the [Pedestrian Mobility Plan](#) has a routine accommodation policy to address and fill in gaps in sidewalk infrastructure, with annual funding. The City of Burlington is planning to update its sidewalk warrant policy for future developments to include sidewalks, but existing infrastructure requires improvement.

To address this problem, the City of Burlington and City of Hamilton should both complete 'sidewalk to road ratio' measurements, followed by action plans to equalize the ratio, where feasible.

RECOMMENDATION 3

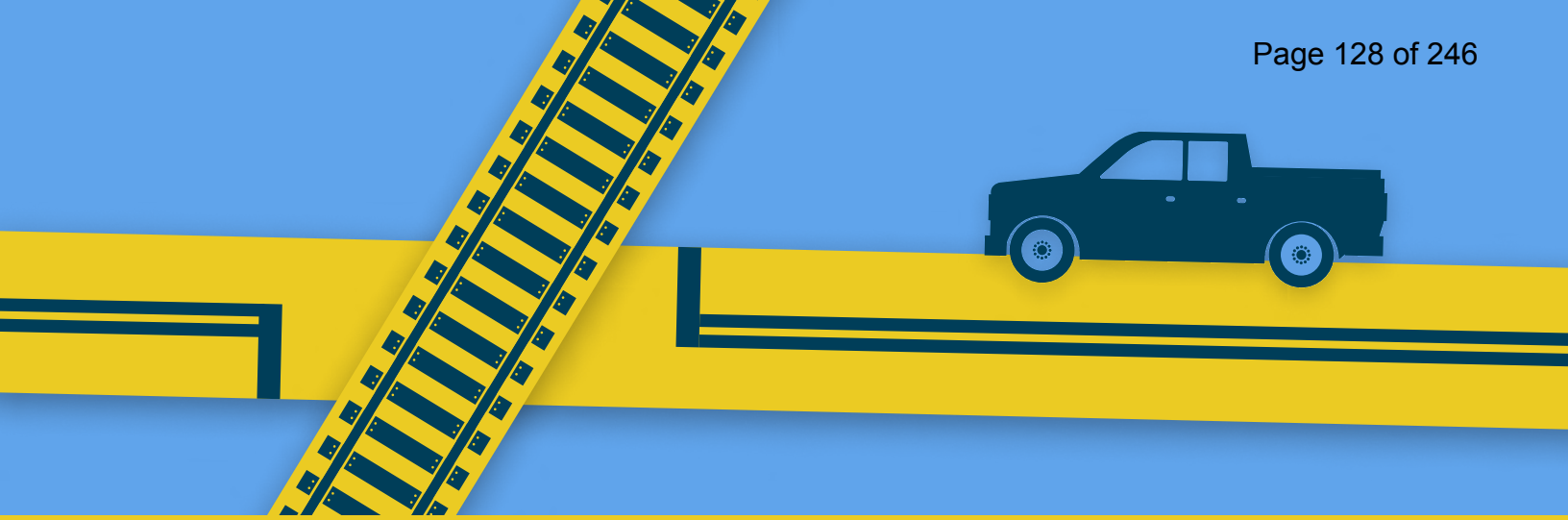
Improve safety by completing city-wide lighting studies for pedestrians in both Hamilton and Burlington.

Lighting on streets can help provide pedestrians an improved perception of safety. Wherever possible, heightened security measures can improve the perception of safety among bus riders (Loukaitous-Sideris, 2001). Perception of safety is often as important than safety itself. Lighting is one important design principle that can improve perceptions of safety. Illumination of streets creates better pedestrian visibility, enhances sidewalks and crossing safety, and discourages criminality.

Beyond perceptions of safety, literal risk of injury and harm have been associated with lighting. In 2017, there were [6,000 pedestrian fatalities in the United States](#), representing 16% of all traffic fatalities; 75% of these occurred in the dark.

City of [Hamilton completed an Outdoor Lighting Study](#) in 2010 and created [Hamilton's Sidewalk and Roadway Lighting Policy](#) thereafter. An update to review outdoor lighting is overdue.

The City of Burlington has begun a study to review the potential for lighting along two major trails in the City: the Centennial trail and Crosstown Trail In Burlington, outdoor lighting beyond multi-use trails, including urban settings, should be considered to encourage pedestrians to feel safe in their own city.



. 05

Overall Network Improvements.

.05 Overall Network Improvements.

In a general sense, there are improvements that can be made to bolster low carbon transportation, now and into the futures of Hamilton and Burlington. Within this section of the report, we provide tangible recommendations to improve low carbon forms of transportation overall in the Bay Area.

Improving Overall Network Recommendations

RECOMMENDATION 1

Commit to open data, wherever possible, for each data set listed herein, in addition to other data sets collected by the municipality. Update these data sets regularly.

The City of Hamilton and City of Burlington have both committed to open and transparent government. Both cities have launched open data platforms, which enable the public to explore and access City data using visualisations, including interactive mapping. During consultations, stakeholders flagged the need for regularly updated data sets.

Municipalities that release as much data as possible to the public increase the chances for innovative uses. Streamlining platform between the two cities also allows for complementary data applications.



RECOMMENDATION 2

Both cities should develop data sharing agreements with local school boards to optimize public transit routes for schools.

School boards have a great deal of data on where students live and demographic information. This information can be used to inform transportation needs for students and school travel, while maintaining the privacy of students.

A common theme that came out of consultations was that cities should work more closely with school boards to optimize public transit routes for students. This could be achieved through data sharing agreements between school boards and local transit authorities.

RECOMMENDATION 3

City of Hamilton should invite CityLAB and MacChangers to work on the initiatives listed herein, to find innovative solutions and reduce the burden on city staff.

CityLAB Hamilton is an innovation hub that brings together Hamilton's post-secondary schools (Mohawk, Redeemer, and MacMaster) and civic leaders to co-create solutions for a more sustainable and livable Hamilton.

MacChangers is a co-curricular experiential program operated out of MacMaster University. It pairs multidisciplinary teams with community members to co-create innovative solutions that address major challenges in the City of Hamilton.

Leveraging CityLAB and MacChangers to address the challenges of improving low carbon transportation choices for Bay Area residents, particularly the challenges outlined herein, will not only aid policymakers but also encourage community-centred solutions.

Allowing solutions to be incubated in existing organizations was a common theme in consultations. This is also compatible with the theme of open data. Until data can be freely accessed, it will not be easy to answer the question of how to make the best use of it.



RECOMMENDATION 4

Invite the MacData Institute to host a hackathon competition with collected transportation data, to find innovative solutions and reduce the burden on city staff.

The MacData Institute engages researchers and students within McMaster to manage and utilize data so that they can foster innovation and collaboration. The Institute works to improve efficiencies related to data creation, collection and management.

During consultations, MacData expressed interest in working with municipal partners on projects utilizing data. This could include allowing MacData to utilize transportation data and find innovative solutions for improvement, using the hackathon model.

A hackathon is an event during which individuals seek to creatively solve problems with technology. Hackathons could consist of using design thinking through programming, engineering, or data science to solve real world problems.

RECOMMENDATION 5

Commit to including a standing item on all Greater Bay Area Sub-Committee meetings to review each city's respective transportation data trends and allow for discussions of collaboration and shared learnings.

The Greater Bay Area Sub-Committee is a joint committee shared between the two neighbouring municipalities of Hamilton and Burlington on topics relevant to both cities, including the environment, transportation corridors, Burlington Bay, and economic development.

Intra-regional transportation is a reality between Hamilton and Burlington, with many workers using public transportation to commute to destinations in a different city. This sub-committee provides an opportunity for collaboration and synergy and avoids duplication of work on the future of transportation in the Bay Area. In particular, many Hamiltonians travel to Burlington for work and utilize Route 1 or former Route 101. In fact, over 25% of all passengers on Burlington Route 101 were Hamilton transfer riders in the month reviewed prior to service cancellation.

“More than 1 in every 4 passengers on Burlington Route 101 were Hamilton transfer riders prior to service cancellation.”

For context, in the month of September 2019 alone, Burlington Transit serviced 23,290 HSR transfers. In September 2019, HSR serviced 12,728 Burlington Transfers.

It is important that both cities work together on their decisions about the future of transportation networks in each city, as they will have an effect on residents of both cities.

. 06

Conclusion.

.05

Conclusion.

Low carbon forms of transportation, like walking, using mobility devices, biking, and public transit require improvements to be considered a real choice for most residents of Hamilton and Burlington. If low carbon forms of transportation are not perceived as safe, convenient, reliable, and equitable, we cannot reasonably expect residents to select those options to get around.

This report aims to improve the choices available to Bay Area residents, ensuring they can get around in any way they prefer.

At present, about 17% of the Bay Area's greenhouse gas emissions come from transportation. By improving the low carbon options available to residents, the cities of Hamilton and Burlington can reduce their respective transportation emissions, thereby pursuing their emission reduction targets and improving the everyday lives of citizens.

“By improving the low carbon options available to residents, the cities of Hamilton and Burlington can reduce their respective transportation emissions.”

The analysis and recommendations included in this report are a product of extensive qualitative and quantitative research, in addition to comparative policy analysis.

Below, readers will find a final summary of all recommendations listed herein. Each of the recommendations are tangible and specific, in order to aid city staff with implementation. Annual follow ups on the status of each cities' progress will be made

public through BACCC, to ensure accountability and give due credit to the hard work of those involved.

Recommendations Summary

TRANSIT RECOMMENDATIONS	HAMILTON	BURLINGTON
Improve the frequency of public transit routes, with more consistently timed service.	X	X
Review arrival schedules for public transit buses for better alignment with GO train services.	X	X
Complete a feasibility analysis for express routes or improved public transit service to business parks.	X	X
Complete audits of all city bus stops to determine safety improvements for transit riders, particularly women. Track the number of improvements flagged and completed over time.	X	X
Ensure all public transit staff complete diversity and anti-bias training.	X	X
Collect data on snow removal for bus stops and release it in real time on an open data platform.	X	X
Collect data on the number of bus stops with seating and strive to increase the percentage of stops with seating for users to rest, particularly pregnant women and the elderly.	X	X
Provide clarity to post-secondary institutions on whether student bus passes will be accepted on the new light rail transit (LRT) line.	X	
Meaningfully and respectfully consult Six Nations on their views and preferences regarding a public transit connection between Six Nations and Hamilton.	X	
Review the feasibility of offering free public transit during the Holiday Season, to complement the existing program for free parking downtown to encourage local shopping.	X	

CYCLING RECOMMENDATIONS	HAMILTON	BURLINGTON
Improve cycling infrastructure to improve connectivity and safety for residents.	X	X
Determine intersections that have poor safety records for protection upgrades. Implement enhanced safety features at the identified locations, complimented by an education campaign for travelers.	X	
Collect data on snow removal for bike lanes and release them in real time on an open data platform, like the City of Ottawa.	X	X
Create a priority cycling network to be plowed, de-iced, and cleared in winter months.	X	
Develop a marketing campaign to encourage and normalize winter cycling.	X	X
Complete a comprehensive update to the Cycling Master Plan, utilizing a gap analysis and the recommendations listed herein.	X	
Fund promotional campaigns to encourage cycling generally.	X	X
Expand secure bike parking infrastructure by developing detailed secure bike parking guidelines for developers and employers, similar to other cities.	X	X
Consider expanding bike share infrastructure across Hamilton, to better serve residents.	X	
Create a Burlington bikeshare program, similar to the program offered in Hamilton.		X
Improve access to free publicly accessible bike repair stations.	X	X
Prevent bike theft by bolstering existing bike registry programs.	X	X
Seek the Bike Friendly Community Gold designation, operated by the Share the Road Cycling Coalition.	X	X
Enlist TransLAB, under the supervision of Dr. Darren	X	X

Scott at McMaster University to analyze cycling data to prioritize network improvements and expansion.		
WALKING AND MOBILITY DEVICE RECOMMENDATIONS	HAMILTON	BURLINGTON
Complete walk audits surrounding all schools to determine safety improvements for pedestrians, particularly children. Track the number of improvements flagged and completed over time.	X	X
Assess and improve the 'sidewalk to road ratio' across the city, aiming for 1:1, where feasible.	X	X
Improve safety by completing city-wide lighting studies for pedestrians.	X	X
OVERALL NETWORK RECOMMENDATIONS	Hamilton	Burlington
Commit to open data, wherever possible. Update these data sets regularly.	X	X
Develop data sharing agreements with local school boards to optimize public transit routes for schools.	X	X
Invite CityLab and MacChangers to work on the low carbon mobility initiatives listed herein, to find innovative solutions and reduce the burden on city staff.	X	
Invite the MacData Institute to host a hackathon competition with collected transportation data, to find innovative solutions and reduce the burden on city staff.	X	X
Commit to including a standing item on all Greater Bay Area Sub-Committee meetings to review each city's respective transportation data trends and allow for discussions of collaboration and shared learnings.	X	X

. 07

Appendix.

.07

Appendix.

APPENDIX 1 - TRAVEL TOOL METHODOLOGY AND ORIGIN POINTS

Origin Points	
Hamilton	Burlington
<ol style="list-style-type: none"> 1. Hamilton GO 2. MacNab Terminal 3. McMaster University 4. Mohawk College 5. West Harbour GO 	<ol style="list-style-type: none"> 1. Aldershot GO 2. Burlington GO 3. Dundas 407 Carpool Lot 4. John Street Terminal
Destination Points	
Hamilton	Burlington
<ol style="list-style-type: none"> 1. Airport Business Park 2. Ancaster Business Park 3. Bayfront Industrial Area 4. Binbrook (Glanbrook) 5. Columbia International College 6. East Hamilton Industrial Area 7. Flamborough Business Park 8. Hamilton General Hospital 9. Hamilton GO 10. Juravinski Hospital 11. Limeridge Mall 12. MacNab Terminal 13. McMaster Innovation Park 14. McMaster University 15. Mohawk College 16. Red Hill Business Park 17. Redeemer University 	<ol style="list-style-type: none"> 1. Aldershot GO 2. Burlington GO 3. Dundas 407 Carpool Lot 4. Harvester Business Area 5. John Street Terminal 6. Joseph Brant Hospital 7. North Service Road Burlington 8. Mapleview Mall 9. South Service Road Burlington

18. Stoney Creek Business Park	
19. West Harbour GO	

Destinations and Origins for Vehicle/Transit Comparison

To record the travel times between the selected origin and destination points in Burlington and Hamilton, specific steps were followed in order to obtain accurate and reliable data. Data for four variables were collected from Google Maps. These variables include: travel time by car between origin and destination, travel time by transit between origin and destination, distance between origin and destination, and transit routes utilized. A fifth variable titled *difference* was calculated in Excel, and displays for each origin and destination the time difference between using transit and driving, with smaller figures indicating greater efficiency due to their indication that transit travel time more closely follows driving time. A value of zero indicates that it takes the same amount of time to drive as it does to take transit, while a negative value indicates that it is faster to take transit. This variable is the basis for which route efficiency is determined. All time variables are measured in minutes, and all distance variables are measured in kilometres.

In total, this data was collected for eight points of origin, and twenty-one destination points (166 total combinations). The peak times of 8:00am and 5:00pm were used as the time points at which the data is measured. Though both are peak times, they represent unique traffic flows, and are analyzed separately as a result. The data are analyzed separately as a result, save for when determining overall route efficiency, in which the times are aggregated to better represent the route as a whole regardless of peak time.

Travel times for cars were obtained by navigating to the directions option in Google Maps, and setting the selected origin and destination in the corresponding fields. It was also ensured that the correct departure time was selected. Afterward, travel routes by car were selected on the basis of shortest time, rather than shortest distance. Travel times for transit however are more difficult to consistently measure, as not all transit stops have vehicles departing at the specific peak times of 8:00am and 5:00pm.

Transit routes were thus chosen according to the following principles:

1. Selecting Departure time: Transit departures closest to the peak time (8:00am or 5:00pm) were selected. If a vehicle departs further from peak time, but arrives at the destination before a vehicle that left closer to peak time, the former vehicle is selected for the purpose of determining travel time and route.
 - a. Example: Bus A leaves at 8:00am and arrives at 8:40am, but Bus B on a different route leaves at 8:05am and arrives at 8:30am. We may reasonably assume that commuters are more likely to take Bus B, despite the fact that it is technically not as close to peak time.
 - b. As such, arrival time is also taken into account. If multiple routes are available, this logic always applies (which route is the commuter more reasonably likely to take? This was determined by viewing all possible options close to peak time, and making a determination based on what was deemed most favourable regarding trip duration and transfers.)

2. This same rationale applies to transfers. Vehicle transfers are included if a commuter cannot otherwise arrive at the destination, OR if they save a significant amount of time by transferring.
 - a. Transfers versus No Transfers: As a caveat, it is not assumed that commuters will transfer if an insignificant amount of time is saved. For example, it is assumed that commuters will not take a 30 minute route in which they transfer three times over a 35 minute route in which they do not have to transfer. A transfer was deemed to be significantly time saving if at least ten minutes per transfer were saved, compared to the route bereft of transfers. The inclusion of this caveat is based on previous data collected in the Canadian context that has illustrated the typical commuter's aversion to transfers when more direct routes are available (Manaugh & El-Geneidy, 2015).

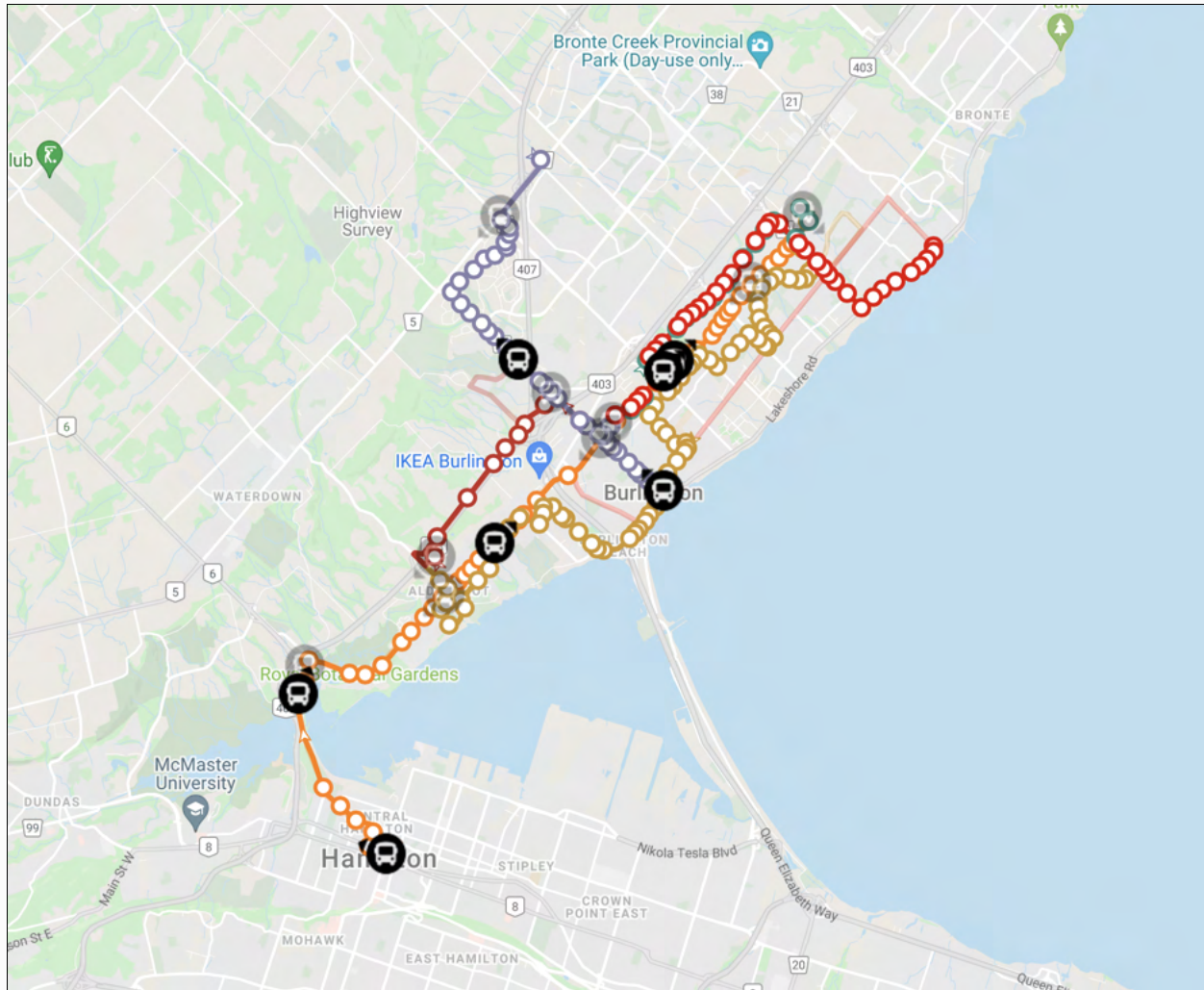
3. Exclusion of Transit Data: Some locations (Airport Business Park, Binbrook) do not have access to public transportation at present. As such, only driving data are available for these destinations.

A separate variable called *Weighted Mean Time Difference* is used to measure the overall efficiency of a route. At least 2 separate observations are needed for a route to be evaluated for efficiency using this metric. In specific, a route must be utilized in at least 2 different instances to get from any of the six origin points to any of the

twenty-one destination points, across the 8:00am and 5:00pm transportation peaks. It must also be noted that the strength of these observations improves with a larger sample size of the route being used. Routes are evaluated for efficiency on the basis of the weighted average travel time difference between driving and taking transit (travel time difference is explained in point 1 above). For instance, if the route is used 3 times, and the travel time differences are 5 minutes, 10 minutes, and 20 minutes, the average travel time difference is ~11.67 minutes, or the mean of the three observations. This route would be more efficient than a route with a mean difference of 15 minutes. The weighted average takes into account the portion of the sample size from each peak time. For example, if a route with a sample size of 10, has 7 morning observations and 3 evening observations, then 70% of the morning average will be added to 30% of the evening average to get the weighted average. Routes can be compared to one another on the basis of efficiency using this metric, with lower values indicating more efficient routes.



Analyzed Hamilton Routes: 1 - King (Blue), 10 - B Line Express (Red East/West), 11 - Parkdale (Purple), 20 - A Line Express (Red North/South), 22 - Upper Ottawa (Kelly Green), 27 - Upper James (Forest Green), 41 - Mohawk (Mint Green), 43 - Stone Church (Rust), 44 - Rymal (Peach), 55 - Stoney Creek Central (Magenta)



Analyzed Burlington Routes: 1 - Plains Fairview (Orange), 2 - Brant (Purple), 4 - Central (Yellow), 50 - Burlington South (Red), 80 - Harvester (Green), 87 - North Service Aldershot (Burgundy)

APPENDIX 2 - HEADWAY ANALYSIS METHODOLOGY

BACCC conducted a review of wait times (headway) between several key bus routes in Hamilton and Burlington. This was achieved by viewing the schedule of each selected route, and recording the time that it took between buses arriving at the same stop. For the purpose of analysis, the last stop along each route was used for this measurement. This was done for both directions that each route travels in, (westbound eastbound or northbound southbound) for both weekday and weekend schedules. Further, the days were split up into three unequal parts, namely the morning peak, off peak time, and the afternoon peak. The peak times are demarcated according to the frequency at which buses arrive at a particular stop along the route, and are based on weekday peaks. The

frequency is greater during the peak times, and is lesser during the off peak time. Each route has slightly different peak and off peak times as a result. The scheduled time for each of these time periods that a bus is to arrive was recorded in the analysis. As such, we are able to compare different routes to each other in an effort to illustrate the length of time one must wait at a stop if they miss a scheduled bus.

It must be noted that some routes have mutually exclusive legs to them that not all buses traverse. In such cases, the leg that most closely follows the BLAST rapid transit plan is used. If the route is not close to the proposed BLAST network, headway is determined according to departures from the first stop rather than the last stop along the route. It must also be noted that some routes stagger headway times in an alternating pattern (e.g. the bus arrives every 18 minutes, the next every 22, and alternates in this pattern). In such cases the mean headway time is used instead to avoid confusion. Further, when the morning peak is transitioning into off peak time or when off peak time is transitioning into the afternoon peak, the prevailing arrival pattern may be disturbed. A bus arriving every hour at :05 and :35 may for instance arrive at :05 and :42 during the transition. In such cases, the analysis still follows the prevailing pattern nonetheless, as the time difference is due to schedule shift rather than following a patterned interval.

Boarding and Alighting

Boarding and Alighting Data was acquired from HSR and Burlington Transit for several key bus routes. HSR data included boarding and alighting data at each stop along the route, hourly ridership for the entire day, distance between stops along the route, population density within 400m of the stops along route, percentage of transit to work within 400 metres of stops (employment data for riders using census data), and low income ridership (using census data). Boarding and alighting data was presented for routes in both directions (i.e. eastbound and westbound as well as northbound and southbound). Additionally, this data was presented as an average for typical weekday/weekend travel as opposed to snapshots of specific dates. Data was presented in an excel file with sheets separating boarding, alighting, each direction, weekday, and weekend as well as sheets providing distance between stops and demographic data.

Data for Burlington routes, acquired from Burlington Transit, provided boarding and alighting specifically. The data were presented in an Excel file with sheets separating

each route. The data aggregate directional travel (i.e. did not distinguish westbound/eastbound and northbound/southbound). Unlike HSR, this data presented snapshots of representative weekdays and weekends and did not present average boarding and alighting. Specific data for Wednesday, September 18th, 2019, Wednesday October 9th, 2019, and Wednesday November 13th, 2019 were provided to capture typical weekday travel. To capture typical weekend travel, specific data for Saturday, September 14th, 2019, Saturday, October 19th, 2019, and Saturday, November 9th, 2019 were provided. Data from 2019 were selected to account for the changes in ridership as a result of the 2020-2021 period of the COVID-19 pandemic.

APPENDIX 3 - GO TRAIN ALIGNMENT

This analysis was conducted by comparing the schedules of GO trains at West Harbour GO and Burlington GO with the schedules of municipal bus transit routes that connect to each station. This was done in an effort to illustrate the average amount of time a commuter must wait if they choose to utilize both the municipal bus network, and the Lakeshore West GO line. Two basic measurements were taken for each station, for both weekday and weekend schedules:

1. The mean time one must wait when arriving at West Harbour GO/Burlington GO via GO train, and subsequently using the municipal bus transit network
2. The mean time one must wait when arriving at West Harbour GO/Burlington GO via municipal bus, and subsequently using the GO train upon arrival at the station

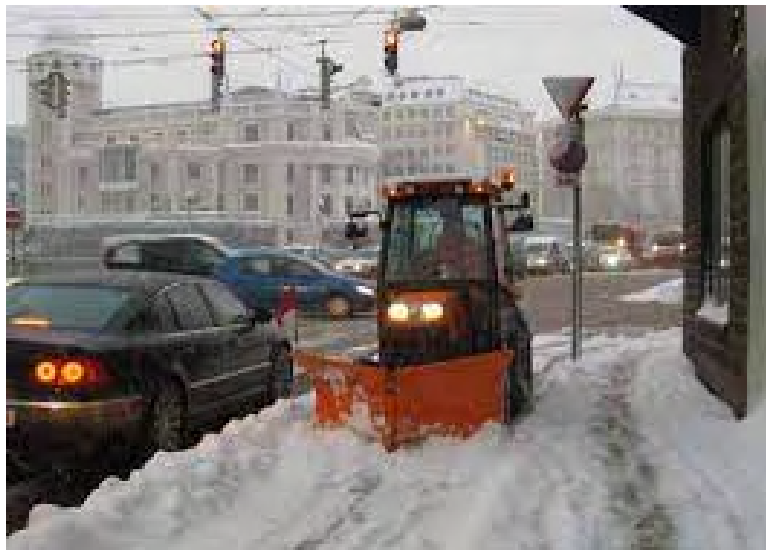
These measurements were taken by finding the difference in time between the arrival of the GO train and the next departing bus for the first measurement, and the difference in time between the arrival of the bus, and the next departing GO train for the second. It must be noted however that there is little guarantee that GO trains and municipal buses will always arrive at the station at the scheduled time, for several reasons. As such, another measurement was made with a 6 minute minimum amount of time between bus and train. As such, this calculation displays the mean time one must wait between using each vessel, but excludes wait times shorter than six minutes, and instead uses the next available train/bus. This measure can be used to gain more insight as to how long a commuter must wait for their connection at the station in the event that they

miss the optimal connection.

APPENDIX 4 - SNOW CLEARING ONE-WAY PROTECTED CYCLE TRACKS

Many cities such as New York, Chicago, Toronto, and Salt Lake City use bollard protected bike lanes, between a lane of parked cars and the travel lanes. The bollards or barriers and parked cars make it impossible to plow with the same vehicles that plow the main road. Smaller, more compact vehicles are needed in these situations, and some of these vehicles are:

- Truck mounted plow blade - can clear and salt conventional bike lanes
- Pick up truck mounted plow blade - can be used for protected bike lanes if the lane has been built to accommodate the width of a pick up truck for snow clearing purposes.
- Small snow removal vehicles - tractors, ATV's, bombardiers and skid steers can all be equipped with snow removal equipment. Snow brushes are used for lighter snow, snow plows for heavier snow and snow blowers for relocating snow. De-icing equipment can and should be installed on these vehicles to plow and de-ice all at once.
- ([Source](#))



Small snow removal vehicle clearing a buffered bike lane in Vienna, Austria. Photo Credit:
http://www.ibikeoulu.com/presentations/presentation_oulu_szeiler_130213.pdf

Other articles specify the exact models utilized to accommodate protected single bike lanes:

"In Boulder, Colorado, the city clears its widest protected lanes with a Ranger and plow, too. On narrower facilities it uses a Gator brand all-terrain vehicle made by John Deere. For other jobs, it uses a Caterpillar mini-loader with a power broom; for a few, staff just haul out a snowblower.

Washington D.C. uses a 60-inch-wide [Toolcat 5600](#) but has been in the market for something smaller, to make turns while clearing a five-foot protected bike lane.

In 2015, Salt Lake City started using a 65.5-inch-wide [Kubota RTV1100](#) to sweep and plow its protected bike lanes. For narrower spaces in its downtown, SLC uses a 44.9-inch-wide [Kubota F3060](#). The widest part of that tiny tractor, not currently manufactured by Kubota, is its 51.1-inch wheelbase." ([Source](#))

APPENDIX 5 - BIKE REPAIR STATION RATIONALE

Burlington	
Location	Justification
Alton Public Library	Provides a repair station along Dundas St, a route which connects Oakville (and further) to Hamilton, through Burlington. The Region of Halton is investing in upgraded facilities along the section of Dundas St in Burlington. Adding a repair station at the Alton Library would provide added safety for longer intercity cycling trips.

Aldershot GO Station	A cycling repair station here would help encourage cycling as a first/last kilometer portion of the trip. A station here, coupled with the Waterdown public library and infrastructure along Waterdown Rd, would hopefully encourage GO usage by cycling from Aldershot.
Appleby GO Station	A cycling repair station here would help encourage cycling as a first/last kilometer portion of the trip.
Tansley Woods Community Center	City bike racks/shelters installed here, so this could compliment the infrastructure. Close to Upper Middle Road cycling facilities, Tansley Woods cycling facilities and Walker's Line, which will be developed into a highway crossing.
Hamilton	
Location	Justification
Waterdown Public Library	A cycling repair station here would help encourage cycling at a central community location.
Ancaster Public Library	Proximity to Wilson St and Golf Links Rd cycling facilities and the Temp Trail, all leading into Hamilton Center. Proximity to cycling facilities would help users feel safe incase of a bike malfunction as well as possibly encourage new cyclists to bike into the city center.

Binbrook Public Library	Provides a community repair station as well as connecting to cycling lanes within the community and a proposed multiuse path (21r) along highway 56 into Hamilton center. The Binbrook conservation area is just south of the proposed facility, with bike trails leading from Binbrook to the conservation area. A repair facility would be a good resource for cyclists traveling from Binbrook or Hamilton center to the conservation area.
Stoney Creek Public Library	Provides a community repair station and is accessible by bike lane.
Rosedale Park	Intersects 3 cycling facilities - the Red Hill Valley Trail, the Cochrane Rd signed bike route and the Greenhill Ave bike lane. This is a center city location, providing repairs to those traveling north - south and east - west routes across the city.
Winona Park	Follows existing bike lanes. This could serve people looking to bike to Grimsby and beyond as well as those whose destination is the park or the Lakeshore route.
Corktown Park	Located at the beginning of the Trans Canada trail, and situated in the park. This would be where people get on the trail from surrounding on road facilities, so it would be a good spot for minor repairs.

Red Hill Valley and Mount Albion Trail Intersection	The intersection of two popular cycling routes. A service station at the intersection would service patrons traveling north or south along the trail as well as those merging on or off Mount Albion, which leads to a residential area.
Mountain Brow Blvd Trail/Trans Canada Trail	Intersection of two cycling facilities converge at the Kenilworth stairs. The stairs are built to transport bicycles up and down from the MB Blvd trail to the Trans Canada Trail. The MB Trail is also situated adjacent to a residential area, so this service station could also service the neighbourhood.
Redeemer University	There are no services like this on campus, unlike Mohawk and McMaster. The university is also surrounded by residential areas so a station could serve the university population but should also be open to the surrounding public.
Hamilton GO Station	Recently added secure bike parking, so cycling infrastructure is being invested in. A cycling repair station here would help encourage cycling as a first/last kilometer portion of the trip.
West Harbour GO Station	A cycling repair station here would help encourage cycling as a first/last kilometer portion of the trip. Metrolinx has identified this station to receive the secure storage, same as the Hamilton and Burlington GO station bicycle storage.
Confederation GO Station	A cycling repair station here would help encourage cycling as a first/last kilometer portion of the trip. According to Metrolinx, this station is in the process of being upgraded, a Fixit station could be part of those upgrades.

East Gate Square/LRT Station	Good for first/last kilometer trip incentive. The mall is also a large commercial area and cycling destination. Seeing as the area is commercial with surrounding residential and is in a central location, the repair station could also serve local residents.
Beverly Community Center	As the City of Hamilton looks to add cycling infrastructure to the rural areas, adding user repair stations at key rural locations could help facilitate more trips as cyclists are able to perform minor repairs along the way. Located at Highway 8 and Concessions Rd 4, the Beverly Community center is roughly halfway between Dundas and Cambridge, two cycling destinations and the City is proposing a multi-use trail along Hwy 8 to Cambridge.

APPENDIX 6 - MINIMUM MAINTENANCE STANDARDS

- [4.2 \(1\) Subject to section 4.3](#), the standard for addressing snow accumulation on bicycle lanes is,
 - (a) after becoming aware of the fact that the snow accumulation on a bicycle lane is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and
 - (b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table to this section to provide a minimum bicycle lane width of the lesser of 1 metre or the actual bicycle lane width. O. Reg. 366/18, s. 7.
- (2) If the depth of snow accumulation on a bicycle lane is less than or equal to the depth set out in the Table to this section, the bicycle lane is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 7.
 - City cannot be sued for state of repair, only a state of non-repair

- State of non-repair: i.e. if ruts which form on a sidewalk as a result of snowfall and poses a risk to users
- (3) For the purposes of this section, the depth of snow accumulation on a bicycle lane and, if applicable, lane width under clause (1) (b), may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3), with necessary modifications. O. Reg. 366/18, s. 7.
- (4) For the purposes of this section, addressing snow accumulation on a bicycle lane includes,
 - (a) plowing the bicycle lane;
 - (b) salting the bicycle lane;
 - (c) applying abrasive materials to the bicycle lane;
 - (d) applying other chemical or organic agents to the bicycle lane;
 - (e) sweeping the bicycle lane; or
 - (f) any combination of the methods described in clauses (a) to (e).
O. Reg. 366/18, s. 7.
- Table:

Snow Accumulation – Bicycle Lanes

Class of Highway or Adjacent Highway	Depth	Time
1	2.5 cm	8 hrs
2	5 cm	12 hrs
3	8 cm	24 hrs
4	8 cm	24 hrs
5	10 cm	24 hrs

- “If practicable” is not defined, it is a question of judgement and available resources
- For roadways:

Snow Accumulation – Roadways

Class of Highway or Adjacent Highway	Depth	Time
1	2.5 cm	4 hrs
2	5 cm	6 hrs
3	8 cm	12 hrs
4	8 cm	16 hrs
5	10 cm	24 hrs

O. Reg. 47/13, s. 4; O. Reg 366/18, s. 5 (5).



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
Financial Planning, Administration and Policy Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 4, 2022
SUBJECT/REPORT NO:	2022 Tax Policies and Area Rating (FCS22031) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Gloria Rojas (905) 546-2424 Ext. 6247
SUBMITTED BY:	Mike Zegarac General Manager, Finance and Corporate Services Corporate Services Department
SIGNATURE:	

RECOMMENDATION(S)

(a) That the following optional property classes be continued for the 2022 taxation year:

- (i) Parking Lot and Vacant Land;
- (ii) Large Industrial;

(b) That, based on the 2022 final approved Tax Operating Budget, the following final tax ratios be established for the 2022 taxation year:

(i)	Residential	1.0000
(ii)	Multi-Residential	2.3594
(iii)	New Multi-Residential	1.0000
(iv)	Commercial	1.9800
(v)	Parking Lot and Vacant Land	1.9800
(vi)	Industrial	3.1985
(vii)	Large Industrial	3.7506
(viii)	Pipeline	1.7947
(ix)	Farm	0.1767
(x)	Managed Forest	0.2500
(xi)	Landfills	2.9696

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 2 of 14

- (c) That the following tax reductions be established for the 2022 taxation year:
- | | | |
|-------|--|-----|
| (i) | Farmland awaiting development (1st Subclass) | 25% |
| (ii) | Farmland awaiting development (2nd Subclass) | 0% |
| (iii) | Excess land Subclass (Residual Commercial) | 0% |
| (iv) | Excess land Subclass (Residual Industrial) | 0% |
| (v) | Vacant land Subclass (Residual Industrial) | 0% |
| (vi) | Excess land Subclass (Large Industrial) | 0% |
- (d) That the Deferral of Tax Increases for Seniors and Low Income Persons with Disabilities Program (Deferral of Tax Increases Program) be continued for the 2022 taxation year;
- (e) That the Full Tax Deferral Program for Seniors and Low Income Persons with Disabilities Program (Full Tax Deferral Program) be continued for the 2022 taxation year;
- (f) That the Seniors' (65+) Tax Rebate Program be continued for the 2022 taxation year;
- (g) That the 40% Tax Rebate for eligible charities and similar organizations be continued for the 2022 taxation year;
- (h) That, for the 2022 taxation year, the Area Rated Levies be approved as identified in Appendix "A" to Report FCS22031, "2022 Tax Policies and Area Rating", attached hereto;
- (i) That the City Solicitor be authorized and directed to prepare all necessary by-laws, for Council approval, for the purposes of establishing the tax policies and tax rates for the 2022 taxation year.

EXECUTIVE SUMMARY

Report FCS22031 highlights the tax policy tools and options for the current taxation year and includes tax impacts. Some of the policies included in this report have been previously approved by Council. Table 3 in the "Analysis and Rationale for Recommendation(s)" section of this report provides details of all the tax policies being recommended.

As identified in Table 1, the combined impacts of the final approved 2022 Tax Supported Operating Budget, inclusive of the final growth, tax policies and education impacts resulted in a total City-wide residential tax impact of 2.8% or \$120 for the average residential property valued at \$382,000. This is equivalent to a \$31 increase for every \$100,000 of assessment.

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Table 1
2022 Total Average Residential Tax Impact

	\$	%
Municipal Taxes	\$ 120	3.1%
Education Taxes	\$ -	-0.5%
Total Taxes	\$ 120	2.8%

- Anomalies due to rounding
- Updated for growth and levy restrictions

The tax impact identified in Table 1 is simply a City-wide average. On March 30, 2022, Council approved changes to the area rating of recreation, sidewalk snow removal, parkland purchases, sidewalks and streetlights through Report FCS21078(b) – Area Rating Review. Although changes to area rating are revenue neutral, they resulted in a re-distribution of taxes between the urban and rural areas of the City. The average annual tax impact of the approved changes in area rating for 2022 is a decrease of 0% or \$2 in the urban areas of the City and an increase of approximately 0.3% or \$14 to \$19 in the rural areas of the City. The average residential tax impacts by ward and area rating scenarios included in Appendix “B” to Report FCS22031, “2022 Tax Policies and Area Rating” include the tax impact of these changes.

Table 2 identifies the 2022 total average tax impacts by property class.

Table 2
Total Tax Impact by Class

	Municipal				Total Incl. Education
	Reassessment	Tax Policy	Budget	Total	
Residential	0.0%	0.0%	3.2%	3.2%	2.8%
Multi-Residential	0.0%	0.0%	0.0%	0.0%	0.0%
Commercial	0.0%	0.0%	3.3%	3.3%	2.3%
Industrial	0.0%	0.0%	1.6%	1.6%	1.3%
Farm	0.0%	0.0%	2.3%	2.3%	1.9%

Note: Anomalies due to rounding

As shown in Table 2, the average tax impacts vary between property classes. For 2022, tax impacts vary as a result of budgetary changes and the restrictions on the Multi-Residential and the Industrial property classes.

SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 4 of 14

According to the Province's four-year reassessment cycle, property values were expected to be updated in 2020 for the 2021-2024 cycle, however, as part of "Ontario's Action Plan: Responding to COVID-19" announced on March 25, 2020, the Provincial government postponed the reassessment planned for 2020. On November 4, 2021, the Ontario Government released the 2021 Ontario Economic Outlook and Fiscal Review announcing that Property assessments for the 2022 and 2023 tax years will continue to be based on the same valuation date that was used for 2020 (valuation as of January 1, 2016). The 2022 assessment roll has been updated to reflect assessment changes due to net growth, appeals and request for reconsiderations and the impact of such changes is included in the tax impacts as presented.

As part of the 2020 Provincial Budget it was announced that Business Education Taxes (BET) had been reduced across the Province for properties in the Commercial and Industrial property classes beginning in 2021; no further reductions were announced for 2022.

The final tax impact also includes the effect of the Provincial legislation as it relates to the Multi-Residential property class, in which municipalities with a Multi-Residential tax ratio above 2.0 are not allowed to pass reassessment related increases to the class and are also subject to a full levy restriction. In addition, the Industrial property class continues to be restricted and levy increases cannot be more than 50% of the increase passed onto the Residential property class. Overall, the tax impact varies significantly between classes.

The 2022 Municipal Tax impact for the Residential property class is 3.2%, which is the net result of the budgetary increases and the shifts due to changes in area rating. The total 2022 tax impact including education is 2.8%.

The Multi-Residential property class, including properties in the Multi-Residential and New Multi-Residential property classes, is not experiencing any change in taxes with respect to 2021 (Municipal and with Education). This is the result of several Provincial policies, including the delay in the reassessment, the freeze in the education tax rate and the full levy restriction established in 2017.

The Commercial property class is experiencing a Municipal Tax impact of 3.3% which is the combined impact of the tax shift as a result of the changes in area rating and the budget increase. Including Education Taxes, the total impact is 2.3%.

The Industrial property class is experiencing a Municipal Tax increase of 1.6%, which as mandated by the Provincial levy restriction, is one half of the budgetary increase to the Residential property class. Including Education Taxes, the total impact is 1.3%

The Municipal Tax impact for the farm class is 2.3%, however, normally farm properties also have a residential component and the combined impact is, therefore, below the 2.3% shown in Table 2 for the farm property class. Also, the City's low farm tax ratio of 0.1767, helps to limit the actual tax impact in dollars. The total tax impact including education is 1.9%.

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Alternatives for Consideration - Not Applicable**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: Current and future tax policies impact the City financially in terms of revenue streams and their sources. The policies recommended in Report FCS22031 have no budget impact since they have all been incorporated into the 2022 approved budget. The benefits of assessment growth have been used to offset the 2022 budgetary pressures.

Staffing: None

Legal: The policies included in Report FCS22031 are recommended in accordance to the legislative requirements contained in the *Assessment Act, 2001*.

HISTORICAL BACKGROUND

Each year, staff bring forward tax policy options as part of the overall annual budget approval. The tax policies being recommended are consistent with the assumptions used when identifying tax impacts to Council during the 2022 budget process.

In 2011, significant changes were approved by Council to the method used for the area rating of specific services. Since that time, Recreation, Fire, Sidewalks and Streetlighting have been area rated based on an urban / rural model. Parkland Purchases, Sidewalk Snow Clearing (Ancaster only) and Transit (urban area only) continued to be area rated by the former area municipality.

On March 30, 2022 through report “Area Rating Review (FCS21078(b))” Council approved the following changes to area rating policies:

- Elimination of the area rating of Sidewalk Snow Removal in the 2023 tax year;
- Elimination of the area rating of Recreation, Sidewalks and Streetlighting in a four-year phase-out period starting in the 2022 tax year;
- Elimination of the area rating of Parkland Purchases once the existing internal debt has been paid off.

Council also deferred information on the possible phase-out of the remaining area rated services (fire, transit and infrastructure levy) to the 2022 to 2026 Council and the 2023 Tax Supported Operating Budget for further discussion.

The final 2022 tax impacts identified in Report FCS22031 incorporate the budget impact as well as tax policies and growth.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 6 of 14

Report FCS22031 recommends continuation of several existing tax policies and a number of tax policy updates for the 2022 taxation year in accordance with the requirements outlined in the *Assessment Act, 2001*.

RELEVANT CONSULTATION

Staff from the Taxation Section and Legal and Risk Management Services Division, Corporate Services Department has also been consulted.

For the changes in area rating staff consulted with the City departments with services that are currently area rated: Healthy and Safety Communities (Recreation and Fire), Public Works (Sidewalk Snow Removal, Sidewalks, Streetlighting, Parkland Purchases) and Planning and Economic Development (Parkland Purchases). Staff also conducted a scan of single-tier and two-tier municipalities in Ontario with respect to services that they area rate. The results of this scan were presented in Report FCS21078(b)

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Table 3 details the recommendations for the 2022 tax year for each of the tax policy tools available to municipalities.

Table 3

Tax Policy Tool	Mandatory vs. Discretionary	Recommendation
Tax Ratios	Mandatory	<ul style="list-style-type: none"> Reduction of the Multi-Residential tax ratio to adhere to Provincial legislation that prevents municipalities from passing on any reassessment and budgetary related increases onto this class.
	Discretionary	<ul style="list-style-type: none"> Reduction of the Industrial tax ratio to adhere to the levy restriction and only pass on 50% (maximum allowable) of the residential budgetary tax increase. Commercial tax ratio to continue at the Provincial threshold (Discretionary).
Optional Property Classes	Discretionary	<ul style="list-style-type: none"> Maintain existing Parking Lot and (Commercial) Vacant Land and Large Industrial optional property classes. The City has not adopted the small-scale on-farm business subclasses or the Small Business Sub-class.
Reduction Programs	Mandatory	<ul style="list-style-type: none"> Reductions to the farmland awaiting development 1st subclass.

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 7 of 14

Tax Policy Tool	Mandatory vs. Discretionary	Recommendation
Seniors Tax Rebate Program	Discretionary	<ul style="list-style-type: none"> • Continue existing program as approved by Council (Report FCS18005). • 2022 updated rebate amount = \$210 (2021 amount of \$200 + CPI). • Increase assessment threshold to \$498,200 (120% of the updated city-wide average assessed value for a single family dwelling). • Increase income threshold to \$38,160 (150% of updated Guaranteed Income Supplement for a couple).
Deferral of Tax Increases Program	Mandatory	<ul style="list-style-type: none"> • Continue existing program as approved by Council (Report FCS18005). • Update income threshold to \$38,160 (150% of updated Guaranteed Income Supplement for a couple).
Full Tax Deferral Program	Discretionary	<ul style="list-style-type: none"> • Continue existing program as approved by Council (Report FCS18005(a)). • Update income threshold to \$38,160 (150% of updated Guaranteed Income Supplement for a couple). • Application fee: \$200+HST; Interest at 3% per annum.
Area Rating	Discretionary	<ul style="list-style-type: none"> • Area rating based on the Council approved (April 2011) Urban/Rural model (Reports FCS09087 / FCS09087a / FCS11042). • Fire Urban/Rural boundaries updated in 2020 (Report HSC19026). • Area rating updated on March 2022 through report FCS21078(b) • Appendix "A" to Report FCS22031 identifies the area rated levies for 2022.
Rebates to Charities and Similar Organizations	Mandatory	<ul style="list-style-type: none"> • Continue with existing program. • 40% rebate for charities. • 100% rebate for accredited educational institutions that rent their property. • 100% rebate for Veteran's Clubhouses and Legion Halls that would otherwise be tax exempt.

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Tax Ratios

Tax ratios distribute the tax burden across the property classes relative to the Residential property class tax ratio, which is set at 1.0000. For example, a property in a property class with a tax ratio of 2.0 would pay twice the amount of municipal tax as a similarly valued residential property. Tax ratios must be set within flexibility ranges determined by Provincial regulations.

Table 4 identifies the recommended 2022 final tax ratios compared to the 2021 final approved tax ratios and the Provincial thresholds:

**Table 4
Recommended 2022 Tax Ratios**

	2021 Final Tax Ratios	Recommended 2022 Final Tax Ratios	Provincial Threshold
Residential	1.0000	1.0000	
Multi-Residential	2.4407	2.3594	2.0000
Commercial	1.9800	1.9800	1.9800
Industrial	3.2493	3.1985	2.6300
Industrial - Large	3.8102	3.7506	2.6300
Pipeline	1.7947	1.7947	
Landfills	2.9696	2.9696	3.1189
Farm	0.1767	0.1767	

As shown in Table 4, the Multi-Residential tax ratio has been reduced from 2021 in order to comply with the Provincial legislation that prevents municipalities with tax ratios above 2.0 to pass any reassessment related increases and any budgetary increases onto the Multi-Residential property class.

The Industrial property class continues to be levy-restricted as the City's tax ratio is above the Provincial Threshold and as a result, the 2022 tax ratio has also been reduced from the 2021 tax ratio.

Staff is recommending that the 2021 tax ratios for all other property classes be maintained in 2022 as detailed in Recommendation (b) of Report FCS22031.

Area Rating

On March 30, 2022 through report "Area Rating Review (FCS21078(b))" Council approved the following changes to area rating:

- (a) That the area rating of Sidewalk Snow Removal be eliminated in the 2023 tax year;
- (b) That the area rating of Sidewalks and Streetlighting be eliminated in a four-year phase-out period starting in the 2022 tax year;
- (c) That the area rating of Recreation be eliminated in a four-year phase-out period starting in the 2022 tax year;

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 9 of 14

- (d) That the area rating of Parkland Purchases be eliminated once the existing internal debt has been paid off.

Area rating is a municipal property taxation policy tool permitted by the Provincial government intended to account for either significant differences in service levels or differences in the cost of providing services across different parts of the City. The result of area rating is that tax rates for certain services vary depending on where a property is located, and the level of service offered by the City.

Report FCS21078(b) presented recommendations on the phased elimination of Sidewalk Snow Removal, Sidewalks, Streetlighting, Recreation and Parkland Purchases as area rated services on the basis that these services do not meet the legislative criteria of having different service levels across the City. Changes to area rating are revenue neutral, however, they result in a re-distribution of taxes based on the changes.

The area rating of Recreation, Sidewalks and Streetlighting is now being phased-out in a four-year period starting in 2022. The area rating of sidewalk snow removal will be eliminated in 2023 in recognition that the service has already been provided for the majority of the 2021-2022 winter season. Existing area rated Parkland Purchases levies will be grandfathered and continue to be area rated, but new purchases would not be area rated; this option does not have an immediate tax impact.

Staff also conducted a review of the Fire area rating in consultation with the Fire Department staff and recommended further review and public consultation regarding possible changes in methodology to align with how fire services are delivered. In recognition of possible changes in the near future, staff recommended that similar to 2021, a transfer from reserves in the amount of \$1,400,000 be applied to reduce the rural fire levy.

For 2022, being the first year of the phase-out period, the average annual tax impact of the approved changes is a decrease of 0% or \$2 in the urban areas of the City and an increase of approximately 0.3% or \$14 to \$19 in the rural areas of the City. The average residential tax impacts by ward and area rating scenarios included in Appendix “B” to Report FCS22031 include the tax impact of these changes.

Also, on March 30, 2022 and following Council’s previous direction to report back on the impacts of phasing-out all the area rated levies over four, six, eight and 10-year periods, staff presented Report Area Rating Review FCS21078(c) with the following scenarios for each of the requested phase-out periods:

- Phase-out of all the area rated levies to the general levy
- Phase-out of all the area rated levies to the general levy except Infrastructure Levy, which was sustained
- Phase-out of all the area rated levies to the general levy except Infrastructure Levy, which was eliminated

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 10 of 14

Respecting Report FCS21078(c) the following motion was approved

1. DEFERRAL of Report FCS21078(c), respecting the Area Rating Review

Report FCS21078(c), respecting the Area Rating Review, was DEFERRED to the 2022 to 2026 Council and the 2023 Tax Supported Operating Budget for further discussion.

Tax Impacts

The final average tax impacts, as identified in Appendix “B” to Report FCS22031, are the result of various factors:

- 2022 approved tax operating budget (Report FCS22002(a));
- Updated area rating methodology, whereby Recreation, Sidewalks and Streetlighting are being phased-out over a four-year period starting in 2022; Sidewalk Snow Removal will be eliminated in 2023 and Parkland Purchases will be eliminated once the existing debt has been paid off. Transit and Fire continue to be area rated based on an urban/rural model and Infrastructure levy continues to be levied to the former Hamilton as per reports FCS09087 / FCS09087a / FCS11042 and FCS21078(b);
- “Hamilton Fire Department Service Delivery Plan (2019 - 2028)” (Report HSC19026);
- Postponement of the new reassessment cycle until at least 2024;
- Reassessment and levy restrictions on the Multi-Residential property class;
- Levy restriction on the Industrial property class; and
- Tax policies as recommended within Report FCS22031.

Further details on the impacts by ward are provided in Tables 5 and 6. Although the Residential City-wide average total impact is 2.8%, due to the various factors identified above, the impacts will vary between wards and between urban and rural areas. While the changes in area rating account for the differences between urban and rural areas, budget pressures and enhancements in other area rated services may also have a greater impact on some wards than others. Appendix “A” to Report FCS22031 identifies the area-rated levies.

Note that 90% of the Residential properties are identified as fully Urban and 9% as fully Rural. Only 1% of the Residential properties fall within “Urban with Rural Fire” or “Rural with Urban Fire”.

Residential Tax Impacts (Reassessment + Tax Policies + Budget)

Tables 5 and 6 break down the 2.8% City-wide average residential tax impact into the average urban and rural residential tax impacts by ward. Further detail on the impacts by ward and by all four tax groupings (Urban, Rural, Urban with Rural Fire and Rural with Urban Fire) are provided in Appendix “B” to Report FCS22031 attached hereto.

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 11 of 14

As previously mentioned, the reassessment scheduled for 2020, which would have been effective for the 2021-2024 cycle has been postponed by the Province and therefore all properties continue to have the same valuation that was in effect for the 2020 taxation year (valuation as of January 1, 2016). This means that there are no reassessment impacts for the 2022 taxation year.

In consideration of the uncertainty that the continued postponement of reassessment is causing, it is important to keep it mind that, generally speaking, an increase in assessment does not mean an increase in property taxes. A property whose assessment is increasing above the city-wide average may see an assessment-related tax increase while conversely, a property whose assessment is increasing less than this city-wide average, may see an assessment-related tax decrease. As a result of reassessment tax shifts occur between property classes and, when comparing averages, shifts between wards can also occur.

Also, since staff is not recommending any tax policy changes that may result in redistribution of taxes, the resulting tax impacts vary amongst wards due to changes in area rating levies and the phasing-out of some of the area rated services as previously explained.

Table 5**2022 Total Residential Tax Impacts (Municipal and Education):
Urban - Transit / Urban Fire**

(inclusive of reassessment, area rating, tax policies and education taxes)

BY WARD

	Reassessment & Tax Policies	Budget	Area Rating Phase-out	Tax Impact (%)	Tax Impact (\$)
Ward 1	0.0%	3.1%	0.0%	3.0%	\$ 150
Ward 2	0.0%	3.1%	0.0%	3.0%	\$ 103
Ward 3	0.0%	3.1%	0.0%	3.0%	\$ 83
Ward 4	0.0%	3.1%	0.0%	3.0%	\$ 86
Ward 5	0.0%	3.0%	0.0%	3.0%	\$ 112
Ward 6	0.0%	3.1%	0.0%	3.0%	\$ 122
Ward 7	0.0%	3.1%	0.0%	3.0%	\$ 124
Ward 8	0.0%	3.1%	0.0%	3.0%	\$ 135
Ward 9	0.0%	2.8%	0.0%	2.8%	\$ 127
Ward 10	0.0%	2.9%	0.0%	2.8%	\$ 131
Ward 11	0.0%	2.6%	0.0%	2.6%	\$ 113
Ward 12	0.0%	2.5%	0.0%	2.5%	\$ 151
Ward 13	0.0%	2.4%	0.0%	2.3%	\$ 126
Ward 14	0.0%	3.0%	0.0%	3.0%	\$ 147
Ward 15	0.0%	1.9%	0.0%	1.9%	\$ 108
City-Wide Average				2.8%	\$ 120

The tax impacts in the urban areas of the City vary from 1.9% in Ward 15 (Flamborough) to 3.0% in the wards within the former Hamilton boundary. These differences are due to changes in transit and parkland purchases.

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 12 of 14

Regarding transit, the levy increased from \$61.3 M in 2021 to \$70.5 M in 2022 and overall kilometers increased to 17.9 million versus 16.9 million for 2021. Most of the year 2021 operated at reduced service levels due to COVID-19 ridership reductions and thus the increase for 2022 was expected. Total kilometres increased due to changes in routes 20, 27 and 44 and the increased levy resulted in the former City of Hamilton being allocated additional \$7.2 M which is reflected in the above-average tax impacts for the wards within former City of Hamilton (3.0%).

The extension of route 44 with increased peak service for Fall 2021 plus an extension to / from Heritage Greene Plaza in both directions also impacted Ancaster, Stoney Creek and Glanbrook and those impacts will be more noticeable in the following years as the phase-in is completed. In contrast, Ward 15 (Flamborough) had a lower than average impact (1.9%) due to minimal changes in the allocation of kilometres. The myRide program in Flamborough was implemented in the fall 2021 and is on a one-year trial period. At this point, it is not known if this service will continue beyond September 2022 or if a fixed route will return.

Regarding Parkland Purchases, Wards 9 and 10 (Stoney Creek portions) are impacted by the purchase of the lands of the former RL Hyslop Elementary School. According to the changes approved to area rating, this is the last year that new acquisitions will be area rated for former municipality as they will be included in the general levy going forward.

As previously mentioned, the phasing-out of the area rating of recreation, sidewalks and streetlighting in urban areas is minimal (approximately 0% or \$2).

Table 6**2022 Total Residential Tax Impacts (Municipal and Education):
Rural - No Transit / Rural Fire**

(inclusive of reassessment, area rating, tax policies and education taxes)

BY WARD

	Reassessment & Tax Policies	Budget	Area Rating Phase-out	Tax Impact (%)	Tax Impact (\$)
Ward 1	N/A	N/A	N/A	N/A	N/A
Ward 2	N/A	N/A	N/A	N/A	N/A
Ward 3	N/A	N/A	N/A	N/A	N/A
Ward 4	N/A	N/A	N/A	N/A	N/A
Ward 5	N/A	N/A	N/A	N/A	N/A
Ward 6	N/A	N/A	N/A	N/A	N/A
Ward 7	N/A	N/A	N/A	N/A	N/A
Ward 8	N/A	N/A	N/A	N/A	N/A
Ward 9	0.0%	2.2%	0.3%	2.5%	\$ 106
Ward 10	N/A	N/A	N/A	N/A	N/A
Ward 11	0.0%	2.0%	0.3%	2.3%	\$ 93
Ward 12	0.0%	2.0%	0.3%	2.3%	\$ 129
Ward 13	0.0%	2.0%	0.3%	2.3%	\$ 114
Ward 14	N/A	N/A	N/A	N/A	N/A
Ward 15	0.0%	2.0%	0.3%	2.3%	\$ 121
City-Wide Average				2.8%	\$ 120

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The rural areas of the City are experiencing a lower than average residential increase of 2.3%. Ward 9 (Stoney Creek) is experiencing a slightly higher increase than the rest of the wards in the rural areas (2.5%) due to the parkland purchase previously mentioned. Area rating phase-out accounts for 0.3% of the total tax increase in the rural areas.

Small Business Optional Property Sub-Class

The 2020 Provincial Budget “Ontario’s Action Plan: Protect, Support, Recover from COVID-19 Act (Budget Measures),” proposed new authority for municipalities to adopt a new optional property subclass for small business properties that will allow for a lower rate of taxation to be applied to eligible properties. The legislation for this class was enacted through O. Reg 332/21 under the *Municipal Act, 2001* and O. Reg 331/21 under the *Assessment Act, 1990* in May of 2021. Staff had provided Council with preliminary information on this program through Communications Updates “Small Business Property Tax Class Update” in July and October of 2021.

One of the conditions of the program is that “Small Business” would be defined by each municipality in a way that best meets local needs and priorities. The assessment roll data provided by MPAC does not support an effective or objective assessment of whether a business is large or small and therefore other criteria such as number of employees and income data should be included in the definition, however, this data is not easily available and may not be reflective of the current status of the business. If these types of criterion are included in the definition, the program would need an application process.

The implementation of a small business subclass would require administrative support in addition to the Program Administrator and Appellate Authority that are required by legislation as staff will be required to review and make a decision on the applications, prepare an annual list of properties to be coded by MPAC, hear appeals and maintain any software solution that is developed.

One issue that has been widely discussed is that there are several obstacles related to enforcing the tax reduction benefit being passed onto tenants, which would bring about uncertainties around the effectiveness of the subclass.

As indicated in the legislation, the implementation of this subclass should be revenue neutral which means that a potential tax reduction applied to this subclass would have to be borne by the other property classes.

The City’s Commercial property tax ratio is already at the Provincial threshold of 1.98 and the City is also restricted in the Multi-Residential and Industrial property classes. Therefore, if implemented, the tax shifts resulting from a tax reduction applied to this subclass will directly impact the Residential property class.

The business community has expressed their opinion about the implementation of the program and their position is that the definition should expand beyond measures, such as, property assessment and size and include other, such as, number of employees. They

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SUBJECT: 2022 Tax Policies and Area Rating (FCS22031) (City Wide) – Page 14 of 14

also recommend that the loss of revenue not be offset by tax increases to the broader business community.

In previous years, Council has approved the elimination of tax discounts and rebates to the commercial and industrial property tax, to provide greater fairness to property taxation. The implementation of this subclass would not be consistent with those prior decisions. In addition, considering the challenges of the implementation of the program together with the expected costs and the uncertainty of the benefits that would bring to the business community staff is not recommending the implementation of the small business subclass at this time.

ALTERNATIVES FOR CONSIDERATION

N/A

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report FCS22031 – 2022 Area Rated Levies Summary

Appendix “B” to Report FCS22031 – 2022 Total Residential Tax Impacts

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2022 AREA RATED LEVIES SUMMARY

AREA RATED SERVICES - URBAN / RURAL

SERVICE	BUDGET	URBAN / RURAL			
		URBAN		RURAL	
Fire	\$ 95,695,083	\$ 90,248,007	94.3%	\$ 5,447,076	5.7%
Recreation	\$ 28,026,052	\$ 25,862,069	92.3%	\$ 2,163,982	7.7%
Sidewalk	\$ 2,337,013	\$ 2,280,051	97.6%	\$ 56,962	2.4%
Street Lighting	\$ 3,682,393	\$ 3,444,595	93.5%	\$ 237,798	6.5%

AREA RATED SERVICES - FORMER AREA MUNICIPALITY

SERVICE	BUDGET	FORMER AREA MUNICIPALITY											
		HAMILTON		ANCASTER		DUNDAS		FLAMBOROUGH		GLANBROOK		STONEY CREEK	
Transit	\$ 70,526,331	\$ 57,597,826	81.7%	\$ 3,553,179	5.0%	\$ 1,424,484	2.0%	\$ 1,266,858	1.8%	\$ 1,585,655	2.2%	\$ 5,098,330	7.2%
Sidewalk Snow Removal	\$ 156,690	\$ -	0.0%	\$ 156,690	100.0%	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%	\$ -	0.0%
Parkland Purchases	\$ 2,540,185	\$ 1,459,534	57.5%	\$ 629,341	24.8%	\$ 70,133	2.8%	\$ -	0.0%	\$ -	0.0%	\$ 381,178	15.0%
Special Infrastructure Re-investment	\$ 13,428,870	\$ 13,428,870	100.0%		0.0%		0.0%		0.0%		0.0%		0.0%
TOTAL AREA RATED LEVIES	\$ 216,392,616												

Appendix "B" to Report FCS22031

Page 1 of 4

2022 Total Residential Tax Impacts (Municipal and Education):

Urban - Transit / Urban Fire

(inclusive of reassessment, area rating, tax policies and education taxes)

BY WARD

	Residential Properties	% of Total Properties in Ward	Average Residential Assessment	Reassessment & Tax Policies	Budget	Area Rating Phase-out	Tax Impact (%)	Tax Impact (\$)
Ward 1	10,068	100%	\$ 407,900	0.0%	3.1%	0.0%	3.0%	\$ 150
Ward 2	7,963	100%	\$ 281,800	0.0%	3.1%	0.0%	3.0%	\$ 103
Ward 3	12,624	100%	\$ 226,100	0.0%	3.1%	0.0%	3.0%	\$ 83
Ward 4	13,781	100%	\$ 234,000	0.0%	3.1%	0.0%	3.0%	\$ 86
Ward 5 - HM	2,198	100%	\$ 303,200	0.0%	3.1%	0.0%	3.0%	\$ 111
Ward 5 - SC	9,275	100%	\$ 359,300	0.0%	2.9%	0.0%	2.8%	\$ 113
Ward 5	11,473	100%	\$ 313,900	0.0%	3.0%	0.0%	3.0%	\$ 112
Ward 6	11,769	100%	\$ 333,200	0.0%	3.1%	0.0%	3.0%	\$ 122
Ward 7	13,544	100%	\$ 338,600	0.0%	3.1%	0.0%	3.0%	\$ 124
Ward 8	10,916	100%	\$ 368,900	0.0%	3.1%	0.0%	3.0%	\$ 135
Ward 9 - HM	127	100%	\$ 571,100	0.0%	3.1%	0.0%	3.0%	\$ 209
Ward 9 - SC	8,304	90%	\$ 404,500	0.0%	2.9%	0.0%	2.8%	\$ 127
Ward 9 - GL	2,381	97%	\$ 426,100	0.0%	2.6%	0.0%	2.6%	\$ 122
Ward 9	10,812	92%	\$ 410,800	0.0%	2.8%	0.0%	2.8%	\$ 127
Ward 10 - HM	32	100%	\$ 696,200	0.0%	3.1%	0.0%	3.0%	\$ 255
Ward 10 - SC	14,469	99%	\$ 414,800	0.0%	2.9%	0.0%	2.8%	\$ 131
Ward 10	14,501	99%	\$ 415,400	0.0%	2.9%	0.0%	2.8%	\$ 131
Ward 11	2,832	28%	\$ 397,600	0.0%	2.6%	0.0%	2.6%	\$ 113
Ward 12 - AN	13,259	89%	\$ 553,300	0.0%	2.5%	0.0%	2.5%	\$ 154
Ward 12 - FL	-	N/A	\$ 446,000	N/A	N/A	N/A	N/A	N/A
Ward 12	13,259	82%	\$ 544,500	0.0%	2.5%	0.0%	2.5%	\$ 151
Ward 13 - DN	7,830	95%	\$ 466,900	0.0%	2.4%	0.0%	2.3%	\$ 121
Ward 13 - FL	-	N/A	\$ 544,500	N/A	N/A	N/A	N/A	N/A
Ward 13	7,830	67%	\$ 488,200	0.0%	2.4%	0.0%	2.3%	\$ 126
Ward 14 - HM	9,451	100%	\$ 393,200	0.0%	3.1%	0.0%	3.0%	\$ 144
Ward 14 - AN	441	99%	\$ 692,600	0.0%	2.5%	0.0%	2.5%	\$ 192
Ward 14 - GL	13	100%	\$ 438,200	0.0%	2.6%	0.0%	2.6%	\$ 125
Ward 14	9,905	100%	\$ 406,700	0.0%	3.0%	0.0%	3.0%	\$ 147
Ward 15	8,353	74%	\$ 518,100	0.0%	1.9%	0.0%	1.9%	\$ 108
City-Wide Average			\$ 382,000				2.8%	\$ 120

Notes:

Urban: 90% of all residential properties

Anomalies in totals due to rounding

Appendix "B" to Report FCS22031

Page 2 of 4

2022 Total Residential Tax Impacts (Municipal and Education):

Rural - No Transit / Rural Fire

(inclusive of reassessment, area rating, tax policies and education taxes)

BY WARD

	Residential Properties	% of Total Properties in Ward	Average Residential Assessment	Reassessment & Tax Policies	Budget	Area Rating Phase-out	Tax Impact (%)	Tax Impact (\$)
Ward 1	-	N/A	\$ 407,900	N/A	N/A	N/A	N/A	N/A
Ward 2	-	N/A	\$ 281,800	N/A	N/A	N/A	N/A	N/A
Ward 3	-	N/A	\$ 226,100	N/A	N/A	N/A	N/A	N/A
Ward 4	-	N/A	\$ 234,000	N/A	N/A	N/A	N/A	N/A
Ward 5 - HM	-	N/A	\$ 303,200	N/A	N/A	N/A	N/A	N/A
Ward 5 - SC	-	N/A	\$ 359,300	N/A	N/A	N/A	N/A	N/A
Ward 5	-	N/A	\$ 313,900	N/A	N/A	N/A	N/A	N/A
Ward 6	-	N/A	\$ 333,200	N/A	N/A	N/A	N/A	N/A
Ward 7	-	N/A	\$ 338,600	N/A	N/A	N/A	N/A	N/A
Ward 8	-	N/A	\$ 368,900	N/A	N/A	N/A	N/A	N/A
Ward 9 - HM	-	N/A	\$ 571,100	N/A	N/A	N/A	N/A	N/A
Ward 9 - SC	831	9%	\$ 404,500	0.0%	2.2%	0.3%	2.6%	\$ 105
Ward 9 - GL	56	3%	\$ 426,100	0.0%	2.0%	0.3%	2.3%	\$ 99
Ward 9	887	8%	\$ 410,800	0.0%	2.2%	0.3%	2.5%	\$ 106
Ward 10 - HM	-	N/A	\$ 696,200	N/A	N/A	N/A	N/A	N/A
Ward 10 - SC	-	N/A	\$ 414,800	N/A	N/A	N/A	N/A	N/A
Ward 10	-	N/A	\$ 415,400	N/A	N/A	N/A	N/A	N/A
Ward 11	5,918	57%	\$ 397,600	0.0%	2.0%	0.3%	2.3%	\$ 93
Ward 12 - AN	1,348	9%	\$ 553,300	0.0%	2.0%	0.3%	2.4%	\$ 134
Ward 12 - FL	1,332	100%	\$ 446,000	0.0%	2.0%	0.3%	2.3%	\$ 104
Ward 12	2,680	17%	\$ 544,500	0.0%	2.0%	0.3%	2.3%	\$ 129
Ward 13 - DN	214	3%	\$ 466,900	0.0%	2.0%	0.3%	2.3%	\$ 109
Ward 13 - FL	3,538	100%	\$ 544,500	0.0%	2.0%	0.3%	2.3%	\$ 127
Ward 13	3,752	32%	\$ 488,200	0.0%	2.0%	0.3%	2.3%	\$ 114
Ward 14 - HM	-	N/A	\$ 393,200	N/A	N/A	N/A	N/A	N/A
Ward 14 - AN	4	N/A	\$ 692,600	N/A	N/A	N/A	N/A	N/A
Ward 14 - GL	-	N/A	\$ 438,200	N/A	N/A	N/A	N/A	N/A
Ward 14	4	N/A	\$ 406,700	N/A	N/A	N/A	N/A	N/A
Ward 15	2,890	26%	\$ 518,100	0.0%	2.0%	0.3%	2.3%	\$ 121
City-Wide Average			\$ 382,000				2.8%	\$ 120

Notes:

Rural: 9% of all residential properties

Anomalies in totals due to rounding

Appendix "B" to Report FCS22031

Page 3 of 4

2022 Total Residential Tax Impacts (Municipal and Education):

Urban - Transit / Rural Fire

(inclusive of reassessment, area rating, tax policies and education taxes)

BY WARD

	Residential Properties	% of Total Properties in Ward	Average Residential Assessment	Reassessment & Tax Policies	Budget	Area Rating Phase-out	Tax Impact (%)	Tax Impact (\$)
Ward 1	-	N/A	\$ 407,900	N/A	N/A	N/A	N/A	N/A
Ward 2	-	N/A	\$ 281,800	N/A	N/A	N/A	N/A	N/A
Ward 3	-	N/A	\$ 226,100	N/A	N/A	N/A	N/A	N/A
Ward 4	-	N/A	\$ 234,000	N/A	N/A	N/A	N/A	N/A
Ward 5 - HM	-	N/A	\$ 303,200	N/A	N/A	N/A	N/A	N/A
Ward 5 - SC	-	N/A	\$ 359,300	N/A	N/A	N/A	N/A	N/A
Ward 5	-	N/A	\$ 313,900	N/A	N/A	N/A	N/A	N/A
Ward 6	-	N/A	\$ 333,200	N/A	N/A	N/A	N/A	N/A
Ward 7	-	N/A	\$ 338,600	N/A	N/A	N/A	N/A	N/A
Ward 8	-	N/A	\$ 368,900	N/A	N/A	N/A	N/A	N/A
Ward 9 - HM	-	N/A	\$ 571,100	N/A	N/A	N/A	N/A	N/A
Ward 9 - SC	43	0%	\$ 404,500	0.0%	2.7%	0.0%	2.7%	\$ 116
Ward 9 - GL	-	N/A	\$ 426,100	N/A	N/A	N/A	N/A	N/A
Ward 9	43	0%	\$ 410,800	0.0%	2.7%	0.0%	2.7%	\$ 118
Ward 10 - HM	-	N/A	\$ 696,200	N/A	N/A	N/A	N/A	N/A
Ward 10 - SC	-	N/A	\$ 414,800	N/A	N/A	N/A	N/A	N/A
Ward 10	-	N/A	\$ 415,400	N/A	N/A	N/A	N/A	N/A
Ward 11	1,223	9%	\$ 397,600	0.0%	2.4%	0.0%	2.4%	\$ 102
Ward 12 - AN	24	0%	\$ 553,300	0.0%	2.4%	0.0%	2.3%	\$ 138
Ward 12 - FL	-	N/A	\$ 446,000	N/A	N/A	N/A	N/A	N/A
Ward 12	24	0%	\$ 544,500	0.0%	2.4%	0.0%	2.3%	\$ 135
Ward 13 - DN	-	N/A	\$ 466,900	N/A	N/A	N/A	N/A	N/A
Ward 13 - FL	-	N/A	\$ 544,500	N/A	N/A	N/A	N/A	N/A
Ward 13	-	N/A	\$ 488,200	N/A	N/A	N/A	N/A	N/A
Ward 14 - HM	-	N/A	\$ 393,200	N/A	N/A	N/A	N/A	N/A
Ward 14 - AN	-	N/A	\$ 692,600	N/A	N/A	N/A	N/A	N/A
Ward 14 - GL	-	N/A	\$ 438,200	N/A	N/A	N/A	N/A	N/A
Ward 14	-	N/A	\$ 406,700	N/A	N/A	N/A	N/A	N/A
Ward 15	-	N/A	\$ 518,100	N/A	N/A	N/A	N/A	N/A
City-Wide Average			\$ 382,000				2.8%	\$ 120

Notes:

Urban with Rural Fire: 0.6% of all residential properties

Anomalies in totals due to rounding

Appendix "B" to Report FCS22031

Page 4 of 4

2022 Total Residential Tax Impacts (Municipal and Education):

Rural - No Transit / Urban Fire

(inclusive of reassessment, area rating, tax policies and education taxes)

BY WARD

	Residential Properties	% of Total Properties in Ward	Average Residential Assessment	Reassessment & Tax Policies	Budget	Area Rating Phase-out	Tax Impact (%)	Tax Impact (\$)
Ward 1	-	N/A	\$ 407,900	N/A	N/A	N/A	N/A	N/A
Ward 2	-	N/A	\$ 281,800	N/A	N/A	N/A	N/A	N/A
Ward 3	-	N/A	\$ 226,100	N/A	N/A	N/A	N/A	N/A
Ward 4	-	N/A	\$ 234,000	N/A	N/A	N/A	N/A	N/A
Ward 5 - HM	-	N/A	\$ 303,200	N/A	N/A	N/A	N/A	N/A
Ward 5 - SC	-	N/A	\$ 359,300	N/A	N/A	N/A	N/A	N/A
Ward 5	-	N/A	\$ 313,900	N/A	N/A	N/A	N/A	N/A
Ward 6	-	N/A	\$ 333,200	N/A	N/A	N/A	N/A	N/A
Ward 7	-	N/A	\$ 338,600	N/A	N/A	N/A	N/A	N/A
Ward 8	-	N/A	\$ 368,900	N/A	N/A	N/A	N/A	N/A
Ward 9 - HM	-	N/A	\$ 571,100	N/A	N/A	N/A	N/A	N/A
Ward 9 - SC	-	N/A	\$ 404,500	N/A	N/A	N/A	N/A	N/A
Ward 9 - GL	-	N/A	\$ 426,100	N/A	N/A	N/A	N/A	N/A
Ward 9	-	N/A	\$ 410,800	N/A	N/A	N/A	N/A	N/A
Ward 10 - HM	-	N/A	\$ 696,200	N/A	N/A	N/A	N/A	N/A
Ward 10 - SC	-	N/A	\$ 414,800	N/A	N/A	N/A	N/A	N/A
Ward 10	-	N/A	\$ 415,400	N/A	N/A	N/A	N/A	N/A
Ward 11	488	6%	\$ 397,600	0.0%	2.1%	0.3%	2.5%	\$ 104
Ward 12 - AN	215	1%	\$ 553,300	0.0%	2.2%	0.3%	2.5%	\$ 149
Ward 12 - FL	-	N/A	\$ 446,000	N/A	N/A	N/A	N/A	N/A
Ward 12	215	1%	\$ 544,500	0.0%	2.2%	0.3%	2.5%	\$ 147
Ward 13 - DN	171	2%	\$ 466,900	0.0%	2.1%	0.3%	2.5%	\$ 122
Ward 13 - FL	-	N/A	\$ 544,500	N/A	N/A	N/A	N/A	N/A
Ward 13	171	1%	\$ 488,200	0.0%	2.1%	0.3%	2.5%	\$ 128
Ward 14 - HM	-	N/A	\$ 393,200	N/A	N/A	N/A	N/A	N/A
Ward 14 - AN	-	N/A	\$ 692,600	N/A	N/A	N/A	N/A	N/A
Ward 14 - GL	-	N/A	\$ 438,200	N/A	N/A	N/A	N/A	N/A
Ward 14	-	N/A	\$ 406,700	N/A	N/A	N/A	N/A	N/A
Ward 15	-	N/A	\$ 518,100	N/A	N/A	N/A	N/A	N/A
City-Wide Average			\$ 382,000				2.8%	\$ 120

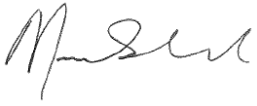
Notes:

Rural with Urban Fire: 0.5% of all residential properties

Anomalies in totals due to rounding



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Economic Development Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 4, 2022
SUBJECT/REPORT NO:	Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application, 870 Queenston Road, Stoney Creek ERG-21-04 (PED22077) (Ward 5)
WARD(S) AFFECTED:	Ward 5
PREPARED BY:	Phil Caldwell (905) 546-2424 Ext. 2359
SUBMITTED BY:	Norm Schleeahn Director, Economic Development, Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant Application ERG-21-04, submitted by Queenston Road Holdings Inc. (New Horizon Development Group), owner of the property at 870 Queenston Road, Stoney Creek, for an ERASE Redevelopment Grant not to exceed \$3,841,980, toward estimated eligible remediation costs provided over a maximum of ten years, be authorized and approved in accordance with the terms and conditions of the ERASE Redevelopment Agreement;
- (b) That the General Manager of Planning and Economic Development Department be authorized and directed to execute the Environmental Remediation and Site Enhancement (ERASE) Redevelopment Agreement together with any ancillary documentation required, to give effect to the ERASE Redevelopment Grant for Queenston Road Holdings Inc. (New Horizon Development Group), owner of the property at 870 Queenston Road, Stoney Creek in a form satisfactory to the City Solicitor;

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**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 2 of 9**

- (c) 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 Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant, as approved by City Council, are maintained.

EXECUTIVE SUMMARY

An Environmental Remediation and Site Enhancement (ERASE) Redevelopment Grant (ERG) application was submitted for 870 Queenston Road, Stoney Creek (the “site”) on December 1, 2021, by Queenston Road Holdings Inc. (New Horizon Development Group), the owner of the site.

The Site is approximately 0.91 ha (2.41 ac) in size and located on the southside of Queenston Road approximately 20 m from the intersection of Queenston Road and Riverdale Drive in Stoney Creek. The site is currently vacant and undeveloped and was approved for a severance from the existing commercial plaza and office building to the west by the Committee of Adjustment in 2020.

A Phase Two Environmental Site Assessment (ESA) completed in 2020 to investigate the site’s soil and groundwater conditions identified the presence of contaminants at levels above the applicable Ministry of Environment, Conservation and Parks (the Ministry) Site Condition Standards (SCS). Identified Contaminates of Concern (COC) included chromium, lead, zinc and petroleum hydrocarbons (PHCs) in the soil and the presence of PHCs in the site’s groundwater.

For the purposes of Ontario Regulation 153/04 (O. Reg. 153/04), the site’s current land use is considered to be parkland and as such the planned change of use to residential is not considered a change to a more sensitive land use. As such, a regulatory requirement to file a Record of Site Condition (RSC) is not triggered despite the presence of contamination. Notwithstanding this, the Applicant has elected to remediate the site and will file an RSC as part of the planned development in order to restore the natural environment, facilitate project financing and fulfil requirements for eligibility under the ERG program.

The planned development, for which Site Plan approval has been granted, consists of a 14-storey building containing 218 rental dwelling units and three levels of underground parking. In accordance with Minutes of Settlement agreed to between the City and the Applicant in 2018 in response to a Local Planning Appeal Tribunal (LPAT) appeal filed regarding this development (File No. PL170282), 20% of units provided will be

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 3 of 9**

affordable for a minimum of 10 years (with affordability to be in accordance with the applicable Urban Hamilton Official Plan definition). Construction costs are estimated at approximately \$71,850,000.

The ERG application submitted is for \$6,715,000 in estimated remediation costs. At this time, staff are recommending a maximum Grant approval of \$3,841,980 which represents the estimated maximum Grant that could be achieved over the maximum ten annual Grant payments permitted under the ERG Program based on current estimates of the assessment and municipal tax increment uplift for the development.

It is currently estimated that the proposed development will increase the property assessment from the pre-development value of \$1,618,000 (CT-Commercial) to approximately \$53,592,000 (RT-New Multi Residential). This will increase total annual property taxes generated by this site from \$44,772 to \$592,776, an increase of approximately \$548,004. The municipal portion of this increase is \$480,247 of which 80%, representing the maximum potential annual Grant permitted under the ERG Program, would be approximately \$384,198 with the maximum Grant not exceeding \$3,841,980 over ten annual payments.

The existing condition of the site as well as renderings of the planned development are provided below:



Existing Conditions – 870 Queenston Road, Stoney Creek viewed southwest from Queenston Road (Source: maps.google.ca)

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 4 of 9**



Planned Development – 870 Queenston Road, Stoney Creek aerial view looking southeast (Source: New Horizon Development Group)

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: As per the ERG Program, the City will provide the Applicant with a Grant equivalent to 80% of the increase in municipal taxes up to the total eligible cost figure of \$3,841,980. Based on an estimated maximum potential annual Grant amount of \$384,198, the annual Grant payments will conclude in year ten. The City will realize the full municipal tax increment after year ten.

The City will retain the remaining 20% of the annual municipal tax increment estimated at \$96,049, and estimated to total \$960,494 over ten years, will be deposited into the Brownfield Pilot Project Account No. 3620155102 to be used by the City for its Municipal Acquisition and Partnership Program. This Program, as approved in the ERASE Community Improvement Plan (CIP), enables the City to acquire strategic brownfield sites, remediate and redevelop property it already owns, or participate in public/private partnerships to redevelop brownfield properties.

Staffing: Applications and Grant payments under the ERG Program are administered by staff from the Commercial Districts and Small Business

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 5 of 9**

Section, Economic Development Division and Taxation Section of the Finance and Administration Division.

There are no additional staffing requirements.

Legal: The ERG Program is authorized by the ERASE CIP which was adopted and approved in 2001 and subsequently comprehensively updated in 2005, 2010 and 2018 under Section 28 of the *Planning Act*. The ERASE Redevelopment Agreement will specify the obligations of the City and the Applicant and will be prepared in a form satisfactory to the City Solicitor.

HISTORICAL BACKGROUND

The Site is approximately 0.91 ha (2.41 ac) in size and located on the southside of Queenston Road in the Battlefield neighbourhood of Stoney Creek. The immediate area is primarily characterized by single storey commercial uses and low, mid and high-rise residential buildings to the west and north respectively as well as a significant embankment and Little League Park (including the Stoney Creek Optimist Community Centre and Stoney Creek Tennis Club) to the east and south. The site is located approximately 20 m from the intersection of Queenston Road and Riverdale Drive. The site is currently vacant and undeveloped and was approved for a severance from the existing commercial plaza and office building to the west (municipally known as 840 and 860 Queenston Road, Stoney Creek) by the Committee of Adjustment in 2020.

As part of the investigation of the environmental condition of the site, a Phase One ESA was completed by Landtek Limited in March 2020 to investigate historical land use activities and the potential presence of contaminants. The results of the Phase One ESA identified a single on-site Area of Potential Environmental Concern (APEC) regarding historical importation of fill of an unknown quality which necessitated further investigation.

A Phase Two ESA was completed by Landtek Limited in May 2020 to further investigate the site's current soil and groundwater conditions and to further delineate the extent of soil and groundwater contamination in response to the findings of the Phase One ESA. This investigation was informed by testing from eight boreholes, nine test pits and four groundwater monitoring wells. In accordance with the Ministry's O. Reg. 153/04, the results confirmed the presence of chromium, lead, zinc and PHCs in the soil and the presence of PHCs in the groundwater in concentrations that exceeded the Tables 3 and 9, Generic Full Depth SCS in a Non-Potable Groundwater Condition for Residential/Parkland/Institutional land uses which was deemed to be applicable for the site by the Applicant's QP.

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**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 6 of 9**

For the purposes of O. Reg. 153/04, the site's current land use is considered to be parkland and as such the planned change of use to residential is not considered a change to a more sensitive land use. As a result, a regulatory requirement to file an RSC is not triggered despite the presence of contamination above the applicable SCS. Notwithstanding this, the Applicant has elected to remediate the site and will file an RSC as part of the planned development in order to restore the natural environment, facilitate project financing and fulfil requirements for eligibility under the ERG program.

A RAP prepared in March 2022 by Landtek Limited outlined the planned remediation method for achieving the applicable SCS for the site which will primarily consist of the removal and disposal of contaminated fill at a licensed landfill facility.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The applicable Official Plan designation and Zoning Regulations for the Site identified below were approved by the former LPAT in 2018 in response to a settlement between the City and Applicant (File No. PL170282).

Urban Hamilton Official Plan

The Site is designated as a "Secondary Corridor" on Schedule "E" – Urban Structure and as "Neighbourhoods" on Schedule "E-1" – Urban Land Use Designations of the Urban Hamilton Official Plan. This designation is intended to accommodate a full range of residential dwelling types and densities to which the planned development complies.

Former City of Stoney Creek Zoning By-law No. 3692-92/City of Hamilton Zoning By-law 05-200

The western portion of the Site is zoned a Site-Specific Multiple Residential "RM5-11" Zone under the Former City of Stoney Creek Zoning By-law No. 3692-92 while the naturalized eastern portion of the site is zoned Conservation/Hazard Lands (P5) Zone under City of Hamilton Zoning By-law 05-200.

The planned use of the site is permitted.

Site Plan Control

The site is subject to Site Plan Control. The planned development has received Site Plan approval.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 7 of 9**

RELEVANT CONSULTATION

Staff from the Taxation Section of the Finance and Administration Division and the Legal Services Division of the Corporate Services Department were consulted, and the advice received incorporated in this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

Potential estimated costs, as submitted by the Applicant, which may be eligible under the ERG Program based on the Site's location within Area 3 – Urban Area of the ERASE Community Improvement Project Area (CIPA) include the following:

- \$2,832,000 in costs for the excavation, transportation and disposal of approximately 24,000 m³ of contaminated soil at a licensed facility from the building area;
- \$3,422,000 in costs for the excavation, transportation and disposal of approximately 29,000 m³ of contaminated soil at a licensed facility from the slope area;
- \$100,000 in environmental testing/management and consulting costs;
- \$100,000 in contingency for groundwater handling/treatment; and,
- \$261,000 in costs for the backfill/replacement of the slope area.

In total, these estimated costs total \$6,715,000. However, at this time, staff are recommending a maximum Grant approval of \$3,841,980 representing the estimated maximum Grant that could be achieved over the maximum ten annual Grant payments permitted under the ERG Program based on estimates of the assessment and municipal tax increment uplift anticipated from the development. Should the actual assessment and municipal tax increment uplift generated after project completion be greater than that currently estimated, and provided actual eligible remediation costs are determined by staff to be greater than \$3,841,980 at the conclusion of a staff led audit, staff will review the potential for a future supplemental report to recommend an increase in the maximum Grant for City Council consideration based on the actual assessment and municipal tax increment uplift.

It should be noted that should all or a part of the above estimated costs be determined by staff to have been required for the development regardless of the presence of contamination, those costs will not be eligible under the ERG program to ensure compliance with the City Council approved parameters of the ERG program. This determination will be made by staff during the required audit of invoices and associated

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 8 of 9**

documentation at the conclusion of site remediation and subject to any third-party review which may be required to be undertaken.

The following is an overview of pre and post development property assessments and associated taxes which have informed the estimated potential Grant and Grant payment period contained in this report:

Grant Level:		80%	
Total Estimated Eligible Costs (Maximum):	\$	6,715,000	
Total Estimated Grant (Maximum):	\$	3,841,980	
Pre-project CVA (CT - Commercial):	\$	1,615,000	Year: 2021
Municipal Levy:	\$	30,534	
Education Levy:	\$	14,238	
Pre-project Property Taxes	\$	44,772	
Estimated Post-project CVA (RT – New Multi Residential):	\$	53,592,000	Year: TBD
Estimated Municipal Levy:	\$	510,781	
Estimated Education Levy:	\$	81,996	
Estimated Post-project Property Taxes:	\$	592,777	

Notes:

- 1) The actual roll number(s) assessed value(s), tax classification(s) and value partitioning (where applicable) are to be determined by the Municipal Property Assessment Corporation (MPAC) upon completion of the development;
- 2) As per Program requirement, the increase in realty taxes is based on the year in which the tax estimate was requested;
- 3) 2021 tax rates have been used for calculation of the estimated post-development property taxes;
- 4) Annual Taxes exclude any Local Charges;
- 5) Post development assessment estimate provided by MPAC;
- 6) Predevelopment property tax estimate is only for the portion of land (2.41 acres) subject to development. Assessment value for the land portion to be confirmed after severance is completed; and,
- 7) All dollar figures rounded to the nearest dollar.

**SUBJECT: Environmental Remediation and Site Enhancement (ERASE)
Redevelopment Grant Application, 870 Queenston Road, Stoney
Creek ERG-21-04 (PED22077) (Ward 5) - Page 9 of 9**

ALTERNATIVES FOR CONSIDERATION

The ERG application meets the eligibility criteria and requirements of the program. In the event the Project is not considered for the program, the application should be referred back to staff for further information on possible financial or legal implications.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

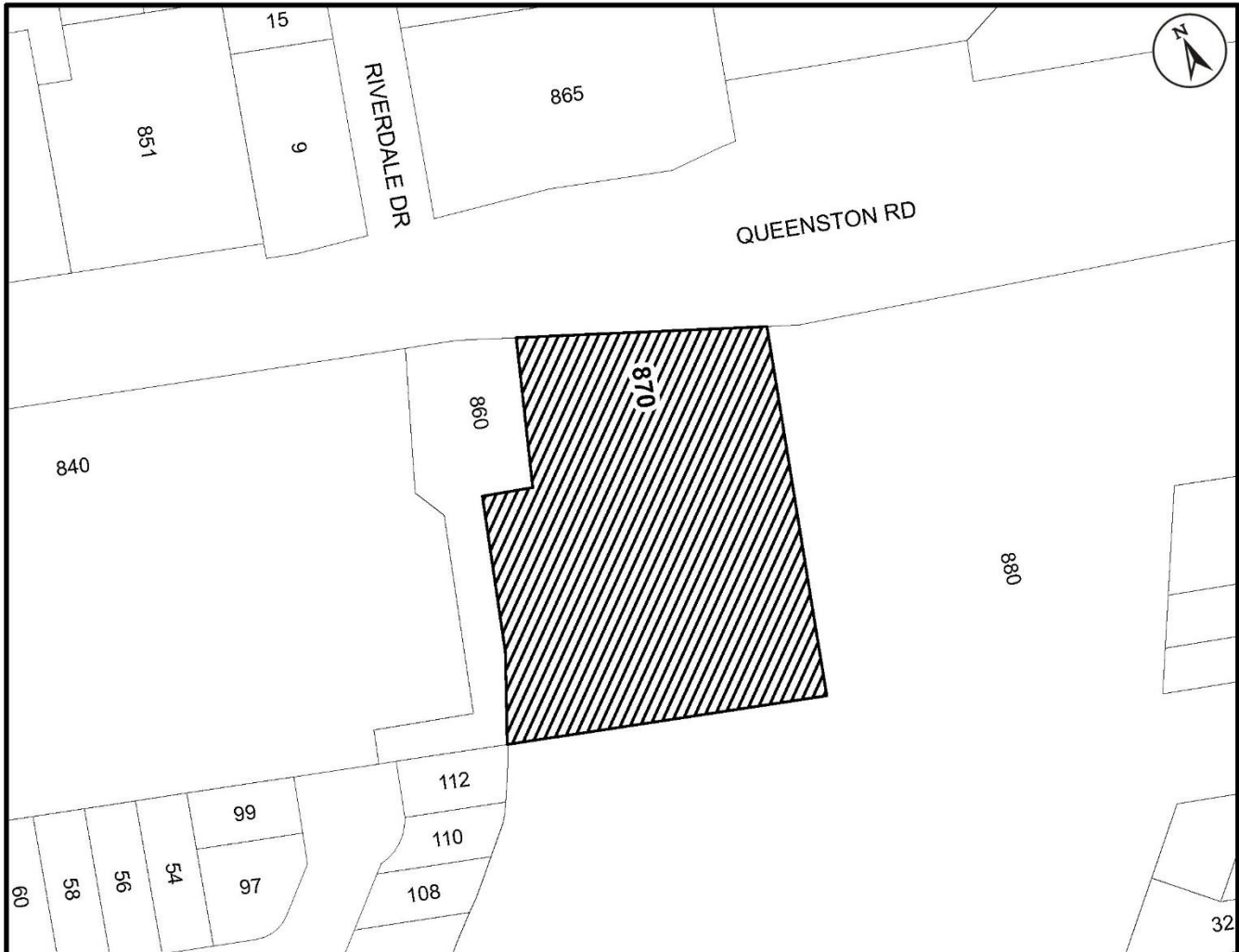
Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

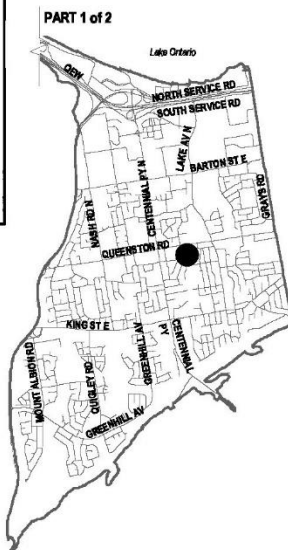
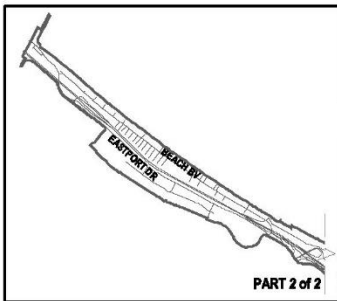
APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED22077 – Location Map

Appendix "A" to Report PED22077
Page 1 of 1



● Site Location



Key Map - Ward 5

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ERG-21-04

Date:
March 17, 2022

Appendix "A"

Scale:
N.T.S


Planner/Technician:
PC/VS

Subject Property

 870 Queenston Road, Hamilton



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Transportation Planning and Parking Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 4, 2022
SUBJECT/REPORT NO:	Open Streets Temporary Linear Urban Park (PED22075) (City Wide) (Outstanding Business List Item)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Rachel Johnson (905) 546-2424 Ext. 1473 Peter Topalovic (905) 546-2424 Ext. 5129
SUBMITTED BY:	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That staff be directed to develop a “Gage to Gore” Open Streets Temporary Linear Urban Park Program along King Street East that can be implemented as a single day trial or trials in 2022 on Sundays, with replication on subsequent weekends throughout 2023 and 2024;
- (b) That Staff be directed to engage key stakeholders including Hamilton Police Services (HPS), adjacent Business Improvement Areas (BIAs), and local community groups to help operationalize the temporary linear park concept and to maximize its value from a community, business and tourism perspective;
- (c) That Staff be authorized to allocate \$60 K from the Economic Development Initiatives Capital Account (3621708900) to fund the temporary street closure and programming of the temporary urban park major event nodes;
- (d) That Staff be directed to formalize a partnership with a local not-for-profit or community partner, to establish a civic incubator that would undertake the coordination of an Open Streets Program and related programming to a maximum upset limit of \$25 K from the Sustainable Mobility Project ID of

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**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 2 of 10**

4032155820 and connect this Program to other available grant programs in the City to help scale up worthwhile community activations;

- (e) That Staff collect and utilize data from the 2022 open streets event to develop a comprehensive plan for a succession of open streets events in future years and that the funding requirements for these subsequent events be considered as part of the 2023 Budget Process;
- (f) That the matter respecting Item BB, Options on How the City May Pedestrianize a Street or Collection of Streets be identified as complete and removed from the General Issues Committee Outstanding Business List.

EXECUTIVE SUMMARY

At the October 20, 2021 General Issues Committee meeting the following was approved:

“That staff be directed to report back to the General Issues Committee with recommendations on how the City may pedestrianize a street or collection of streets during the spring, summer, and fall seasons to assist in animating those areas for public use, to be primarily on, but not limited, to weekends”.

The purpose of Report PED22075 is to respond to this direction.

The City of Hamilton has many years of experience operating and supporting successful Open Streets pilot events in partnership with various community organizations and Business Improvement Areas (BIAs). Example, Open Streets events occurred on James Street North (2010 to 2016) and Barton Street in Barton Village (2017 to present), and typically had two to six day-long closures each year. Some of the challenges with these pilots and events is that they required significant effort for programming and extensive policing. This differed from other jurisdictions in North America, such as Montreal and Toronto, where the Open Streets events are long standing, involve longer stretches of street closures, are designed with less reliance on police resources for traffic and pedestrian control, and are geared towards physical activity and the creation of public space on the road.

Staff investigated six scenarios that are feasible approaches to creating an Open Streets program in Hamilton. Each are focused on the pedestrianization of a street or collection of streets. These scenarios draw on previous experience, preliminary consultation with relevant stakeholders such as Hamilton Street Railway (HSR), Transportation Operations and Maintenance (TOM), and Tourism and Culture, as well as, the experience of other jurisdictions. Scenarios included:

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**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 3 of 10**

1. A network of BIAs having closures on the same days over the summer months;
2. King Street from Gage Park to Gore Park, along the future Light Rail Transit (LRT) corridor;
3. Main Street from James Street to the Delta at Gage Park;
4. James Street North (from King Street to Barton Street) and Barton Street (from James Street North to the Barton Village BIA);
5. Small Streets Networks; and,
6. Branded Activity Loops.

This Report proposes that the pedestrianization of a street takes place in the form of an Open Streets Temporary Linear Urban Park as opposed to a traditional street festival. This is a key distinction from other street festivals which involve full road closures, and it should be clear to businesses and the public, as it allows the open street to be in a large area to act as an active transportation spine in the City. The proposed Urban Park would be programmed at only a few strategic locations with the objective of allowing for the remainder of the corridor to function as open space for cycling, roller blading, scootering, running and walking. In order to engage the community and allow businesses and organizations to use the street in various ways, the City also recommends using its 100-in-1-Day urban activation planning tool to allow groups to self-organize in specific programmable node areas. Urban activations are small in scale and involve placemaking and animation activities run by small community groups, non-profits, businesses or individuals. The events are planned to take place on Sundays and will involve partnerships with BIAs and local businesses along the corridor.

This Report recommends a measured approach to traffic control with a reduced reliance on point duty police officers compared to what would be used for a full closure festival or parade. The recommendation is based on examples from other cities who have established temporary urban parks and use this type of policing, which requires fewer resources, allowing for the feasibility of operating the program. In some key nodes, along the urban park where there is programmed activity and a more typical event style set up, monitored and policed intersection control may be necessary.

Upon internal consultation, Staff recommend that the pedestrianization of King Street from Gage Street to Gore Park (at James Street South) be implemented as a Temporary Linear Urban Park, which would also allow permit cycling, physical activity stations, and small urban activations. This option provides over four kms of linear roadway space for active transportation, animation, and supports the upcoming LRT construction project and future operation of Hamilton's LRT. It is proposed that one or two large scale Open Streets Temporary Linear Urban Park events take place in 2022 as a pilot. Following the event(s), an assessment of the program will be evaluated for operation in 2023.

**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 4 of 10**

The recommendations of this report are consistent with Priority Area 4 of the Mayor's Task Force on Economic Recovery (presented on December 9, 2020 General Issues Committee, Item 8.1):

“4) Champion street closures & placemaking projects through all seasons to help revitalize main streets and support local businesses through the winter months.”

Alternatives for Consideration – See Page 9

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: This Report is recommending preliminary funding of a Civic Incubator Coordinator, through a local not-for-profit or community organizer. The proposed cost for this position is \$25,000 which would be funding through the Sustainable Mobility Project ID 4032155820. This community partner would oversee the consultation, organization and implementation of the Open Streets Temporary Linear Urban Park in 2022, alongside City staff.

Although further investigation is required, it is estimated the physical closure of the street, King Street from Gore Park (James Street) to Gage Street would cost approximately \$60,000, which would cover the cost for traffic control, paid duty police, and programming. These elements would be funded to an upset limit of \$60,000 from the Economic Development Initiatives Capital Account (3621708900).

Staffing: None. There are no immediate staffing implications associated with this Report. The consultation, organization and implementation of the Temporary Urban Park will be managed by existing staff resources within the Transportation Planning and Parking Division of the Planning and Economic Development Department. In consultation with Traffic Operations and Maintenance (TOM) staff, and Hamilton Street Railway (HSR) staff, as required.

Legal: None

HISTORICAL BACKGROUND

The concept of an Open Street was started in Bogota, Columbia in 1974, referred to as a Cyclovia (translated to “Cycle-way”) in most South American cities. The City of Bogota closed major streets to vehicular traffic on Sundays to allow pedestrians and cyclists to move about in the city. This event still runs today and covers 122 kms of streets. Open Streets events typically have a family-friendly festival type atmosphere but are not

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**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 5 of 10**

organized as festivals. Since that time the idea has become popular around the world in cities of all sizes.

Hamilton has hosted many successful smaller scale open streets events. From 2009-2016, an organization, called Open Streets Hamilton, hosted an open streets event on James Street North, typically around 2 kms, to stretch out and explore. These events were typically held on one Sunday in June and included transforming the streets into a shared space for anyone and everyone to participate in. Event programming included three main pillars: 1) active transportation (walking, cycling, rollerblading, skateboarding), 2) supporting healthy communities through nutrition, active living, health and wellness, sports and recreation) and 3) sustainable economy (local sustainable businesses and organizations: food, services, arts, local products). Many different organizations were involved in the success of the event with grants, partnerships and collaborators/volunteers. The events were well attended and positively received, with over 12,500 people attending the 2010 Open Streets event on James Street North.

Since 2015 Hamilton has actively participated in 100-in-1-Day, an international citizen-driven City-building initiative that unites people across their city by engaging them in community developed projects, known as urban interventions or activations. On the first Saturday in June, all of the community projects are delivered with the goal of having “100” positive community interventions completed in one day. On 100-in-1-Day, everyone is encouraged to celebrate the by implementing an intervention or participating in one. Since 2015, over 750 interventions have taken place across Hamilton. The organization and success of urban interventions run across Hamilton are similar to the structure of the proposed Open Streets program. 100-in-1-Day has been organized in Hamilton by local not-for-profit groups and volunteers through a Civic Incubator. Given this success, Staff recommend that a civic incubator is established, through a community partner, who would undertake the coordination of Open Streets programming in Hamilton, building on the success of other events like 100-in-1-Day, in conjunction with internal Staff.

The City and McMaster collaborated on the 100-in-1-Day program since 2015 and supported many groups and individuals to operate their own urban activations, which are low effort, high impact actions that make their city a more inclusive, resilient and sustainable place. In order to promote the Open Streets temporary urban park and to organize the use of the corridor, it is recommended that the City work with a community group to coordinate the event. The City also supported this process by having a streamlined approval process for these activations, rather than requiring SEAT applications, and the City covered the insurance costs. For activations to qualify, they could not be profit motivated, political, or religious, and had to be free to attend, and small in scale.

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**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 6 of 10**

Throughout the COVID-19 pandemic mobility patterns have shifted and around the world there has been significant uptake in walking, cycling, and generally being outside more. Many cities have recognized this and innovated in many ways including through pop-up bike lanes, temporary dining spaces, quiet streets, and free or discounted transit. The most common measures have been the reallocation and expansion of space at the curb and on the street to accommodate people walking and cycling. In North America specifically, the most common measure has been the opening of entire streets for non-motorized activities (Combs and Pardo, 2021). The majority of COVID-19 mobility measures around the world have been new initiatives, with only about 5% having been previously identified in existing plans, or part of ongoing planning efforts (Combs and Pardo, 2021).¹

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

N/A

RELEVANT CONSULTATION

Several internal stakeholders were consulted in the primary development of the six proposed options including:

- Public Works - Transportation Operations and Maintenance (TOM), Engineering Services, Transit (HSR);
- Healthy and Safe Communities - Public Health Services - Healthy Environments; and,
- Planning and Economic Development – Economic Development, Tourism and Culture.

As the proponent of Hamilton's Light Rail Project in the King Street Corridor, Metrolinx was consulted regarding the recommended solution of a Gage to Gore Open Streets event, and they will continue to be a key stakeholder as staff continue to develop an implementation plan and timeline. It is recognized that any street closures could not conflict with construction activities.

Engagement will continue as the project moves forward focused on external stakeholders through the City's Mobility Lab focus group which includes the following organizations: the Hamilton Cycling Committee (HCyC), Cycle Hamilton, Environment

¹ Combs, Tabitha & Pardo, Carlosfelipe. (2021). Shifting Streets COVID-19 Mobility Data: Findings from a global dataset and a research agenda for transport planning and policy.

**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 7 of 10**

Hamilton, McMaster University, Mohawk College, Hamilton Health Sciences, Smart Commute Employer partners and residents, and Business Improvement Areas (BIAs).

Engagement with and between these groups will continue throughout the development and finalization of an Open Streets Temporary Linear Urban Park program in Hamilton.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Staff investigated six scenarios that are feasible approaches to the establishment of an Open Streets Temporary Linear Urban Park system in Hamilton and determined the closure of King Street from Gore Park, at James Street South to Gage Street to be the preferred option. The six options included:

1. A network of BIAs having closures on the same days over the summer months;
2. King Street with a closure from Gage Park to Gore Park, along the LRT corridor (preferred option);
3. Main Street with a closure from Bay Street to the Delta at Gage Park;
4. James Street North (from King Street to Barton Street) and Barton Street (from James Street North to the Barton Village BIA);
5. Small Streets Network, which includes a series of local streets that are closed to automobile traffic and chosen through engaging with ward councillors and community partners; and,
6. Branded Activity Loops or Loops, consisting of large-scale closures happening in one or more thoroughfares in the City for the purposes of encouraging physical activity. Examples of a larger activity Loop would include the closure of the Linc/Red Hill, opening of the historic Around the Bay route for a longer duration, linking the Hamilton Bayfront trails to the Confederation Park trails, or a closure along the entire mountain brow.

The recommended King Street (Gage to Gore) option provides over four kms of linear roadway space for active transportation, animation, and supports the upcoming LRT construction project and future operation of Hamilton's LRT. It is proposed that one or two Open Streets Temporary Linear Urban Park events take place in 2022 as a pilot. Following the event(s) an assessment of the Program will be evaluated for replication or modification in 2023 and 2024. Conversations with the HSR and TOM Staff have provisionally indicated that this section of roadway would be suitable for closure on a weekend without major impacts, making this segment a good place to test the concept of a larger street closure to establish a temporary linear urban park.

Civic Incubation and 100-in-1-Day Hamilton

The organization and success of urban activations operated across Hamilton through the 100-in-1-Day program are similar to the structure of the proposed Open Streets

**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 8 of 10**

Temporary Linear Urban Park program. 100-in-1-Day has been organized in Hamilton by local not-for-profit groups and volunteers through a Civic Incubator, resulting in over 750 urban activations since 2015. The experience and success of 100-in-1-Day, built over years of expertise, highlights the strength of using a Civic Incubator for this proposed program. Staff recommend that a civic incubator is created, through a local not-for-profit, who would undertake the coordination of Open Streets Temporary Linear Urban Park program in Hamilton in conjunction with internal Staff.

A Civic Incubator supports emergent and established city-builders to create, implement, and scale projects, and programs that advance social, environmental, and economic sustainability of their communities and cities. It does this through skills training and education, mentorship, and access to a network of physical and human resources, alongside the 100-in-1-Day program, which enable prototyping and co-creation with peers. The Civic Incubator is grounded in a community-based program design methodology that responds to specify community-identified needs.

This Program has also been connected to various City-run grant programs to help those organizing urban activations for community benefit scale up their program and sustain its success. This could continue to happen with Open Streets as a catalyst to improve more community-led, community-benefit projects in the City.

Policing Practices for Temporary Urban Park Programs

This Report recommends a less resource intensive use of HPS for traffic control compared to a more typical street festival event with a full closure. The proposed Temporary Linear Urban Park would not require full Police control of intersections at each street. The reason for not enforcing each intersection with Police, as is typically done at large street closure events, is that staff do not expect large congregations of people crossing intersections as the amount of space the street closure will take up is vast and density of attendees will be scattered. Pedestrians and cyclists will be required to follow existing intersection controls (e.g. traffic signals and stop-controls). This type of intersection control will lead to reduced policing costs, allowing for the feasibility of operating the program. In nodes, where there is programmed activity, a more typical event style set up, with monitored intersection control will be necessary.

There are numerous examples of variability in policing rates for temporary urban parks, the most prominent of which occurs in Montreal over the summer months. Rue St. Catherine's, a very central thoroughfare in the city, is closed to car traffic for most of the summer and does not rely on point duty police for pedestrian and traffic control at any intersections. Signage and street closure control elements are used to remind pedestrians of the intersections and to proceed with caution and according to the traffic laws. A local example is King William Street in Hamilton, which is smaller in scale than the Montreal example, but follows the same set of principles.

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**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 9 of 10**

The other five options mentioned in this Report are described more fulsomely in the Alternatives for Consideration Section.

ALTERNATIVES FOR CONSIDERATION

There are several options for an Open Streets type program in Hamilton. Six ideas have been highlighted in the Report. A discussion of the five other alternatives considered but not recommended at this time are as follows:

1. A network of Business Improvement Areas (BIAs) having closures on the same days over the summer months

Through preliminary investigation it was determined that many BIAs have their own street festival type event, which often involve a road closure. BIAs plan these events well in advance and they take significant resources to implement. Many BIAs would not have the resources to undertake another large event(s) in 2022. The Open Streets Temporary Urban Park program should not interfere or compete with BIA programming, but rather complement it.

2. Main Street from Bay Street to the Delta at Gage Park

This option, while similar to a closure of King Street, is more complex in terms of re-routing required for traffic and transit vehicles. Through the east part of the Downtown, Main Street is also more institutional in nature and may not benefit as much from a business uplift.

3. James Street North (from King Street to Barton Street) and Barton Street (from James Street North to the Barton Village BIA)

These areas of the City have longstanding events taking place during the year. While the City does have experience running Open Streets events on these streets, new events have fulfilled the animation of these streets. The recommended program allows animation of streets to be spread to other areas of the City.

4. Small Streets Network

This option would be a series of smaller street closures around the city. While this would be attractive for engagement across the city, it may have less City-wide and broader regional attraction and be harder to promote from a tourism perspective. The usage is predicted to be local and would not be a typical Open Streets event. This type of event could be co-created with street

**SUBJECT: Open Streets Temporary Linear Urban Park (PED22075) (City Wide) -
Page 10 of 10**

block parties, as is done in other cities, and does not qualify as an Open Streets or Cyclovia event.

5. **Branded Activity Loops**

Activity loops or health and wellness loops could be large scale road closures around the city which would encourage residents to walk, cycle or roll a great distance on streets that are typically reserved for motor vehicles. This event would be a large-scale operation with higher costs for road closures, policing and programming and may be too challenging for the first year of this type of Open Streets programming in Hamilton. This type of program would be similar to the ActiveTO Open Streets programming on Lake Shore Boulevard in Toronto. Considerations should be made for this type of program in future year; however additional traffic mitigation measures may be required.

While all of these options are interesting and will have much fanfare, they all present large-scale challenges. Starting with a four to six km linear track on King Street will help Staff better understand the impacts of growing the Open Streets into an even larger activity loop in the future.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state-of-the-art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

APPENDICES AND SCHEDULES ATTACHED

N/A

DEFERRED by the General Issues Committee at its meeting of April 20, 2022 to the May 4, 2022 General Issues Committee meeting.

GRIDS 2 and Municipal Comprehensive Review – Deferred Employment Land Conversion Requests PED17010(p) (City Wide)

That the MCR Official Plan Amendment (UHOP Conformity Amendment) to be brought forward in May 2022 include the following amendments to implement the recommendations of the City's Employment Land Review:

- (a) Addition of a new Site Specific Policy in the Fruitland Winona Secondary Plan for the lands known as 1400 South Service Road, Stoney Creek; and,
- (b) Revisions to the existing Area Specific Policy – A in the West Hamilton Innovation District Secondary Plan for McMaster Innovation Park.



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 4, 2022
SUBJECT/REPORT NO:	GRIDS 2 and Municipal Comprehensive Review – Follow-up Regarding Deferred Employment Land Conversion Requests (PED17010(r)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Lauren Vraets (905) 546-2424 Ext. 2634
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That the Municipal Comprehensive Review (MCR) Official Plan Amendment (UHOP Conformity Amendment), which is being brought forward to the Planning Committee on May 17, 2022, include the following amendment to implement the recommendations of the City's Employment Land Review:
- (i) Revisions to the existing Area Specific Policy – A in the West Hamilton Innovation District Secondary Plan for McMaster Innovation Park, as outlined in Appendix "B" to Report PED17010(r);
- (b) That the matter regarding the employment land conversion request for the lands located at 1400 South Service Road be deferred until a later phase of the City's current Municipal Comprehensive Review, based in the review and assessment of land use options for the south-east quadrant of the Queen Elizabeth Way (QEW) and Fifty Road area.

EXECUTIVE SUMMARY

As part of the City's current Municipal Comprehensive Review (MCR), Planning Staff have been undertaking an assessment of the City's Employment Area designated lands

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**SUBJECT: GRIDS 2 and Municipal Comprehensive Review – Follow-up
Regarding Deferred Employment Land Conversion Requests
(PED17010(r)) (City Wide) - Page 2 of 7**

and opportunities for conversion to non-employment designations. On April 20, 2022, Planning Division staff presented Report PED17010(p) to the General Issues Committee (GIC) to provide final recommendations for six outstanding deferred conversion requests resulting from a previous Employment Land Conversion report in August 2021 (PED17010(k)). Committee directed staff to further defer the recommendations for Site Specific policies for two sites until the next GIC meeting (May 4, 2022). The intent of the further deferral was to give staff additional time to consider the site specific policy wording that would apply to each property.

Report PED17010(r) presents the staff recommendations for the McMaster Innovation Park – West Hamilton Innovation District and the lands located at 1400 South Service Road in Stoney Creek.

The revised site specific policy proposed for McMaster Innovation Park will be implemented through the final MCR Official Plan Amendment, to be presented to Planning Committee on May 17, 2022.

For the lands known as 1400 South Service Road, it is proposed that the conversion request be deferred until such a time as Planning Division staff have completed a land use assessment for the south-east quadrant of the Queen Elizabeth Way (QEW) and Fifty Road area and presented the assessment to Planning Committee and Council.

Alternatives for Consideration – See Page 7

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

Legal: The recommendations of the Employment Land Review will be implemented through the GRIDS2 and MCR Official Plan Amendment, and the Province is the final approval authority for this forthcoming Official Plan Amendment (OPA).

HISTORICAL BACKGROUND

As part of the City's current MCR, Planning Staff have been undertaking an assessment of the City's Employment Area designated lands and opportunities for conversion to non-employment designations. The following reports have been presented to GIC with respect to the Employment Land Review:

**SUBJECT: GRIDS 2 and Municipal Comprehensive Review – Follow-up
Regarding Deferred Employment Land Conversion Requests
(PED17010(r)) (City Wide) - Page 3 of 7**

- November 19, 2019 – draft Employment Land Review (Report PED17010(f));
- August 4, 2021 – Employment Land Review (Report PED17010(k)); and,
- April 20, 2022 – Deferred Employment Land Conversion Requests (PED17010(p)).

As a result of the presentation of Report PED17010(p) on April 20, 2022, GIC directed staff to defer the recommendations for site specific policies for two sites: McMaster Innovation Park (MIP), and 1400 South Service Road. The further deferral of recommendations for these two sites was to allow staff additional time to consider revisions to the proposed site specific policies.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

A complete review of provincial and local employment policies was provided in Report PED17010(k). No provincial or local policies related to employment or employment conversions have been changed since that time.

RELEVANT CONSULTATION

City Department Consultation

Economic Development Division staff have reviewed the proposed revision to the site specific policy wording for McMaster Innovation Park and support the Planning Division staff recommendation.

External Consultation

Planning Division staff have met with the representatives for both MIP and 1400 South Service Road regarding site specific policies for the two sites.

Representatives from MIP have confirmed that they support the staff proposed revision to their site specific policy.

Representatives for 1400 South Service Road have indicated they would support deferral of consideration of the conversion request until a later phase of the City's MCR.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1.0 McMaster Innovation Park (MIP)

Through Report PED17010(p), Planning Division staff recommended that the existing Site Specific Policy (Area A) for MIP in the West Hamilton Innovation District Secondary Plan be modified to permit the development of two multiple dwellings in mixed use

**SUBJECT: GRIDS 2 and Municipal Comprehensive Review – Follow-up
Regarding Deferred Employment Land Conversion Requests
(PED17010(r)) (City Wide) - Page 4 of 7**

buildings, geographically clustered in the north east quadrant of the site. The proposed revision to the existing site specific policy also capped the gross floor area (GFA) for the residential uses to a maximum of 15% of the GFA for all existing and proposed employment uses.

MIP expressed concern with the proposed policy wording presented in Report PED17010(p) that requires the residential uses to be clustered in one area and be limited to locating within two buildings. Staff had previously included this draft policy based on the location of two proposed residential buildings in the north east quadrant of the site presented on MIP's revised Master Plan. These two proposed mixed use buildings did not present concerns with respect to compatibility with existing and future employment uses based on the Land Use Compatibility Study submitted by MIP.

To address the locational concerns for the residential uses expressed by MIP, a revised policy has been proposed for consideration (see below and Appendix "B" attached to Report PED17010(r)) which removes the restriction on the number and location of multiple dwellings (see strikethrough) while also ensuring that the City retains the ability to review the compatibility of any sensitive land uses when they are proposed through the development approvals process (see bold and highlighted):

"6.4.10.1 In addition to Policy B.6.4.3.1 – General Development Policies, the following policies shall apply to the lands shown as Site Specific Policy – Area A - McMaster Innovation Park on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan:

a) Educational, residential ***multiple dwellings*** and commercial uses permitted ancillary to McMaster Innovation Park shall be developed in accordance with the long-term vision to create a dynamic, integrated state-of-the-art research community that shall foster innovation, entrepreneurialism and creativity. **Residential Uses shall be subject to the following policies:**

i) ***Multiple dwellings*** in mixed use buildings shall be permitted;

~~ii) **Multiple dwellings will be clustered in the North East quadrant of the site;**~~

~~iii) **A maximum of two multiple dwellings shall be permitted;**~~

ii) **The Gross Floor Area for multiple dwellings shall be limited to a maximum of 15% of the total gross floor area of all existing and proposed buildings, which are to be used for other**

**SUBJECT: GRIDS 2 and Municipal Comprehensive Review – Follow-up
Regarding Deferred Employment Land Conversion Requests
(PED17010(r)) (City Wide) - Page 5 of 7**

permitted M1 uses, located on the said lands, save and except for the following uses:

- a. Educational Establishments;
 - b. *Multiple Dwelling(s)*;
 - c. Commercial Parking Facilities; and,
 - d. Warehouse (as a primary use);
- iii) The development of any *multiple dwellings* or *sensitive land uses* shall require the submission and implementation of a Land Use Compatibility study to the satisfaction of the City to demonstrate that the use avoids, or where avoidance is not possible, minimizes and mitigates any adverse impacts on employment uses permitted through Policy B.6.4.3.3. The Land Use Compatibility study shall be submitted as part of a Complete Application in accordance with Section F.1.19 of Volume 1;
- iv) The Zoning By-law shall regulate matters related to timing and sequencing of residential development to ensure that any residential use permitted on the site is proportional to the development of the established employment uses within McMaster Innovation Park; and,
- v) The Zoning By-law shall regulate matters for residential use, among other regulations as required – including, building heights, parking requirements, and other site-specific performance standards for development.”

2.0 1400 South Service Road

The Staff recommendations provided in Report PED17010(p) did not support the lands at 1400 South Service Road in the Stoney Creek Business Park for conversion. However, staff did recommend the addition of a proposed Site Specific Policy for the subject lands to provide additional criteria to consider, should the lands be reviewed for conversion through a future Municipal Comprehensive Review conversions request.

“B.7.4.18.X For the lands located on at 1400 South Service Road, designated Business Park, shown as Site Specific Policy – Area X on Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan, the City shall assess of the appropriateness of these lands as Employment – Business Park designated lands during the next

**SUBJECT: GRIDS 2 and Municipal Comprehensive Review – Follow-up
Regarding Deferred Employment Land Conversion Requests
(PED17010(r)) (City Wide) - Page 6 of 7**

Municipally Initiated Comprehensive Review, and may consider a conversion to other non-employment uses. The assessment for conversion shall consider, but not be limited to the following factors:

- a) There is sufficient City-wide employment land supply;**
- b) Any proposed development would support planned local and/or regional transit services;**
- c) There is sufficient infrastructure capacity in the area, specifically with regard to sanitary servicing and transportation;**
- d) The development area includes adjacent lands on the block, from Fifty Road to Fifty Creek, and is developed as part of a complete community in a manner that is transit supportive; and,**
- e) The proposed development is able to satisfy provincial and local employment land conversion criteria.”**

Staff received correspondence from MHBC Planning Ltd. (the Applicant), retained on behalf of Losani Homes (the land owner), requesting an alternative Site Specific Policy for 1400 South Service Road. Specifically, the applicant has requested policy wording that would permit consideration of a conversion for the lands to non-employment uses outside of the City’s MCR process. The Applicant’s proposed policy wording is attached as Appendix “A” to Report PED17010(r).

Staff note that the Applicant has a current application for Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) (File UHOPA-21-018 & ZAC-21-039) with the City to redesignate and rezone the lands for mixed use and high density residential development.

In light of the Applicant’s ongoing OPA / ZBA application, Planning staff recommend that the conversion request for 1400 South Service Road be deferred until a later stage in the City’s MCR process. Planning Division Staff will be undertaking a land use assessment of the lands in the south-east quadrant of the QEW and Fifty Road area. As part of this assessment, staff will be consulting with all affected landowners and Metrolinx. A decision regarding the Applicant’s OPA / ZBA application for the proposed development will inform a future determination of an employment land conversion through the City’s on-going MCR.

**SUBJECT: GRIDS 2 and Municipal Comprehensive Review – Follow-up
Regarding Deferred Employment Land Conversion Requests
(PED17010(r)) (City Wide) - Page 7 of 7**

3.0 Next Steps

The modified Site Specific Policy for MIP, should it be approved as recommended, will be incorporated into the final MCR Official Plan Amendment wording, to be presented to Planning Committee on May 17, 2022. Planning Division staff will forward the Council approved MCR Official Plan Amendment to the Province to meet the conformity deadline of July 1, 2022.

ALTERNATIVES FOR CONSIDERATION

Council could choose to provide alternate direction to staff with respect to one or both of the deferred employment conversion requests discussed in Report PED17010(r).

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Economic Prosperity and Growth

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APPENDICES AND SCHEDULES ATTACHED

Appendix “A” to Report PED17010(r) – Letter from MHBC Planning on behalf of Losani Homes (dated April 19, 2022)

Appendix “B” to Report PED17010(r) – Changes proposed to MIP Site Specific Policy – Area A

LV:sd



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

April 19, 2022

Stephanie Paparella
Legislative Coordinator
Office of the City Clerk
71 Main Street, West, First Floor
Hamilton, ON
L8P 4Y5

Dear Ms. Paparella:

**RE: Comments on Municipal Comprehensive Review and Land Needs Assessment –
1400 South Service Road, Flying J
OUR FILE: 14196R**

On behalf of our client, Losani Homes, we have been involved with discussions with City staff and made several submissions as part of the Municipal Comprehensive Review and GRIDS 2 process for the 'Flying J' lands located at 1400 South Service Road, Stoney Creek, hereinafter referred to as the subject lands. The purpose of the request and submissions has been to request the conversion of 7.33 ha of land for a proposed mixed use development, including both employment (office and commercial) and residential uses.

We have made a number of submissions to City staff and submission to the General Issues Committee on August 4, 2021 and November 18, 2021. The subject lands were part of the Council motion on August 13, 2021 and deferred from consideration of GRIDS 2 and Municipal Comprehensive Review.

A formal Official Plan Amendment and Zoning By-law Amendment application was submitted for the lands in August, 2021 for a mixed use redevelopment and is currently under review by staff and agencies. The proposed application provides for a density of 276 people and jobs per hectare and will contribute to the 80% intensification target within the Built-Up Area.

In the Fall of 2021, Council made the decision to implement a no boundary expansion option. At the November 9, 2021 GIC meeting, the Final Land Needs Assessment was presented and City Council made the decision in November 9, 2021 to. This Report noted that a final decision on the lands deferred for employment land conversion consideration was outstanding.

Given the no urban boundary expansion option, which was adopted by Council, it is our understanding that additional opportunities for intensification and residential development within the City's existing urban boundary are required. The conversion of the subject lands for development of a mixed use community will support the 'no urban boundary expansion' option as it will provide new housing to

accommodate forecasted population within the existing Urban Area, and maintain jobs at a similar density to the target of the employment lands designation.

Proposed Revised Site Specific Policy Modification

We have reviewed the Staff Report (PED17010) and City staff’s analysis regarding the proposed conversion and the proposed special policy language, and propose the following as a revised special policy:

“For the lands located on at 1400 South Service Road, designated Business Park, shown as Site Specific Policy – Area X on Map B.7.4-1 – Fruitland Winona Secondary Plan – Land Use Plan, the policy recognizes the transition of lands from employment area to a range of other non-employment uses is proposed during the planning horizon of this Plan. For the purposes of this Plan and consideration of a future site specific amendment to redesignate the lands for other uses on the lands, the subject lands shall not be considered as employment area. The justification for conversion of the lands as part of the City’s municipal comprehensive review is based on the lands providing a mixed use development with a minimum number of jobs on the lands and intensification of residential uses to assist in achieving the City’s intensification targets and housing needs. A site specific Official Plan amendment to redesignate the lands to expand the range of uses, shall consider the following factors:

- a) A minimum of 417 jobs along the QEW frontage to support the City-wide employment targets;*
- b) A mixed use development based on transit-supportive design objectives;*
- c) There is sufficient infrastructure capacity in the area, specifically with regard to sanitary servicing and transportation; and;*
- d) The development area considers the potential development of adjacent lands on the block, from Fifty Road to Fifty Creek, and is developed as part of a complete community in a manner that is transit supportive.”*

The proposed special policy will allow for a site specific application on the subject lands outside of the Municipal Comprehensive Review process, while ensuring the City’s concerns related to employment, the development of the adjacent lands, and infrastructure capacity are addressed.

The following provides a summary of key points to consider for the proposed modified special policy request:

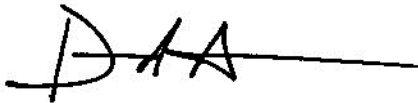
- The subject lands are not identified as a Provincially Significant employment Zone (PSEZ).
- The proposed special policy language recognizes the lands as an area in transition from traditional employment to mixed use. Existing land use permissions already include a range of commercial and population related uses and prohibit intensive industrial uses.
- The mixed use proposal maintains a significant number of jobs (over 400 jobs). The City’s Land Needs Assessment Report completed in November, 2021 (PED 17010 Appendix N) and The Watson & Associate’s Land Needs Assessment Peer Review (PED 17010 Appendix B) identifies that the employment area density assumes a density of 39.5 jobs per hectare, and currently the UHOP targets 37 jobs per hectare. The proposed development would provide for an employment density of approximately 37 jobs per hectare for the employment portion of the lands.

- Proposes additional residential units (986) in existing Urban Area to assist with addressing the forecasted housing and population requirements in a comprehensively planned with a transit supportive density that will assist in meeting the City's residential intensification targets.
- The MTO lands to the west are unlikely to be developed by MTO for employment uses, and could be considered as part of the overall comprehensive development of these lands
- Provides opportunity for housing choice in the form of apartment units in the Fruitland-Winona Secondary Plan Area that is not currently planned within the area and introduces potential for attainable and rental housing.
- Provides a transit supportive density for any future transit investments in the area.
- The Land Needs Assessment identified a surplus of employment lands, therefore conversion of the subject lands does not impact the long term supply of employment land.
- Details associated with the development of adjacent land, land use compatibility and infrastructure can be addressed through a site specific Official Plan Amendment and Zoning By-law Amendment application.

We request that the General Issues Committee consider the revised special policy wording for input into the draft Official Plan Amendment.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'DAA', followed by a long horizontal line extending to the right.

David Aston, M.Sc., MCIP, RPP
Vice President, Partner

cc. Fred Losani, William Liske, Heather Travis

Appendix “B” to Report PED17010(r) – Changes proposed to MIP Site Specific Policy – Area A

Recommended modifications to Vol. 2, B.6.4.10.1 – Site Specific Policy – Area A (McMaster Innovation Park, West Hamilton Innovation District Secondary Plan):

(**Bold** = addition, ~~Strikethrough~~ = deletion, grey highlight = changes to previous draft policy revisions)

6.4.10.1 In addition to Policy B.6.4.3.1 – General Development Policies, the following policies shall apply to the lands shown as Site Specific Policy – Area A - McMaster Innovation Park on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan:

- a) Educational, residential **multiple dwellings** and commercial uses permitted ancillary to McMaster Innovation Park shall be developed in accordance with the long-term vision to create a dynamic, integrated state-of-the-art research community that shall foster innovation, entrepreneurialism and creativity. **Residential Uses shall be subject to the following policies:**
- i) **Multiple dwellings in mixed use buildings shall be permitted;**
 - ~~ii) Multiple dwellings will be clustered in the North East quadrant of the site;~~
 - ~~iii) A maximum of two multiple dwellings shall be permitted;~~
 - ii) **The Gross Floor Area for multiple dwellings shall be limited to a maximum of 15% of the total gross floor area of all existing and proposed buildings, which are to be used for other permitted M1 uses, located on the said lands, save and except for the following uses:**
 - a. **Educational Establishments;**
 - b. **Multiple Dwelling(s);**
 - c. **Commercial Parking Facilities; and,**
 - d. **Warehouse (as a primary use);**
 - iii) **The development of any multiple dwellings or sensitive land uses shall require the submission and implementation of a Land Use Compatibility study to the satisfaction of the City to demonstrate that the use avoids, or where avoidance is not possible, minimizes and mitigates any adverse impacts on employment uses permitted through Policy B.6.4.3.3. The Land Use Compatibility study shall be submitted as part of a**

Complete Application in accordance with Section F.1.19 of Volume 1;

- iv) **The Zoning By-law shall regulate matters related to timing and sequencing of residential development to ensure that any residential use permitted on the site is proportional to the development of the established employment uses within McMaster Innovation Park; and,**
 - v) **The Zoning By-law shall regulate matters for residential use, among other regulations as required – including, building heights, parking requirements, and other site-specific performance standards for development.**
- ~~b) Limited accommodations for visiting scholars, professors and/or professionals shall be permitted.~~
- c) Heritage resources associated with the original Westinghouse Company Limited Complex, which include the former Office Building and the Boiler/Power House, identified as site specific policy “A-1” and “A-2” on Map B.6.4-1 - West Hamilton Innovation District – Land Use Plan, shall be *conserved* and incorporated into future *development* proposals. A museum of industrial and scientific technology shall also be permitted in the Boiler/Power House.
- d) Policy B.6.4.5 – Cultural Heritage Policies shall also apply.



Hamilton

FACILITY NAMING SUB-COMMITTEE MINUTES 22-001

**Monday, April 25, 2021
3:00 p.m.**

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

Present: Councillor M. Pearson (Chair),
Councillors S. Merulla and L. Ferguson

Also Present: Mayor F. Eisenberger

**Absent with
Regrets:** Councillor T. Whitehead – Personal

THE FACILITY NAMING SUB-COMMITTEE PRESENTS REPORT 22-001 AND RESPECTFULLY RECOMMENDS:

1. Renaming of the MacNab Transit Terminal to The Frank A. Cooke Transit Terminal (PW22022) (City Wide) (Item 10.1)

That the MacNab Transit Terminal, located at 1 MacNab Street South, Hamilton, be renamed The Frank A. Cooke Transit Terminal, in accordance with the City of Hamilton Municipal Property and Naming Policy.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

The agenda for the April 25, 2022 meeting of the Facility Naming Sub-Committee, 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) November 8, 2021 (Item 4.1)

The Minutes of the November 8, 2021 Facility Naming Sub-Committee were approved as presented.

(d) ADJOURNMENT (Item 15)

There being no further business, the Facility Naming Sub-Committee adjourned at 3:05 p.m.

Respectfully submitted,

Councillor M. Pearson, Chair
Facility Naming Sub-Committee

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Hamilton

**ADVISORY COMMITTEE FOR PERSONS WITH
DISABILITIES**

REPORT 22-004

4:00 p.m.

Tuesday, April 12, 2022

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

Present: A. Mallett (Chair), J. Kemp (Vice-Chair)
S. Aaron, P. Cameron, J. Cardno, M. Dent,
A. Frisina, L. Janosi, P. Kilburn, T. Manzuk,
M. McNeil, T. Murphy, K. Nolan, T. Nolan

Absent

with Regrets: Mayor F. Eisenberger, L. Dingman,
S. Geffros, C. McBride, R. Semkow

Chair Mallett called the meeting to order and recognized that the Committee 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.

THE ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES PRESENTS REPORT 22-003 AND RESPECTFULLY RECOMMENDS:

1. Resignation of Paula Kilburn from Working Groups of the Advisory Committee for Persons with Disabilities (Item 11.1)

That the resignation of Paula Kilburn from the Housing Issues Working Group and Accessible Opens Spaces and Parklands Working of the Advisory Committee for Persons with Disabilities, be received.

2. Correspondence to Police Services Board respecting a Summary of Presentation from City of Hamilton Chief of Police Bergen to the Advisory Committee for Persons with Disabilities, March 8, 2022 (Item 12.2)

That the correspondence to the Police Services Board respecting a summary of the presentation from City of

Hamilton Chief of Police Bergen to the Advisory Committee for Persons with Disabilities, March 8, 2022, attached as Appendix “A”, be forwarded to the City of Hamilton Police Services Board.

FOR INFORMATION:

(a) CHANGES TO THE AGENDA (Item 2)

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

8. CONSENT ITEMS

- 7.3 (a) Outreach Working Group Meeting Notes – January, February, March 2022
- 7.4 (a) Transportation Working Group Meeting Notes – February 22, 2022
- 7.4 (b) Transportation Working Group Meeting Notes – March 22, 2022

The agenda for the April 12, 2022 meeting of the Advisory Committee for Persons with Disabilities, was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 3)

There were no declarations of interest.

(c) APPROVAL OF MINUTES (Item 4)**(i) March 8, 2022 (Item 4.1)**

The minutes of the March 8, 2022 meeting of the Advisory Committee for Persons with Disabilities, were approved, as presented.

(d) CONSENT ITEMS (Item 7)**(i) Built Environment Working Group Update (Item 7.1)****(1) Built Environment Working Group Meeting Notes – November 2, 2021 (Item 7.1 (a)) and December 7, 2021 (Item 7.1 (b))**

The Built Environment Working Group Meeting Notes of November 2, 2021 and December 7, 2021, were received.

(ii) Housing Issues Working Group Update (Item 7.2)**(1) Housing Issues Working Group Meeting Notes – February 22, 2022 (Item 7.2(a))**

The Housing Issues Working Group Meeting Notes of February 22, 2022, were received.

(iii) Outreach Working Group Update (Item 7.3)**(1) Outreach Working Group Meeting Notes –
January, February, March 2022 (Item 7.3
(a))**

The Outreach Working Group Meeting Notes of January, February and March 2022, were received.

**(iv) Transportation Working Group Update (Item
7.4)****(1) Transportation Working Meeting Notes –
February 22, 2022 (Item 7.4 (a)) and March
22, 2022 (Item 7.4 (b))**

The Transportation Working Group Meeting Notes of February 22, 2022 and March 22, 2022, were received.

The following items were deferred to the May 10, 2022 Advisory Committee for Persons with Disabilities meeting due to time constraints:

**(v) Strategic Planning Working Group Update
(Item 7.5)****(1) Strategic Planning Working Group Meeting
Notes – February 10, 2022 (Item 7.5 (a))**

- (2) Strategic Planning Working Group Meeting Notes – March 3, 2022 (Item 7.5 (b))
- (3) Strategic Planning Working Group Meeting Notes – March 16, 2022 (Item 7.5 (c))

(vi) Accessible Open Spaces and Parklands Working Group Update (Item 7.6)

(e) PRESENTATIONS (Item 8)

(i) Presentation Respecting Hamilton Civic Museums (Item 8.1)

Cynthia Roberts, Project Lead, HamiltonCivicMuseums.ca and John Summers, Manager Heritage Resource Management, provided the Committee with a presentation respecting Hamilton Civic Museums, with aid of a PowerPoint presentation.

The presentation from Cynthia Roberts Project Lead, HamiltonCivicMuseums.ca and John Summers, Manager Heritage Resource Management respecting Hamilton Civic Museums, was received.

(f) MOTIONS (Item 11)

(i) Correspondence to Police Services Board respecting Summary of Presentation from

**City of Hamilton Chief of Police Bergen to the
Advisory Committee for Persons with
Disabilities, March 8, 2022 (Item 11.1)**

A. Mallett relinquished the Chair to J. Kemp in order to introduce a Motion respecting Correspondence to Police Services Board respecting Summary of Presentation from City of Hamilton Chief of Police Bergen to the Advisory Committee for Persons with Disabilities, March 8, 2022.

For further disposition of this matter, refer to Item 2.

A. Mallett assumed the Chair.

(g) NOTICES OF MOTION (Item 12)

**(i) Outdoor Dining and Barrier Free Design
(Added Item 12.1)**

T. Nolan announced the intention to introduce a Motion at a future Advisory Committee for Persons with Disabilities meeting respecting Outdoor Dining and Barrier Free Design.

**(ii) Request for Staff to Investigate Developing
Policies and Procedures to Rescue and Safely
Transport Stranded Pedestrians and their**

Mobility Devices to Appropriate Secure Locations (Added Item 12.2)

P. Kilburn announced the intention to introduce a Motion at a future Advisory Committee for Persons with Disabilities meeting respecting a request for staff to investigate developing policies and procedures to rescue and safely transport stranded pedestrians and their mobility devices to appropriate secure locations.

(h) GENERAL ISSUES / OTHER BUSINESS (Item 13)

The following items were deferred to the May 10, 2022 Advisory Committee for Persons with Disabilities meeting due to time constraints:

- (1) Accessibility Complaints to the City of Hamilton (Item 13.1)
- (2) *Accessibility for Ontarians with Disabilities Act, 2005 (AODA) Update* (Item 13.2)
- (3) Presenters List for the Advisory Committee for Persons with Disabilities (Item 13.3)

(i) Update from Mayor's Office (Item 13.4)

Paulena Yousif, Constituent Assistant to the Mayor's Office, updated the Committee respecting donation options on behalf of the

Advisory Committee for Persons with Disabilities,
in memory of Christopher Cutler.

The update from Paulena Yousif, Constituent Assistant to the Mayor's Office, respecting donation options on behalf of the Advisory Committee for Persons with Disabilities, in memory of Christopher Cutler, was received.

(ii) Public Transit and Mask Mandates (Item 13.5)

Michelle Martin, Manager, Accessible Transportation Services, Hamilton Street Railway, updated the Committee respecting current mask mandates on Hamilton Public Transit.

The update from Michelle Martin, Manager, Accessible Transportation Services, Hamilton Street Railway, respecting current mask mandates on Hamilton Public Transit, be received.

(iii) Advisory Committee Procedures Respecting Communication (Item 13.6)

- (1) Communicating with Council (Item 13.6 (a)) and Communicating with Outside Agencies, Including Other Levels of Government and the Media (Item 13.6(b))**

The information provided respecting Communicating with Council and Communicating with Outside Agencies, Including Other Levels of Government and the Media, was received.

(iv) Update from Jessica Bowen, Supervisor Diversity and Inclusion, Respecting the Staff Liaison for the Advisory Committee for Persons with Disabilities (Added Item 13.7)

Jessica Bowen, Supervisor Diversity and Inclusion, advised that the Staff Liaison role for the Committee is being transitioned from the Human Resources Department to the Government Relations and Community Engagement Department.

The update from Jessica Bowen, Supervisor Diversity and Inclusion, respecting the Staff Liaison for the Advisory Committee for Persons with Disabilities, was received.

(v) Accessible Transportation Services Eligibility Audit Management Response (PW21055(a)) (City Wide) (Added Item 13.8)

Michelle Martin, Manager, Accessible Transportation Services, Hamilton Street Railway, provided the Committee with a verbal update and answered questions about the

recommendations in Report PW21055(a) respecting Accessible Transportation Services Eligibility Audit Management Response, which will be considered at the April 22, 2022, Public Works Committee meeting.

The verbal update from Michelle Martin, Manager, Accessible Transportation Services, Hamilton Street Railway, respecting Report PW21055(a) respecting Accessible Transportation Services Eligibility Audit Management Response, was received.

(i) ADJOURNMENT (Item 15)

There being no further business, the Advisory Committee for Persons with Disabilities, adjourned at 6:45 p.m.


Respectfully submitted,

Aznive Mallett, Chair
Advisory Committee for
Persons with Disabilities

Carrie McIntosh
Legislative Coordinator
Office of the City Clerk



CITY OF HAMILTON
CORPORATE SERVICES DEPARTMENT
City Clerk's Office

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	May 04, 2022
SUBJECT/REPORT NO:	Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Andrea Holland (905) 546-2424 Ext. 5409
SUBMITTED BY:	Andrea Holland City Clerk
SIGNATURE:	

RECOMMENDATION

- (a) That the Terms of Reference for the 2022-2026 Election Compliance Audit Committee, attached as Appendix "A" to Report FCS22037, be approved;
- (b) That the authority to appoint the Members of the Election Compliance Audit Committee be delegated to the City Clerk, City Auditor and General Manager of Corporate Services, or their designates;
- (c) That the Compensation Framework for the 2022-2026 Election Compliance Audit Committee be in the amount of \$250 per member per committee meeting and/or training session, without an annual retainer, inclusive of all parking and mileage fees, to be funded through the Election Reserve Account 112206;
- (d) That, subject to the approval the Compensation Framework for the 2022-2026 Election Compliance Audit, the selection of the Members of the Election Compliance Audit Committee be exempt from the City of Hamilton Policy respecting the Appointment of Citizens to the City's Agencies, Boards, Commissions Advisory (Volunteer) Committees and Sub-Committees Policy; and,
- (e) That, subject to the approval of the Compensation Framework for the 2022-2026 Election Compliance Audit Committee, the Election Compliance Audit Committee - Selection Committee, be disbanded.

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.

SUBJECT: Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide) - Page 2 of 7

EXECUTIVE SUMMARY

All Municipal Elections are governed by the *Municipal Elections Act, 1996* (MEA). The MEA provides rules for the administration of elections, addressing areas such as voter and candidate eligibility, rules surrounding third party advertising, methods of voting, campaign and campaign finance rules, questions on the ballot, legislative dates in the election cycle, including the length of the campaign period, calculation of campaign spending limits and Voting Day. The MEA also sets out the roles and responsibilities of the City Council, City Clerk, school boards, electors, candidates and third-party advertisers, and provides provisions with respect to compliance, enforcement and penalties.

This report serves to provide an update to General Issues Committee and Council Members on the obligations under the *Municipal Elections Act, 1996* (the “MEA”) to establish the Election Compliance Audit Committee (the “ECAC”) for the 2022-2026 term of Council and to provide recommendations on changes to the selection and appointment of Members to the ECAC and the Terms of Reference for the ECAC.

Alternatives for Consideration – Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial:

All budget for the compensation of ECAC Members will be provided through the Election Reserve Account 112206. Staff have reviewed other municipalities’ compensation schedules and are recommending the following compensation framework below for the 2022-2026 Committee Term:

- \$250 per committee meeting and/or training session, without an annual retainer. This compensation would include all parking and mileage fees. Food and beverages would still be provided at all meetings.

Staff are unable to determine the total cost of compensation for the ECAC as it is determined by the number of meetings, number of applications for a compliance audit filed and the number of reports that may need to be considered as a result of the City Clerk’s mandatory review of contributions in regular elections and any potential by-elections. However, to provide some context, the previous ECAC for the 2018-2022 term met twice (2) and the 2014-2018 term met six (6) times. With most meetings deliberating on more than one complaint.

SUBJECT: Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide) - Page 3 of 7

Legal:

Any legal support required for the committee will be organized in consultation with the City's Legal and Risk Management Services Division and may be provided by either internal or external legal resources. Any external legal resources will be funded through the Election Reserve Account 112206.

Staffing:

The ECAC meetings will be supported through existing staff complement in the Office of the City Clerk.

HISTORICAL BACKGROUND

In 2018, the City Clerk, City Solicitor, General Manager of Finance and Corporate Services and City Auditor were appointed to the Election Compliance Audit Committee - Selection Committee (the "Selection Committee") by Council to administer the interviewing and selection of members, with appointments occurring at Council. All candidate information and interviews were held in closed session by the Selection Committee. The agenda from the meeting can be found on the City's website - [Election Compliance Audit Committee – Selection Committee](#).

5 members of the public were appointed to sit on the 2018-2022 ECAC and met to deliberate on election finance compliance complaints. All past meetings and decisions from 2015 to 2019 can be found on the [ECAC](#) webpages, within the Archived pages for the Municipal Elections.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The role of the City Clerk in the administration of Municipal Elections is provided for in the MEA and in addition to adhering these provisions, the City Clerk has a duty to prepare for and conduct the election in a manner consistent with the principles of the legislation. While not defined in the MEA, the courts have established these principles as follows:

1. Secrecy and confidentiality of the voting process is paramount;
2. The election shall be fair and must not favour one candidate over another;
3. The election shall be accessible to voters;
4. Integrity of the process shall be maintained throughout the election;

SUBJECT: Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide) - Page 4 of 7

5. Proper majority vote decides the election, which is achieved by ensuring, so far as is reasonable possible, that valid votes be counted, and invalid votes be rejected; and
6. Voters and candidates shall be treated fairly and consistently.

Section 12 of the MEA allows the City Clerk to provide for any matter or procedure that is not otherwise provided for in an Act or regulation, and that in the City Clerk's opinion, is "necessary or desirable" for conducting the election. For transparency, procedures for the election will be posted to the City's website – www.hamilton.ca/elections.

In accordance with Section 88.37 of the MEA, Council must establish an ECAC before October 1 of an election year and the term of office for the ECAC and its Members is the same as the term of office of the Council, commencing on Tuesday, November 15, 2022 and ending on Saturday, November 14, 2026.

The ECAC is an independent, quasi-judicial body whose responsibilities and powers are outlined in the MEA and the ECAC Terms of Reference and whose proceedings are governed by the *Statutory Powers Procedure Act, 1990* and the Procedures of the ECAC. The ECAC is not a Local Board. Staff are recommending revisions to the existing Terms of Reference for the ECAC as attached as Appendix A to this report. The current version is posted on the city's website and has been attached for reference as Appendix B to this report.

Staff have added specific references from the MEA where processes and timelines are mandatory under the MEA. The membership of the ECAC, which was amended in 2018, has also been revised.

Under section 88.37(2) of the MEA, the ECAC must be composed of not fewer than three and not more than seven Members and cannot include:

- employees or officers of the municipality or local board;
- members of the council or local board;
- candidates in the election for which the committee is established; or
- persons who are registered third parties in the municipality in the election for which the committee is established.

Recruitment will continue to be targeted towards relevant organizations and professional bodies such as the Chartered Professional Accountants of Ontario, the Association of Municipal Managers, Clerks and Treasurers of Ontario, and the Law Society of Upper Canada. Recruitment for the ECAC in the past has been successful and the City has not had a challenge in recruiting qualified candidates

SUBJECT: Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide) - Page 5 of 7

Under section 88.37 (6) of the MEA, it is the role of the Clerk to establish administrative practices and procedures for the ECAC and to carry out any other duties required under the MEA to implement the ECAC's decisions.

Pursuant to section 88.37(7) of the MEA all costs in relation to the ECAC's operation and activities must be covered by the Council.

In addition to the costs associated with ECAC Members, the City also pays for external legal counsel (assigned to the committee to assist Members in carrying out their quasi-judicial duties), the services of an independent auditor (to conduct the compliance audits) as required, and an independent prosecutor (to review the case and decide whether to proceed with prosecution), as required.

RELEVANT CONSULTATION

Staff completed a best practice review of other Municipalities and held discussions with Members of the Municipal Elections Working Group to better understand how other organizations are administering their ECACs.

ANALYSIS AND RATIONALE FOR RECOMMENDATION**Election Compliance Audit Committee - Selection Committee (Selection Committee)**

Under the MEA and Terms of Reference, Appendix A to Report FCS22037, The ECAC is required to consider and render a decision on applications for compliance audits and reports from an auditor within 30 days of receipt. Following a best practice review of other municipalities, staff concluded that there is a common practice of delegating the authority to staff to select and appoint the members of the ECAC. This would provide staff with the flexibility to appoint additional members, should vacancies occur in between Council meetings dates (there are no Council meetings scheduled for October 2022 and 5 of the 12 months in 2023 have 1 Council meeting scheduled instead of 2) and potentially decrease impacts on the ECAC meetings dates and the processing of applications. This new process would also remove any perceived conflict between Members of the ECAC and current Members of Council who may find themselves appearing before the ECAC.

Staff would continue to conduct interviews to ascertain the applicants' knowledge of such matters as municipal campaign finance rules under the MEA, accounting principles and the principles of procedural fairness. All appointments would be posted on the City's ECAC webpages and a Communications Update will be circulated to Members of Council, posted on the City's website and added to the Council agenda as per process.

SUBJECT: Establishment of the 2022-2026 Election Compliance Audit Committee (FCS22037) (City Wide) - Page 6 of 7

Upon Council's approval of the delegation within this report, staff will post the positions and initiate interviews ahead of the summer months.

New Compensation Framework

Staff investigated compensation frameworks for surrounding municipalities and discovered that the majority of municipalities provide a meeting stipend and at times an annual retainer for each Committee Member. In the past, the City of Hamilton has only provided parking fees, mileage and food and beverage at meetings. Staff feel that in order to attract and retain qualified persons to participate on the Committee that a compensation similar to other municipalities is in order. The following information was gathered by staff through area Clerks:

- Windsor - \$250 per meeting, no retainer
- Sudbury - \$200 per meeting, no retainer
- Brampton - currently \$175 per meeting, no retainer
- Waterloo Region - \$200 per meeting, no retainer
- Town of Petawawa – volunteers only.
- Halton Regional Municipalities - \$400 retainer and \$200 per meeting
- Kingston - was \$200 per meeting last election, upping it to \$225 for 2022.
- Markham - retainer of \$400, \$350 per diem plus mileage.
- Ottawa - \$600 annual retainer, \$175/hour up to a maximum of \$1250/day
- Toronto - Public members: \$1,500 annually, plus full-day per diem of \$600 and half-day remuneration (3.5 hours or less) of \$400 for hearings, business meetings and training sessions.
 - Chair: \$2,500 annually, plus full-day per diem of \$600 and half-day remuneration (3.5 hours or less) of \$400 for hearings, business meetings and training sessions.
 - \$2,500 annual stipend for Chair / 12 = \$208.32 a month
 - \$1,500 annual stipend for public members / 12 = \$125 a month x 2 public members = \$250 a month
 - Total payments equal \$458.32 a month

Training Program For the ECAC

Staff will be providing all successful appointees with training on quasi-judicial procedures, corporate policies, the Terms of Reference and Procedures for the ECAC and their obligations under the MEA and with other applicable Legislation.

**SUBJECT: Establishment of the 2022-2026 Election Compliance Audit Committee
(FCS22037) (City Wide) - Page 7 of 7**

ALTERNATIVES FOR CONSIDERATION

Not Applicable

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – Election Compliance Audit Committee 2022-2026 – Terms of Reference

Appendix B – Election compliance Audit Committee 2018-2022– Terms of Reference

Appendix C - *Municipal Elections Act*, 1996 – Compliance Audits and Reviews of Contributions (Excerpt)

Appendix A to Report FCS22037
Page 1 of 5

Municipal Election		Policy Alignment:
Office of the City Clerk		<i>Municipal Elections Act 1996</i>
Page 1 of 5		Council Approved: May 2022 Last Reviewed: May 2022

ELECTION COMPLIANCE AUDIT COMMITTEE 2022-2026

TERMS OF REFERENCE

MANDATE

As required by Section 88.37(1) of the *Municipal Elections Act*, 1996 (the “MEA”), the City of Hamilton has established the Election Compliance Audit Committee (the “Committee”).

The Committee is responsible for reviewing and making decisions on Applications for municipal election campaign finance compliance audits by electors and on reports from the City Clerk respecting apparent contraventions of contribution limits.

APPLICATION BY ELECTOR FOR COMPLIANCE AUDIT OF CANDIDATE’S OR REGISTERED THIRD PARTY’S ELECTION CAMPAIGN FINANCES

An application for a compliance audit by an elector shall be made to the City Clerk for the City of Hamilton and it shall be in writing and shall set out the reasons for the elector’s belief that a Candidate or Registered Third Party has contravened a provision of the MEA relating to election campaign finances. **88.33(1)(2), 88.35 (1)(2) MEA**

Elector applications to the Committee shall use a form prescribed by the City Clerk and shall be accompanied by a declaration confirming that the applicant:

(a) is an eligible elector in the City of Hamilton; and

(b) has reasonable grounds to believe that the Candidate or Registered Third Party referenced in the application has contravened a provision of the MEA relating to election campaign finances.

RESPONSIBILITIES

Pursuant to sections 88.33 and 88.35 of the MEA, the Committee shall be responsible for:

1. Receiving and considering applications for a compliance audit by an elector and, within 30 days of receiving the application from the City Clerk, determining whether the compliance audit should be granted or rejected; **88.33(7), 88.35(4) MEA**

Appendix A to Report FCS22037
Page 2 of 5

Municipal Election		Policy Alignment:
Office of the City Clerk		<i>Municipal Elections Act 1996</i>
Page 2 of 5		Council Approved: May 2022 Last Reviewed: May 2022

2. Prepare brief written reasons for the decision to either grant or reject the compliance audit and provide same to the Candidate or Registered Third Party, the Clerk of the municipality and the applicant; **88.33(8), 88.35(4) MEA**

3. Appointing an auditor, if a compliance audit is granted; **88.33(10), 88.35(4) MEA**

4. Receiving and considering the Auditor's report, and if the auditor's report concludes that the Candidate or Registered Third Party appears to have contravened a provision of the MEA relating to election campaign finances, within 30 days of receipt of the auditor's Report from the City Clerk, deciding whether to commence a legal proceeding against the Candidate or Registered Third Party; **88.33(17), 88.35(4) MEA** and,

5. Prepare brief written reasons for the decision whether or not to commence legal proceedings and provide same to the Candidate or Registered Third Party, the Clerk of the municipality and the applicant. **88.33(18), 88.35(4) MEA**

REPORTS FROM CITY CLERK REGARDING APPARENT CONTRAVENTIONS OF CONTRIBUTION LIMITS

The City Clerk shall prepare a report in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9 or 88.13 of the MEA
88.34(1)-(6), 88.36 (1)-(4) MEA

RESPONSIBILITIES

Pursuant to sections 88.34 and 88.36 of the MEA, the Committee shall be responsible for:

1. Receiving and considering report(s) prepared by the City Clerk identifying each contributor to a Candidate or Registered Third Party who appears to have contravened any contribution limits set out under section 88.9 or 88.13 of the MEA, and, within 30 days of receiving the report(s), deciding whether to commence a legal proceeding against a contributor for an apparent contravention of the contribution limits; **88.34(8), 88.36(5) MEA**

2. Prepare brief written reasons for the decision whether or not to commence a legal proceeding and provide same to the contributor and the Clerk of the municipality.
88.34(11), 88.36(7)

Appendix A to Report FCS22037
Page 3 of 5

Municipal Election	 Hamilton	Policy Alignment:
<i>Office of the City Clerk</i>		<i>Municipal Elections Act 1996</i>
Page 3 of 5		Council Approved: May 2022 Last Reviewed: May 2022

CORRESPONDANCE FROM CITY CLERK

With respect to receiving information related to election compliance matters, the Committee may receive:

1. Memoranda issued by the City Clerk to the Committee, including but not limited to a notice if no applications were received by the relevant application deadline, and the results of the City Clerk's review of contributions if no over-contributions were identified. Such communications may be listed on the agenda for the following meeting of the Committee; and
2. Oral updates in open meeting, as required, in relation to matters that have been or are anticipated to be considered by the Committee during the 2022-2026 Term.

COMMITTEE MEMBERSHIP

The Committee will be comprised of five (5) Members selected by the General Manager of Corporate Service, the City Auditor and the City Clerk.

The following are not eligible to sit on the Committee:

- employees or officers of the municipality or local board;
- members of the council or local board;
- Candidates in the election for which the committee is established; or
- persons who are Registered Third Parties in the municipality in the election for which the Committee is established. **88.37(2) MEA**

Members must have a thorough understanding of the campaign finance rules, must be a resident of the City of Hamilton and be at least 18 years old (i.e. auditors, accountants, lawyers, etc.).

Any auditor appointed under 88.33(10), 88.35(4) cannot be a member of the Committee. To avoid perceived conflicts, any auditor or accountant appointed to the Committee must agree in writing that they have not and will not provide advice to, or prepare or audit the election financial statements of any Candidate seeking election to Council or to any Registered Third Party in the City of Hamilton during the term of the Committee. In addition, any lawyer or other legal professional appointed to the Committee must agree in writing that they have not and will not provide legal advice to

Appendix A to Report FCS22037
Page 4 of 5

Municipal Election	 Hamilton	Policy Alignment:
<i>Office of the City Clerk</i>		<i>Municipal Elections Act 1996</i>
Page 4 of 5		Council Approved: May 2022 Last Reviewed: May 2022

any Candidate seeking election to Council or to any Registered Third Party or contributors to Candidates and Registered Third Parties in the City of Hamilton during the term of the Committee. All Members appointed to the Committee must agree in writing that they will not become a Candidate in the Hamilton municipal election and any by-elections during the term of Council that corresponds to the term of the Committee.

COMMITTEE MEETINGS

The Committee will meet as necessary for the purposes of reviewing an application for a compliance audit, a report from an auditor, or a report from the City Clerk with respect to contribution limits. The Committee may also meet as necessary to organize and plan its work.

Meetings of the Committee shall be open to the public, but the Committee may deliberate in private in accordance with sections 88.33(5.1), 88.34(9.1) and 88.36(6.1) of the MEA. Meeting notices and agendas will be communicated through the City's website. Reasonable notice of the Committee meetings shall be given in accordance with section 88.33(5), 88.34(9) and 88.36(6) of the MEA.

The Chair and Vice-Chair shall be elected at the Committee's first meeting.

Because the rules of "natural justice" require that both parties (applicant and Candidate or Registered third party) have the opportunity to fully present evidence, Members of the Committee must be present throughout a hearing.

A member of the Committee who arrives after a hearing has commenced will not be permitted to join the proceedings in progress.

ROLE OF THE CITY CLERK

In accordance with section 88.37(6) of the MEA the City Clerk of the municipality shall establish administrative practices and procedures for the Committee and shall carry out any other duties required under the MEA to implement the Committee's decisions.

The City Clerk shall call a meeting of the Committee when an application by an elector for a Compliance Audit has been received and when the City Clerk's report regarding apparent contraventions of contribution limits has been prepared.

Meeting dates, start times and locations shall be set by the City Clerk and posted to the City's website.

Appendix A to Report FCS22037
Page 5 of 5

Municipal Election		Policy Alignment:
<i>Office of the City Clerk</i>		<i>Municipal Elections Act 1996</i>
Page 5 of 5		Council Approved: May 2022 Last Reviewed: May 2022

The City Clerk shall provide administrative support to the Committee, including the taking of minutes, the distribution of agendas and posting of materials to the City's website.

QUORUM

Three members will be required for quorum.

TERM

Members of the Committee shall serve the same term of office as the Council that takes office following a regular municipal election. Each new Committee shall be appointed before October 1 of an election year.

APPLICABLE LEGISLATIVE AUTHORITIES AND CORPORATE POLICIES

Municipal Elections Act, 1996

BY-LAW NO. 22-019 To Establish a Code of Conduct for Local Boards (Effective 2023)

Municipal Conflict of Interest Act, 1990

Statutory Powers Procedures Act, 1990

Election compliance Audit Committee 2018-2022– Terms of Reference**Responsibilities**

The Election Compliance Audit Committee shall be responsible for:

Part 1

1. Receiving and considering an application for a compliance audit and determining whether the compliance audit should be granted or rejected;
2. Prepare brief written reasons for the decision to grant or reject the compliance audit and provide same to the candidate or registered third party, the Clerk of the municipality and the applicant;
3. Applications to the Committee shall use a form prescribed by the City Clerk and be accompanied by a declaration confirming that the applicant:
 - (a) is an eligible elector in the City of Hamilton;
 - (b) has reasonable grounds to believe that the candidate or registered third party referenced in the application has contravened a provision of the Act relating to election campaign finances;
4. Appointing an auditor, if the compliance audit is granted;
5. Receiving the compliance audit report from the auditor;
6. Reviewing the auditor's report and if the report finds a contravention appears to have occurred, deciding whether legal proceedings should be commenced against the candidate or registered third party;
7. Prepare brief written reasons for the decision whether or not to commence legal proceedings and provide same to the candidate or registered third party, the Clerk of the municipality and the applicant;
8. The Committee is required to review applications for compliance audits and reports from an auditor within 30 days of receipt.

Part 2

1. Within 30 days after receiving a report prepared by the Clerk identifying each contributor to a candidate or registered third party who appears to have contravened any contribution limits set out under section 88.9 or 88.13 of the Act, consider the report and decide whether to commence a legal proceeding against a contributor for an apparent contravention of the contribution limits;
2. Prepare brief written reasons for the decision whether or not to commence a legal proceeding and provide same to the contributor and the Clerk of the municipality.

Reporting Protocols

Following its consideration of an auditor's report, or the report of the Clerk with respect to contribution limits, the Committee shall provide a report to Council outlining its findings and any recommendation for further action. The Committee shall provide notice of its intent to submit a report to Council one meeting in advance.

Membership

Appendix B to Report FCS22037**Page 2 of 3**

The Election Compliance Audit Committee will be comprised of four (4) members selected by the Election Compliance Audit Committee - Selection Committee.

The following are not eligible to sit on the Election Compliance Audit Committee:

- employees or officers of the municipality or local board;
- members of the council or local board;
- candidates in the election for which the committee is established; or
- persons who are registered third parties in the municipality in the election for which the committee is established.

Members must have a thorough understanding of the campaign finance rules (i.e. auditors, accountants, lawyers, etc.).

Three members will be required for quorum.

An individual shall be deemed ineligible to be a member of the Committee if they prepare the financial statements of any candidate running for office on City Council during the term for which the Committee has been established or for any registered third party.

Meetings

The Election Compliance Audit Committee will meet as necessary for the purposes of reviewing an application for a compliance audit, a report from an auditor, or a report from the Clerk with respect to contribution limits. The Committee may also meet as necessary to organize and plan its work.

Meetings of the Election Compliance Audit Committee shall be open to the public, but the committee may deliberate in private in accordance with 88.33(5.1), 88.34(9.1) and 88.36(6.1) of the Act. Meeting notices and agendas will be communicated through the City's website.

The Chair and Vice-Chair shall be elected at the Committee's first meeting.

Because the rules of "natural justice" require that both parties (applicant and candidate or registered third party) have the opportunity to fully present evidence, Members of the Committee must be present throughout a hearing.

A member of the Committee who arrives after a hearing has commenced will not be permitted to join the proceedings in progress.

Term

Appendix B to Report FCS22037

Page 3 of 3

Members of the Election Compliance Audit Committee shall serve the same term of office as the Council that takes office following a regular municipal election. Each new Committee shall be appointed before October 1 of an election year.

Municipal Elections Act, 1996 (Excerpt)

COMPLIANCE AUDITS AND REVIEWS OF CONTRIBUTIONS

Compliance audit of candidates' campaign finances

Application by elector

88.33 (1) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances, even if the candidate has not filed a financial statement under section 88.25. 2016, c. 15, s. 63.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office, and it shall be in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 63.

Deadline for applications

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
2. The date the candidate filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
3. The candidate's supplementary filing date, if any, under section 88.30.
4. The date on which the candidate's extension, if any, under subsection 88.23 (6) expires. 2016, c. 15, s. 63.

Compliance audit committee

(4) Within 10 days after receiving the application, the clerk of the municipality or the secretary of the local board, as the case may be, shall forward the application to the compliance audit committee. 2016, c. 15, s. 63.

Notice of meetings

(5) Reasonable notice of the meetings of the committee under this section shall be given to the candidate, the applicant and the public. 2017, c. 20, Sched. 10, s. 1.

Open meetings

Appendix C to Report FCS22037
Page 2 of 9

(5.1) The meetings of the committee under this section shall be open to the public, but the committee may deliberate in private. 2017, c. 20, Sched. 10, s. 1.

Same

(6) Subsection (5.1) applies despite sections 207 and 208.1 of the *Education Act*. 2017, c. 20, Sched. 10, s. 1.

Decision of committee

(7) Within 30 days after the committee has received the application, the committee shall consider the application and decide whether it should be granted or rejected. 2016, c. 15, s. 63.

Same

(8) The decision of the committee to grant or reject the application, and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Appeal

(9) The decision of the committee under subsection (7) may be appealed to the Superior Court of Justice within 15 days after the decision is made, and the court may make any decision the committee could have made. 2016, c. 15, s. 63.

Appointment of auditor

(10) If the committee decides under subsection (7) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2016, c. 15, s. 63.

Same

(11) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (10). 2016, c. 15, s. 63.

Duty of auditor

(12) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate. 2016, c. 15, s. 63.

Who receives report

(13) The auditor shall submit the report to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Report to be forwarded to committee

(14) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee. 2016, c. 15, s. 63.

Powers of auditor

(15) For the purpose of the audit, the auditor,

- (a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
- (b) has the powers set out in section 33 of the *Public Inquiries Act, 2009* and section 33 applies to the audit. 2016, c. 15, s. 63.

Costs

(16) The municipality or local board shall pay the auditor's costs of performing the audit. 2016, c. 15, s. 63.

Decision

(17) The committee shall consider the report within 30 days after receiving it and, if the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, the committee shall decide whether to commence a legal proceeding against the candidate for the apparent contravention. 2016, c. 15, s. 63.

Notice of decision, reasons

(18) The decision of the committee under subsection (17), and brief written reasons for the decision, shall be given to the candidate, the clerk with whom the candidate filed his or her nomination, the secretary of the local board, if applicable, and the applicant. 2016, c. 15, s. 63.

Immunity

(19) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (10) for any act done in good faith in the execution or

Appendix C to Report FCS22037
Page 4 of 9

intended execution of the audit or for any alleged neglect or default in its execution in good faith. 2016, c. 15, s. 63.

Saving provision

(20) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances. 2016, c. 15, s. 63.

Section Amendments with date in force (d/m/y)**Review of contributions to candidates**

88.34 (1) The clerk shall review the contributions reported on the financial statements submitted by a candidate under section 88.25 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Report, contributions to candidates for council

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report identifying each contributor to a candidate for office on a council who appears to have contravened any of the contribution limits under section 88.9 and,

- (a) if the contributor's total contributions to a candidate for office on a council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and
- (b) if the contributor's total contributions to two or more candidates for office on the same council appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same council. 2016, c. 15, s. 64.

Same

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 64.

Report, contributions to candidates for a local board

Appendix C to Report FCS22037
Page 5 of 9

(5) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30, the clerk shall prepare a report identifying each contributor to a candidate for office on a local board who appears to have contravened any of the contribution limits under section 88.9 and,

- (a) if the contributor's total contributions to a candidate for office on a local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to the candidate; and
- (b) if the contributor's total contributions to two or more candidates for office on the same local board appear to exceed the limit under section 88.9, the report shall set out the contributions made by that contributor to all candidates for office on the same local board. 2016, c. 15, s. 64.

Same

(6) The clerk shall prepare a separate report under subsection (5) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.9. 2016, c. 15, s. 64.

Same

(7) The clerk shall forward each report prepared under subsection (5) to the secretary of the local board for which the candidate was nominated for office and, within 10 days after receiving the report, the secretary of the local board shall forward it to the compliance audit committee. 2016, c. 15, s. 64.

Decision of compliance audit committee

(8) Within 30 days after receiving a report under subsection (4) or (7), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 64.

Notice of meetings

(9) Reasonable notice of the meetings of the committee under subsection (8) shall be given to the contributor, the applicable candidate and the public. 2017, c. 20, Sched. 10, s. 2.

Open meetings

(9.1) The meetings of the committee under subsection (8) shall be open to the public, but the committee may deliberate in private. 2017, c. 20, Sched. 10, s. 2.

Same

Appendix C to Report FCS22037
Page 6 of 9

(10) Subsection (9.1) applies despite sections 207 and 208.1 of the *Education Act*, 2017, c. 20, Sched. 10, s. 2.

Notice of decision, reasons

(11) The decision of the committee under subsection (8), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality or the secretary of the local board, as the case may be. 2016, c. 15, s. 64.

Saving provision

(12) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 64.

Section Amendments with date in force (d/m/y)**Compliance audit of registered third parties****Application by elector**

88.35 (1) An elector who is entitled to vote in an election in a municipality and believes on reasonable grounds that a registered third party who is registered in relation to the election in the municipality has contravened a provision of this Act relating to campaign finances may apply for a compliance audit of the campaign finances of the registered third party in relation to third party advertisements, even if the registered third party has not filed a financial statement under section 88.29. 2016, c. 15, s. 65.

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality in which the registered third party was registered, and it shall be made in writing and shall set out the reasons for the elector's belief. 2016, c. 15, s. 65.

Deadline

(3) The application must be made within 90 days after the latest of the following dates:

1. The filing date under section 88.30.
2. The date the registered third party filed a financial statement, if the statement was filed within 30 days after the applicable filing date under section 88.30.
3. The supplementary filing date, if any, for the registered third party under section 88.30.
4. The date on which the registered third party's extension, if any, under subsection 88.27 (3) expires. 2016, c. 15, s. 65.

Application of s. 88.33 (4) to (20)

(4) Subsections 88.33 (4) to (20) apply to a compliance audit under this section, with the following modifications:

1. A reference to a candidate shall be read as a reference to the registered third party.
2. A reference to the clerk with whom the candidate filed his or her nomination shall be read as a reference to the clerk of the municipality in which the registered third party is registered.
3. A reference to election campaign finances shall be read as a reference to the campaign finances of the registered third party in relation to third party advertisements that appear during an election in the municipality. 2016, c. 15, s. 65.

Section Amendments with date in force (d/m/y)**Review of contributions to registered third parties**

88.36 (1) The clerk shall review the contributions reported on the financial statements submitted by a registered third party under section 88.29 to determine whether any contributor appears to have exceeded any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Report by the clerk

(2) As soon as possible following the day that is 30 days after the filing date or supplementary filing date, as the case may be, under section 88.30 for a registered third party, the clerk shall prepare a report identifying each contributor to the registered third party who appears to have contravened any of the contribution limits under section 88.13 and,

- (a) if the contributor's total contributions to a registered third party that is registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to the registered third party in relation to third party advertisements; and
- (b) if the contributor's total contributions to two or more registered third parties that are registered in the municipality appear to exceed the limit under section 88.13, the report shall set out the contributions made by that contributor to all registered third parties in the municipality in relation to third party advertisements. 2016, c. 15, s. 65.

Same

Appendix C to Report FCS22037
Page 8 of 9

(3) The clerk shall prepare a separate report under subsection (2) in respect of each contributor who appears to have contravened any of the contribution limits under section 88.13. 2016, c. 15, s. 65.

Same

(4) The clerk shall forward each report prepared under subsection (2) to the compliance audit committee. 2016, c. 15, s. 65.

Decision of compliance audit committee

(5) Within 30 days after receiving a report under subsection (4), the compliance audit committee shall consider it and decide whether to commence a legal proceeding against a contributor for an apparent contravention. 2016, c. 15, s. 65.

Notice of meetings

(6) Reasonable notice of the meetings of the committee under subsection (5) shall be given to the contributor, the registered third party and the public. 2017, c. 20, Sched. 10, s. 3.

Open meetings

(6.1) The meetings of the committee under subsection (5) shall be open to the public, but the committee may deliberate in private. 2017, c. 20, Sched. 10, s. 3.

Notice of decision, reasons

(7) The decision of the committee under subsection (5), and brief written reasons for the decision, shall be given to the contributor and to the clerk of the municipality. 2016, c. 15, s. 65.

Saving provision

(8) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to contribution limits. 2016, c. 15, s. 65.

Section Amendments with date in force (d/m/y)**Compliance audit committee**

88.37 (1) A council or local board shall establish a compliance audit committee before October 1 of an election year for the purposes of this Act. 2016, c. 15, s. 66.

Composition

(2) The committee shall be composed of not fewer than three and not more than seven members and shall not include,

- (a) employees or officers of the municipality or local board;
- (b) members of the council or local board;
- (c) any persons who are candidates in the election for which the committee is established; or
- (d) any persons who are registered third parties in the municipality in the election for which the committee is established. 2016, c. 15, s. 66.

Eligibility for appointment

(3) A person who has such qualifications and satisfies such eligibility requirements as may be prescribed is eligible for appointment to the committee. 2016, c. 15, s. 66.

Same

(4) In appointing persons to the committee, the council or local board shall have regard to the prescribed eligibility criteria. 2016, c. 15, s. 66.

Term of office

(5) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed. 2016, c. 15, s. 66.

Role of clerk or secretary

(6) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions. 2016, c. 15, s. 66.

Costs

(7) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities. 2016, c. 15, s. 66.

Section Amendments with date in force (d/m/y)

CITY OF HAMILTON MOTION

General Issues Committee: May 4, 2022

MOVED BY COUNCILLOR J. P. DANKO.....

SECONDED BY MAYOR / COUNCILLOR

**Climate Change Action – Bay Area Climate Change Council Options for Travel
Recommendations**

WHEREAS, the City of Hamilton recognizes that Climate Change is an emergency and a threat to municipalities across the world and urgent climate action is needed;

WHEREAS, Hamilton City Council declared a climate emergency on March 27, 2019, and directed staff to form a Corporate Climate Change Task Force;

WHEREAS, over 12% of Hamilton emissions come from the transportation sector and low carbon forms of transportation facilitate our collective efforts to decarbonize; and,

WHEREAS, transportation connectivity and the safety of residents are priorities for the City of Hamilton, as reflected in the Ten-Year Local Transit Strategy, Vision Zero, and the Cycling Master Plan;

THEREFORE, BE IT RESOLVED:

That the General Manager of the Planning and Economic Development Department be directed to work with staff to review how each recommendation in the Bay Area Climate Change Council’s Options for Travel report could be actioned, and report back to the General Issues Committee by September 21, 2022.

CITY OF HAMILTON

NOTICE OF MOTION

General Issues Committee: May 4, 2022

MOVED BY COUNCILLOR N. NANN.....

Depaving initiatives on Barton Street in Ward 3

WHEREAS, Green Venture is a registered not-for-profit charity focussed on empowering Hamiltonians to implement greener practices in their homes and communities to make our city a climate champion;

WHEREAS, Green Venture has been leading the “Depave Barton” initiative in partnership with the Barton Village BIA for the past three years to depave City boulevards and plant trees, gardens and install seating areas in order to reduce stormwater runoff, mitigate climate change, and beautify the Barton Village area; and,

WHEREAS, through Report PW21073 “Investing in City Roads and Sidewalks Infrastructure with Canada Community - Building Funds” Council approved funding in the amount of \$50,000 in the 2022 Capital Budget for “Barton St Boulevards and Depaving” in Ward 3;

THEREFORE, BE IT RESOLVED:

- (a) That the General Manager of Planning and Economic Development be authorized and directed to provide funding up to a maximum of \$50,000 to Green Venture for capital costs associated with depaving initiatives on Barton Street in Ward 3 to be funded from the Council-approved Canada Community-Building Funds Capital Project ID #403211103;
- (b) That the funding for the depaving initiatives on Barton Street in Ward 3 be restricted to capital costs associated with the depaving initiative and be restricted to works undertaken on City-owned lands and boulevards; and,
- (c) That the General Manager of Planning and Economic Development be authorized and directed to execute any necessary agreements for the provision of the funding to Green Venture for the depaving initiatives on Barton Street in Ward 3, in a form satisfactory to the City Solicitor.

CITY OF HAMILTON

NOTICE OF MOTION

General Issues Committee: May 4, 2022

MOVED BY COUNCILLOR E. PAULS.....

Potential Costs Associated with the Termination of Non-Vaccinated City Employees

WHEREAS, the City of Hamilton is proceeding with the Mandatory COVID-19 Vaccination Policy that may result in the termination of approximately 500 employees on or after June 1, 2022; and,

WHEREAS, the City of Hamilton may incur costs associated with enacting this policy including but not limited to: the hiring and training of new employees, all legal costs associated with any grievance hearings, arbitration rulings, reinstatement orders including lost wages and/or any subsequent wrongful dismissal claims;

THEREFORE, BE IT RESOLVED:

That the appropriate staff be directed to report to the May 18, 2022 General Issues Committee with an estimate or range of all potential costs including, but not limited to the hiring and training of new employees, all estimated legal costs associated with any grievance hearings, arbitration rulings, reinstatement orders including lost wages, and/or any subsequent wrongful dismissal claims associated with the potential termination of approximately 500 employees who may be in non-compliance with the City of Hamilton Vaccination Policy.