



## City of Hamilton

### CITY COUNCIL REVISED

23-006

Wednesday, March 29, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

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#### Call to Order

#### 1. APPROVAL OF AGENDA

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

#### 2. DECLARATIONS OF INTEREST

#### 3. CEREMONIAL ACTIVITIES

3.1 Presentation of 2022-23 United Way Employee Campaign Contribution

#### 4. APPROVAL OF MINUTES OF PREVIOUS MEETING

4.1 February 22, 2023

4.2 March 9, 2023 (Special)

#### 5. COMMUNICATIONS

- 5.1 Correspondence from the Township of Ashfield-Colborne-Wawanosh requesting support for their resolution respecting a request for the Province of Ontario, through Elections Ontario and the Chief Electoral Officer utilize any resources available to produce the highest quality Permanent Register of Electors.  
Recommendation: Be endorsed.
- 5.2 Correspondence from Joshua Weresch respecting a letter to Council about public decorum and policing budget.  
Recommendation: Be received.
- 5.3 Correspondence from the Niagara Region requesting support for their resolution respecting Declarations of Emergency for Homelessness, Mental Health and Opioid Addiction.  
Recommendation: Be received.
- 5.4 Correspondence from the Town of Grimsby requesting support for their resolution respecting Barriers for Women in Politics.  
Recommendation: Be endorsed.
- 5.5 Correspondence from the Town of Grimsby requesting support for their resolution respecting Changes to the Municipal Heritage Register.  
Recommendation: Be received.
- 5.6 Correspondence from the Municipality of Trent Lakes requesting support for their resolution requesting that the Minister of Municipal Affairs and Housing implement changes to the municipal oath of office.  
Recommendation: Be received and referred to the Governance Review Sub-Committee for consideration.
- 5.7 Correspondence from Kathy Renwald respecting the City of Hamilton Media Accreditation Policy (CM23007).  
Recommendation: Be received and referred to the City Manager for appropriate action.
- 5.8 Correspondence from Sue Markey respecting the Review of Existing Housing Unit Capacity Identified in Municipal Land Needs Assessments.  
Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.

5.9 Correspondence from Even Ubene respecting Follow Up on the February 27 Delegation Regarding Police Budget and Public Healthcare.

Recommendation: Be received and referred to the consideration of Item 6.3.

5.10 Correspondence from the Town of Cobourg requesting support for their resolution respecting Homeless and Unsheltered Persons.

Recommendation: Be endorsed.

5.11 Statements issued by community groups on the passing Bekett Noble (as per Council's direction on February 22, 2023):

- a. Hamilton Community Legal Clinic and the Queer Justice Project
- b. Hamilton Trans Health Coalition
- c. The First Unitarian Church of Hamilton

Recommendation: Be received.

5.12 Correspondence from the Township of Moonbeam requesting support for their resolution requesting that the provincial government extend the moratorium on most pupil accommodation reviews in order to allow municipalities the opportunity to prosper, develop

and grow without being hindered by school closure because of current low enrollments that could quickly change.

Recommendation: Be received.

5.13 Correspondence from Joshua Weresch respecting the proposed increase to the levy.

Recommendation: Be received and referred to the consideration of Item 6.3.

5.14 Correspondence from the Municipality of Chatham-Kent requesting support for their resolution directing their administration to engage with other municipalities, the Association of Municipalities of Ontario, and any other relevant municipal associations,

to determine what tools may be available to reduce insurance costs.

Recommendation: Be received.

- 5.15 Correspondence from the Honourable Graydon Smith, Minister of Natural Resources and Forestry advising the City of Hamilton that the City's application seeking a Minister's exception under the Conservation Authorities Act (CAA)

from the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA) is not granted

Recommendation: Be received and referred to the consideration of Item 7.3

- 5.16 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Municipalities with an interest in Green Standards.

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

- 5.17 Correspondence from the Municipality of North Perth requesting support for their resolution urging the Provincial Government to require all school buses to have stop arm cameras installed and paid for by the Province for the start of the 2023-2024 school

year, with the costs being underwritten for the implementation and on-going annual costs for Administrative Monetary Penalties in small and rural municipalities.

Recommendation: Be received.

- 5.18 Correspondence from Michael Mecca respecting the proposed Consumption and Treatment Site (CTS).

Recommendation: Be received.

- 5.19 Correspondence from the Town of Petrolia requesting support for their resolution calling on the Provincial Government to urgently acknowledge that homelessness in Ontario is a social, economic and health crisis; commit to ending homelessness in Ontario

and to work with AMO and a broad range of community, health, Indigenous and economic partners to develop, resource and implement an action plan to achieve this goal.

Recommendation: Be endorsed.

- 5.20 Correspondence from Town of Essex requesting support for their resolution respecting a Tax Classification of Short-Term Rental Units.

Recommendation: Be received.

- 5.21 Correspondence from the Honourable Sylvia Jones, Deputy Premier and Minister of Health advising the City of Hamilton of the increase to the base funding in the amount of \$91,072, bringing the total base funding to \$1,476,764 for the 2023 calendar year for the Hamilton Paramedic Service to support inter-facility transports for critically ill neonatal patients.
- Recommendation: Be received and referred to the General Manager of Healthy and Safe Communities for appropriate action.
- 5.22 Correspondence from the Town of Essex requesting support for their resolution respecting the reinstatement of legislation permitting a municipality to retain surplus proceeds from tax sales.
- Recommendation: Be received.
- 5.23 Correspondence from the Ministry of Natural Resources and Forestry respecting an update to the proposal to make amendment to the Ontario Regulation 161/17 under the Public Lands Act regarding the use of floating accommodations.
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.24 Correspondence from John B. Corbett, President, Corbett Land Strategies Inc. respecting Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update (PED21067(d))
- Recommendation: Be received and referred to the consideration of Item 14 of Planning Committee Report 23-004.
- \*5.25 Correspondence from Brooke Beney respecting Taxes.
- Recommendation: Be received and referred to the consideration of Item 6.3, General Issues Committee (Budget) Report 23-001 - January - March 2023
- \*5.26 Correspondence from Lakewood Beach Community Council respecting Item 6.3 - 2023 Budget.
- Recommendation: Be received and referred to the consideration of Item 6.3
- \*5.27 Correspondence from Kim Zivanovich respecting the Vaccine Policy: New Pertinent Information Regarding the Unvaccinated & Natural Immunity.
- Recommendation: Be received and referred to the Medical Officer of Health for appropriate action.
- \*5.28 Correspondence from the Honourable Doug Downey, Attorney General respecting an update on modernization initiatives in Ontario's Provincial Offences Act (POA) courts.
- Recommendation: Be received and referred to the General Manager of Finance and Corporate Services for appropriate action.

- \*5.29 Correspondence from the West End Home Builder's Association respecting a Submission on Implementing OPA No. 167: Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update

Recommendation: Be received and referred to the consideration of Item 14 of Planning Committee Report 23-004.

## **6. COMMITTEE REPORTS**

- 6.1 Sole Voting Member of the Hamilton Farmers' Market Report 23-001 - February 23, 2023
- 6.2 General Issues Committee (Special) Report 23-008 - February 28, 2023
- 6.3 General Issues Committee (Budget) Report 23-001 - January - March 2023
- 6.4 General Issues Committee (Special) Report 23-009 - March 9, 2023
- 6.5 Board of Health Report 23-003 - March 20, 2023
- 6.6 Public Works Committee Report 23-003 - March 20, 2023
- 6.7 Planning Committee Report 23-004 - March 21, 2023
- 6.8 General Issues Committee Report 23-010 - March 22, 2023
- 6.9 Audit, Finance and Administration Committee Report 23-004 - March 23, 2023
- 6.10 Emergency and Community Services Committee Report 23-003 - March 23, 2023
- 6.11 City of Hamilton Integrity Commissioner's Report Regarding Conflict of Interest Complaint Against Councillor Pauls, March 23, 2023
- 6.12 General Issues Committee (Special) Report 23-011 - March 24, 2023
- 6.13 CityHousing Hamilton Shareholder Report 23-001 - March 27, 2023

## **7. MOTIONS**

- 7.1 Council Membership on Sub-Committees for the 2022-2026 Term of Council
- 7.2 Halton-Hamilton Water Source Protection Committee
- 7.3 Amendment to the Current City of Hamilton Complement on the Hamilton Conservation Authority Board of Directors

- 7.4 Amendment to Item 7 of Emergency and Community Services Committee Report 22-012 respecting the Adaptation and Transformation of Services for People Experiencing Homelessness Update 6 (HSC20020(f)) (City Wide)
- 7.5 Resignation and Appointment to the Hamilton Enterprise Holding Corporation Board of Directors
- 7.6 Amendment to Item 4 of the Public Works Committee Report 21-005, respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1),  
  
which was approved by Council, as amended, on April 28, 2021
- 7.7 Amendment to Item 19 of Public Works Committee Report 22-012, respecting Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2)

## 8. NOTICES OF MOTIONS

- \*8.1 Request that the Minister of Natural Resources and Forestry Reconsider the Ministry's Decision respecting the composition of the Hamilton Conservation Board of Directors

## 9. STATEMENT BY MEMBERS (non-debatable)

## 10. COUNCIL COMMUNICATION UPDATES

- 10.1 February 17, 2023 to March 23, 2023

## 11. PRIVATE AND CONFIDENTIAL

- 11.1 Closed Session Minutes - February 22, 2023

Pursuant to Section 9.3, Sub-sections (h) and (i) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (h) and (i) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to information explicitly supplied in confidence to the City or a local board by Canada, a province or territory or a Crown agency of any of them and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

11.2 Closed Session Minutes - March 9, 2023

Pursuant to Section 9.3, 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.

11.3 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009)

for lands located at 299-307 John Street South and 97 St. Joseph's Drive (LS22007(a)/ PED22038(b)) (Ward 2) (Referred to Council by Planning Committee on March 21, 2023)

Pursuant to Section 9.3, 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.

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

12.1 040

To Amend By-law No. 01-215, Being a By-law to Regulate Traffic  
Schedule 9 (No Right Turn on Red Light)  
Ward: 3, 10

12.2 041

To Establish City of Hamilton Land Described as Block C on Plan 62M-246 as Part of Anchor Road  
Ward: 6

12.3 042

To Establish City of Hamilton Land Described as Block 130 on Plan 62M-1116 as Part of Chambers Drive  
Ward: 12

- 12.4 043  
To Establish City of Hamilton Land Described as Block 66 on Plan 62M-676 as Part of Wainwright Boulevard  
Ward: 13
- 12.5 044  
To Amend By-law No. 21-021, A By-law to Govern the Proceedings of Council and Committees of Council  
Ward: City Wide
- 12.6 045  
To Designate Property Located at 66-68 Charlton Avenue West, City of Hamilton as Property of Cultural Heritage Value  
Ward: 2
- 12.7 046  
To Adopt Official Plan Amendment No. 183 to the Urban Hamilton Official Plan Respecting 238 Barton Street (Stoney Creek)  
Ward: 10
- 12.8 047  
To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 238 Barton Street, Stoney Creek  
Ward: 10  
ZAC-19-007
- 12.9 048  
To Amend Zoning By-law No. 05-200 with respect to lands located at 1557 and 1565 Rymal Road East and 694 Pritchard Road, Hamilton  
Ward: 6  
ZAC-19-035
- 12.10 049  
To Authorize the Signing of an Agreement between the City of Hamilton and the Ministry of Transportation Related to Funding Provided Under the Dedicated Gas Tax Funds for Public Transportation Program  
Ward: City Wide

- 12.11 050  
Removal of Part Lot Control, Block 246, Registered Plan No. 62M-1257, Municipally Known as 185 Bedrock Drive, Stoney Creek  
Ward: 9  
PLC-21-003E
- 12.12 051  
To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 23 (Special Enforcement Area)  
Ward: 1, 2, 3, 4, 6, 8, 9, 11, 12
- 12.13 052  
To Amend By-law No. 19-180, the City Auditor By-law  
Ward: City Wide
- 12.14 053  
To Amend By-law No. 19-181, the Whistleblower By-law  
Ward: City Wide
- 12.15 054  
To Confirm the Proceedings of City Council

### **13. ADJOURNMENT**



## CITY COUNCIL MINUTES 23-004

9:30 a.m.  
February 22, 2023  
Council Chamber  
Hamilton City Hall  
71 Main Street West

**Present:** Mayor A. Horwath, Deputy Mayor N. Nann  
Councillors J. Beattie; C. Cassar; B. Clark; J.P. Danko; M. Francis; T. Hwang; T. Jackson; C. Kroetsch; T. McMeekin; E. Pauls; M. Spadafora; M. Tadeson and A. Wilson

**Absent:** Councillor M. Wilson - Personal

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

### APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

#### 5. COMMUNICATIONS

- 5.4 Correspondence from Bird Friendly Hamilton Burlington requesting a Council resolution to support Hamilton being a Bird Friendly City.

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

- 5.6 Correspondence from Association of Municipalities Ontario (AMO) respecting 2022 -2024 AMO Board of Directors Vacancies.

Recommendation: Be received ***and referred to the consideration of Item 7.4.***

- 5.9 Correspondence from Kevin Gonci, Hamilton ParticipACTION Team respecting additional information related to his presentation at the February 16, 2023 Emergency and Community Services Committee.

Recommendation: Be received.

- 5.10 Correspondence respecting the situation at 1083 Main Street East:

- (a) David Galvin
- (b) ACORN

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

## 8. NOTICES OF MOTION

- 8.1 Amendment to Item 3 of Board of Health Report 22-008, respecting Physician Recruitment and Retention Steering Committee Report 22-002 – August 5, 2022, which was approved at Council on August 12, 2022 and Amended by Council on January 25, 2023

## 12. BY-LAWS AND CONFIRMING BY-LAW

- 032 To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 555 Sanatorium Drive, Hamilton  
Ward: 14  
ZAH-23-013
- 033 To Amend By-law 22-005, the Emergency Management Program By-law  
Ward: City Wide

### (Spadafora/A. Wilson)

That the agenda for the February 22, 2023 meeting of Council be approved, as amended.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

### DECLARATIONS OF INTEREST

There were no declarations of interest.

### CEREMONIAL ACTIVITIES

#### 3.1 High School Essay Contest Municipal Election 2022 - Award Presentation

In order, to generate interest in the 2022 Municipal and School Board Election and to encourage participation among our City's High School Students, the City of Hamilton in collaboration with the Hamilton Public Library, hosted an essay contest during the Municipal Election period.

Students from our City's high schools were invited to share their ideas on what local issues they focus on in their platforms if they were running for office, or to consider the question of declining voter turnout and how to encourage greater voter turnout.

It was great to see so many engaged students sharing their ideas about local government and democracy.

Mayor Horwath was pleased to recognize the work of two students, both from Sherwood Secondary School, whose essays were selected as the top entries:

- Raya Geroux imagined her platform as a candidate, focusing on education particularly in the context of the pandemic, and the availability and accessibility of technology at our schools.
- Daunte Hillen's paper focused on voter turnout, where he discussed the youth vote and engaging future voters at the middle and high school level to encourage voting early.

Mayor Horwath also recognized their teacher, Mr. Andrew Gocentas who teaches Civics at Sherwood Secondary School, your engagement and support of your students is appreciated.

### APPROVAL OF MINUTES OF PREVIOUS MEETING

#### 4. February 8, 2023 (Item 4.1) and February 15, 2023 (Item 4.2)

**(Pauls/Hwang)**

That the Minutes of the February 8, 2023 and February 15, 2023 meetings of Council be approved, as presented.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar

YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nringer Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

<b>COMMUNICATIONS</b>
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**(Nann/Pauls)**

That Council Communications 5.1 to 5.10 be approved, as **amended**, as follows:

5.1 Correspondence respecting the City's Vaccination Policy:

- (a) Frank & Louise Kunkel
- (b) Joyce Webb
- (c) Jay Peterman
- (d) Daniel Freiheit, Lion Advocacy

Recommendation: Be received.

5.2 Correspondence from the County of Huron requesting support for their resolution respecting the review of the *Cannabis Act*.

Recommendation: Be received.

5.3 Correspondence from the Municipality of Shuniah requesting support for their resolution in opposition to Bill 3.

Recommendation: Be received.

5.4 Correspondence from Bird Friendly Hamilton Burlington requesting a Council resolution to support Hamilton being a Bird Friendly City.

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

5.5 Correspondence from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting Municipal Housing Targets and Municipal Housing Pledges for the City of Hamilton: 47,000.

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

- 5.6 Correspondence from Association of Municipalities Ontario (AMO) respecting 2022 - 2024 AMO Board of Directors Vacancies.

Recommendation: Be received and referred to the consideration of Item 7.4

- 5.7 Correspondence from Joanne Dallman respecting the 3-3-3 Chart (3 groups of people, 3 types of funding, 3 housing types).

Recommendation: Be received.

- 5.8 Correspondence from Tim Nolan, Accessibility Hamilton Alliance respecting the Hamilton Board of Health.

Recommendation: Be received **and referred to the General Manager of Healthy and Safe Communities for appropriate action and to the Governance Review Subcommittee meeting on March 27, 2023.**

- 5.9 Correspondence from Kevin Gonci, Hamilton ParticipACTION Team respecting additional information related to his presentation at the February 16, 2023 Emergency and Community Services Committee.

Recommendation: Be received.

- 5.10 Correspondence respecting the situation at 1083 Main Street East:

- (a) David Galvin
- (b) ACORN

Recommendation: Be received and referred to **staff of the Healthy and Safe Communities Department, Public Health Department and Planning and Economic Development Department to address the concerns the correspondence outlines and that staff report back to the General Issues Committee following a review of the corresponding municipal by-laws related to vital services with by-law amendments for Council's consideration in order to ensure that a similar situation doesn't occur in the future.**

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson

YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

**(Nann/Spadafora)**

That Council move into Committee of the Whole for consideration of the Committee Reports.

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

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 YES - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

**BOARD OF HEALTH REPORT 23-002****(Nann/Tadeson)**

That Board of Health Report 23-002, being the meeting held on Monday, February 13, 2023, be received and the recommendations contained therein be approved.

**(Nann/Hwang)**

That sub-section (b) of Item 1 of the Board of Health Report 23-002, respecting Draft Consumption and Treatment Services Site Application Process (BOH23007), be **amended**, to read as follows:

**1. Consumption and Treatment Services Site Application Process (BOH23007)  
 (City Wide) (Item 9.1)**

- (b) (i) ***That the application from The AIDS Network (TAN) for a Consumption and Treatment Services site located at 746 Barton Street, be endorsed with the caveat that TAN will implement robust community engagement***

***with local residents and stakeholders to help identify and address safety and neighbourhood impact concerns;***

- (ii) That Hamilton Public Health staff partner with community agencies currently applying to operate Consumption and Treatment Services in Hamilton, specifically to provide active support in the areas of community engagement ***and education***, site confirmation, ***and wrap-around service coordination***; and
- (iii) That staff be directed to provide an evaluative framework with open data that demonstrates the community impact of Consumption and Treatment Services operations in Hamilton ***and make it publicly accessible on the City's website.***

**Result: Motion on the Amendment to Item 1 of the Board of Health Report 23-002, CARRIED by a vote of 13 to 2, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 NO - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 NO - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

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

1. **Consumption and Treatment Services Site Application Process (BOH23007) (City Wide) (Item 9.1)**
  - (a) That Report BOH23007, respecting Consumption and Treatment Services Site Application Process, be received.
  - (b) ***(i) That the application from The AIDS Network (TAN) for a Consumption and Treatment Services site located at 746 Barton Street, be endorsed with the caveat that TAN will implement robust community engagement with local residents and stakeholders to help identify and address safety concerns;***

- (ii) That Hamilton Public Health staff partner with community agencies currently applying to operate Consumption and Treatment Services in Hamilton, specifically to provide active support in the areas of community engagement **and education**, site confirmation, **and wrap-around service coordination**; and
- (iii) That staff be directed to provide an evaluative framework with open data that demonstrates the community impact of Consumption and Treatment Services operations in Hamilton **and make it publicly accessible on the City's website**.

**Result: Main Motion, As Amended - Item 1 of the Board of Health Report 23-002, CARRIED by a vote of 13 to 2, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NO - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NO - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the Board of Health Report 23-002, CARRIED by a vote of 15 to 0, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**PUBLIC WORKS COMMITTEE REPORT 23-002****(Nann/Tadeson)**

That Public Works Committee Report 23-002, being the meeting held on Monday, February 13, 2023, be received and the recommendations contained therein be approved.

**(Tadeson/Seconder)**

That Item (f)(i) respecting the Removal of the City-Owned Tree Located at 1415 Trinity Church Road, Hamilton (Ward 11) (Item 12.1) be lifted from the Information Section and be added as Item 8 of the Public Works Committee Report 23-002, as follows:

**8. Removal of the City-Owned Tree Located at 1415 Trinity Church Road, Hamilton (Ward 11) (Item 12.1)**

WHEREAS, the owner of 1415 Trinity Church Road, Hamilton, indicates they experience sightline concerns and impediments to deliveries safely entering and exiting their property from the large City-owned tree located at their property;

WHEREAS, the owner of 1415 Trinity Church Road has expressed their desire to the Ward Councillor and has previously appealed to Forestry staff to have the City-owned tree removed.

THEREFORE, BE IT RESOLVED:

- (a) That Forestry staff be directed to remove the City-owned tree located at 1415 Trinity Church Road, Hamilton; and
- (b) That Forestry staff be directed to waive all tree removal permit and loss of canopy fees for the removal of the City-owned tree located at 1415 Trinity Church Road, Hamilton, and to fund the tree removal costs through the Forestry section operating budget.

**Result: Motion to lift Item (f)(i) and add it as Item 8 of the Public Works Committee Report 23-002, CARRIED by a vote of 14 to 1, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
NO - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson

NOT PRESENT - Ward 1 Councillor Maureen Wilson

**8. Removal of the City-Owned Tree Located at 1415 Trinity Church Road, Hamilton (Ward 11) (Item 12.1)**

**(Tadeson/Nann)**

WHEREAS, the owner of 1415 Trinity Church Road, Hamilton, indicates they experience sightline concerns and impediments to deliveries safely entering and exiting their property from the large City-owned tree located at their property;

WHEREAS, the owner of 1415 Trinity Church Road has expressed their desire to the Ward Councillor and has previously appealed to Forestry staff to have the City-owned tree removed.

THEREFORE, BE IT RESOLVED:

- (a) That Forestry staff be directed to remove the City-owned tree located at 1415 Trinity Church Road, Hamilton; and
- (b) That Forestry staff be directed to waive all tree removal permit and loss of canopy fees for the removal of the City-owned tree located at 1415 Trinity Church Road, Hamilton, and to fund the tree removal costs through the Forestry section operating budget.

**(Tadeson/Nann)**

That Item 8 of the Public Works Committee Report 23-002, a motion respecting Removal of the City-Owned Tree Located at 1415 Trinity Church Road, Hamilton (Ward 11) (Item 12.1), be referred to Public Works staff to prepare a report following a review of the traffic safety considerations related to 1415 Trinity Church Road as it relates to speed compliance matters and the placement of the driveway adjacent to a downhill portion of the roadway.

**Result: Motion on the referral of Item 8 of the Public Works Committee Report 23-002, CARRIED by a vote of 13 to 1, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
NO - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the Public Works Committee Report 23-002, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

<b>PLANNING COMMITTEE REPORT 23-003</b>
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**(Danko/Francis)**

That Planning Committee Report 23-003, being the meeting held on Tuesday, February 14, 2023, be received and the recommendations contained therein be approved.

The Mayor relinquished the Chair to Deputy Mayor Nann to address Item 10 of the Planning Committee Report 23-003.

Upon Council's request, Item 10 was voted on separately, as follows:

**10. Municipal Housing Pledge (PED23056) (City Wide) (Item 11.1)**

That Council does not endorse the Minister of Municipal Affairs and Housing's Municipal Housing Pledge.

**Result: Motion on Item 10 of the Planning Committee Report 23-003, DEFEATED by a vote of 3 to 11, as follows:**

NO - Ward 10 Councillor Jeff Beattie  
NO - Ward 12 Councillor Craig Cassar  
NO - Ward 9 Councillor Brad Clark  
NO - Ward 8 Councillor John-Paul Danko  
NO - Ward 5 Councillor Matt Francis  
NO - Mayor Andrea Horwath  
NO - Ward 4 Councillor Tammy Hwang  
NO - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
NO - Ward 15 Councillor Ted McMeekin  
NO - Deputy Mayor - Ward 3 Councillor Nrinder Nann

NOT PRESENT - Ward 7 Councillor Esther Pauls  
NO - Ward 14 Councillor Mike Spadafora  
NO - Ward 11 Councillor Mark Tadeson  
NO - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**10. Municipal Housing Pledge (PED23056) (City Wide) (Item 11.1)**

**(Horwath/Clark)**

- (a) That the following Municipal Housing Pledge, as **amended**, (Appendix “B” attached to Report PED23056), be endorsed as Hamilton’s Housing Pledge:

**HAMILTON’S MUNICIPAL HOUSING PLEDGE**

The City of Hamilton is committed to building a range and mix of housing types and tenures, including affordable housing, to meet the needs of the current and growing population. The City of Hamilton accepts the challenge of building 47,000 housing units by 2031 and continuing Council’s direction for growth through intensification ***within the former Urban Boundary excluding Greenbelt lands.***

Hamilton will **seek to** meet the challenge through municipal policy and process initiatives, collaborations and partnerships, continual improvement and monitoring measures, with the awareness that there will be events and situations that may impact achievement of this Pledge that are beyond the City of Hamilton’s control.

**1. Initiatives to be led by the City of Hamilton to Implement the Municipal Housing Pledge**

**Urban Hamilton Official Plan:** Reviewing and updating policies within the Urban Hamilton Official Plan and secondary plans will be completed to identify additional areas to support intensification through increased height and built form permissions, in accordance with policies already approved through Phase 1 of the Municipal Comprehensive Review.

**Major Transit Station Area Planning:** The delineation of Major Transit Station Areas (MTSAs) and identification of densities to support the B-Line LRT will be completed and included in the Official Plan. Designation of Protected Major Transit Station Areas will support an Inclusionary Zoning framework as one tool to address affordable housing.

**Zoning By-law Amendments:** In conjunction with policy reviews noted above, Hamilton’s Zoning By-law will be amended to facilitate higher rates of infill and intensification through as-of-right zoning and will facilitate a future Inclusionary Zoning frameworks. Continued review of the Zoning By-law will address other areas that could create barriers for intensification such a parking standards.

**Other Planning Policy Initiatives:** Through the Family Friendly Housing and Rental Housing Protection initiatives, policy and guidelines will be established to support the achievement of a range and mix of unit sizes within higher density development and provide clear expectations for the conversions of rental housing and ensure protection for existing affordable rental housing units.

**Evaluation of City Owned Lands:** The City will continue to review it's portfolio of city-owned lands to identify opportunities for building a variety of housing types or, for sale with proceeds to support affordable housing development.

**Continuous Infrastructure Improvements:** The City will continue to plan for and build the necessary infrastructure to support intensification. Review of capital budgets and completion of master plans will ensure that infrastructure is aligned with planned intensification.

## 2. **Collaboration & Partnerships to support the Municipal Housing Pledge**

**Housing Sustainability and Investment Road Map (HSIR):** Hamilton will continue the development of the HSIR to define a framework to change how the city and community partners work together to deliver on shared affordable housing goals.

**Municipal Land Development Office (MDLO):** The MDLO will continue collaborate and work with community partners to leverage municipally-owned lands or surplus lands for the development of housing.

**Engaging the Development Industry Partners:** The City will continue to work collaboratively with the development industry to bring housing to Hamilton. The City will maintain a strong dialog with all participants in the development industry to continue to share knowledge, identify barriers, and collaborate on new or improved approaches to building housing in Hamilton.

**Engaging Federal and Provincial Levels of Government:** The City will continue to engage and work with Federal and Provincial partners towards the shared goal of building housing and creating housing opportunities in Hamilton through funding programs and other housing initiatives or pilot projects as well as for infrastructure and transit. The City is currently participating in the Province's Streamlining Development Approvals Fund to advance policy and process improvements.

**3. Continual Improvement and Monitoring Measures****Monitoring of Progress towards achieving the Housing Pledge:**

The City will establish a framework for tracking progress towards achieving this Housing Pledge and other municipal housing targets including affordability targets. Annual reporting will update City Council and provide opportunities to consider other initiatives to accelerate housing development to meet the Pledge if necessary.

**The City of Hamilton pledges to facilitate the construction of 47,000 housing units by 2031.**

City's commitment to this Pledge comes with the recognition that that there are factors outside the City's control which will influence progress towards the target. The rate at which housing can be brought to market will be influenced by economic factors, labour markets and changes in the legislative landscape and these factors have the potential to influence both private and municipal housing and supporting projects.

- (b) That the Mayor be authorized to sign the City of Hamilton's Housing Pledge, as **amended**; and
- (c) That the City Clerk be directed to forward a copy of the signed Pledge to the Minister of Municipal Affairs and Housing.

**Result: Motion on Item 10, as Amended of the Planning Committee Report 23-003, CARRIED by a vote of 12 to 2, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 NO - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 NOT PRESENT - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 NO - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the Planning Committee Report 23-003, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar

YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**(Tadeson/Kroetsch)**

That Council recess until 1:00 p.m.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

<b>GENERAL ISSUES COMMITTEE REPORT 23-007</b>
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**(Nann/A. Wilson)**

That General Issues Committee Report 23-007, being the meeting held on Wednesday, February 15, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the General Issues Committee Report 23-007, CARRIED by a vote of 13 to 0, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
NOT PRESENT - Ward 8 Councillor John-Paul Danko

YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-003**

**(Kroetsch/Hwang)**

That Audit, Finance and Administration Committee Report 23-003, being the meeting held on Thursday, February 16, 2023, be received and the recommendations contained therein be approved.

**Result: Motion on the Audit, Finance and Administration Committee Report 23-003, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 23-002**

**(Clark/Danko)**

That Emergency and Community Services Committee Report 23-002, being the meeting held on Thursday, February 16, 2023, be received and the recommendations contained therein be approved.

**(Clark/Kroetsch)**

That Item 4 of the Emergency and Community Services Committee Report 23-002, respecting the Hamilton Alliance for Tiny Shelters Proposal – REVISED (HSC22015(a)) (City Wide), be **amended** as follows:

**4. Hamilton Alliance for Tiny Shelters Proposal - REVISED (HSC22015(a))(City Wide) (Deferred from the January 19, 2023 meeting) (Item 10.1)**

That REVISED Report HSC22015(a) respecting a Hamilton Alliance for Tiny Shelters Proposal be referred back to staff to work with the Hamilton Alliance for Tiny Shelters on the establishment of an operational plan **and report back to the Emergency and Community Services Committee.**

**Result: Amendment to Item 4 of the Emergency and Community Services Committee Report 23-002, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 NOT PRESENT - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

**Result: Motion on the Emergency and Community Services Committee Report 23-002, As Amended, CARRIED by a vote of 14 to 0, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 NOT PRESENT - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson

YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

<b>STAFF REPORTS</b>
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**6.7 (a) Obligations under *Employment Standards Act* (HUR23004) (City Wide)**

**(A. Wilson/Tadeson)**

That Report HUR23004 respecting Obligations under *Employment Standards Act*, be received and referred to the consideration of Item 7.1.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**(Nann/Kroetsch)**

That Council rise from Committee of the Whole.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson

NOT PRESENT - Ward 1 Councillor Maureen Wilson

<b>MOTIONS</b>
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### 7.1 Breaks and Curfews for Council and Committee Meetings

#### **(Kroetsch/Horwath)**

WHEREAS, current Council and Committee meetings have been excessive in length; and

WHEREAS, the *Employment Standards Act* stipulates the City's legal obligations with respect to City staff's basic entitlements;

THEREFORE, BE IT RESOLVED:

- (a) That By-law No. 21-021, be ***amended***, by including the following subsections:

#### **3.2 Regular Council Meeting Times**

- (4) *A meeting of Council shall adjourn after being in session for eight (8) hours;***
- (5) *A meeting of Council will recess for 30 minutes within the first five (5) hours of a meeting, in accordance with the Employment Standards Act;***
- (6) *Notwithstanding subsection 3.2(4), Council may extend the meeting for a specified period of time, with majority of the Members of Council present and voting in the affirmative.***

#### **5.6 Standing Committee Meeting Times**

- (4) *A meeting of Committee shall adjourn after being in session for eight (8) hours;***
- (5) *A meeting of Committee will recess for 30 minutes within the first five (5) hours of a meeting, in accordance with the Employment Standards Act;***
- (6) *Notwithstanding subsection 5.6(4), Committee may extend the meeting for a specified period of time, with a majority of the Members of Committee present and voting in the affirmative.***

**Result: Motion CARRIED by a vote of 9 to 5, as follows:**

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NO - Ward 9 Councillor Brad Clark  
NO - Ward 8 Councillor John-Paul Danko

NO - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 NO - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin  
 YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 NOT PRESENT - Ward 7 Councillor Esther Pauls  
 NO - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

## 7.2 **Endorsement of Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022***

### **(Kroetsch/Hwang)**

WHEREAS, Bill 5, *Stopping Harassment and Abuse by Local Leaders Act, 2022*, amends the *Municipal Act, 2001* and the *City of Toronto Act, 2006*, requiring the code of conduct for municipal councillors and members of local boards to include a requirement for those councillors and members to comply with workplace violence and harassment policies; and

WHEREAS, Bill 5 also permits municipalities and local boards to direct the Integrity Commissioner to apply to the court to vacate a member's seat if the Commissioner's inquiry determines that the member has contravened the code of conduct by failing to comply with the workplace violence or harassment policies.

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton endorse Bill 5, *Stopping Harassment and Abuse by Local Leaders Act* that would create a process for municipal councils to remove **members of Council** who violate workplace violence and harassment policies.
- (b) That a letter of support be sent to local MPPs, the Premier, and Minister of Municipal Affairs and Housing, and the Association of Municipalities of Ontario (AMO).

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

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 NOT PRESENT - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Ward 6 Councillor Tom Jackson  
 YES - Ward 2 Councillor Cameron Kroetsch  
 YES - Ward 15 Councillor Ted McMeekin

YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

### **7.3 Changes to the Standing Committee Membership**

#### **(Kroetsch/Spadafora)**

WHEREAS, Audit, Finance and Administration Committee and Planning Committee have a disproportionate amount of representation, Councillor Spadafora would like to switch his membership on Planning Committee to become a member of Audit, Finance and Administration Committee and provide a better balance for this committee.

THEREFORE, BE IT RESOLVED:

- (a) That Council accept Councillor M. Spadafora's resignation from the Planning Committee, effective immediately; and
- (b) That Councillor M. Spadafora, be appointed to the Audit, Finance and Administration Committee, for the remainder of the 2022-2026 Term of Council.

**CARRIED**

### **7.4 Nomination for the Association of Municipalities Ontario 2022 – 2024 (AMO) Board of Directors**

#### **(Jackson/McMeekin)**

WHEREAS, the Association of Municipalities Ontario (AMO) is soliciting applications from qualified candidates for the 2022 - 2024 AMO Board of Directors;

THEREFORE, BE IT RESOLVED:

That Councillor T. Hwang be nominated for a position on the Association of Municipalities Ontario (AMO) 2022 - 2024 Board of Directors.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NOT PRESENT - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann

NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**7.5 Coldest Night of the Year - Building Resiliency Through Social Services and Infrastructure Support, Ward 3**

**(Nann/Hwang)**

WHEREAS, Coldest Night of the Year (CNOY) is an annual fundraising event that occurs across the country and engages tens of thousands of Canadians and has raised over \$57,000,000 across Canada in 166 communities since 2011;

WHEREAS, CNOY engages local charity partners across Canada who then keep 100% of net proceeds to use to support local residents;

WHEREAS, in Ward 3, Helping Hands Street Mission is a community-based organization that has partnered with CNOY to raise funds for their ongoing operations, services, and social infrastructure that supports individuals facing houselessness and various other health inequities and challenges faced by Ward 3 residents;

WHEREAS, Helping Hands Street Mission's CNOY walk will provide residents an opportunity to get outside the warmth and comfort of their homes on February 25th, 2023 and take in the beauty and learn about some of the challenges in the Barton Village neighbourhood;

THEREFORE, BE IT RESOLVED:

- (a) That \$500 be allocated from the Ward 3 **Bell Cell Tower**/Non-Property Tax Revenue Account (3301609603) to Helping Hands Street Mission for their Coldest Night of the Year fundraiser; and
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NOT PRESENT - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin

YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
 NOT PRESENT - Ward 7 Councillor Esther Pauls  
 YES - Ward 14 Councillor Mike Spadafora  
 YES - Ward 11 Councillor Mark Tadeson  
 YES - Ward 13 Councillor Alex Wilson  
 NOT PRESENT - Ward 1 Councillor Maureen Wilson

**7.6 Amendment to Item 3 of Board of Health Report 22-008, respecting Physician Recruitment and Retention Steering Committee Report 22-002 – August 5, 2022, which was approved at Council on August 12, 2022 and Amended by Council on January 25, 2023**

**(Tadeson/Hwang)**

WHEREAS, additional clarification is necessary respecting the delegated authority of the Medical Officer of Health to execute any and all agreements, amendments and ancillary documents necessary to transfer the Hamilton Physicians program to the Greater Hamilton Health Network, in a form satisfactory to the City Solicitor.

THEREFORE, BE IT RESOLVED:

That Item 3 of Board of Health Committee Report 22-008 respecting the Physician Recruitment and Retention Steering Committee Report 22-002 – August 5, 2022, be further **amended**, by adding the words, ***‘including those related to outstanding liabilities’***, to sub-section (a)(i)10, to read as follows:

**3. Physician Recruitment and Retention Steering Committee Report 22-002 - August 5, 2022 (Item 10.1)**

- (a) Working Group of the Physician Recruitment and Retention Steering Committee Report 22-001 (Item 1)
  - (i) Proposal to Transfer Program into the Greater Hamilton Health Network & Formalize Existing Funding Relationships (Item 4.1)
    - (10) That the Medical Officer of Health be authorized to execute any and all agreements, amendments and ancillary documents, ***including those related to outstanding liabilities***, necessary to transfer the Hamilton Physicians program to the Greater Hamilton Health Network, in a form satisfactory to the City Solicitor.

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

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 NOT PRESENT - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang

YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

#### **7.7 Restoration of Clean, Running Water for the Residents who Reside at 1083 Main Street East**

##### **(Nann/A. Wilson)**

WHEREAS every resident in the City of Hamilton has the right to uninterrupted access to the vital service of running water in their homes;

WHEREAS the property owner of 1083 Main Street East, has not been able to make repairs to restore water services;

WHEREAS the remaining residents of 1083 Main Street East, have been without access to running water for over 8 weeks as of this Council meeting held on February 22, 2023.

THEREFORE, BE IT RESOLVED:

- (a) That staff continue to take and enforce any and all available actions under the City's by-laws, including the Vital Services By-law if applicable, to ensure that clean, running water is restored as expediently as possible to the residents of 1083 Main Street E.
- (b) That staff be directed to proactively monitor and ensure sufficient supply of safe potable water is provided to the residents at 1083 Main Street East;
- (c) That staff provide regular communications and updates to tenants with respect to the ongoing property standards matter;
- (d) That staff report back to Planning Committee with an update regarding this matter; and
- (e) That staff report back to the Planning Committee on any changes to the current Property Standards, Vital Services, public health and other related by-laws to ensure that enforcement mechanisms are available to address issues such as the ones faced by residents at 1083 Main Street East.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko

YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

<b>NOTICES OF MOTION</b>
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- 8.1 Amendment to Item 3 of Board of Health Report 22-008, respecting Physician Recruitment and Retention Steering Committee Report 22-002 – August 5, 2022, which was approved at Council on August 12, 2022 and Amended by Council on January 25, 2023**

**(Tadeson/Hwang)**

That the Rules of Order be waived to allow for the introduction of a motion respecting an Amendment to Item 3 of Board of Health Report 22-008, respecting Physician Recruitment and Retention Steering Committee Report 22-002 – August 5, 2022, which was approved at Council on August 12, 2022 and Amended by Council on January 25, 2023.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NOT PRESENT - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

For further disposition of this matter, refer to Item 7.6.

**8.2 Restoration of Clean, Running Water for the Residents who Reside at 1083 Main Street East****(Nann/A. Wilson)**

That the Rules of Order be waived to allow for the introduction of a motion respecting Restoration of clean, running water for the residents who reside at 1083 Main Street East.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NOT PRESENT - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

For further disposition of this matter, refer to Item 7.7.

**STATEMENTS BY MEMBERS**

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

**COUNCIL COMMUNICATION UPDATES****(Nann/Jackson)**

That the listing of Council Communication Updates from February 3, 2023 to February 16, 2023, be received.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch

YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**PRIVATE AND CONFIDENTIAL**

Council determined that discussion of Item 11.1 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

**11.1 Closed Session Minutes – February 8, 2023**

**(McMeekin/Tadeson)**

That the Closed Session Minutes dated February 8, 2023 be approved, as presented, and remain confidential.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NOT PRESENT - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

Council determined that discussion of Item 11.2 was not required in Closed Session; therefore, the matter was addressed in Open Session, as follows:

**11.2 Appointments to the Hamilton Police Services Board Selection Committee for the 2022-2026 Term of Council**

**(Hwang/Cassar)**

That the following community representatives be appointed to the Hamilton Police Services Board Selection Committee for the 2022-2026 Term of Council:

1. Andrea Purnell
2. Fiorella Kuczma

3. Oscar Mbaya
4. Jane Mulkewich
5. Ruth Greenspan
6. Sayed Tora

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

**(Tadeson/Hwang)**

That the Committee move into Closed Session to discuss Item 11.3 respecting Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(d)), pursuant to Section 9.3, Sub-sections (h) and (i) of the City's Procedural By-law 21- 021, as amended, and Section 239(2), Sub-sections (h) and (i) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to information explicitly supplied in confidence to the City or a local board by Canada, a province or territory or a Crown agency of any of them and a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the City or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
YES - Ward 15 Councillor Ted McMeekin  
YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann

- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- NOT PRESENT - Ward 1 Councillor Maureen Wilson

**11.3 Project Submission - Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3 (HSC20056(d))**

**(Tadeson/Hwang)**

- (a) That the directions to staff in Closed Session respecting Report HSC20056(d) - Project Submission - Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3, be approved;
- (b) That the directions to staff in Closed Session respecting Report HSC20056(d) - Project Submission - Canada Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI) Round 3, be released publicly following the formal public announcement; and
- (c) That Report HSC20056(d) respecting Project Submission - Canada Mortgage and Housing Corporation Rapid Housing Initiative (RHI) Round 3, remain confidential.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- NOT PRESENT - Ward 1 Councillor Maureen Wilson

**BY-LAWS AND CONFIRMING BY-LAW**

**(Nann/Francis)**

That Bills No. 23-021 to No. 23-034, be passed and that the Corporate Seal be affixed thereto, and that the By-laws, be numbered, be signed by the Mayor and the City Clerk to read as follows:

- 021 To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking  
Schedule 6 (Time Limit Parking Zones)

- Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Ward: 2, 3, 6, 7, 11, 12
- 022 To Amend Zoning By-law No. 05-200 with Respect to Lands Located to 343 Springbrook Avenue, Ancaster  
Ward: 12  
ZAC-22-056
- 023 To Adopt Official Plan Amendment No. 181 to the Urban Hamilton Official Plan Respecting 220 and 222 Main Street West, 115 and 117 George Street, and portions of 107 and 109 George Street, City of Hamilton  
Ward: 2
- 024 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 220 and 222 Main Street West and 107, 109, 115 and 117 George Street, Hamilton  
Ward: 2  
ZAC-20-038 & UHOPA-20-025
- 025 To Amend Zoning By-law No. 05-200 Respecting Lands Located at 306 Parkside Drive, Hamilton  
Ward: 15  
ZAC-22-031
- 026 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 198 Lover's Lane, Ancaster  
Ward: 12  
ZAC-22-042
- 027 To Adopt Official Plan Amendment No. 182 to the Urban Hamilton Official Plan Respecting 2782 Barton Street East, Hamilton  
Ward: 5
- 028 To Amend Zoning By-law No. 6593 for Lands Municipally Known as 2782 Barton Street East, Hamilton  
ZAC-22-023 & UHOPA-22-012  
Ward: 5
- 029 To Amend Zoning By-law No. 05-200 with Respect to Lands Located at 91 and 95 Strathearne Place, Glanbrook  
Ward: 11  
ZAC-22-033
- 030 To Amend Site Plan Control By-law No. 15-176, as amended by By-law Nos. 18-104, 19-026 and 21-069, Respecting Amendments to Section 41 of the *Planning Act*  
Ward: City Wide

- 031 To Amend By-law No. 12-282, as amended by By-law Nos. 19-108 and 21-079,  
Respecting Tariff of Fees  
Ward: City Wide
- 032 To Amend Zoning By-law No. 05-200  
Respecting Lands Located at 555 Sanatorium Drive, Hamilton  
Ward: 14  
ZAH-23-013
- 033 To Amend By-law 22-005, the Emergency Management Program By-law  
Ward: City Wide
- 034 To Confirm the Proceedings of City Council

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson
- NOT PRESENT - Ward 1 Councillor Maureen Wilson

**(Spadafora/Francis)**

That, there being no further business, City Council be adjourned at 3:44 p.m.

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

- YES - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- YES - Ward 9 Councillor Brad Clark
- YES - Ward 8 Councillor John-Paul Danko
- YES - Ward 5 Councillor Matt Francis
- YES - Mayor Andrea Horwath
- YES - Ward 4 Councillor Tammy Hwang
- YES - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- YES - Ward 15 Councillor Ted McMeekin
- YES - Deputy Mayor - Ward 3 Councillor Nrinder Nann
- YES - Ward 7 Councillor Esther Pauls

YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
NOT PRESENT - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Mayor Andrea Horwath

Andrea Holland  
City Clerk



## SPECIAL CITY COUNCIL MINUTES 23-005

4:30 p.m.

March 9, 2023

Council Chambers

Hamilton City Hall, 71 Main Street West

**Present:** Mayor A. Horwath (Chair), Deputy Mayor N. Nann  
Councillors J. Beattie; C. Cassar; B. Clark; J.P. Danko; M. Francis;  
T. Hwang; T. Jackson; C. Kroetsch; E. Pauls; M. Spadafora;  
M. Tadeson; A. Wilson and M. Wilson

**Absent:** Councillor T. McMeekin – City Business

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

### APPROVAL OF THE AGENDA

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

**(Hwang/Tadeson)**

That the agenda for the March 9, 2023 Special meeting of Council be approved, as presented.

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

YES - Ward 10 Councillor Jeff Beattie  
 YES - Ward 12 Councillor Craig Cassar  
 YES - Ward 9 Councillor Brad Clark  
 YES - Ward 8 Councillor John-Paul Danko  
 YES - Ward 5 Councillor Matt Francis  
 YES - Mayor Andrea Horwath  
 YES - Ward 4 Councillor Tammy Hwang  
 YES - Deputy Mayor - Ward 6 Councillor Tom Jackson

YES - Ward 2 Councillor Cameron Kroetsch  
NOT PRESENT- Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mike Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES – Ward 1 Councillor Maureen Wilson

<b>DECLARATIONS OF INTEREST</b>
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There were no declarations of interest.

<b>PRIVATE AND CONFIDENTIAL</b>
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**(Jackson/Hwang)**

That the Committee move into Closed Session to discuss Item 3.1 respecting Privileged Solicitor-Client Regulatory Update (LS21012(c)) (City Wide), pursuant to Section 9.3, 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.

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

YES - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
NOT PRESENT - Ward 15 Councillor Ted McMeekin  
YES - Ward 3 Councillor Nrinder Nann  
YES - Ward 7 Councillor Esther Pauls  
YES - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mike Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES – Ward 1 Councillor Maureen Wilson

Upon Council's request, the following recommendations were voted on separately, as follows:

**3.1 Privileged Solicitor-Client Regulatory Update (LS21012(c)) (City Wide)**

**(Hwang/A. Wilson)**

- (a) That the City Solicitor and external legal counsel be directed to file an appeal in respect of the March 3, 2023 amendment to Director's Order dated December 4, 2020 (1-PE3L3).

**Result: Motion CARRIED by a vote of 6 to 5, as follows:**

NOT PRESENT - Ward 10 Councillor Jeff Beattie  
NO - Ward 12 Councillor Craig Cassar  
NO - Ward 9 Councillor Brad Clark  
NO - Ward 8 Councillor John-Paul Danko  
NO - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
NO - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
NOT PRESENT - Ward 15 Councillor Ted McMeekin  
NOT PRESENT - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mike Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES – Ward 1 Councillor Maureen Wilson

**(Jackson/Clark)**

- (b) That Report LS21012(c) respecting Privileged Solicitor-Client Regulatory Update and Appendix "A" to Report LS21023(c) remain confidential and not be released as a public document, except for the Executive Summary which may be released to the public.
- (c) That the General Manager, Public Works be directed to provide a public report at the March 22, 2023 General Issues Committee Meeting regarding an update to the Chedoke Creek Order and Remediation;
- (d) That the direction in closed session respecting Report LS21012(c), Privileged Solicitor-Client Regulatory Update, be approved and remain confidential; and
- (e) That the City Solicitor and City Clerk review Appendix "B" to report LS21012(c), Privileged Solicitor-Client Regulatory Update, to apply exemptions under Municipal Freedom of Information and Protection of Privacy Act and that a redacted version be released publicly for the March 22, 2023 General Issues Committee agenda through a Public Works report.

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

NOT PRESENT - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
NOT PRESENT - Ward 15 Councillor Ted McMeekin  
NOT PRESENT - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mike Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES – Ward 1 Councillor Maureen Wilson

<b>CONFIRMING BY-LAW</b>
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**(Jackson/Clark)**

That Bill No. 23-035, be passed and that the Corporate Seal be affixed thereto, and that the By-law, be numbered, be signed by the Mayor and the City Clerk to read as follows:

035 To Confirm the Proceedings of City Council

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

NOT PRESENT - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
NOT PRESENT - Ward 15 Councillor Ted McMeekin  
NOT PRESENT - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mike Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES – Ward 1 Councillor Maureen Wilson

**(Tadeson/Francis)**

That, there being no further business, City Council be adjourned at 7:18 p.m.

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

NOT PRESENT - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
YES - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
YES - Ward 5 Councillor Matt Francis  
YES - Mayor Andrea Horwath  
YES - Ward 4 Councillor Tammy Hwang  
YES - Deputy Mayor - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch  
NOT PRESENT - Ward 15 Councillor Ted McMeekin  
NOT PRESENT - Ward 3 Councillor Nrinder Nann  
NOT PRESENT - Ward 7 Councillor Esther Pauls  
NOT PRESENT - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mike Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES – Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Mayor A. Horwath

Andrea Holland  
City Clerk



TOWNSHIP OF  
ASHFIELD-COLBORNE-WAWANOSH

82133 Council Line, R.R. #5  
Goderich, Ontario N7A 3Y2

PHONE: 519-524-4669

FAX: 519-524-1951

E-MAIL: clerk@acwtownship.ca

The Honourable Steve Clark, Minister of Municipal Affairs and Housing

February 22, 2023

Re: Future Accuracy of the Permanent Register of Electors

Dear Minister,

Please be advised that at the February 21<sup>st</sup> meeting, the Council of the Township of Ashfield-Colborne-Wawanosh adopted the following resolution,

Moved by Anita Snobelen

Seconded by Evan Hickey

WHEREAS concerns surrounding the accuracy of the Voters' List has been highlighted in elections past and inaccuracies continue to plague municipal elections;

AND WHEREAS the Chief Electoral Officer for the Province of Ontario now has the responsibility to prepare and maintain a Permanent Register of Electors, under the Elections Act, for future municipal elections;

AND WHEREAS an accurate Permanent Register of Electors is paramount in upholding the integrity of democratic government;

AND WHEREAS an accurate Permanent Register of Electors could increase voter turnout statistics and possibly contribute to positive voter apathy;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of Ashfield-Colborne-Wawanosh requests that the Province of Ontario, through Elections Ontario and the Chief Electoral Officer utilize any resources available to produce the highest quality Permanent Register of Electors;

AND FURTHER THAT this resolution be circulated to the Minister of Municipal Affairs and Housing, Elections Ontario, MPP Lisa Thompson and Ontario Municipal Councils for their support.

Carried

Sincerely,

Florence Witherspoon  
Municipal Clerk

cc. Greg Essensa, Chief Electoral Officer for Ontario, Huron-Bruce MPP Lisa Thompson, and Ontario Municipal Councils

**Pilon, Janet**

---

**Subject:** Letter to Council about public decorum and policing budget

**From:** Joshua Weresch

**Sent:** February 25, 2023 12:02 AM

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

**Cc:** Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>; Ward 1 Office <[ward1@hamilton.ca](mailto:ward1@hamilton.ca)>; Ward 2 <[ward2@hamilton.ca](mailto:ward2@hamilton.ca)>; Office of Ward 3 City Councillor Nrinder Nann <[ward3@hamilton.ca](mailto:ward3@hamilton.ca)>; Ward 4 <[ward4@hamilton.ca](mailto:ward4@hamilton.ca)>; Francis, Matt <[Matt.Francis@hamilton.ca](mailto:Matt.Francis@hamilton.ca)>; Jackson, Tom <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>; Pauls, Esther <[Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)>; Ward 8 Office <[ward8@hamilton.ca](mailto:ward8@hamilton.ca)>; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>; Tadeson, Mark <[Mark.Tadeson@hamilton.ca](mailto:Mark.Tadeson@hamilton.ca)>; Ward 12 Office <[ward12@hamilton.ca](mailto:ward12@hamilton.ca)>; Ward 13 <[ward13@hamilton.ca](mailto:ward13@hamilton.ca)>; Spadafora, Mike <[Mike.Spadafora@hamilton.ca](mailto:Mike.Spadafora@hamilton.ca)>; McMeekin, Ted <[Ted.McMeekin@hamilton.ca](mailto:Ted.McMeekin@hamilton.ca)>

**Subject:** Letter to Council about public decorum and policing budget

Dear Clerk:

Good morning. Hope this finds you well. Below, please find written correspondence for Council; please include it on the agenda of the next Council meeting. Thank you kindly.

Best,

Joshua Weresch

To the mayor and councillors of Hamilton's City Council:

Hope this finds you well. I write as a settler on Treaty 3 lands, as a White cis-het male, and [REDACTED]. I was born, raised, and am living in Hamilton and am writing to you about the Tweets of Councillor Wilson and Mayor Horwath, as reported in the *Hamilton Spectator* (<https://www.thespec.com/news/hamilton-region/2023/02/07/hamilton-police-chief-defends-budget-as-evidence-based-in-wake-of-protests.html>), regarding the actions of protestors during the general-issues committee meeting at which the proposed policing services' increase of \$12,300,000 to its budget was being debated, and the general sense of public decorum and respectful dialogue that is being fostered by the councillor and mayor's comments.

The comments made online by Councillor Wilson and Mayor Horwath, as reported in the *Spectator* article, above, however, only serve to police the tone of the discussion,

instead of addressing the substance of protestors, those over-policed, surveilled, and harassed, and their allies' legitimate grievances. Both want respectful dialogue to continue in these purportedly democratic spaces, but neglect to realize how many different ways, times, and tactics that encampment supporters and others have sought to have the needs of unhoused people and the poor met. The recent debacle by Council where it again refused to make any meaningful decisions about the locations of tiny shelters in the city is only one example of many. The councillor and mayor seem unaware of the growing disparity, anger, and frustration between those who have an inheritance and those who have been disinherited, those granted dignity by virtue of their wealth and influence and those whose dignity has been torn from them. There was no attempt to bully members of the city's council. This protest was an attempt for those most affected by policing to have their voices heard on their own terms. 'A riot', after all, 'is the language of the unheard' and it is this language to which we must all attend very carefully and considerately, as Councillor Kroetsch noted 'as we listen to hard questions'. All of this discussion is also happening in the light of this article in which an Indigenous police officer violently assaulted another Indigenous man (<https://www.cbc.ca/news/canada/hamilton/officer-pleads-guilty-indigenous-assault-1.6738544>), which may lay to rest the reformist argument that the cultural diversification of the police 'services' is a helpful step.

I would ask that Council cease its collective pearl-clutching and begin the hard and deeply productive task of listening to those who are not at the table, those who are not delegates, those who cannot afford any of those democratic luxuries. I would also ask that Council refuse to support the proposed police services' budget's increase and move that it be directed in its entirety toward social and humane care in the city. 18 extra police officers on the street is 18 officers too many.

Thank you for your time and consideration in these regards. Power to the people.

Joshua Weresch, 

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

February 24, 2023

**CL 3-2023, February 23, 2023**  
**PHSSC 2-2023, February 14, 2023**  
**COM-C 14-2023, February 14, 2023**

***DISTRIBUTION LIST***
***SENT ELECTRONICALLY***
Motion Respecting Declarations of Emergency for Homelessness, Mental Health and Opioid Addiction

COM-C 14-2023

Regional Council, at its meeting held on February 23, 2023, passed the following recommendation, as amended, of its Public Health and Social Services Committee:

Whereas Niagara Regional Council acknowledges that the challenges of homelessness, mental health and the opioid crisis are exceptionally complex issues that have a measurable and significantly detrimental impact on the residents of the Niagara region, including the loss of life;

Whereas addressing these issues places extreme stress on upper and lower-tier municipal programs and services, the Niagara Regional Police, Niagara Health, Emergency Medical Services and various non-profit service providers across the region;

Whereas the challenges of homelessness, mental health and opioids have seen a trend of becoming more prevalent in recent years and continue to have a significant impact on the Niagara community;

Whereas Niagara Region, through the staff in Community Services and Public Health, has taken many steps to address these issues with the development and provision of best-practice programming designed to mitigate their impact on the community;

Whereas Niagara Regional Council acknowledges that the challenges of homelessness, mental health and the opioid crisis are intrinsically diverse and should not be viewed as a single monolithic problem;

Whereas addressing these challenges will require strategies and tactics that are specifically designed for each of the unique issues;

Whereas Niagara Region accepts that the responsibility to address these challenges rests with multiple stakeholders, including the provincial government and its agencies;

Whereas 26 Niagara agencies within the Region, including Public Health and Emergency Medical Services, have collaboratively developed a Substance Use Prevention Strategy known as the Opioid Prevention and Education Network of Niagara, and are actively implementing it;

Whereas Niagara Region is a “Built for Zero” community that has accurate and timely data regarding its homeless population and delivers programs and services targeted for strategically helping those individuals experiencing homelessness;

Whereas the challenges of homelessness, mental health and opioid addiction are found throughout the entire province of Ontario and are not unique to Niagara;

Whereas Niagara Regional Council recognizes that municipal emergencies in Ontario are declared by the head of council as per the process detailed in the Emergency Management and Civil Protections Act; and

Whereas Niagara Regional Council acknowledges that the declaration of an emergency does not immediately result in a municipality receiving any additional funds or resources from senior levels of government.

NOW THEREFORE BE IT RESOLVED:

1. That the Regional Chair **BE DIRECTED** to formally issue three separate declarations of emergency, in the areas of homelessness, mental health and opioid addiction, as per the procedure outlined in the Emergency Management and Civil Protection Act;
2. That the Regional Chair **BE DIRECTED** to send correspondence to the Provincial Government requesting that action be taken on the eight measures proposed by the Association of Local Public Health Agencies (as previously endorsed by Regional Council on June 23, 2022), including:
  - a. Creation of a multi-sectoral task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination;
  - b. Expanding access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding Urgent Public Health Needs Sites (UPHNS) and scaling up safer supply options;
  - c. Revision of the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods;
  - d. Expanding access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments, Rapid Access to Addiction Medicine Clinics), and a variety of medication options;

- e. Providing a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders;
  - f. Addressing the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels;
  - g. Increasing investments in evidence-informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood; and
  - h. Funding additional and dedicated positions for public health to support the critical coordination and leadership of local opioid and substance abuse strategies;
3. That the Regional Chair **BE DIRECTED** to send correspondence to the Minister of Municipal Affairs and Housing requesting action be taken to correct the funding allocation model for homelessness based on the results of Auditor General's 2021 report which found that provincial funding in this area is incorrect;
  4. That the Regional Chair **BE DIRECTED** to send correspondence to the Ministry of Health and the CEO of Ontario Health requesting that the province immediately commit to fully funding gaps in mental health service as have been identified in the Needs Based Planning project by Niagara Ontario Health Team's Mental Health and Addictions Working Group, as well as funding ongoing annual increases as required by inflation and population need;
  5. That the Regional Chair **BE DIRECTED** to send correspondence to Federal Minister of Justice and Attorney General, David Lametti, and Federal Minister of Health, Jean-Yves Duclos, reaffirming Regional Council's October 22, 2020 motion urging the Federal government convene a task force to explore the legal regulation and decriminalization of all drugs in Canada;
  6. That the Regional Chair **BE DIRECTED** to send correspondence to the Association of Municipalities of Ontario (AMO) requesting that targeted advocacy be conducted in these areas, including the development of a singular motion that can be ratified by municipal councils across Ontario calling on the province to take immediate action;
  7. That Niagara Region, through its Public Health and Social Services Committee, **URGE** the federal government to declare homelessness as a humanitarian crisis; and

8. That this motion **BE CIRCULATED** to the local area municipalities, all municipalities in Ontario, the Federation of Canadian Municipalities (FCM), and local MPs and MPPs.

Yours truly,



Ann-Marie Norio  
Regional Clerk  
:kl

CLK-C 2023-019

Distribution List:

Local Area Municipalities  
All Ontario Municipalities  
Federation of Canadian Municipalities  
Chris Bittle, Member of Parliament, St. Catharines  
Vance Badawey, Member of Parliament, Niagara Centre  
Tony Baldinelli, Member of Parliament, Niagara Falls  
Dean Allison, Member of Parliament, Niagara West  
Jennie Stevens, Member of Provincial Parliament, St. Catharines  
Jeff Burch, Member of Provincial Parliament, Niagara Centre  
Wayne Gates, Member of Provincial Parliament, Niagara Falls  
Sam Oosterhoff, Member of Provincial Parliament, Niagara West



**The Corporation of the Town of Grimsby  
Administration**

Office of the Town Clerk

160 Livingston Avenue, Grimsby, ON L3M 0J5

**Phone:** 905-945-9634 Ext. 2171 | **Fax:** 905-945-5010

**Email:** [bdunk@grimsby.ca](mailto:bdunk@grimsby.ca)

February 24, 2023

SENT VIA E-MAIL

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

Attention: Doug Ford, Premier

Dear Mr. Ford

**RE: Barriers for Women in Politics**

Please be advised that the Council of the Corporation of the Town of Grimsby at its meeting held on February 21, 2023 passed the following resolution:

**C-23-055**

Moved by: Councillor DiFlavio; Seconded by: Councillor Freake

WHEREAS, the Town of Grimsby values equality and inclusivity in all areas of life, including politics;

WHEREAS, women have historically been underrepresented in politics, and continue to face barriers and discrimination in their pursuit of elected office;

WHEREAS, misogyny and harassment have been identified as significant challenges for women in politics, both in Canada and around the world;

WHEREAS, the Town of Grimsby believes that all individuals have the right to participate in a political environment that is free from discrimination, harassment, and misogyny;

THEREFORE, BE IT RESOLVED, that the Town of Grimsby expresses its support for women in politics and their right to participate in a political environment that is free from misogyny and harassment, and where everyone feels equal.

BE IT FURTHER RESOLVED, that the Town of Grimsby commits to taking steps to ensure that our political environment is inclusive and welcoming to all individuals, regardless of gender, race, ethnicity, religion, sexual orientation, or other identity factors.

BE IT FURTHER RESOLVED, that the Town of Grimsby encourages other municipalities in Ontario and across Canada to join us in supporting women in politics and promoting gender equality in all areas of society.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to all Ontario Municipalities for endorsement, the Premier of Ontario, the Minister of Municipal Affairs and Housing, Grimsby's MP and MPP, and the Association of Municipalities of Ontario to express the Town of Grimsby's commitment to this issue and encourage action at the provincial level to create legislation to ensure equality, safety, and security.

**UNANIMOUSLY CARRIED**

If you require any additional information, please let me know.

Regards,



Bonnie Nistico-Dunk  
Town Clerk

cc.  
All Ontario Municipalities  
Steve Clark, Minister of Municipal Affairs and Housing  
Dean Allison, MP – Niagara West  
Sam Oosterhoff, MPP – Niagara West  
Association of Municipalities of Ontario



**The Corporation of the Town of Grimsby  
Administration**

Office of the Town Clerk

160 Livingston Avenue, Grimsby, ON L3M 0J5

**Phone:** 905-945-9634 Ext. 2171 | **Fax:** 905-945-5010

**Email:** [bdunk@grimsby.ca](mailto:bdunk@grimsby.ca)

February 27, 2023

438 University Ave  
6<sup>th</sup> Floor  
Toronto, ON  
M7A 1N3

SENT VIA E-MAIL

Attention: Hon. Neil Lumsden, Minister of Tourism, Culture and Sport

**RE: Changes to the Municipal Heritage Register**

Please be advised that the Council of the Corporation of the Town of Grimsby at its meeting held on February 6, 2023 passed the following resolution:

WHEREAS the Municipal Heritage Register is an important tool for the preservation and protection of cultural heritage properties within the Town of Grimsby and throughout the province of Ontario;

WHEREAS cultural heritage properties are those which have potential cultural heritage value or interest but have yet to been formally evaluated as per the process prescribed in the Ontario Heritage Act;

WHEREAS listed properties are labelled as such as they are 'listed' in the Town of Grimsby's Municipal Heritage Register, which identifies all municipally-recognized cultural heritage resources;

WHEREAS the Municipal Heritage Register allows municipalities to regulate demolition on properties protected under section 27 of the Ontario Heritage Act, ensuring that their cultural heritage value is preserved for future generations;

WHEREAS "listing" a property on the municipal heritage register recognizes a property's cultural heritage value, and is generally less complex, time-consuming, and

economically burdensome to local municipalities than pursuing the designation of a property as outlined within the existing process, which requires extensive research and documentation;

WHEREAS the “listing” of properties on the Municipal Heritage Register provides a measure of protection, ensuring that these properties cannot be demolished without the approval of the municipality;

WHEREAS it is important to list properties of cultural heritage value or interest, including those that are not currently designated, in order to ensure their preservation for future generations;

WHEREAS the 60-day demolition provision in the Ontario Heritage Act provides a short time frame for the municipality to consider the heritage value of a property before it may be demolished;

WHEREAS the new requirements of the Ontario Heritage Act mandate the assessment of an unreasonable amount of resources for a local municipality within a 2-year timeline;

WHEREAS the new requirement of removal after the 2-year anniversary leaves resources exposed, and unprotected for up to 5 years;

WHEREAS the new requirements do not allow the municipality to further assess our nationally significant resources, more specifically resources connected to the War of 1812, our indigenous communities and culture, people of colour, LGBTQ+, and impacts our community’s commitment to ensure preservation of our inclusive history.

THEREFORE, BE IT RESOLVED that the Council of the Town of Grimsby addresses this resolution to the government of the Province of Ontario, affirming the importance of the Municipal Heritage Register and its role in preserving the cultural heritage of municipalities throughout the province;

BE IT FURTHER RESOLVED that this Council of the Town of Grimsby encourages the government of the Province of Ontario to make changes to the Ontario Heritage Act which promote the retention and expansion of the Municipal Heritage Register, including

the listing of properties of cultural heritage value or interest that are not currently designated;

BE IT FURTHER RESOLVED that this Council of the Town of Grimsby encourages the government of the Province of Ontario to change the Ontario Heritage Act to protect the 60-day demolition provision indefinitely, rather than for a maximum of 2 years in order to provide adequate time for the municipality to consider the heritage value of properties before they may be demolished;

BE IT FURTHER RESOLVED that this Council of the Town of Grimsby circulate this notice of motion to the municipalities of Ontario for endorsement and circulation to the Province.

If you require any additional information, please let me know.

Regards,

A handwritten signature in cursive script, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk  
Town Clerk

cc. All Ontario Municipalities



760 Peterborough County Road 36, Trent Lakes, ON K0M 1A0 Tel 705-738-3800 Fax 705-738-3801

February 28, 2023

**Via email only**

To: The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
[minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)  
 The Honourable Doug Ford, Premier of Ontario  
[doug.fordco@pc.ola.org](mailto:doug.fordco@pc.ola.org)  
 The Honourable Dave Smith, MPP Peterborough-Kawartha  
[dave.smithco@pc.ola.org](mailto:dave.smithco@pc.ola.org)  
 The Honourable Michelle Ferreri, MP Peterborough-Kawartha  
[michelle.ferreri@parl.gc.ca](mailto:michelle.ferreri@parl.gc.ca)  
 Curve Lake First Nation  
[audreyp@curvelake.ca](mailto:audreyp@curvelake.ca)  
 The Association of Municipalities Ontario  
[amo@amo.on.ca](mailto:amo@amo.on.ca)

**Re: Oath of Office**

Please be advised that during their Regular Council meeting held February 21, 2023, Council passed the following resolution:

Resolution No. **R2023-119**

Moved by Councillor Franzen  
 Seconded by Deputy Mayor  
 Armstrong

**Whereas** most municipalities in Ontario have a native land acknowledgement in their opening ceremony; and

**Whereas** a clear reference to the rights of Indigenous people is the aim of advancing Truth and Reconciliation; and

**Whereas** Call to Action 94 of the Truth and Reconciliation Commission of Canada called upon the Government of Canada to replace the wording of the Oath of Citizenship to include the recognition of the laws of Canada including Treaties with Indigenous Peoples; and

**Whereas** on June 21, 2021 an Act to amend The Citizenship Act received royal assent to include clear reference to the rights of Indigenous peoples aimed at advancing the Truth and Reconciliation Commission's Calls to Action within the broader reconciliation framework; and

**Whereas** the Truth and Reconciliation Commission of Canada outlines specific calls to action for municipal governments in Canada to act on, including education and collaboration;

**Therefore be it resolved that** Council request to the Minister of Municipal Affairs and Housing that the following changes be made to the municipal oath of office: I will be faithful and bear true allegiance to His Majesty King Charles III and that I will faithfully observe the laws of Canada including the Constitution, which recognizes and affirms the Aboriginal and treaty rights of First Nations, Inuit and Metis peoples; and further

**That** this resolution be forwarded to the Association of Municipalities of Ontario (AMO), all Ontario municipalities, MPP Dave Smith, MP Michelle Ferreri, Premier Doug Ford and Curve Lake First Nation.

Carried.

Sincerely,

Mayor and Council of the Municipality of Trent Lakes

Cc: All Ontario municipalities

February 28, 2023

Subject: RE: CM23007

City of Hamilton Media Accreditation Policy

To: Mayor Horwath and members of City Council

I worked at CHCH for 20 years, freelanced for the Hamilton Spectator and Toronto Star for 23 years and continue to freelance for National Post, Toronto Star, Bay Observer and others. I don't see the need to pay \$200 to join an organization just to prove that I am a journalist.

Councillor Hwang made a good point at the GIC debate over proposed changes to the media policy. What about foreign journalists, do they have to join the National News Media Council to have access to city hall coverage? If they don't then why do journalists here have to join?

I am not making these points just for myself, but for all freelancers who as you know have a tenuous income stream. The measures proposed would reduce coverage of very important issues at city hall. I am dismayed when talking to residents who have no idea what's happening in the city.

We need more coverage not less-and in all the forms available from podcasts to print and in forms yet to be invented.

The policy as proposed is already outdated and relies heavily on legacy media as the gold standard of journalism. I value them and worked at that level, but there is very good and needed reporting coming from independent freelancers.

I think of the story that broke about New York Republican George Santos-that scandal was first reported by a little newspaper -The North Shore Leader on Long Island-not the New York Times.

I hope the review leads to the right inclusive policy.

Kathy Renwald

**Pilon, Janet**

---

**Subject:** REVIEW OF EXISTING HOUSING UNIT CAPACITY IDENTIFIED IN MUNICIPAL LAND NEEDS ASSESSMENTS

**From:** Sue Markey

**Sent:** February 27, 2023 5:23 PM

**To:** Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>; Ward 1 Office <[ward1@hamilton.ca](mailto:ward1@hamilton.ca)>; Ward 2 <[ward2@hamilton.ca](mailto:ward2@hamilton.ca)>; Office of Ward 3 City Councillor Nrinder Nann <[ward3@hamilton.ca](mailto:ward3@hamilton.ca)>; Ward 4 <[ward4@hamilton.ca](mailto:ward4@hamilton.ca)>; Francis, Matt <[Matt.Francis@hamilton.ca](mailto:Matt.Francis@hamilton.ca)>; Jackson, Tom <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>; Pauls, Esther <[Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)>; Ward 8 Office <[ward8@hamilton.ca](mailto:ward8@hamilton.ca)>; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>; Tadeson, Mark <[Mark.Tadeson@hamilton.ca](mailto:Mark.Tadeson@hamilton.ca)>; Ward 12 Office <[ward12@hamilton.ca](mailto:ward12@hamilton.ca)>; Ward 13 <[ward13@hamilton.ca](mailto:ward13@hamilton.ca)>; Spadafora, Mike <[Mike.Spadafora@hamilton.ca](mailto:Mike.Spadafora@hamilton.ca)>; McMeekin, Ted <[Ted.McMeekin@hamilton.ca](mailto:Ted.McMeekin@hamilton.ca)>

**Subject:** REVIEW OF EXISTING HOUSING UNIT CAPACITY IDENTIFIED IN MUNICIPAL LAND NEEDS ASSESSMENTS

To Mayor Andrea Horwath and Hamilton City Council.

I am very concerned about Bill 23 and the provincial government's insistence that the Greenbelt needs to be opened up for housing development. The following report makes a very strong case that there is more than sufficient land available within 25 GGH municipalities that have been assigned new housing targets. I think that city council should use this review along with other evidence to stand up to the provincial government's disastrous housing development plan.

REVIEW OF EXISTING HOUSING UNIT CAPACITY IDENTIFIED IN  
MUNICIPAL LAND NEEDS ASSESSMENTS UPPER- AND SINGLE-TIER  
MUNICIPALITIES IN THE GREATER GOLDEN HORSESHOE

Prepared for the Alliance for a Liveable Ontario

By Kevin Eby, RPP, PLE

The report makes the following key points:

1. Even without improvements in land use, and accounting for government interventions designed to reduce land efficiency, cumulative capacity inside existing urban boundaries at the time the new 2022 official plans were being prepared already exceeded two million units in the GGH alone.
2. That is almost twice the cumulative number of housing units required to be built by 2031 within the 25 GGH municipalities that have been recently assigned new housing targets by the Province.
3. Many municipalities required no, or extremely limited, urban area expansions to accommodate population growth forecast by the Growth Plan to 2051.
4. No additional overall housing capacity would be required in the GGH to meet the GGH's share of the 1.5 million housing target for the Province of Ontario by 2031.

Thank you for your consideration.

Sincerely,

Sue Markey

**Pilon, Janet**

**Subject:** Follow up on Feb. 27 delegation regarding police budget and Public Healthcare

**From:** Evan Ubene

**Sent:** March 1, 2023 1:52 PM

**To:** Ward 1 Office <[ward1@hamilton.ca](mailto:ward1@hamilton.ca)>; Ward 2 <[ward2@hamilton.ca](mailto:ward2@hamilton.ca)>; Office of Ward 3 City Councillor Nrinder Nann <[ward3@hamilton.ca](mailto:ward3@hamilton.ca)>; Ward 4 <[ward4@hamilton.ca](mailto:ward4@hamilton.ca)>; Francis, Matt <[Matt.Francis@hamilton.ca](mailto:Matt.Francis@hamilton.ca)>; Jackson, Tom <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>; Pauls, Esther <[Esther.Pauls@hamilton.ca](mailto:Esther.Pauls@hamilton.ca)>; Ward 8 Office <[ward8@hamilton.ca](mailto:ward8@hamilton.ca)>; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@hamilton.ca)>; Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>; Tadeson, Mark <[Mark.Tadeson@hamilton.ca](mailto:Mark.Tadeson@hamilton.ca)>; Ward 12 Office <[ward12@hamilton.ca](mailto:ward12@hamilton.ca)>; Ward 13 <[ward13@hamilton.ca](mailto:ward13@hamilton.ca)>; Spadafora, Mike <[Mike.Spadafora@hamilton.ca](mailto:Mike.Spadafora@hamilton.ca)>; McMeekin, Ted <[Ted.McMeekin@hamilton.ca](mailto:Ted.McMeekin@hamilton.ca)>; Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>

**Subject:** Follow up on Feb. 27 delegation regarding police budget and Public Healthcare

Hello Mayor and City councillors,

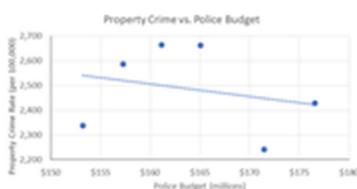
Thank you for listening to my delegation this past Monday, February 27 that hopefully illustrated how giving additional funding to the police unit does not meaningfully reduce crime in a city, if at all. A lot of the evidence actually points towards an added effect on crime, because when additional money is spent on police it reduces the amount that is spent on things that meaningfully reduce crime like social services and public housing.

I wanted to follow up on some questions that were posed by Councillors Jackson and Kroetsch.

First, Clr. Jackson inquired about the population that I had analyzed in my statistical analysis, to which I responded that I had used the census metropolitan area of Hamilton (which includes Grimsby and Burlington). Of course, it is incorrect to take the crime rates and population stats from the census metropolitan area and compare them to the police budget of the city of Hamilton, so I painstakingly went through the crime statistics for Burlington, which is a region in the Halton Police District ([haltonpolice.ca/en/about-us/reports-and-publications.aspx](http://haltonpolice.ca/en/about-us/reports-and-publications.aspx)), and Grimsby/Lincoln/West Lincoln, which is a region in the Niagara police district ([niagarapolice.ca/en/who-we-are/reportspublications.aspx](http://niagarapolice.ca/en/who-we-are/reportspublications.aspx)), to subtract those from the Hamilton Census Metropolitan Area totals. This leaves us with crime stats for Hamilton to compare to the police budget for Hamilton. This correction had no impact on the concluding results as you will see below:

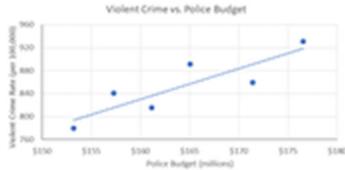
**Prior to change:****Hamilton Crime Stats Analysis: Property Crime**

- Slope: -6.68
- 95% confidence:
  - Lower limit: -42.1231
  - Upper Limit: 28.79



### Hamilton Crime Stats Analysis: Violent Crime

- Slope: 5.53
- 95% confidence:
  - Lower limit: 1.09
  - Upper Limit: 9.58



### Case Study: Hamilton vs. Detroit

Hamilton					Detroit				
Year	Population	Police Budget (per person)	Property Crime Rate (per 100,000 population)	Violent Crime Rate (per 100,000 Population)	Year	Population	Police Budget (per person)	Property Crime Rate (per 100,000 population)	Violent Crime Rate (per 100,000 Population)
2016	768,882	\$199.29	2,837	779	2016	676,881	\$458.31	4,723	2,008
2017	777,372	\$202.34	2,585	840	2017	674,188	\$463.90	4,541	2,057
2018	785,314	\$205.28	2,643	835	2018	672,662	\$468.83	4,305	2,047

Sources:

1. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
2. https://www.detroitmi.gov/office-of-the-city-clerk/office-of-the-city-clerk-reports/annual-reports/annual-report-2018
3. https://www.detroitmi.gov/office-of-the-city-clerk/office-of-the-city-clerk-reports/annual-reports/annual-report-2017
4. https://www.detroitmi.gov/office-of-the-city-clerk/office-of-the-city-clerk-reports/annual-reports/annual-report-2016
5. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
6. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
7. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
8. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
9. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
10. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26

### After change:

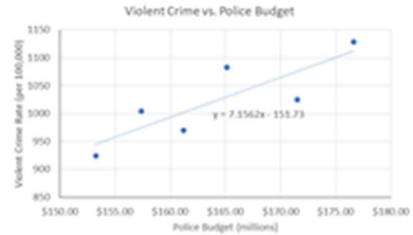
### Hamilton Crime Stats Analysis: Property Crime (adj)

- Slope: -2.81
- 95% confidence:
  - Lower limit: -33.47
  - Upper Limit: 27.85



### Hamilton Crime Stats Analysis: Violent Crime (adj)

- Slope: 7.16
- 95% confidence:
  - Lower limit: 0.83
  - Upper Limit: 13.48



### Case Study: Hamilton vs. Detroit

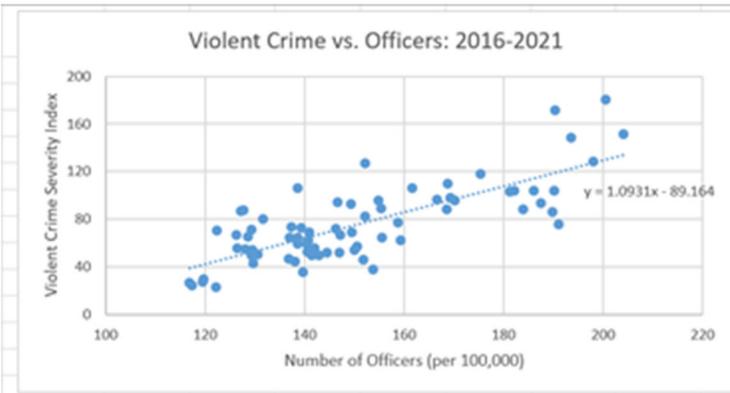
Hamilton					Detroit				
Year	Population	Police Budget (per person)	Property Crime Rate (per 100,000 population)	Violent Crime Rate (per 100,000 Population)	Year	Population	Police Budget (per person)	Property Crime Rate (per 100,000 population)	Violent Crime Rate (per 100,000 Population)
2016	552,272	\$277.49	2,622	925	2016	676,881	\$458.31	4,723	2,008
2017	559,673	\$281.12	2,859	1,005	2017	674,188	\$463.90	4,541	2,057
2018	566,144	\$284.71	3,023	970	2018	672,662	\$468.83	4,305	2,047

Sources:

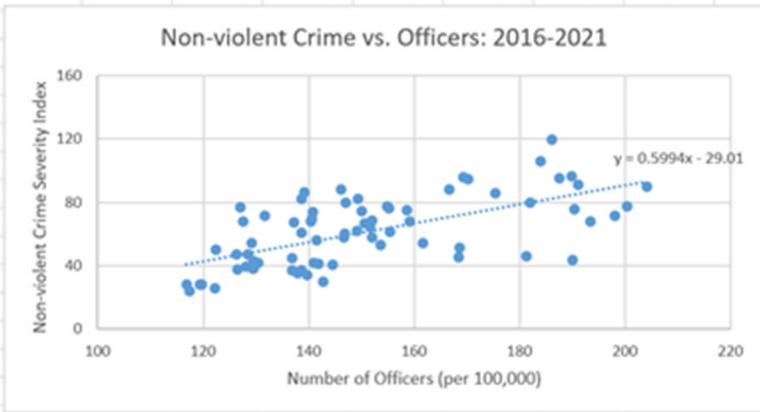
1. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
2. https://www.detroitmi.gov/office-of-the-city-clerk/office-of-the-city-clerk-reports/annual-reports/annual-report-2018
3. https://www.detroitmi.gov/office-of-the-city-clerk/office-of-the-city-clerk-reports/annual-reports/annual-report-2017
4. https://www.detroitmi.gov/office-of-the-city-clerk/office-of-the-city-clerk-reports/annual-reports/annual-report-2016
5. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
6. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
7. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
8. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
9. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26
10. https://www.hamilton.ca/city-services/police-services/presentation-to-council-2019-03-26

So while it was important for Clr. Jackson to point out this error, it had no effect on the concluding results. The fact still remains that the city of Detroit uses about double the resources for policing per person and yet has about double our crime rates. Clearly, policing does not seem to be effective.

Secondly, Clr. Kroetsch inquired about the Hamilton Police Services Presentation where they discussed benchmarking statistics. I had not seen that presentation, and so have since gone through that presentation to do some analysis on those statistics. What we find is that even the data presented from our own police department supports the argument that more policing does not reduce crime rates. If it did, we would expect the cities with the most police officers per 100,000 people to have the lowest crime rates. The overall trend is the opposite. Below are two plots that show Violent and Non-Violent Crime data vs. Number of Police Officers from 2016-2021 for cities mentioned in the Hamilton Police Services report.

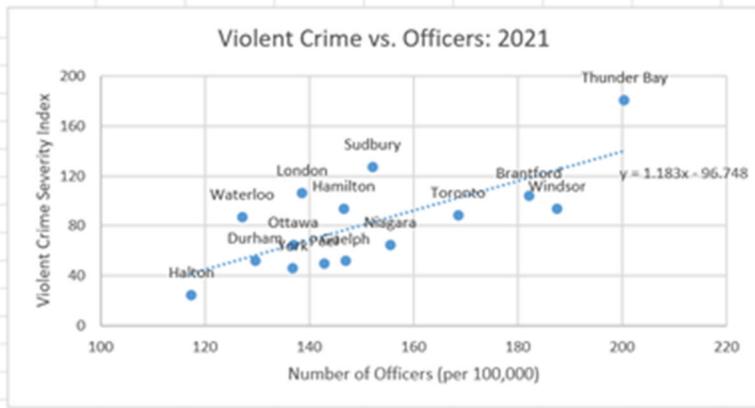


Slope	1.09
Upper 95%	1.31
Lower 95%	0.88

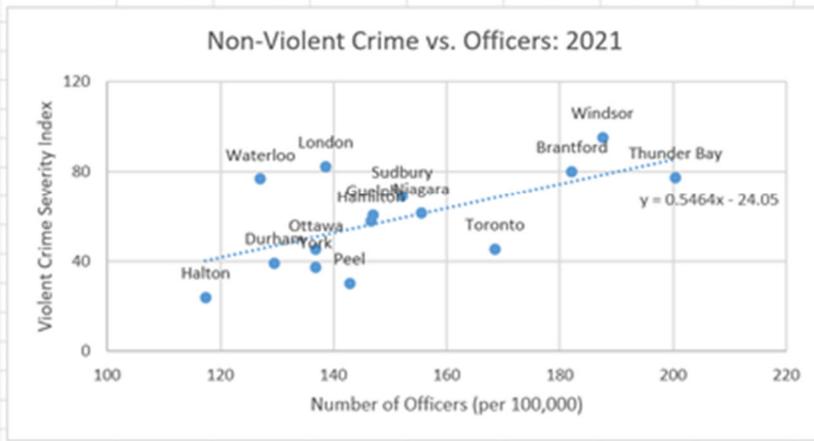


Slope	0.60
Upper 95%	0.77
Lower 95%	0.42

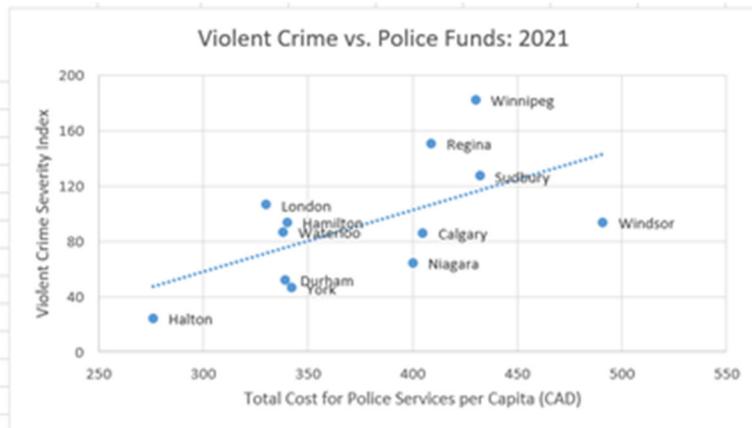
We can also look at 2021 alone (which was presented by HPS). Again, the cities with the most officers had the worst crime rates. The cities with the most per-capita police funding also had the worst crime rates.



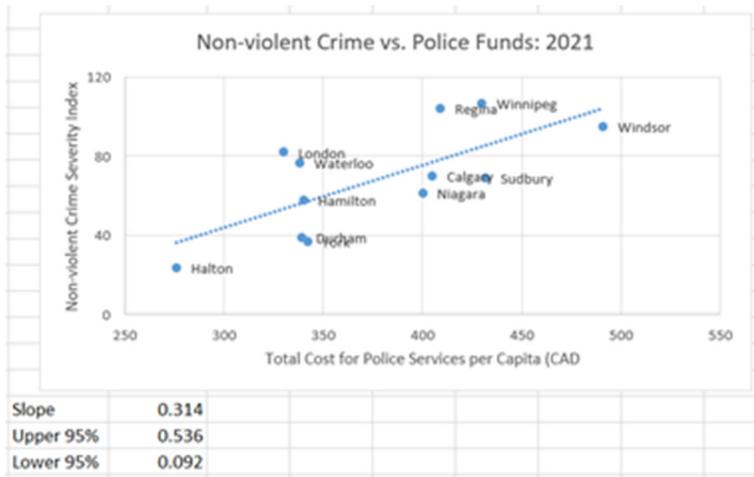
Slope            **1.183**  
Upper 95%       **1.867**  
Lower 95%       **0.499**



Slope            **0.546**  
Upper 95%       **0.974**  
Lower 95%       **0.118**



Slope            **0.444**  
Upper 95%       **0.873**  
Lower 95%       **0.016**



It is also important to note here that Hamilton is consistently above the trendline, which means for 2021, our police department was worse than average at preventing crime for the amount of funding it used relative to other cities in this comparison, and so is especially undeserving of more. The logic presented by Hamilton Police Services, that more crime requires more police, is flawed because it does not actually look at what is causing crime to occur in the first place. In this case, it seems directing money away from public services to spend on policing is one of the things that is causing crime to occur.

This data should conclusively show that if the goal is to prevent crime, there are far more effective ways than spending money on more police. If anything, spending money on more police seems to have a worsening effect. This is true even for the data presented by Hamilton Police Services. Lastly, the fact that Hamilton has incurred 661 COVID deaths in the same period that we have seen just 42 homicide deaths, and that we have over 20,000 more residents experiencing long-covid symptoms than total crime-related events for 2022, outlines how unjust it is that Hamilton's police spending is over 10 times greater than Hamilton's spending on public health services.

If you would like to go through this data more, I would be happy to meet with anyone and walk them through the methodology.

Thank you,

Evan Ubene



# THE CORPORATION OF THE TOWN OF COBOURG

The Corporation of the Town of Cobourg  
Legislative Services Department  
Victoria Hall  
55 King Street West  
Cobourg, ON K9A 2M2

Brent Larmer  
Municipal Clerk/  
Director of Legislative Services  
Telephone: (905) 372-4301 Ext. 4401  
Email: blarmer@cobourg.ca  
Fax: (905) 372-7558

**SENT VIA EMAIL**

March 2, 2023 **5.10**

David Piccini, Member of Provincial Parliament  
Hon. Doug Ford, Premier  
Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Hon. Merrilee Fullerton, Minister of Children, Community and Social Services  
Hon. Sylvia Jones, Minister of Health

## **Re: Town of Cobourg Resolution – Homeless and Unsheltered Persons**

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At a meeting held on February 27, 2023, the Municipal Council of the Town of Cobourg approved the following Resolution #045-23:

### **Homeless and Unsheltered Persons**

*Moved by Deputy Mayor Nicole Beatty*

*Seconded by Councillor Adam Bureau*

WHEREAS at the Regular Council meeting on February 27, 2023, Council considered a Delegation Action from the Committee of the Whole meeting on February 21, 2023, regarding Homelessness and Unsheltered Residents with an understanding and appreciation of the impacts and importance of the issue of homelessness has to the local community; and

WHEREAS the Town of Cobourg acknowledges that there are complex issues which can be presented through the challenges of homelessness and a lack of transitional and affordable housing, which are most significantly felt at the local level on a daily basis; and therefore have a measurable and detrimental impact on the well-being of all citizens of the Town of Cobourg; and

WHEREAS the Town of Cobourg does not have the resources, capacity or tools to address these complex challenges without the partnership of the designated service providers being the County of Northumberland, and the Province of Ontario;

NOW THEREFORE BE IT RESOLVED THAT Council acknowledges that homelessness in the Town of Cobourg is a social, economic and health crisis; and

FURTHER THAT Council requests the support of the County of Northumberland as the regional service manager and facilitator of the Community Safety and Well-Being Taskforce by including Cobourg representatives and people with lived experience on it in an effort to address the local issues of homelessness in the Town of Cobourg; and



# THE CORPORATION OF THE TOWN OF COBOURG

The Corporation of the Town of Cobourg  
Legislative Services Department  
Victoria Hall  
55 King Street West  
Cobourg, ON K9A 2M2

**Brent Larmer**  
**Municipal Clerk/  
Director of Legislative Services**  
Telephone: (905) 372-4301 Ext. 4401  
Email: [blarmer@cobourg.ca](mailto:blarmer@cobourg.ca)  
Fax: (905) 372-7558

FURTHER THAT Council requests a need for immediate action from the Province of Ontario to develop, resource and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario; and,

FURTHER THAT Council invites the delegates to submit their presentations to the Northumberland County Social Services Standing Committee and County Council and member municipalities; and

FURTHER that a copy of this motion be sent to all Northumberland County Lower-Tier municipalities for support; and

FURTHER THAT that a copy of this motion be sent to Premier Doug Ford, MPP David Piccini, the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services, the Minister of Health, HKPR Board of Health, the Association of Municipalities of Ontario (AMO) and all 444 municipalities in Ontario.

**045-23**

**Carried**

If you have any questions regarding this matter, please do not hesitate to contact the undersigned at [blarmer@cobourg.ca](mailto:blarmer@cobourg.ca) or by telephone at (905)-372-4301 Ext. 4401.

Sincerely,

Brent Larmer  
Municipal Clerk/Director of Legislative Services  
Returning Officer  
Legislative Services Department





<b>Moved By</b>	Deputy Mayor Nicole Beatty	<b>Resolution No.:</b>
<b>Last Name Printed</b>	BEATTY	045-23
<b>Seconded By</b>	Councillor Adam Bureau	<b>Council Date:</b>
<b>Last Name Printed</b>	BUREAU	February 27, 2023

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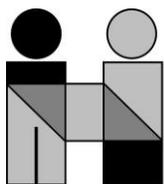
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***Recorded vote requested by Councillor Adam Bureau***

	<b>For</b>	<b>Against</b>	<b>Absent</b>
Councillor Adam Bureau	X		
Councillor Aaron Burchat	X		
Councillor Brian Darling	X		
Councillor Miriam Mutton	X		
Councillor Randy Barber	X		
Mayor Lucas Cleveland		X	
Deputy Mayor Nicole Beatty	X		
<b>TOTAL:</b>	<b>6</b>	<b>1</b>	



**Hamilton Community Legal Clinic**  
**Clinique juridique communautaire de Hamilton**

100 Main Street East, Suite 203  
Hamilton ON L8N 3W4  
Phone: (905) 527-4572 Fax: (905) 523-7282  
[www.hamiltonjustice.ca](http://www.hamiltonjustice.ca)

100, rue Main est. Suite 203  
Hamilton (Ontario) L8N 3W4  
Téléphone : (905) 527-4572 Télécopieur : (905) 523-7282  
[www.hamiltonjustice.ca](http://www.hamiltonjustice.ca)

December 9, 2022

## **FOR IMMEDIATE RELEASE**

### **Statement on the Passing of Bekett Noble**

The Hamilton Community Legal Clinic and the Queer Justice Project are extremely saddened and deeply concerned by the news of the death of Bekett Noble on Redeemer University campus on November 23, 2022. The details that are emerging of the struggle that they faced in fighting for greater acceptance and support for Queer identities within Redeemer University, are disturbing.

Queer individuals have every right to expect that they will be treated with the same respect and dignity as any other individual who attends or receives services from an institution that is open to the general public, including a self-described “Christian University”. It is becoming increasingly clear that Redeemer University has failed to create a welcoming and inclusive environment for Queer students, and it appears to have directly contributed to this tragic outcome for Bekett Noble. This ought to serve as a wake-up call, not only to Redeemer University, but to all faith-based institutions that continue to preach values or uphold policies that harm members of Queer communities, and others.

Queerness and religion have a complex and difficult relationship, to say the least, but they are not mutually exclusive. Each religious faith can be found among the limitless intersections within Queer identities, while those religious institutions that have actually put love and acceptance into practice have found new members for their congregations, or perhaps enabled prior members to more openly share their true selves. There is so much more to be gained through mutual understanding, respect, and acceptance.

We call on Redeemer University to address this matter and their intentions moving forward, openly and with honesty. We know that Redeemer has been told how they can take action to address this unsustainable situation, because Bekett Noble was open about their advocacy, personal experience, and ultimate disappointment at the lack of action to change the culture of this institution. Change is now required, that much is clear. The cost to attain acceptance and respect for Queer identities should not be this high.

## Hamilton Trans Health Coalition

# Statement from HTHC

Posted on December 8, 2022 by HTHC Comms Team

Hey community – this is a little different from what we usually post, content warning for suicide.

Many of you will have heard by now about the recent death of Bekett Noble. They were a non-binary student who died by suicide at Redeemer University. This is a small statement to share some information about what happened, what's happening now, and resources.

On November 23, Bekett died by suicide at Redeemer. They fought for years to increase supports and safety for Redeemer's queer and trans students. They did the work that so many queer and trans students have been forced to take on, despite barriers, pushback, and hostility. You can learn more about Bekett and their fight for change at Redeemer through this [Hamilton Spectator](#) article.

On December 10 from 2-4pm, Bekett's friends and family are holding a celebration of life for them at the Boston Pizza in Ancaster. All are welcome to attend Bekett's celebration of life, but please understand that family and friends who knew and loved Bekett will be given priority inside the restaurant itself. If you didn't personally know Bekett or their loved ones, you're still welcome to attend in solidarity – bring your flags, your non-binary colours, and your love.

Additionally, Genesis (the queer group at Redeemer that Bekett started) has asked for donations in Bekett's honour to be made to [spectrum](#), an incredible organization supporting 2SLGBTQIA+ youth here in Hamilton.

You can donate to them [here](#).

On December 18 at 2pm, Free Mom Hugs Southern Ontario is holding a vigil and rally at Hamilton City Hall, to call on Redeemer University to [#DoBetterforBekett](#). The posters for both Bekett's celebration of life and the vigil and rally are available below.

We want to acknowledge that collectively as a community, this is painful and sad and difficult and there are no words that ever fully capture grief. Many of our coalition members and general trans and non-binary community members, have lost loved ones to suicide, and have experienced suicidal ideation themselves. It's okay to be upset, overwhelmed, angry, scared, or anything else. You are not alone in this.

If you're looking for trans specific supports and resources, please contact us. We know that we don't have enough resources in Hamilton for queer and trans communities, but we will absolutely do our best to connect you with what's available.

Finally, a brief rundown of some available peer and crisis supports:

- [speqtrum](#) offers an online check-in program for 2SLGBTQIA+ youth, as well as drop-in online peer support hours
- [LGBT YouthLine](#) provides text, chat, and phone peer support for 2SLGBTQIA+ youth across Ontario
- [Trans Lifeline](#) runs a peer and crisis hotline for trans and gender diverse people across North America in English and Spanish, the number to call from Canada is 877-330-6366

With so much trans love,

Hamilton Trans Health Coalition

**CELEBRATING THE LIFE OF  
BEKETT NOBLE**



**DECEMBER 10 | 2PM-4PM**

**BOSTON PIZZA, ANCASTER  
ALL ARE WELCOME!**

**FREE  
MOM HUGS  
SOUTHERN ONTARIO**

The logo consists of the words 'FREE', 'MOM', 'HUGS', and 'SOUTHERN ONTARIO' stacked vertically in a bold, black, sans-serif font. The word 'MOM' is centered, and a rainbow-colored heart is placed over the 'O'.

**Free Mom Hugs Southern Ontario is holding a vigil and rally, in honour of Bekett Noble.**

**Please join us in a peaceful gathering, helping to make sure Bekett's last wishes are heard, and to help us continue their work, creating a safe place for the 2SLGBTQQIA students at Redeemer.**

**Stand with us friends, Sunday December 18th at 2pm, in the forecourt of Hamilton City Hall.**

Posted in News

[Celebrate #GivingTuesday with Support for Trans and Non-Binary People](#)

[Statement on Intersex Genital Mutilation](#)

## Tweets from @hamtranshealth

**Hamilton Trans H...**



@hamtran... · Feb 27

Replying to @hamtranshealth

The goals of AFFIRM are to decrease unhelpful thoughts, feel better about yourself and lives, and to make healthy choices for sexual and mental health. Contact the emails listed for any questions or more information!



1



**Hamilton Trans H...**



@hamtran... · Feb 27

AFFIRM Is an eight-session Cognitive-Based Therapy informed treatment group specifically for Two Spirit and LGBTQIA+ youth (12-18) to develop coping skills for anxiety and stress related to experiences of discrimination as a result of their sexual and gender identities.



# The First Unitarian Church of Hamilton

A Liberal Spiritual Community Since 1889

## Welcoming Congregation

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Unitarians at Hamilton Pride 2018, including, in red, Monica Bennett who facilitates the congregation's sexual and gender justice efforts and Melanie Parish, right, who facilitates PFLAG meetings held at the church.

Each of us has worth and dignity, and that worth includes our gender and our sexuality. As Unitarian Universalists (UUs), we not only open our doors to people of all sexual orientations and gender identities, we value diversity of sexuality and gender and see it as a spiritual gift. We create inclusive religious communities and work for Two-Spirit LGBTQAI+ justice and equity as a core part of who we are. All of who you are is sacred. All of who you are is welcome.

The Welcoming Congregation Team is committed to supporting Two Spirit and LGBTQIA+ congregants and community members through education, social engagements, and

community partnerships.

Contact: [welcoming@uuhamilton.ca](mailto:welcoming@uuhamilton.ca)

## Letter of Public Witness to Redeemer University

**December 15, 2022**

Dear Redeemer University,

News of the tragic death by suicide of beloved queer sibling Bekett Noble at Redeemer University on November 23, 2022 calls us to speak out in love and with holy rage.

As Unitarian Universalists we believe in the inherent worth and dignity of every person, and that all human beings are beautiful, whole, holy, and worthy of love. We believe that our lives are interconnected and that we are here to build a world of justice and inclusion for all people, a world where every person is beloved.

Bekett was an activist and advocate who sought to transform Redeemer University into a place where queer students can learn and grow in an environment that honours, respects, and values their humanity. As details surrounding Bekett's death emerge, it is clear Bekett died because of the cruel and dehumanizing culture at Redeemer University. Bekett's many attempts to alert faculty, staff, and University leaders to the culture of hate and violence harming students were dismissed and ignored.

Unitarian Universalists have long celebrated the full inclusion and affirmation of Two Spirit LGBTQAI+ persons in our faith and in our world. In 1979 we ordained an openly gay minister, and in 1988 ordained a transgender minister for the first time. We have provided education to our congregations on dismantling bias and creating communities of welcome for Two Spirit LGBTQAI+ people since 1989. We know that our work is not done and we continue to learn, grow, and openly engage feedback and accountability. We must also move our values into the world and advocate powerfully for change.

As people of faith, we call Redeemer University into accountability for the culture of cruelty that led to Bekett's death. We encourage Redeemer to confront its institutional and systemic violence and aggression that targets, demeans, and dehumanizes all queer people who learn and work within its walls. Redeemer University cannot continue to hide behind a wall of silence, a silence that erases the human rights of Two Spirit LGBTQAI+ people at the University and in the world. Redeemer University must continue to listen to Bekett Noble and implement the recommendations they encouraged the university to adopt.

We will continue to proclaim the good news of a love that knows no bounds and welcome all who are seeking a place to be fully themselves to our faith community of love, hope, and justice.

Signed,

Barb Wallace, President, The First Unitarian Church of Hamilton

Rev. Jamie Elaine Boyce, Interim Minister, The First Unitarian Church of Hamilton

## Upcoming Events

The Welcoming Congregation Team is planning a virtual winter get-together for Two Spirit and LGBTQIA+ congregants. Stay posted for details!

## Past and Continuing Actions

### Welcoming Congregation Designation

Since 1998, First UU Hamilton has been certified as a [Welcoming Congregation](#). We aim to be actively welcoming and inclusive of individuals with marginalized sexual orientation and gender identities.

### PFLAG Hamilton-Wentworth

In pre-pandemic times, our church has hosted the monthly meetings of PFLAG Canada, Hamilton-Wentworth, a support group for lesbian, gay, bisexual, trans and queer adults and youth, since PFLAG formed in late 2016. We hope to continue hosting PFLAG in safer times.

### An Evening with Ivan Coyote – 2019

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A sold out crowd of over 300 people at the Westdale Theatre showed their appreciation for Ivan Coyote in the form of applause, laughter, tears, and quiet listening. And then there was more laughter. And more applause. Those in attendance had their hearts and minds opened a little wider. Wide enough to generously give over \$900 to PFLAG. This event was made possible by the collaborative efforts of the First Unitarian Church of Hamilton, PFLAG, McMaster Gender Studies & Feminist Research Program, and the volunteers who ushered, staffed the book signing table and generally helped to make the evening the fun and successful night that it was. Thank you to all!

### **Gender Neutral Washrooms – 2018**

In 2018, we installed new gender-neutral washroom signs developed with congregational feedback. Everyone deserves a comfortable, affirming bathroom experience!

### **Protocol for Gender Identity and Gender Expression- 2017**

Our minister, Rev. Victoria Ingram, was part of a large delegation of faith leaders who appeared before city councillors in March 2017 to support the Protocol for Gender Identity and Gender Expression that city council subsequently unanimously adopted.

[Join Us at Pride Hamilton](#)



Pride Hamilton have announced their date for this year's Pride celebrations. >- Sunday June 18th! -< More information will be coming soon. The First...

[Click to read more](#)

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## GenderFluent Series Presented by Foothills Unitarian

GenderFluent is a series of workshops and resources presented by Foothills Unitarian <https://foothillsuu.org/genderfluent/> Running throughout February. You can join a Sunday morning service, a...

[Click to read more](#)

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## Vigil in honour of Bekett Noble

Sunday December 18, 2022 at 2pm Forecourt, Hamilton City Hall

[Click to read more](#)

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## Trans Day of Remembrance Events

Trans Day of Remembrance is a day to mourn victims of anti-trans violence and to affirm solidarity with trans people everywhere. UUA Transgender Day of...

[Click to read more](#)

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## Trans, Non-Binary &/or Genderqueer Focus Group

\*\*\* PLEASE NOTE \*\*\* The Focus Group Sessions are NOW FULL \*\*\* Intersecting, Anti-Racism & Anti-Oppression Consultant is looking for Trans, Non-Binary and/or Genderqueer participants...

[Click to read more](#)

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## Join the Welcoming Congregation Team

September 2022, The Welcoming Congregation Team, under the Social Justice umbrella of Gender and Sexual Justice, is searching for both new team members, and a...

[Click to read more](#)

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## Are You Interested in Joining the Welcoming Congregation Team?

The Welcoming Congregation Team, under the Social Justice umbrella of Gender and Sexual Justice, is searching for both new team members, and a team lead...

[Click to read more](#)

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## The First Pride

Rev. Michael J. Crumpler on the First Pride “On June 28, 1969, at the Stonewall Inn in Greenwich Village NYC, Marsha “Pay It No Mind”...

[Click to read more](#)

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## Hamilton Pride, July 8th & 9th

After going virtual during the pandemic, Hamilton Pride is back in person! The event will be indoors at the Hamilton Convention Centre. According to the...

[Click to read more](#)

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## QueerVote.ca Releases ‘Report Card’ for Parties’ Positions on Two Spirit and LGBTQIA+ Issues

Thursday, June 2nd is Election Day! If you have not already done so, make sure to make your voice heard in the provincial election. Among...

[Click to read more](#)

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## SWAP Drop-in Centre Opens

Hamilton Sex Workers’ Action Program (SWAP) Opens Physical Space SWAP Hamilton has opened a drop-in centre to support sex workers in our community. The space...

[Click to read more](#)

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## Roe V. Wade Poised to be Overturned

This week, a draft version of an American Supreme Court decision was leaked. If genuine and accurate (as justices could still change their votes before...

[Click to read more](#)

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## Anti-Trans News from Across the Pond

The UK government has been facing pressure regarding their proposed conversion therapy ban– namely by trans-exclusionary groups whose aim is to remove protections for transgender...

[Click to read more](#)

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## April 6th is International Asexuality Day

Asexuality is an ‘umbrella’ term that may be used by people who experience little to no sexual attraction. Asexual people may or may not choose...

[Click to read more](#)

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## Democratic Activism in Hungary Thwarts anti-LGBTQ Referendum

Up to 20% of ballots were purposefully spoiled in a Hungarian Referendum this week, which, if passed, would have prevented schools from teaching about sexuality...

[Click to read more](#)

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## March 31st is the Transgender Day of Visibility

At a time when, particularly in the United States, laws and policies are being crafted to erase representation of and visibility of Two Spirit and...

[Click to read more](#)

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## Event: Walk & Talk for LGBTQIA+ Congregants

Sunday March 27, 2022 at 2pm – meet in the church parking lot. The Welcoming Congregation Team (AKA Gender and Sexual Justice) are inviting 2...

[Click to read more](#)

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## No Hate In The Hammer Event, March 23rd

No Hate in the Hammer in partnership with Sisters in Spirit is presenting the 4th in a series of programs. This time it is focused...

[Click to read more](#)

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## Criminalizing Trans Youth and Families in Texas

This past week, Texas Governor Greg Abbott signed off on a directive which functionally criminalizes existing as a transgender or nonbinary child in that state. ...

[Click to read more](#)

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## Canada Leads the Pack with 10 Out Athletes Competing

The Beijing Olympics are underway, and alongside the controversies surrounding the Games, there is a bright spot: at least 34 'out' athletes will be competing...

[Click to read more](#)

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## Well-Attended and Highly Informative Event

Monday's educational event regarding sex work and applying our principles to all people was well-attended and highly informative. Thank you to everyone who attended, asked...

[Click to read more](#)

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## Upcoming Event, Sex Work: Considering the Inherent Worth and Dignity of Every Person

Our First Principle affirms the inherent worth and dignity of every person. How can we expand our knowledge and understanding in order to ensure that...

[Click to read more](#)

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## Social Justice Team Continues to Learn

Social Justice Team Continues to Learn – A Message from Monica Bennett Here's a change that I recently learned about... rather than use "2SLGBTIQ+", we...

[Click to read more](#)

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## Ivan Coyote opened our hearts, minds and wallets

A sold out crowd of over 300 people at the Westdale Theatre showed their appreciation for Ivan Coyote in the form of applause, laughter, tears,...

[Click to read more](#)

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## Trans Workshop

The congregation held a trans workshop in 2017 and a well-attended discussion of our 2017 all-church read, Ivan Coyote's Tomboy Survival Guide.

[Click to read more](#)

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## Gender Neutral Washroom signs

In 2018, we installed new gender-neutral washroom signs developed with congregational feedback last year. We participate in Hamilton Pride events. And we continue efforts to...

[Click to read more](#)

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## Protocol for Gender Identity and Gender Expression

Rev. Victoria Ingram speaks at a Hamilton city council meeting as part of a delegation from faith communities supporting a trans protocol for the city...

[Click to read more](#)

170 Dundurn St. S.  
Hamilton, ON, Canada  
L8P 4K3



(905) 527-8441

info@uuhamilton.ca

More contact information



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The Corporation of the Township of Moonbeam  
 53 St. Aubin Avenue, PO Box 330  
 Moonbeam, ON P0L 1V0  
 TEL (705)-367-2244 FAX (705)-367-2610  
[administration@moonbeam.ca](mailto:administration@moonbeam.ca)

## THE CORPORATION OF THE TOWNSHIP OF MOONBEAM RESOLUTION

**NUMBER:** 042-2023  
**DATE:** March 2, 2023  
**PROPOSED BY:** Jessica Gibson Demers  
**SECONDED BY:** Nadine Morin

**WHEREAS** an announcement in the media was made that the English Public School Boards Association, the largest school association in the province, is asking for the end of the moratorium on most pupil accommodation reviews;

**AND WHEREAS** this announcement potentially threatens the future closure of schools in many single school municipalities;

**AND WHEREAS** access to education and the presence of a school in a community is an essential service and has a direct link to the quality of life in a community;

**AND WHEREAS** schools play a key role in improving services and quality of life in a community and are viewed as activity centres where children have access to education, health services, recreation and culture;

**AND WHEREAS** schools are an important factor in the retention and attraction of residents in a community and is essential in order to resolve labour shortages and allow economic development and growth in small rural municipalities;

**AND WHEREAS** demographics in many areas are currently shifting and changing quickly as we work on meeting needs of many Ontario residents during a housing crisis;

**NOW THEREFORE BE IT RESOLVED** that Council is requesting provincial government through the Minister of Education to extend the moratorium on most pupil accommodation reviews in order to allow municipalities, townships, neighborhoods or subdivisions the opportunity to prosper, develop and grow without being hindered by school closure because of current low enrollments that could quickly change.

**FURTHER BE IT RESOLVED** that this resolution be forwarded to Premier Doug Ford, MPP Guy Bourgooin and all Ontario municipalities.

Carried  Defeated  Differed

Éric Côté

**President Officer**

**Registered vote requested by:**



**Pilon, Janet**

---

**Subject:** Correspondence to GIC on proposed increase to tax levy

From: Joshua Weresch  
Sent: March 7, 2023 9:28 PM  
To: clerk@hamilton.ca  
Subject: Correspondence to GIC on proposed increase to tax levy

To the members of the city's general issues committee:

Good morning. I hope this finds you well. I write as a life-long Hamiltonian, born and raised on these Treaty lands, as a home-owner, and as a married father of four children.

Reading recent correspondence on the GIC agenda of 1 March 2023's meeting, I was struck by the authors' general sense of where the proposed savings were to come. One author opined that extraneous working positions in the city, slush funds, and other under-utilized infrastructure (such as bicycle lanes!) should be cut, drained, and re-considered; another stated that library hours should not be expanded. None of these options should be considered; instead, there is ample money to be found in the planned \$12-million increase to the policing services' budget. If, as one author writes, Council should carefully consider which services may be eliminated entirely, it certainly makes financial sense to examine closely the most expensive item on our property tax bills: policing services. Also, has anyone on Council asked the Police Services Board whether police are refusing to investigate 'nuisance' complaints as a pressure tactic to ensure that they get their \$12 million? If so, what has the Board's response been to that question, given the Board passed its proposed budget with an increase of 6.71% at its February 2023 meeting and is perhaps waiting for Council to follow suit? Given the committee is exploring an appeal to the Ontario Civilian Police Commission, is Council considering the legal implications of refusing to pass the policing services' budget with its 6.71% increase?

Thank you for your time and attention in these regards. I look forward to your reply.

Regards,

Joshua Weresch

March 6, 2023

To All Ontario Municipalities

**Resolution re Reducing Municipal Insurance Costs**

Please be advised the Council of the Municipality of Chatham-Kent, at its regular meeting held on March 6, 2023 passed the following resolution:

“Whereas Chatham-Kent has faced multiple double digit increases to insurance premiums over the past years;

And Whereas the costs on insurance are having a significant impact on municipal budgets in Chatham-Kent and around the Province;

Now Therefore, Council direct administration to engage with other municipalities, the Association of Municipalities of Ontario, and any other relevant municipal associations, to determine what tools may be available to reduce insurance costs, including cooperative purchasing of insurance, creation of a municipal reciprocal insurance provider, or legislative changes to address insurance costs to municipalities.

And administration report back to Council regarding the result of this engagement and any recommended Council resolutions to support improvements to municipal insurance in Ontario.

Further that administration be directed to forward this motion to all other municipalities in Ontario seeking support and collaboration on this issue.”

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

Sincerely,



Judy Smith, CMO  
Director Municipal Governance/Clerk

C AMO

Ministry of Natural  
Resources and Forestry

Office of the Minister

99 Wellesley Street West  
Room 6630, Whitney Block  
Toronto ON M7A 1W3  
Tel: 416-314-2301

Ministère des Richesses  
naturelles et des Forêts

Bureau du ministre

99, rue Wellesley Ouest  
Bureau 6630, Édifice Whitney  
Toronto ON M7A 1W3  
Tél.: 416 314-2301



354-2022-1038

March 9, 2023

Her Worship Andrea Horwath  
Mayor  
City of Hamilton  
[mayor@hamilton.ca](mailto:mayor@hamilton.ca)

Dear Mayor Horwath:

Your predecessor submitted an application on behalf of the City of Hamilton seeking a Minister's exception under the *Conservation Authorities Act* (CAA) from the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council.

After carefully considering the application requesting approval to appoint five elected and five citizen members to the Hamilton Conservation Authority (HCA) membership, I have decided to not grant the City of Hamilton an exception to subsection 14(1.1) of the CAA pursuant to my authority under subsection 14(1.2).

Allowing the City of Hamilton to appoint five elected and five citizen members to the HCA, thereby avoiding the requirement for at least 70 per cent of a participating municipality's appointees to be selected from among members of municipal council, does not meet the intent of the changes made through Bill 229, the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*, to section 14 of the CAA which was to ensure greater elected council representation in conservation authorities. In this instance, it is important for the City of Hamilton to comply with this requirement, and it is not appropriate to grant an exception. I request that the City of Hamilton ensure that the necessary steps are taken so that members of council be appointed to the HCA in compliance with the requirements of subsection 14(1.1) of the CAA.

Once council members have been appointed, please confirm in writing via email to my ministry ([ca.office@ontario.ca](mailto:ca.office@ontario.ca)) that the City of Hamilton has taken the necessary steps to comply with this provision.

Please share this correspondence with municipal council as well as the HCA.

Yours Sincerely,



The Honourable Graydon Smith  
Minister of Natural Resources and Forestry

c: Lisa Burnside, CAO, Hamilton Conservation Authority  
Craig Brown, Assistant Deputy Minister, Policy Division, MNRF  
Jennifer Keyes, Director, Resources Planning and Development Policy Branch, MNRF  
Conservation Authority Office  
Stephanie Paparella, Office of the City Clerk, City of Hamilton

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto (Ontario) M7A 2J3  
Tél. : 416 585-7000

234-2023-852

February 28, 2023

**Re: Municipalities with an Interest in Green Standards**

Dear Head of Council and CAO:

Ontario municipalities have been developing green standards that have introduced leading practices in North America for promoting energy efficiency, environmentally friendly landscaping, bird-friendly design and other important sustainable design measures.

We have heard from municipalities, building owners and occupants, design professionals and the general public about the importance of these green standards. The innovative approaches being implemented through the site plan control process will help move Ontario sooner to the goal of net-zero emission communities.

It was not the intention of the government through Bill 23, *The More Homes Built Faster Act, 2022*, to prevent municipalities from using site plan control to promote green standards. One of the objectives was to focus site plan reviews on health and safety issues rather than architectural or decorative landscape details that increase costs and create unnecessary delays.

Bill 23 was amended to maintain important *Planning Act* provisions related to sustainable design of landscape elements and to provide municipalities with the option to require site plan drawings to show municipal green building construction requirements that will be authorized by the Building Code and established by municipal by-law.

The government recognizes the important work being done by municipalities through green standards to encourage green-friendly development and is committed to supporting these efforts.

While the Building Code already contains high standards for energy and water conservation more needs to be done. As a first step, the Ministry plans to commence discussions in the near term with municipalities, builders, designers, manufacturers, and building officials to develop a new and consistent province-wide approach for municipalities wanting to implement green building standards that are above the minimum requirements in the Building Code.

.../2

We plan to work with interested municipalities and other stakeholders on transitioning certain green building standards related to building construction (which are currently being implemented through the site plan process) into the Ontario Building Code. This will be achieved through an interim Building Code amendment by the summer of 2023.

For municipalities interested in promoting leading practices, this approach would maintain consistent construction standards in Ontario that provide important benefits to building product manufacturers, designers and builders, while also continuing to demonstrate Ontario's commitment to enhancing green standards.

In addition, Ontario has consulted on advancing harmonization of energy efficiency requirements in buildings by aligning Ontario's Building Code with selected National Code tiers as minimum energy efficiency requirements in the next edition of the Code in 2024.

In future editions of the Building Code, Ontario will work within the National Code development system to promote further alignment of national, provincial and municipal requirements for energy efficiency and other relevant green building standards.

I also wish to clarify that aspects of green standards that are not brought into Ontario's Building Code because they do not involve building construction (including green infrastructure, cool paving, biodiversity, tree plantings etc.) will continue to be optional standards that can be required through municipal by-law and implemented through site plan control. To ensure these matters are understood, the Ministry plans to update its online site plan guidance to reflect Green Building Standards early in 2023.

During the transition period, until the green standards are authorized in the Building Code, we would anticipate that municipalities will continue to use site plan control to address green standards to the extent possible.

I have asked Mansoor Mahmood, Director of the Building and Development Branch, to connect with municipal officials on the proposed green standards to be included in the Ontario Building Code. He can be reached at 416-992-2855 or [mansoor.mahmood@ontario.ca](mailto:mansoor.mahmood@ontario.ca).

Sincerely,



Steve Clark  
Minister

- C. Chief Administrative Officers  
Kate Manson-Smith, Deputy Minister of Municipal Affairs and Housing  
Mansoor Mahmood, Director, Building and Development Branch



March 14, 2023

**5.17**

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1  
Via Email: [premier@ontario.ca](mailto:premier@ontario.ca)

Dear Premier Ford:

**RE: School Bus Stop Arm Cameras**

Pleased be advised that the Council of the Municipality of North Perth passed the following resolution at their regular meeting held March 6, 2023:

**Moved by** Councillor Rothwell **Seconded by** Councillor Blazek

**WHEREAS** almost 824,000 students travel in about 16,000 school vehicles every school day in Ontario and according to the Ministry of Transportation's statistics the rate of vehicles blowing by stopped school buses is over 30,000 times every day;

**AND WHEREAS** the Province of Ontario passed the Safer School Zones Act in 2017 which authorized the use of Automated School Bus Stop Arm Camera Systems to detect incidents where vehicles failed to stop when the school bus was stopped and the stop-arm extended (O. Reg. 424/20);

**AND WHEREAS** the Association of Municipalities (AMO) working on behalf of all Ontario Municipalities made its submission to the Standing Committee on General Government on May 21, 2019 in support of Administrative Monetary Penalties (AMPs) to be used to collect fine revenue for school bus stop arm infractions and other applications, including Automated Speed Enforcement (ASE) technologies deployed in school and community safety zones;

**AND WHEREAS** police resources can not be spread any thinner to enforce Highway Traffic Act offences throughout municipalities;

**AND WHEREAS** the administrative and financial costs to establish the required municipal Administrative Penalty program under the Highway Traffic Act, and its regulations, are substantial and maybe out of reach for small or rural municipalities that have insufficient amounts of traffic to generate the required funds to offset the annual operational costs of a municipal Administrative Penalty program;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Municipality of North Perth urges the Provincial Government to:

- a) Require all school buses to have stop arm cameras installed and paid for by the Province for the start of the 2023-2024 school year; and
- b) Underwrite the costs for the implementation and on-going annual costs for Administrative Monetary Penalties in small and rural municipalities;

**AND FURTHER THAT** this resolution be circulated to Premier Doug Ford, Attorney General Doug Downey, Minister of Education Stephen Lecce, Provincial opposition parties, Mathew Rae MPP, AMO and all municipalities in Ontario.

**CARRIED**

If you have any questions regarding the above resolution, please do not hesitate to contact me at [lcline@northperth.ca](mailto:lcline@northperth.ca).

Sincerely,



Lindsay Cline,  
Clerk/Legislative Services Supervisor  
Municipality of North Perth

cc.  
Hon. Doug Downey, Attorney General  
Hon. Stephen Lecce, Minister of Education  
Provincial Opposition Parties  
MPP Matthew Rea  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities

[REDACTED]  
[REDACTED]  
20 February 2023

City of Hamilton Board of Health  
Hamilton City Hall  
71 Main St W  
Hamilton, ON L8P 4Y5

Dear Board of Health member:

I personally attended the Hamilton Board of Health meeting February 13 regarding a proposed Consumption and Treatment Site (CTS) and was deeply troubled by what I saw.

**I encourage you to immediately rescind the Board of Health's endorsement for this proposed CTS location, which was at least partially based on fraudulent testimony. The Board of Health endorsement should only be reconsidered after hearing from the surrounding community as well as hearing from those with lived experience residing or working near a CTS in similar neighbourhoods.**

While it is commonplace for CTS applicants to be mischievously evasive about their plans to set up shop under the radar of public scrutiny, we witnessed a special level of dishonesty at this meeting. It was clear to many in the gallery that delegates from The Aids Network (TAN) and their partnering organizations misrepresented themselves and the truth to secure a Board of Health endorsement for their proposed Barton Street East CTS.

It was astonishing to see that so many delegates speaking in favour of an endorsement were well prepared, having been invited long in advance at the behest of the Board. Yet, they testified with false or contradictory information. Only two layperson delegates speaking in opposition had just learned of this hearing by accident a few days prior. Should there be any doubt about a systematic denial of community input here?

One particular delegate in opposition presented a massive petition of 1200 signatures, demonstrating a real and overwhelming community opposition to the location of this site. He was subsequently overridden with a surprise endorsement that entirely sidestepped all community opposition.

Some of the more obvious areas in which injection site applicants and their partners mislead the Board of Health include:

- **Community engagement**—there was no meaningful engagement. The Board would have learned this had it openly invited the community to delegate at this meeting.
- **Distribution of flyers**—by all accounts besides the applicants', there were *literally* two pieces of paper distributed to neighbours. These “flyers” were entirely vague, having no specific information about a CTS including its proposed location.

- **Location specificity (A)** – 746 Barton St E is not an opioid “hotspot” as the applicant has maintained for well over a year. Hamilton EMS data all show hotspots are far away, and downtown. An upcoming CTS at 430 Cannon St further reduces the trumped up need for this second proposed site on Barton St E.
- **Location specificity (B)** -- A fact stated several times by various people in the Board of Health hearing is that *746 Barton St E is the ONLY place the applicants could find a landlord willing to have them*. That reason, and only that reason, is why they have proposed this location. It appears that all other justifications for this specific location were fabricated in the past to convince city officials and neighbours
- **Community support for the injection site** – the virtual online support cited by the applicant’s survey (which lacks any modicum of statistical rigor) is *massively* outweighed by real community opposition in the form of actual signed petitions, a newly engaged citizenry, and surprisingly strong opposition to the re-election of a well-liked incumbent councilor.
- **A mis-characterization of oppositional voices** – the community does not oppose this CTS location out of unfounded fear or stigmatization, as the applicants repeated ad nauseam; but rather from actual neighbourhood deterioration that has resulted near similar facilities all across Canada. Such deterioration is often so blatant – even in Hamilton – it is amazing applicants keep a straight face when trying to convince the public to the contrary
- **Basic Stats (A)** -- a delegate from HAMSMART and self-proclaimed “stats person” stated 1 out of 8 Hamiltonians *uses* illegal drugs. Nonsense. According to the latest comprehensive Canadian Alcohol and Drugs Survey, it is 1 out of 25 males and 1 out of 33 females.
- **Basic Stats (B)** – the aforementioned HAMSMART delegate additionally stated 50% of clients will not travel further than 10 blocks to use this facility. Given that another CTS is opening soon at 430 Cannon St (about 1000m away), the Barton St site will be even less important, and limited in effectiveness. These resources are better used elsewhere.
- **Distance to schools, etc** – a day care facility for special needs adults (an extremely vulnerable population) is located only two doors down from the proposed CTS, or about 30m away. At a meeting held by the care facility, parents and caregivers were literally in tears over how the activity around an injection site will directly impact their children’s health. The needs of these families are continually ignored by the injection site applicants and its proponents.

I look forward to your response, hoping you will do what is right and reconsider this entire matter in light of facts and community input. Feel free to contact me.

Kind regards,

Michael Mecca

Cc: Sylvia Jones, Ontario Minister of Health  
Carolyn Bennett, Minister of Mental Health and Addictions

March 14, 2023

The Honourable Doug Ford  
Premier of Ontario  
Via email: [premier@ontario.ca](mailto:premier@ontario.ca)

RE: A Call to the Provincial government to End Homelessness in Ontario

Dear Premier Ford,

During the February 27, 2023 regular meeting of council, the AMO request calling on the province to calling on the province to end homelessness was brought forward and discussed, the following resolution was carried:

Moved: Chad Hyatt                      Seconded: Debb Pitel

WHEREAS the homeless crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario;  
WHEREAS the homelessness crisis is the result of the underinvestment and poor policy choices of successive provincial governments;  
WHEREAS homelessness requires a range of housing, social service and health solutions from government;  
WHEREAS homelessness is felt most at the level of local government and the residents that they serve;  
WHEREAS municipalities and District Social Administration Boards are doing their part, but do not have the resources, capacity or tools to address this complex challenge; and,  
WHEREAS leadership and urgent action is needed from the provincial government on an emergency basis to develop, resource, and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario.

THEREFORE BE IT RESOLVED THAT Council of the Town of Petrolia calls on the Provincial Government to urgently:

- a. Acknowledge that homelessness in Ontario is a social, economic, and health crisis;
- b. Commit to ending homelessness in Ontario;
- c. Work with AMO and a broad range of community, health, Indigenous and economic partners to develop, resource, and implement an action plan to achieve this goal.

AND FURTHER THAT a copy of this motion be sent to the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services; the Minister of Health; to the Association of Municipalities of Ontario; County of Lambton Social Services.

Carried

Kind regards,

*Original Signed*

Mandi Pearson  
Clerk/Operations Clerk

cc: file  
Minister of Municipal Affairs and Housing [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)  
Minister of Children, Community and Social Services [MinisterMCCSS@ontario.ca](mailto:MinisterMCCSS@ontario.ca)  
Minister of Health [sylvia.jones@ontario.ca](mailto:sylvia.jones@ontario.ca)  
MPP Bob Bailey, Sarnia-Lambton [bob.bailey@pc.ola.org](mailto:bob.bailey@pc.ola.org)  
County of Lambton Social Services [melissa.fitzpatrick@county-lambton.on.ca](mailto:melissa.fitzpatrick@county-lambton.on.ca)  
Municipalities of Ontario

Phone: (519)882-2350 • Fax: (519)882-3373 • Theatre: (800)717-7694

411 Greenfield Street, Petrolia, ON, N0N 1R0

[www.town.petrolia.on.ca](http://www.town.petrolia.on.ca)





**Honourable Steve Clark**

Ministry of Municipal Affairs and Housing  
College Park 17<sup>th</sup> Floor, 777 Bay Street  
Toronto, ON M7A 2J3

March 17, 2023

**5.20**

RE: Tax Classification of Short-Term Rental Units

At its Regular Council Meeting held on March 6, 2023, Councillor Hammond brought forward a Notice of Motion for Council's consideration regarding the current tax classification of Short-Term Rental Units. In particular, Council discussed the implications of having Short-Term Rental Units operate as a business within a residential community. Council noted that allowing Short-Term Rental Unit Operators to pay residential property taxes is inequitable to those business owners who must pay commercial property taxes, solely due to the location of their business.

As a result of this discussion, Council passed the following resolution:

**R23-03-082**

Moved by: Councillor Hammond

Seconded by: Councillor Matyi

**That** Council direct Administration to send a letter to the Municipal Property Assessment Corporation ("MPAC"), the Ministry of Municipal Affairs, and any other relevant bodies, to investigate the tax classification of short-term rental units and consider taxing them as commercial as opposed to residential.

**Carried**

I trust you will find this satisfactory. If you have any questions or comments, please feel free to contact the undersigned.

Yours truly,

**Shelley Brown**

Acting Clerk, Legal and Legislative Services  
[sbrown@essex.ca](mailto:sbrown@essex.ca)

**c.c.** Tracy Pringle, Municipal Property Assessment Corporation

**[Tracy.Pringle@mpac.ca](mailto:Tracy.Pringle@mpac.ca)**



**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | [essex.ca](http://essex.ca)

Anthony Leardi, MPP

**[Anthony.Leardi@pc.ola.org](mailto:Anthony.Leardi@pc.ola.org)**

Mary Birch, Interim CAO

**[mbirch@countyofessex.ca](mailto:mbirch@countyofessex.ca)**

All Ontario Municipalities

**Ministry of Health**

Office of the Deputy Premier  
and Minister of Health

777 Bay Street, 5<sup>th</sup> Floor  
Toronto ON M7A 1N3  
Telephone: 416 327-4300  
Facsimile: 416 326-1571  
www.ontario.ca/health

**Ministère de la Santé**

Bureau du vice-premier ministre  
et du ministre de la Santé

777, rue Bay, 5<sup>e</sup> étage  
Toronto ON M7A 1N3  
Téléphone: 416 327-4300  
Télécopieur: 416 326-1571  
www.ontario.ca/sante



**5.21**

March 1, 2023

eApprove # 182-2023-424

Her Worship Andrea Horwath  
Mayor  
The City of Hamilton  
71 Main Street West  
Hamilton ON L8P 4Y5

*Andrea*  
Dear Mayor Horwath:

I am pleased to advise you that the Ministry of Health will provide the City of Hamilton an increase of \$91,072 in base funding, bringing total base funding to \$1,476,764 for the 2023 calendar year for the Hamilton Paramedic Service to support inter-facility transports for critically ill neonatal patients.

The Assistant Deputy Minister of the Emergency Health Services Division will write to the City of Hamilton shortly concerning the terms and conditions governing this funding.

Thank you for your dedication and commitment to serving this highly vulnerable and unique population.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sylvia Jones'.

Sylvia Jones  
Deputy Premier and Minister of Health

- c: Ms. Janette Smith, City Manager, The City of Hamilton
- Ms. Alison Blair, Associate Deputy Minister, Health Integration and Partnerships, Ministry of Health
- Ms. Susan Picarello, Assistant Deputy Minister, Emergency Health Services Division, Ministry of Health



**CORPORATION OF THE TOWN OF ESSEX**

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**Honourable Steve Clark**

Ministry of Municipal Affairs and Housing  
College Park 17<sup>th</sup> Floor, 777 Bay Street  
Toronto, ON M7A 2J3

March 22, 2023

**5.22**

RE: The Reinstatement of Legislation Permitting a Municipality to Retain Surplus Proceeds from Tax Sales

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Dear Honourable Steve Clark,

At its Regular Council Meeting held on March 6, 2023, Mayor Bondy brought forward a Notice of Motion for Council's consideration regarding the reinstatement of previous legislation permitting a municipality to retain surplus proceeds from tax sales. It was discussed that, prior to being repealed by the Modernizing Ontario's Municipal Legislation Act, 2017, Section 380(6) of the Municipal Act, 2001 allowed for a municipality to retain surplus proceeds from tax sales within their jurisdiction. It was further noted that the Public Tax Sale process is burdensome to a municipality who invest a considerable amount of time and money recovering these proceeds for the potential sole benefit of the Crown in Right of Ontario.

As a result of this discussion, Council passed the following resolution:

**R23-03-081**

Moved by: Mayor Bondy

Seconded by: Councillor Allard

**That** Council direct Administration to send a letter to all relevant taxation bodies, including the Ministry of Municipal Affairs, the Ministry of Finance, Essex County Council, MPP Anthony Leardi, Association of the Municipalities of Ontario and all other municipalities in Ontario urging them to re-instate previous legislation that permitted a Municipality to apply for and retain the surplus proceeds from a tax sale in their jurisdiction.

**Carried**

I trust you will find this satisfactory. If you have any questions or comments, please feel free to contact the undersigned.

Yours truly,

**Shelley Brown**

Acting Clerk

[sbrown@essex.ca](mailto:sbrown@essex.ca)



**CORPORATION OF THE TOWN OF ESSEX**

33 Talbot Street South, Essex, Ontario, N8M 1A8

p: 519.776.7336 f: 519.776.8811 | [essex.ca](http://essex.ca)

**c.c.** Honourable Peter Bethlenfalvy, Minister of Finance  
[minister.fin@ontario.ca](mailto:minister.fin@ontario.ca)

Mary Birch, Interim Chief Administrative Officer  
[mbirch@countyofessex.ca](mailto:mbirch@countyofessex.ca)

Anthony Leardi, MPP  
[anthony.leardi@pc.ola.org](mailto:anthony.leardi@pc.ola.org)

Association of Municipalities of Ontario ("AMO")  
[resolutions@amo.on.ca](mailto:resolutions@amo.on.ca)

All other municipalities in Ontario

**Ministry of Natural Resources and Forestry**  
Policy Division

Director's Office  
Crown Forests and Lands Policy Branch  
70 Foster Drive, 3<sup>rd</sup> Floor  
Sault Ste. Marie, ON P6A 6V5

**Ministère des Richesses naturelles et des Forêts**  
Division de la politique

Bureau du directeur  
Direction des politiques relatives aux forêts et aux terres de la Couronne  
70, rue Foster, 3<sup>e</sup> étage  
Sault Sainte Marie, ON P6A 6V5



March 17, 2023

Hello,

We are writing to let you know that on March 16, 2023, the Ministry of Natural Resources and Forestry made an update to the proposal to make amendments to [Ontario Regulation 161/17](#) under the [Public Lands Act](#) regarding the use of floating accommodations.

The changes to the proposal are described in the updated proposal notice on Ontario's Regulatory Registry and the Environmental Registry of Ontario (ERO) (ERO number [019-6590](#)), which was first published on February 24, 2023 and updated on March 16, 2023.

In the updated proposal, we are still proposing to amend Ontario Regulation 161/17 to clarify the structures or things that cannot be placed and used for overnight accommodation on water over public land.

The following changes proposed in the original posting have been removed through the update:

- reducing the number of days that a person can camp on water over public land (per location, per calendar year) from 21 days to 7 days
- increasing the distance that a person camping on water must move their camping unit to be occupying a different location from 100 metres to 1 kilometre
- adding a new condition to prohibit camping on water within 300 metres of a developed shoreline, including any waterfront structure, dock, boathouse, erosion control structure, altered shoreline, boat launch and/or fill
- harmonizing the conditions for camping on public land so that residents and non-residents are required to follow the same conditions when camping on water over public lands or on public lands
- specifying conditions for swim rafts, jumps, ramps for water sports, heat loops and water intake pipes
- clarifying that camping on a road, trail, parking lot or boat launch is prohibited
- amending the regulation to add the following to the list of excluded public lands to which section 21.1 of the *Public Lands Act* and Ontario Regulation 161/17 do not apply:

- lands subject to an agreement authorizing the use of those lands
- lands subject to an authorization under the *Aggregate Resources Act*.

We encourage you to review the updated proposal notice (ERO number [019-6590](#)) and provide feedback through the ERO. The comment period for the proposal closes on **April 11, 2023**.

Sincerely,

Peter D. Henry, R.P.F.  
Director, Crown Forests and Lands Policy Branch  
Ministry of Natural Resources and Forestry

c: Pauline Desroches, Manager, Crown Lands Policy Section



March 24<sup>th</sup>, 2023

**City of Hamilton**  
 Council Chambers  
 71 Main Street W  
 Hamilton ON L8P 4Y5

<b>TO:</b>	Clerks Department <a href="mailto:clerk@hamilton.ca">clerk@hamilton.ca</a> 905-546-4408
<b>RE:</b>	Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update (PED21067(d))

Dear Council,

Corbett Land Strategies Inc (CLS) is writing on behalf of the Upper West Side Landowners Group (UWSLG) (formerly Twenty Road West Landowners Group). The UWSLG lands are identified as “Area 2” and “Area 3” of the Twenty Road West (Appendix C to Staff Report PED21067(d)).

This letter is in response to the City’s Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update as discussed at Planning Committee on March 21<sup>st</sup> (PED21067(d)).

We have read the report, and our summarized comments can be found below.

- The UWSLG is supportive of the proponent leading the secondary plan process, where appropriate;
- Supportive of the proposed Secondary Plan Guidelines, with due public consultation on the final set;
- In support of the proponents incurring the costs for the studies, background work and all associated public consultation; and,
- Supportive of landowner groups being formed in terms of finalizing cost sharing agreements to advance proponent led Secondary Plan processes.

In support of a secondary plan for the subject Lands, to date we have advanced the following:

- Cost and Funding Agreements amongst landowners;
- Functional Servicing and Stormwater Management Report
- Environmental Impact Study and Linkage Assessment

- Transportation Analysis on Internal Collector Road Network
- Community Level Urban Design Guidelines
- Community Level Planning Justification Report
- Fluvial Geomorphological Assessment
- Financial Impact Assessment

To offer some suggestions to the challenges presented by staff in Report PED 21067, we offer the following:

- Acknowledgement of past work which determining completion of Secondary Plan stage/phase
- Additional public consultation where secondary plan process is landowner led
- Municipal staff to lead public consultation where secondary plan process is landowner led
- Landowner groups directly fund dedicated staff to Secondary Planning
- Elimination of unnecessary planning approvals, such as unnecessary Block Plans.

The following offers useful background for Staff and members of Council to consider along with comments on the proposed strategy.

## **BACKGROUND**

UWSLG has been actively involved in the City's Municipal Comprehensive Review (MCR) including to advocate for the inclusion of the former whitebelt lands into the settlement area. Through the Minister's decision on UHOPA No.167, the subject lands are now designated as "Urban Expansion Area – Neighbourhoods" and "Urban Expansion Area – Employment Area".

Following that decision, the UWSLG has submitted an application for Formal Consultation to amend the North-West Glanbrook Secondary Plan. Given the size of the urban boundary expansion areas and direct adjacency to other urban uses, the amendment to the Secondary Plan makes sense both from a planning as well as an administrative perspective. The community envisioned for the subject lands would result in approximately the following:

- A total of up to 15,198 residential units (approximately 1,216 singles/semis, 10,639 townhomes and 3,344 apartment units)
- A population of up to 36,542 persons
- An employment base of 958-1,404 jobs
- Overall density of up to 142.1 people and jobs per net hectare.

The proposed community is an infill project which has been advanced in consultation with a project team who has completed the following studies/ reports:

- Functional Servicing and Stormwater Management Report;
- Environmental Impact Study and Linkage Assessment Report;
- Agricultural Impact Assessment;
- Financial Impact Analysis;
- Fluvial Geomorphological Report;
- Hydrogeological Assessment;
- Geotechnical Investigation;
- Noise Feasibility Study;
- Urban Design Brief;
- Transportation Study;
- Stage 1 Archaeological Assessment,
- Cultural Heritage Impact Assessment; and,
- Planning Rational with a supportive Parks and Community Infrastructure Report and Energy and Environmental Assessment Report.

### **URBAN EXPANSION AREAS**

Staff report PED21067 provides background information on the urban expansion areas which have been designated Urban Expansion Area, through the Minister's decision on UHOPA NO.167. It provides useful information as to the existing works which have been completed or are underway both from the City or from the landowners.

Twenty Road West is advised (both in the table as well as Appendix C to PED21067) to consist of three areas, generally located south of Garner Road East (between Smith Road and Glancaster Road) and south of Twenty Road West (between Glancaster Road and Upper James Street). Please note, the UWSLG represents the majority of landowners for only Areas 2 and 3 (not Area 1). This distinction is relevant should Secondary Plan permissions be established against the general urban boundary expansion requirements. If this were to occur, it is recommended that Areas 2 and 3 be separated from Area 1.

The provided table (page 16 of PED21067(d)) outlines background work which has been completed for all of the urban boundary expansion areas except for Twenty Road West. Although this may have been an oversight, due consideration within the staff report should be provided for the extensive background work which has occurred to date. In addition to the above studies conducted wholly by the landowners the following studies have been completed which include the subject lands:

- Stage 1 Archaeological Assessment (City – 2008, UWSLG – 2020)
- Detailed Sub-Watershed Study

- Transportation Management Plan (TMP)(2011), update currently underway with preferred alignment released in June 2021
- Water and Wastewater Servicing Master Plan
- Class Environmental Assessments
  - Dickenson Road, Twenty Road West, Glancaster Road (City)
  - Garth Street Extension – Privately Initiated (UWSLG)

## **SECONDARY PLAN STRATEGY AND PLANNING OPTIONS**

The staff recommendation of PED21067 to consult with the public and stakeholders on the draft Secondary Plan Guidelines and bring a final Secondary Plan Guideline document, with any amendments resulting from public consultation for approval at a future Planning Committee meeting was endorsed. UWSLG understands the current Secondary Plan guidelines are an interim measure, we request that the ultimate guidelines go through a consultation process. Additionally, it would be our opinion, that should portions of the guidelines change for a Stage of the process already completed in a Secondary Plan process, that the landowners are not required to revisit a Stage already completed.

City Staff have set out options for Council consideration (Options 1 – 5) most of which establish the City as preferring to lead the secondary planning process. While UWSLG does not oppose the City’s involvement or even oversight, it is suggested that additional efficiencies may be found with an increased role of the applicant. However, it is the preference of the UWSLG that the Secondary Plan process be led by the landowners based on the level of work that has already been completed. CLS also respectfully suggests that a policy creating a reasonable framework for a proponent led process should be included.

In the case of UWSLG, (as mentioned above) extensive background work has already been completed, much of which has been done in coordination with city staff. The suggested proponent led process would still give oversight to the City in the sense that the landowners would be willing to perform above and beyond public consultation to ease any concerns and would be willing to have the City manage the public consultation component and review of all of the reports, making way for a cohesive working relationship and outcome. As such, UWSLG recommends the consideration of a modified Option 3 or 4 whereby, the Secondary Plan process is landowner led and which has oversight by the City.

To further reduce the financial burden to the City, as well as to ensure the City maintains a “leadership” role, it may be fiscally prudent for the City to request the development group in need of a Secondary Plan, to fund dedicated staff. Part of the concern of both the City and development industry involves the resourcing of staff to a project. From the City’s

perspective, the revenues gained from property taxes and other sources are not limitless and staff allocation must be completed appropriately to maximize expenditures. From the development industry perspective, this widespread allocation of staff limits the time and attention necessary to review and process the applications in a time sensitive manner. The direct funding by the proponent of dedicated staff could unlock some of these challenges. Please note, this may also offer solutions to challenges raised in the Staff Report on page 26 and 27 with staffing. Examples of similar staffing models have been employed in the Town of Milton as well as the City of Brampton (amongst others).

Finally, the UWSLG strongly opposes higher level Secondary Plans that may result in additional layer of Block Planning. An increased Block Plan layering would not improve the timeline or efficiency of work load with a shared partnership.

### **DRAFT SECONDARY PLAN GUIDELINES**

The UWSLG is generally supportive of the intent of the draft guidelines which set out the requirement for the Secondary Plan process which at this time are to include (at a minimum) area-specific Terms of Reference, addressing the City's Ten Directions for Development, phasing, required components, minimum standards for public engagement and a Secondary Plan Report.

It is noted that while the guidelines provide interim direction which is helpful to navigate the Secondary Plan process, more consideration should be provided to existing and previously completed technical work. From the perspective of the UWSLG, the entirety of Phase 1, which includes the collection of data and identification of opportunities and constraints, has been generally completed through previous or ongoing processes some of which have been completed in coordination and involvement of city staff. Further, the UWSLG has hosted previous consultation events which should be accepted as part of the overall consultation strategy with the public. To date, the UWSLG has conducted 3 or more events (both virtual and in-person) with area residents and has already activated a dedicated email and webpage to the project.

### **CONCLUSION**

As the UWSLG is an infill project that has made significant overtures in the completion of most of the necessary materials required for a Secondary Plan. As such there is an opportunity for the development of an infill community to be advanced quickly.

It is the hope of the UWSLG that the above comments will assist Council, in determining an appropriate Secondary Plan process to successfully accommodate new growth areas within the City of Hamilton.



Ultimately, the UWSLG maintains that a Secondary Plan process which is based on a reasonable framework to allow for a proponent led process should be allowed

Should there be any questions or a need for further information, feel free to reach out to the below.

Sincerely,

*John Corbett*

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**John B. Corbett, MCIP, RPP**  
President  
Corbett Land Strategies Inc.  
[john@corbettlandstrategies.ca](mailto:john@corbettlandstrategies.ca)  
416-806-5164

cc: Jason Thorne  
Steve Robichaud  
Christine Newbold  
Melanie Pham

**Pilon, Janet**

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**Subject:** Taxes

----- Forwarded message -----

From: **Brooke Beney**

Date: Fri, Mar 24, 2023 at 1:40 PM

Subject: Taxes

To: DiGiantomasso, Christine <[christine.digiantomasso@hamilton.ca](mailto:christine.digiantomasso@hamilton.ca)>, Spadafora, Mike <[Mike.Spadafora@hamilton.ca](mailto:Mike.Spadafora@hamilton.ca)>

Hello,

A quick note to let you know that after losing a business during covid and dealing with inflation the last thing our family needs is a property tax increase of over 5% this year.

I hope council can find efficiencies that prevent such an increase. I love hamilton, I love our services (particularly recreation) but there must be wasteful spending somewhere that could minimize the burden on the home owner.

Thanks for considering this request,

Brooke Beney

**Pilon, Janet**

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**Subject:** Council Agenda, Wednesday March 29 - Item 6.3 - 2023 Budget

**From:** Lakewood Beach Community Council

**Sent:** March 26, 2023 2:52 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>; Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>

**Subject:** Council Agenda, Wednesday March 29 - Item 6.3 - 2023 Budget

Dear Honourable Mayor Howarth & Councillor Beattie:

Contained within the 2023 Budget Paragraph 24 in Report 23-001 is a significant Tax Policy change which we are requesting you amend for our area prior to final Council approval on March 29, 2023.

During your campaign and following your successful election campaign your messaging (as well as the majority of the elected members of Council's campaign platforms) had always been clear: Major decisions at Council would include the voices of all stakeholders \*. As a citizen volunteer who sat on the Hamilton Engagement Committee I personally supported your pledge as it aligned with the recommendations that were set forth by the Engagement committee and adopted by council. Therefore, I was disappointed to find out that this particular change in Area Rating policy was presented to Council weeks after the public delegations on the Budget concluded.

The change in Tax Policy before you is retaining Grays to Green Road as an urban delivery area, and changing Green Road & east as a composite delivery area. In 2016, I delegated to GIC on the inequities in the Tax Policy pertaining to delivery of Fire Services when the dividing line was Fruitland Road at that time. We were assured by Council those inequities would be "fixed" for our area as well as in other parts of the city.

Lower Stoney Creek Ward 10 is unique in that the City has not built a stand-alone composite fire station since amalgamation, if we had done so, our community would be within a boundary where our Tax Policy would not be considered 'urban'. I won't delve into the many reasons why new stations were built as Composite stations but I'd like to point out:

1. Our community's fire service delivery method is not 100% full-time. Multiple sources have confirmed that depending on the type/severity of the call, response will be from either Station 12 (full-time) and/or Station 16 (volunteer). Therefore, the tax policy change that is before you which area rates us as 'urban' does not align to the methodology Council has **chosen** to use for Fire area rating;
2. The response time from a Full-time v. a Composite Station is exactly the same. (Source: 10 Year Fire Services Plan) Therefore, the tax policy methodology Council is opting for, 'method of delivery' over the 'service level' option you have in the Municipal Act does not align with the general public's understanding that Area Rating is based on varying levels of different municipal services. *(Please take a moment to pause here and consider the impact this precedent of fire services tax policy change might have on Transit area-rating discussions);* and
3. Composite Stations have full-time firefighters at the stations 24-7 as well as part-time volunteers under one roof that respond to calls in those composite areas. Our area as well have full-time and part-time responders but under 2 different roofs. We fail to see how a change in tax policy that results in a lower

levy for "one roof" service provided properties v. "two roofs" aligns with the basic principle behind area rating of special services under the Municipal Act.

In closing, if you are supportive of the Tax Policy change in principle, we are requesting you consider an amendment to the Composite Area boundary to be inclusive of Grays Rd to Green, north of the QEW. The revised mapping amendment would result in a Tax Policy for our area that is better aligned to composite areas in Upper Stoney Creek, Ancaster and Waterdown.

Alternatively, we would request that you consider a pause for this part of the 2023 Budget until such time as Council has been provided with more details on your methodology options & until the public has been provided with an opportunity to delegate on this additional 1% property tax levy for those properties impacted.

Thank you for taking the time to consider our request.

Respectfully,

Anna Roberts  
President  
Lakewood Beach Community Council

c.c. City Clerk for inclusion on the Agenda please

\*

“There are all kinds of pieces, and they’re not easy; these are hard issues to wrestle to the ground. But I believe that we find solutions that are workable when we have everyone's voice at the table,” Horwath told the Glanbrook Gazette.  
Having local residents and stakeholders weigh in on decisions is essential, she added.  
“It shouldn't be somebody in an office somewhere making decisions that are going to directly impact community from day one without having community voices at the table.”

**Pilon, Janet**

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**Subject:** Vaccine Policy: New Pertinent Information Regarding the Unvaccinated & Natural Immunity

**From:** KK Z

**Sent:** Wednesday, March 22, 2023 5:11 PM

**To:** Cassar, Craig <Craig.Cassar@hamilton.ca>; Office of the Mayor <Officeofthe.Mayor@hamilton.ca>; Ward 1 Office <ward1@hamilton.ca>; Ward 2 <ward2@hamilton.ca>; Office of Ward 3 City Councillor Nrinder Nann <ward3@hamilton.ca>; Ward 4 <ward4@hamilton.ca>; Francis, Matt <Matt.Francis@hamilton.ca>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Beattie, Jeff <Jeff.Beattie@hamilton.ca>; Tadeson, Mark <Mark.Tadeson@hamilton.ca>; Ward 13 <ward13@hamilton.ca>; Spadafora, Mike <Mike.Spadafora@hamilton.ca>; McMeekin, Ted <Ted.McMeekin@hamilton.ca>

**Cc:** Pilon, Janet <Janet.Pilon@hamilton.ca>; McRae, Angela <Angela.McRae@hamilton.ca>

**Subject:** Vaccine Policy: New Pertinent Information Regarding the Unvaccinated & Natural Immunity

Madam Mayor and Council. I believe this recent information regarding natural immunity should end any debate for excluding the unvaccinated from applying for work. The vast majority of Hamiltonians, whether vaccinated or not, have been infected by Covid19.

The latest scientific studies have found that natural immunity is better than two doses of the mRNA genetic shots in preventing severe illness and hospitalization. For your reference and to forward to the Public Health Committee and Dr. Richardson....see links below.

I would also point out that conclusive evidence has come out stating that people with low levels of Vitamin D3 are at risk of severe Covid 19 outcomes, particularly those with comorbidities. Conversely people with proper levels of Vitamin D3 are at a far reduced risk from severe outcomes from Covid19. Why is this not being promoted to all Hamiltonians?

Most people have woken up to the mismanagement of Covid19. I suggest it is time our Public Health authorities stop with their misinformation and focus on those that are most vulnerable. I have provided you with enough information today, as well as in February, to educate yourself and to hold them accountable, and show leadership. Town councillor apologizes:

<https://youtu.be/iBSppvX6MwM>

Please ensure this email and information gets to Dr. Richardson, HR, Health & Safety and is put on public record. Thank you

Regards,  
Kim Zivanovich Ward 12

Natural Immunity:

<https://www.mdpi.com/2077-0383/11/21/6272>

<https://www.thelancet.com/journals/laninf/article/PIIS1473-30992100676-9/fulltext>

<https://jme.bmj.com/content/48/6/371>

<https://www.medscape.com/viewarticle/969293>

<https://youtu.be/VjTsQ2Ufi4U>

Vitamin D

<https://www.youtube.com/watch?v=x5sc7G4s4CY&t=78s>

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

**Procureur général**  
 Édifice McMurtry-Scott  
 720, rue Bay  
 11<sup>e</sup> étage  
 Toronto ON M7A 2S9  
 Tél.: 416-326-4000  
 Téléc.: 416-326-4007



Our Reference #: M-2023-2275

March 24, 2023

Dear Heads of Council, Municipal Chief Administrative Officers, and Clerks:

I am pleased to write to you today to provide an update on modernization initiatives in Ontario's *Provincial Offences Act* (POA) courts.

On November 23, 2022, proposed amendments to the POA aimed at modernizing and streamlining processes in POA courts were introduced in the Ontario Legislature as Schedule 8 under Bill 46, the *Less Red Tape, Stronger Ontario Act, 2023*. I am happy to advise that Bill 46 received Royal Assent on March 22, 2023.

As a result, the following changes to the POA have been approved:

#### Implementation of Amendments to Allow for Clerk Review of Reopening Applications

Currently, the POA allows a defendant convicted of either failing to respond to a charge laid by certificate of offence or of failing to appear for a hearing or early resolution meeting, to apply to have the conviction struck and the matter reopened. Such applications are currently reviewed by a justice of the peace and may be granted if the justice of the peace is satisfied that, through no fault of their own, the defendant was unable to appear for a hearing or an early resolution meeting or did not receive a notice or document relating to the offence.

Effective September 22, 2023, clerks of the court will grant, but not deny, applications to strike a conviction on a ticket, if satisfied that the defendant, through no fault of their own, missed a notice or was unable to attend a meeting or hearing related to the ticket. If the clerk is not able to grant the application and strike the conviction, the clerk must forward the application to a justice of the peace to make the determination whether to grant or deny the request for a reopening.

These amendments will assist municipalities in recovering from the disruption of court operations created by the pandemic by freeing up judicial time and allowing municipal court staff to address the backlog of cases more quickly.

#### Repeal of the Bill 177 Early Resolution Reforms

Effective March 22, 2023, amendments to section 5.1 of the POA, together with previously proposed sections 5.2 to 5.5 are repealed, although they had not yet come into force. These previously proposed amendments would have changed the "early resolution" process in ways that are no longer desired by stakeholders.

The Ministry of the Attorney General looks forward to continuing engagement with partners and stakeholders on new opportunities for modernizing the early resolution process.

If you have any questions, or if you would like more information about these initiatives, please contact Ms. Wendy Chen, Manager of the POA Unit, either by email at [JUS.G.MAG.POASupport@ontario.ca](mailto:JUS.G.MAG.POASupport@ontario.ca) or by telephone at (437) 244-8733.

Thank you for your continued commitment to the administration of justice and for supporting access to justice services for all Ontarians.

Sincerely,

A handwritten signature in black ink that reads "Doug Downey". The signature is written in a cursive, flowing style with a long horizontal stroke at the end of the name.

Doug Downey  
Attorney General

c: Wendy Chen, Manager, POA Unit, Court Services Division, Ministry of the Attorney General

March 28, 2023

**City of Hamilton**

71 Main Street West, Hamilton, ON

**5.29****West End Home Builder's Association | Submission on Implementing OPA No. 167:  
Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update**

The West End Home Builders' Association (WE HBA) is the voice of the land development, new housing and professional renovation industries in Hamilton and Burlington. The WE HBA represents 300 member companies made up of all disciplines involved in land development and residential construction. In 2022, the residential construction industry employed over 23,000 people, paying \$1.6 billion in wages, and contributed over \$3.2 billion in investment value within Hamilton.

WE HBA appreciates that the City of Hamilton is taking action to address the housing crisis and will be moving forward with the implementation of OPA 167 and beginning a Secondary Planning Strategy for Urban Expansion Areas. WE HBA supports the Ministerial modifications brought in through Minister Clark's approval of Hamilton's Official Plan Amendment 167. The Ministerial modifications facilitate increasing housing supply of all types, not only through expansion, but also through enhanced opportunities for intensification through taller buildings and additional opportunities for transit-oriented communities throughout the full BLAST network to accommodate population growth. WE HBA strongly believes that a healthy housing system exists when a city has the right mix of housing choices and supply that are able to address all residents' shelter needs through their full life cycle.

Moving forward with the implementation of OPA 167, the City should focus on a permissive planning framework to support additional opportunities for a diverse range of housing supply. More than doubling the annual production of housing in Hamilton (and across Ontario) is necessary, and in the public interest, given the significant housing shortage our City and broader region is facing. The shortage of new housing supply in places with so much housing demand is putting a squeeze on the future, primarily young Canadians and new Canadians. This lack of housing supply is discouraging people from moving to the most dynamic and productive parts of the country, while displacing families that already live here. Hamilton's supply of housing is lagging far behind our population growth. If Hamilton's housing completions had kept pace with Ontario's population growth, Hamilton would have built 11,536 new low-density homes and 349 additional apartment units between 2015-2020.<sup>1</sup>

Hamilton currently builds an average 1,800 units a year, but the Council adopted Housing Pledge requires us to increase the number of housing completions to 4,700 units per year, every year, for the next ten years. WE HBA recognizes the City of Hamilton pledge is focused on intensification areas, and we support that approach to make significant amendments to our existing planning framework to allow for much higher levels of intensification. Planning approvals to build new homes take a very long time. The expansion areas provide an additional opportunity to set a framework for collaborative discussions with the City of Hamilton and the development community to be able to work together to move more quickly towards building more attainable housing supply in new complete communities.

Regards,



**Michael Collins-Williams, MCIP, RPP**  
Chief Executive Officer  
West End Home Builders' Association

<sup>1</sup> "Ontarians on the Move - Local Intelligence Report - Hamilton." Smart Prosperity Institute, June 2021. <https://institute.smartprosperity.ca/publication/ontarians-on-the-move>.



City of Hamilton  
**SOLE VOTING MEMBER  
 OF THE HAMILTON FARMERS' MARKET  
 REPORT 23-001**

9:30 a.m.

Thursday, February 23, 2023  
 Council Chambers, Hamilton City Hall, 2<sup>nd</sup> Floor  
 71 Main Street West, Hamilton, ON

**Present:** Councillors B. Clark (Chair)  
 J.P. Danko, J. Beattie, C. Cassar, M. Francis, T. Hwang, C. Kroetsch,  
 N. Nann, E. Pauls, M. Tadeson, and A. Wilson

**Absent:** Mayor A. Horwath - City Business  
 Councillors T. Jackson, T. McMeekin, M. Spadafora, M. Wilson – Personal

**THE SOLE VOTING MEMBER OF THE HAMILTON FARMERS' MARKET PRESENTS  
 REPORT 23-001 AND RESPECTFULLY RECOMMENDS:**

**1. Resolution of the Sole Voting Member of the Corporation - Hamilton Farmers' Market Reserve Fund (Item 8.1)**

WHEREAS the Corporation is a corporation without share capital to which the Corporations Act, R.S.O. 1990, c.38 (the "Act") applies;

AND WHEREAS by the Corporation's Letters Patent, the City of Hamilton is the sole voting member of the Corporation ("Sole Voting Member");

AND WHEREAS the Corporation's Board of Directors, at its meeting of Oct 6, 2021, approved funding up to \$37,000 from the Hamilton Farmers' Market Reserve Fund for marketing related costs to replace TV's in the market, purchase a wayfinding kiosk and improve signage on York Blvd (the "Expenditures"); and,

AND WHEREAS, the Corporation's Board of Directors, at its meeting of Feb 7, 2022 approved item 6, use of the Hamilton Farmers' Market Reserve Fund to pay for the Expenditures and whereby authorization from the Sole Voting Member is now requested to approve these Expenditures from the Hamilton Farmer's Market Reserve Fund;

NOW BE IT RESOLVED that the Sole Voting Member approves the funding of these Expenditures up to \$37,000 from the Hamilton Farmers' Market Reserve Fund.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

The agenda for the February 23, 2023 meeting of the Sole Voting Member of the Hamilton Farmers' Market, was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF THE PREVIOUS MEETING (Item 3)**

**(i) September 13, 2022 (Item 3.1)**

The Minutes of the September 13, 2022 meeting of the Sole Voting Member of the Hamilton Farmers' Market, were approved, as presented.

**(d) ADJOURNMENT (Item 12)**

There being no further business, the Sole Voting Member of the Hamilton Farmers' Market adjourned at 9:41 a.m.

Respectfully submitted,

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Deputy Mayor Nrinder Nann  
Chair, General Issues Committee

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Angela McRae  
Legislative Coordinator  
Office of the City Clerk



## **SPECIAL GENERAL ISSUES COMMITTEE REPORT 23-008**

9:30 a.m.

February 28, 2023

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

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**Present:** Mayor A. Horwath, Deputy Mayor Nann (Chair)  
Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis, T. Hwang, T. Jackson, C. Kroetsch, T. McMeekin, E. Pauls, M. Spadafora, M. Tadeson, A. Wilson, and M. Wilson

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### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-008 FOR INFORMATION:**

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

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

The agenda for the February 28, 2023 Special General Issues Committee meeting, was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) STAFF PRESENTATIONS (Item 4)**

**(i) Hamilton Water Standard of Care and Due Diligence Training (Item 4.1)**

**(a) Hamilton Water Standard of Care and Due Diligence Training**

Nick Winters, Director, Hamilton Water; Wendy Jackson, Senior Regulatory Coordinator; and Susan Girt, Manager, Compliance and Regulations, provided the presentation respecting the Hamilton

Water Standard of Care and Due Diligence Training, and answered questions of Committee.

The presentation respecting the Hamilton Water Standard of Care and Due Diligence Training, was received.

Deputy Mayor Nann relinquished the Chair to Councillor Danko for the remainder of the meeting.

**(b) Wastewater/Stormwater Requirements (Item 4.1(b))**

Nick Winters, Director, Hamilton Water; Wendy Jackson, Senior Regulatory Coordinator; and Susan Girt, Manager, Compliance and Regulations, provided the presentation respecting the Wastewater/Stormwater Requirements, and answered questions of Committee.

The presentation respecting the Wastewater Requirements, was received.

**(d) ADJOURNMENT (Item 5)**

That there being no further business, the General Issues Committee meeting was adjourned at 12:31 p.m.

Respectfully submitted,

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Councillor Nrinder Nann  
Deputy Mayor, General Issues  
Committee

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Janet Pilon  
Manager, Legislative Services/Deputy Clerk  
Office of the City Clerk



**GENERAL ISSUES COMMITTEE  
(2023 TAX SUPPORTED OPERATING BUDGET)  
REPORT 23-001**

9:30 a.m. and 2:30 p.m.  
January - March 2023  
Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

**January 10, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Hwang,  
T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls,  
M. Spadafora, M. Tadeson, A. Wilson, M. Wilson

**January 11, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Hwang,  
T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls,  
M. Spadafora, M. Tadeson, A. Wilson, M. Wilson

**January 23, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Hwang, T. Jackson,  
C. Kroetsch, N. Nann, E. Pauls, M. Spadafora, A. Wilson, M. Wilson

**Absent:** Councillor T. McMeekin – Personal  
Councillor M. Tadeson – City Business

**January 24, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Hwang, T. Jackson,  
C. Kroetsch, N. Nann, E. Pauls, M. Spadafora, A. Wilson, M. Wilson

**Absent:** Councillor T. McMeekin – Personal  
Councillor M. Tadeson – City Business

**January 26, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Hwang,  
T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls,  
M. Spadafora, M. Tadeson, A. Wilson, M. Wilson

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**February 3, 2023:**

**Present:** Mayor A. Horwath, Councillors J.P. Danko (Vice-Chair)  
J. Beattie, C. Cassar, M. Francis, T. Hwang, T. Jackson,  
C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, M. Spadafora,  
M. Tadeson, A. Wilson, M. Wilson

**Absent:** Councillor B. Clark – Personal

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**February 6, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Hwang,  
T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls,  
M. Spadafora, M. Tadeson, A. Wilson, M. Wilson

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**February 7, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J.P. Danko, J. Beattie, C. Cassar, M. Francis, T. Hwang, T. Jackson,  
C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, M. Spadafora,  
M. Tadeson, A. Wilson, M. Wilson

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**February 21, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J.P. Danko, J. Beattie, C. Cassar, M. Francis, T. Hwang, T. Jackson,  
C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, M. Spadafora,  
M. Tadeson, A. Wilson

**Absent:** Councillor M. Wilson – Personal

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**February 27, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J.P. Danko, J. Beattie, C. Cassar, M. Francis, T. Hwang, T. Jackson,  
C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, M. Spadafora,  
M. Tadeson, A. Wilson, M. Wilson

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**March 1, 2023:**

**Present:** Mayor A. Horwath, Councillors B. Clark (Chair)  
J.P. Danko, J. Beattie, C. Cassar, M. Francis, T. Hwang, T. Jackson,  
C. Kroetsch, T. McMeekin, N. Nann, M. Spadafora, M. Tadeson,  
A. Wilson and M. Wilson

**Absent:** Councillor E. Pauls – Personal

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**THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-001 AND  
RESPECTFULLY RECOMMENDS:**

- 1. Legislation Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities (LS23011 / FCS23013) (City Wide) (Added Item 6.3) (January 10, 2023)**

That Report LS23011 / FCS23013, respecting Legislation Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities, be received.

- 2. 2023 Budget Overview (FCS23007) (City Wide) (Item 6.2) (January 10, 2023)**

That Report FCS23007, respecting the 2023 Budget Overview, be received.

- 3. Revenue Generation through Sponsorships and Partnerships (CM23009) (City Wide) (Item 7.1) (February 3, 2023)**

That Report CM23009, respecting Revenue Generation through Sponsorships and Partnerships, be received.

- 4. 2022 Council Referred Business Case – Waterfalls and Special Areas Enforcement (PED18011(d)) (City Wide) (Outstanding Business List Item) (Item 7.2) (February 7, 2023)**

That Report PED18011(d), respecting the 2022 Council Referred Business Case – Waterfalls and Special Areas Enforcement, be approved and referred to the 2023 Budget for consideration, as follows:

- (a) That five Permanent Parking Control Officer Full-time Employees (FTEs) (with all associated costs) be referred to the 2023 Budget process to continue to support Waterfall and Special Enforcement Sites while enhancing overall service delivery to the entire City of Hamilton with a net cost of \$0;
- (b) That staff investigate, in collaboration with Human Resources, the enhancement of Parking Enforcement Services to a full seven-day service week;
- (c) That Municipal Law Enforcement staff be directed to discontinue operations for Hamilton Conservation Authority owned Waterfall site but continue routine assessment and program delivery to City-owned Waterfall sites;
- (d) That the dedicated Municipal Law and Parking Enforcement in Waterfall areas pilot program be discontinued and carried out on an as needed basis;
- (e) That the Waterfall multi-disciplinary working group move forward with collaboration on an as needed operational basis; and,
- (f) That the matter respecting Item 20-B, Increased Visitors to Waterfalls and the completion of a comprehensive traffic management plan for this area be identified as complete and removed from the Planning Committee Outstanding Business List.

**5. 2023 City Enrichment Fund Proposed Budget Increase (GRA23002) (City Wide) (Item 7.4) (February 7, 2023)**

That Report GRA23002, respecting the 2023 City Enrichment Fund Proposed Budget Increase, be approved and referred to the 2023 Budget for consideration, as follows:

- (a) That an increase of 8% to the overall City Enrichment Fund occur for the 2023 Budget in an effort to meet the community need and requested demand with an overall City Enrichment Fund budget of \$6,575,410. This would result in an increase of \$487,070 for the 2023 City Enrichment Fund allocation.
- (b) That staff be directed to bring forward further City Enrichment Fund (CEF) proposed increases for Council consideration for the years 2024 to 2028 with a goal to reach a total amount of \$9,661,430 by 2028.
- (c) That the creation of 1 Permanent Full-time Employee (FTE) for a Grants & Community Advisor at an annual cost of approximately \$142,320 be referred to the 2023 Budget process for the purposes of having dedicated and adequate resources to support the City Enrichment Fund, within the

Government Relations & Community Engagement division, to facilitate associated programming, increased application in-take, relevant community supports, outreach methods and annual fund allocation associated with the City Enrichment Fund.

**6. 2023 Volunteer Committee Budget - Keep Hamilton Clean and Green Committee (PW23002) (City Wide) (Item 7.5) (February 7, 2023)**

That the Keep Hamilton Clean and Green Committee's 2023 base budget submission, attached as Appendix "A" to Report PW23002, in the amount of \$18,250 representing a zero-net levy impact from the previous year budget, be approved and referred to the 2023 Budget for consideration.

**7. 2023 Food Advisory Committee Budget Request (BOH22019) (City Wide) (Item 7.6) (February 7, 2023)**

- (a) That the Food Advisory Committee 2023 base budget submission attached as Appendix "A" to Report BOH22019 in the amount of \$1,500, be approved and referred to the 2023 Budget for consideration; and,
- (b) That, in addition to the \$1,500 base funding approval, a one-time budget allocation for 2023 of \$2,987.84 from Department ID 112212, be used for broader community engagement such as community event/workshop(s) and/or research on the Food Strategy to be funded by the Food Advisory Committee Reserve Account 29100, be approved and referred to the 2023 budget for consideration.

**8. 2023 Budget Submission – Committee Against Racism (CM23003) (City Wide) (Item 7.7) (February 7, 2023)**

That the Committee Against Racism 2023 base budget attached as Appendix "A" to report CM23003 in the amount of \$8,900, be approved and referred to the 2023 Budget for consideration.

**9. 2023 Budget Submission - Advisory Committee for Immigrants and Refugees (CM23006) (City Wide) (Item 7.8) (February 7, 2023)**

That the Advisory Committee for Immigrants and Refugees 2023 base budget submission attached as Appendix "A" to Report (CM23006) in the amount of \$3,500.00, be approved and referred to the 2023 Budget for consideration.

**10. 2023 Budget Submission: Mundialization Committee (CM23004) (City Wide) (Item 7.9) (February 7, 2023)**

That Appendix "A" to Report CM23004 respecting the Mundialization Committee's 2023 base budget submission be approved in the amount of \$5,890.00 and referred to the 2023 Budget for consideration.

**11. 2023 Budget Submission Hamilton Women and Gender Equity Committee (CM23002) (City Wide) (Item 7.10) (February 7, 2023)**

That the Hamilton Women and Gender Equity Committee 2023 base budget submission attached as Appendix “A” to Report CM23002 in the amount of \$3,500.00, be approved and referred to the 2023 Budget for consideration.

**12. 2023 Budget Submission - Seniors Advisory Committee (HSC22054) (City Wide) (Item 7.11) (February 7, 2023)**

That the Seniors Advisory Committee 2023 base budget submission attached as Appendix “A” to Report HSC22054 in the amount of \$3000 be approved and referred to the 2023 Budget for consideration.

**13. 2023 Budget Submission - Housing and Homelessness Advisory Committee (HSC22056) (City Wide) (Item 7.12) (February 7, 2023)**

That the Housing and Homelessness Advisory Committee 2023 base budget submission attached as Appendix “A” to Report HSC22056 in the amount of \$1,000 be approved and referred to the 2023 Budget for consideration.

**14. Hamilton Veterans Committee 2023 Budget Submission (PED22210) (City Wide) (Item 7.13) (February 7, 2023)**

- (a) That the Hamilton Veterans Committee 2023 base budget of \$43,000, attached as Appendix “A” to Report PED22210, be approved and referred to the 2023 Budget for consideration; and,
- (b) That a one-time budget allocation for 2023 of \$12,000, funded by the Hamilton Veterans Committee Reserve, be approved and referred to the 2023 Budget for consideration.

**15. Indigenous Advisory Committee 2023 Budget Request (HSC22058) (City Wide) (Item 7.14) (February 7, 2023)**

That the Indigenous Advisory Committee base budget submission attached as Appendix “A” to Report HSC22058 in the amount of \$3,552, be approved and referred to the 2023 Budget for consideration.

**16. Hamilton Cycling Committee Budget 2023 (PED22196) (City Wide) (Item 7.15) (February 7, 2023)**

- (a) That the Hamilton Cycling Committee 2023 Base Budget submission, in the amount of \$10,000, as described in Appendix “A” attached to Report PED22196, be approved and referred to the 2023 Budget for consideration;

- (b) That, in addition to the base funding, a one-time budget allocation for 2023 of \$4,000 to support community events and initiatives that meet the mandate of the Committee, funded by the Hamilton Cycling Committee Reserve, be approved and referred to the 2023 Budget for consideration; and,
- (c) That remaining funds from the 2022 Hamilton Cycling Committee Budget be allocated into the Hamilton Cycling Committee Reserve, to the upmost allowable amount.

**17. Arts Advisory Commission Budget Submission (PED22209) (City Wide) (Item 7.16) (February 7, 2023)**

That the Arts Advisory Commission 2023 budget submission attached as Appendix “A” to Report PED22209 in the amount of \$9,000 be approved and referred to the 2023 Budget for consideration.

**18. 2023 Budget Submission LGBTQ Volunteer Advisory Committee (CM23001) (City Wide) (Item 7.18) (February 7, 2023)**

- (a) That the LGBTQ Advisory Committee 2023 base budget submission attached as Appendix “A” to Report CM23001 in the amount of \$4,050.00, be approved and referred to the 2023 Budget for consideration; and,
- (b) That, in addition to the base funding, a one-time budget allocation for 2023 of \$2,000, for training around anti-racism, anti-oppression, and other topics related to the committee’s mandate, to be partially funded by the LGBTQ Advisory Committee reserve (\$1,300), be approved and referred to the 2023 Budget for consideration.

**19. Follow-up: Alcohol, Drug, & Gambling Services and Community Mental Health Promotion Budget 2022-2023 (BOH22012(c)) (City Wide) (Added Item 7.19) (February 7, 2023)**

That funding for the net 0.6 FTE for Alcohol, Drug & Gambling Services and the net 0.65 FTE for the Community Mental Health Promotion Program, that is not covered in the capped Ontario Health West 2023-2024 budget, be referred to the 2023 Tax Operating Budget for Council deliberation.

**20. Cycling Infrastructure 2023 – Accelerating the Cycling Master Plan (PED23042(a) / PW23008(a)) (City Wide) (Outstanding Business List Item) (Added Item 7.20) (February 7, 2023)**

That Report PED23042(a) / PW23008(a), respecting the Cycling Infrastructure 2023 – Accelerating the Cycling Master Plan be approved and referred to the 2023 Budget for consideration, as follows:

- (a) That the General Managers of Planning and Economic Development (PED) and Public Works (PW) be authorized to create up to five Full-time Employee (FTE) positions for cycling and active transportation plan implementation as described in this Report PED23042(a)/PW23008(a) with an estimated annual cost of \$616,000 inclusive of salary and non-salary costs and a pro-rated impact of \$308,000 for the 2023 operating budget;
- (b) That staff be directed to report back in Q3 2023 with a detailed implementation plan and cost for an accelerated cycling infrastructure deployment plan which can inform the 2024 Capital Budget process;
- (c) That staff be authorized to utilize Capital Funding of up to \$2,104,000 from Project ID 4032317125 which is the City's matching funds for submissions made to the Federal Active Transportation Fund (ICIP), for the implementation of cycling projects, in advance of or independent of approved Federal funding;
- (d) That the matter respecting Item BB, that staff initiate an Integrated Active Transportation Delivery Team of the Cycling Master Plan and report to 2023 Operating Budget be identified as complete and removed from the General Issues Committee Outstanding Operating Budget Business List;
- (e) That the matter respecting Item V, that staff was directed to prepare a supplemental report to GIC with the results of the project evaluations by the Government of Canada and which provides a detailed financial plan, associated capital budgets including existing recurring Council approved budgets, and an implementation plan be identified as complete and removed from the General Issues Committee Outstanding Business List.

**21. 2023 Preliminary Tax Supported Budget - Referred Items and Business Cases (Item 6.1) (February 7, 2023)**

That the 2023 Tax levy be reduced by \$747,464 resulting from additional revenue from the Blue Box program.

**22. Planning and Economic Development Realignments – Corporate Real Estate Office (PED21134(a)) (City Wide) (Item 11.1) (February 7, 2023)**

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

**23. 2004 Budget Adjustment - Accounting and Allocation of the Goods and Services Tax Rebate (FCS23028) (City Wide) (Outstanding Business List) (Item 5.1) (February 21, 2023)**

That Report FCS23028, respecting the 2004 Budget Adjustment - Accounting and Allocation of the Goods and Services Tax Rebate, be received.

**24. Area Rating Review (FCS21078(d)) (City Wide) (Item 6.1) (February 21, 2023)**

- (a) That the area rating of the Fire Service be updated to a “Full Time / Composite / Volunteer” model in the 2023 tax year to align with the existing boundaries of the Fire Response Type as shown in Appendix “A” to Report FCS21078(d); and,
- (b) That the tax impact to the properties remaining in the Fire Service full-time level of service be phased in on a two-year period starting in the 2023 tax year.
- (c) That the properties within the Volunteer to Composite model be implemented in their entirety in 2023 (0.7% tax increase) using the tax stabilization reserve to offset the cost up to \$200,000 limit.

**25. 2022 Assessment Growth (FCS23025) (City Wide) (Item 7.1) (February 21, 2023)**

That Report FCS23025, respecting 2022 Assessment Growth, be received.

**26. 2023 Budget Submission – Advisory Committee for Persons with Disabilities (CM23005) (City Wide) (Item 7.2) (February 21, 2023)**

That the Advisory Committee for Persons with Disabilities (ACPD) 2023 base budget submission attached as Appendix “A” to Report (CM23005) in the amount of \$6,100.00, be approved and reflected in the final budget Report FCS23007(a).

**27. Sufficiency of the Affordable Housing Funding Program (AHFP) (HSC23003(a)) (City Wide) (Outstanding Business List Item) (Item 5.1) (March 1, 2023)**

That Report HSC23003(a), respecting the Sufficiency of the Affordable Housing Funding Program (AHFP), be received.

**28. Service Delivery Review (FCS23038) (City Wide) (Item 5.2) (March 1, 2023)**

That Report FCS23038, respecting the Service Delivery Review, be received.

**29. Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission (LS23018) (City Wide) (Item 11.1) (March 1, 2023)**

- (a) That Report LS23018, respecting the Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission, be received and remain confidential; and,
- (b) That appendices “A”, “B”, and “C” to Report LS23018, Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission, be released publicly following approval by Council.

**30. Living Wage (HUR20003(c)) (City Wide) (Item 7.1) (March 1, 2023)**

That Report HUR20003(c), respecting the Living Wage, be received.

**31. Living Wage (HUR20003(b) / FCS20013(b)) (City Wide) (Item 7.2) (March 1, 2023)**

- (a) That staff be directed to implement the Living Wage of \$19.05 per hour for School Crossing Guards and the non-union part-time casual employee group as follows:
  - (i) Effective September 1, 2023, amend the hourly rate for School Crossing Guards from \$17.20 to \$19.05 per hour and update the salary schedule to reflect the new Living Wage rate;
  - (ii) Effective July 1, 2023, amend the hourly rates for positions in the non union part-time casual employee group by updating the salary schedule for the first three grades (1EK, 1DI, 1DI) from \$17.20 to \$19.05 per hour and applying the same percentage increase to the rest of the non-union, part-time casual salary schedule to maintain internal equity in accordance with the City of Hamilton compensation policy and practices;
- (b) That staff be directed to maintain the unionized full-time summer student classifications at their existing rates whereby outside unionized student workers continue to earn \$16.00 per hour with a \$0.95 shift premium for afternoon and weekend work and inside unionized student workers continue to earn a minimum \$16.00 per hour and up to \$19.773 per hour. As these positions fall under CUPE 5167, the rates are subject to the collective bargaining process;
- (c) That staff be directed to maintain the non-union full-time summer student classifications at their existing rates of \$17.20 per hour (previous Living Wage rate). These rates can be adjusted separately by the department should attraction and retention become an issue;

- (d) That staff be directed to bring forward a report to Council for approval should there be any future changes to the Living Wage rate prior to implementation, in order to consider budget impacts and to assess the effects on the City's internal compensation system.

**32. 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1) (March 1, 2023)**

- (i) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.9 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as amended, as follows:

**2.9** Housing Services Funding for YWCA Hamilton (Motion - ECS Dec. 1, 2022) \$2,600,000 (Gross), \$2,600,000 (Net), 0.24% Residential Tax Impact.

- (ii) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.11 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as follows:

**2.11** Housing Services Encampment Pilot Evaluation - Coordination Response Team (HSC20038(c) / PED21188(b)), \$1,366,646 (Gross), \$1,366,646 (Net), 10.50 FTE, Residential Tax Impact 0.12%

- (iii) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 4.1 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as follows:

**4.1** City Clerk's Office - Election Expense Reserve for Internet Voting Consideration for 2026 Municipal Election (FCS20081(a)), \$153,800 (Gross), \$153,800 (Net), Residential Tax Impact 0.01%

- (iv) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 6.2 of Amended Appendix "A" attached to GIC Budget Report 23-001, (*Amended Appendix "H" to Report FCS23007(a)*), be approved, as follows:

**6.2** Legislative - Increase to Councillors' Office Budgets (Motion - Council Dec. 7, 2022), \$600,000 (Gross), \$600,000 (Net), Residential Tax Impact 0.05%

- (v) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 6 of Amended Appendix "A" attached to

GIC Budget Report 23-001, (*Amended Appendix “H” to Report FCS23007(a)*), be approved, as follows:

- 6** Corporate Financials, Living Wage (HUR20003(b)/FCS20013(b)), \$353,600 (Gross), \$353,600 (Net), Residential Tax Impact 0.03%
  
- (vi)** (a) Council Referred Items, Business Cases and 2023 – 2025 Multi-Year Outlook:
  - (i) That the 2023 Council Referred Items in Amended Appendix “B” attached to GIC Budget Report 23-001, (*Amended Appendix “A” to Report FCS23007(a)*), by removing Healthy & Safe Communities Item 2.6; noting GIC APPROVED on Items 2.9, 2.11, 4.1 and 6.2; and adjusting the respective totals, be received;
  - (ii) That the 2023 Business Cases in Appendix “B” attached to Report FCS23007(a), be received;
  - (iii) That the 2023 Tax Supported Operating Budget Amendments in Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), by including Items 6(i), 6(ii), 6(iii), 6(iv) and 6(v), be received;
  - (iv) That the 2024 – 2026 Multi-Year Outlook in Appendix “G” attached to Report FCS23007(a), be received.
  
- (vii)** (b) Boards and Agencies:
  - (i) That the Hamilton Police Services operating budget of \$193,596,008 in Appendix “D” attached to GIC Budget Report 23-001, (*Appendix “D” to Report FCS23007(a)*), be approved;
  
- (viii)** (b) Boards and Agencies:
  - (ii) That the City Enrichment Fund operating budget of \$6,717,793 in Appendix “D” attached to GIC Budget Report 23-001, (*Appendix “D” to Report FCS23007(a)*), be approved;
  - (iii) That all other Boards and Agencies budgets totaling \$50,898,149 in Appendix “D” attached to GIC Budget Report 23-001, (*Appendix “D” to Report FCS23007(a)*), be approved;

- (ix) (c) Planning and Economic Development Department
- (i) That the Planning and Economic Development operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 46) of \$33,627,976, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
- (d) Healthy and Safe Communities Department
- (i) That the Healthy and Safe Communities operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” attached to Report FCS23007(a), page 85) of \$302,170,264, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
- (ii) That the General Manager of the Healthy and Safe Communities Department, or delegate, be authorized and directed to execute, on behalf of the City, all agreements, including all federal and provincial funding agreements and any agreements with Community Services Provider(s), as well as, any ancillary agreements, contracts, extensions and documents, associated with, or arising out of, Council’s approval of the budgets, outlined Appendix “I” attached to Report FCS23007(a), inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), which also includes the authority to authorize the submission of budgets and quarterly and / or year-end reporting, as well as, the authority to make appropriate payments to community service providers, in a form satisfactory to the City Solicitor;
- (iii) That, where required for Public Health Services, the General Manager of the Healthy and Safe Communities Department, or delegate, or the Medical Officer of Health, or delegate, be authorized and directed to execute, on behalf of the City, all agreements, including all federal and provincial funding agreements, as well as, any ancillary agreements, contracts, extensions and documents, associated with or arising out of Council’s approval of the budgets outlined in Appendix “I” attached to Report FCS23007(a), inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), and includes the authority to

authorize the submission of budgets and quarterly and / or year-end reporting;

- (e) Public Works Department
  - (i) That the Public Works operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 128) of \$293,485,615, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
  
- (f) City Manager’s Office
  - (i) That the City Manager’s operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 161) of \$14,497,624, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
  
- (g) Corporate Services Department
  - (i) That the Corporate Services operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 188) of \$42,775,470 inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
  
- (h) Legislative
  - (i) That the Legislative operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 231) of \$6,130,967, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
  
- (i) Hamilton Entertainment Facilities
  - (i) That the Hamilton Entertainment Facilities operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 228) of \$150,000, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;

- (j) Corporate Financials – Expenditures / Non-Program Revenues
  - (i) That the Corporate Financials – Expenditures operating budget (2023 Tax Supported Operating Budget Book - Appendix “I” to Report FCS23007(a), page 220, \$30,933,080, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
  - (ii) That the Non-Program Revenues operating budget (2023 Tax Supported Operating Budget Book - Appendix “I” to Report FCS23007(a), page 223) of \$51,319,613, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
- (k) Capital Financing
  - (i) That the Capital Financing operating budget (2023 Tax Supported Operating Budget Book – Appendix “I” to Report FCS23007(a), page 249) of \$154,977,052, inclusive of amendments as per Amended Appendix “C” attached to GIC Budget Report 23-001, (*Amended Appendix “C” to Report FCS23007(a)*), be approved;
- (l) 2023 By-Law Authorization
  - (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 levy;
  - (ii) That the City Solicitor be authorized and directed to amend By-law 07-248 respecting the remuneration of members of Council to exclude salary adjustments in relation to the approved municipal comparators and Non-Union Compensation Policy;
- (m) Budgeted Complement and Transfer Extension Schedule
  - (i) That in accordance with the “Budgeted Complement Control Policy”, the requested change in staff complement as outlined in Amended Appendix “E” attached to GIC Budget Report 23-001, (*Amended Appendix “E” to Report FCS23007(a)*), be approved;

- (n) Budget Exclusions Related to Regulation 284/09
    - (i) That the budget exclusions related to Regulation 284/09 of the *Municipal Act* titled “Budget Matters – Expenses”, as per Appendix “F” attached to Report FCS23007(a), be received;
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**January 10, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**6. STAFF PRESENTATIONS**

- 6.3 Legislation Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities (LS23011 / FCS23013) (City Wide)

**CHANGE TO THE ORDER OF ITEMS:**

At the request of staff, Item 6.3 - Report LS23011 / FCS23013, respecting Legislation Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities was moved up on the agenda to be the first Staff Presentation.

The agenda for the January 10, 2023 General Issues Committee (Budget) meeting, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor E. Pauls declared a non-disqualifying interest to Item 6.3, Report LS23011 / FCS23013 respecting Legislation Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities as her son is a Police Officer.

**(c) STAFF PRESENTATIONS (Item 6)**

- (i) Legislation Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities (LS23011 / FCS23013) (City Wide) (Added Item 6.3)**

Lisa Shields, City Solicitor and Brian McMullen, Director of Financial Planning, Administration and Policy addressed the Committee with a presentation respecting Report LS23011 / FCS23013, Legislation

Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities.

The presentation respecting Report LS23011 / FCS23013, Legislation Regulating Funding of the Hamilton Police Services, the Hamilton Public Library and Conservation Authorities, was received.

For disposition of this matter, please see Item 1.

**(ii) Economic Outlook (Item 6.1)**

Mike Zegarac, General Manager of Finance & Corporate Services introduced Marc Desormeaux, Principal Economist, Canadian Economics from Desjardins Group who addressed the Committee with a presentation respecting the Economic Outlook.

The presentation respecting the Economic Outlook, was received.

The General Issues Committee recessed for 15 minutes until 12:00 pm.

**(iii) 2023 Budget Overview (FCS23007) (City Wide) (Item 6.2)**

Janette Smith, City Manager and Mike Zegarac, General Manager of Finance & Corporate Services, addressed the Committee with a presentation respecting Report FSC23007, 2023 Budget Overview.

1. The presentation respecting Report FSC23007, 2023 Budget Overview, was received.

For disposition of this matter, please see Item 2.

2. That staff be directed to report back through the 2023 GIC Operating Budget with the following:
  - (a) any available decisions on how O. Reg 3/99 has been interpreted by the Ontario Civilian Police Commission and the courts; and,
  - (b) a complete breakdown of the grounds upon which it is possible for municipalities to argue during an appeal to the Ontario Civilian Police Commission.
3. That staff be directed to identify the programs or services that exceed the prescribed service standard or level of service and report back through the 2023 GIC Operating Budget.

**(d) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 2:47 p.m.

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**January 11, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

The agenda for the January 11, 2023 General Issues Committee (Budget) meeting, was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor E. Pauls declared a non-disqualifying interest to Item 6.8, Hamilton Police Services Board as her son is a Staff Sergeant with the Hamilton Police Services.

**(c) PRESENTATIONS (Item 6)**

**(i) Royal Botanical Gardens – 2023 Budget Presentation (Item 6.1)**

Nancy Rowland, Chief Executive Officer, Royal Botanical Gardens, addressed the Committee with a presentation respecting the 2023 Budget for the Royal Botanical Gardens.

**(ii) Conservation Halton – 2023 Budget Presentation (Item 6.2)**

Hassaan Basit, Chief Executive Office, Conservation Halton, addressed the Committee with a presentation respecting the 2023 Budget for Conservation Halton.

**(iii) Grand River Conservation Authority – 2023 Budget Presentation (Item 6.3)**

Samantha Lawson, Chief Administrative Officer; and Sonja Radoja, Manager of Corporate Services; Grand River Conservation Area, addressed the Committee with a presentation respecting the 2023 Budget for the Grand River Conservation Authority.

**(iv) Niagara Peninsula Conservation Authority – 2023 Budget Presentation (Item 6.4)**

Chandra Sharma, Chief Administrative Officer/Secretary-Treasurer; and, Lise Gagnon, Director, of Corporate Services, Niagara Peninsula Conservation Authority, addressed the Committee with a presentation respecting the 2023 Budget for the Niagara Peninsula Conservation Authority.

**(v) Hamilton Conservation Authority – 2023 Budget Presentation (Item 6.5)**

Lisa Burnside, Chief Administrative Officer; Scott Peck, Deputy Chief Administrative Officer / Director, Watershed Management Services; and Scott Flemming, Director of Finance & Central Support Services; Hamilton Conservation Authority, addressed the Committee with a presentation respecting the 2023 Budget for the Hamilton Conservation Authority.

**(vi) Hamilton Public Library – 2023 Budget Presentation (Item 6.6)**

Lori-Anne Spence-Smith, Board Chair; Paul Takala, Chief Librarian; and, Tony Del Monaco, Director of Finance and Facilities; Hamilton Public Library, addressed the Committee with a presentation respecting the 2023 Budget for the Hamilton Public Library.

**(vii) Hamilton Farmers' Market Board – 2023 Budget Presentation (Item 6.7)**

Bill Slowka, Market Manager, addressed the Committee with a presentation respecting the 2023 Budget for the Hamilton Farmers' Market Board.

**(viii) Hamilton Police Services Board – 2023 Budget Presentation (Item 6.8)**

Pat Mandy, Board Chair; and Police Chief Frank Bergen, addressed the Committee with a presentation respecting the 2023 Budget for the Hamilton Police Services Board.

**(ix) Receipt of Presentations (Items 6.1 – 6.8):**

Presentation Items 6.1 – 6.8, were received as follows:

- (1) Royal Botanical Gardens – 2023 Budget Presentation (Item 6.1)
- (2) Conservation Halton – 2023 Budget Presentation (Item 6.2)
- (3) Grand River Conservation Authority – 2023 Budget Presentation (Item 6.3)

- (4) Niagara Peninsula Conservation Authority – 2023 Budget Presentation (Item 6.4)
- (5) Hamilton Conservation Authority – 2023 Budget Presentation (Item 6.5)
- (6) Hamilton Public Library – 2023 Budget Presentation (Item 6.6)
- (7) Hamilton Farmers' Market Board – 2023 Budget Presentation (Item 6.7)
- (8) Hamilton Police Services Board – 2023 Budget Presentation (Item 6.8)

**(d) DISCUSSION ITEMS (Item 7)**

**(i) Hamilton Beach Rescue Unit 2023 Budget Submission (Item 7.1)**

- (a) That the Hamilton Beach Rescue Unit 2023 Budget Submission be DEFERRED to the February 7, 2023 GIC Budget meeting for deliberation; and,
- (b) That staff be directed to invite the Chief of the Hamilton Beach Rescue Unit to attend the February 7, 2023 GIC Budget meeting.

**(e) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee (Budget) be adjourned at 6:41 p.m.

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**January 23, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

The agenda for the January 23, 2023 General Issues Committee (Budget) meeting, was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

The following minutes of the General Issues Committee (Operating Budget), were approved, as presented:

- (i) January 10, 2023 (Item 3.1)
- (ii) January 11, 2023 (Item 3.2)

**(d) STAFF PRESENTATIONS (Item 6)**

**(i) Corporate Services Department – 2023 Tax Supported Operating Budget (Item 6.1)**

Mike Zegarac, General Manager, Finance & Corporate Services, provided Committee with a presentation respecting the Corporate Services Department's - 2023 Tax Supported Operating Budget, and answered questions of Committee.

The General Issues Committee (Budget) meeting recessed for 15 minutes until 11:15 am.

The presentation respecting the Corporate Services Department's 2023 Tax Supported Operating Budget, was received.

**(ii) Planning & Economic Development Department – 2023 Tax Supported Operating Budget (Item 6.2)**

Jason Thorne, General Manager, Planning & Economic Development, provided Committee with a presentation respecting the Planning & Economic Development Department's 2023 Tax Supported Operating Budget, and answered questions of Committee.

The General Issues Committee recessed for 25 minutes until 1:00 pm.

The presentation respecting the Planning & Economic Development Department's 2023 Tax Supported Operating Budget, was received.

**(e) NOTICES OF MOTION (Item 8)**

Councillor Clark relinquished the Chair to Vice-Chair Danko to introduce the following Notice of Motion:

**(i) City of Hamilton Property Tax Bill Increases Due to Ontario Legislative Changes**

That staff be directed to explore methods and resources in order to include language in City of Hamilton property tax bills that would indicate any increase in property taxes due to Ontario legislative changes and report back to the General Issues Committee.

Councillor Clark assumed the Chair.

**(f) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 2:38 p.m.

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**January 24, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

The agenda for the January 24, 2023 General Issues Committee (Budget) meeting, was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) STAFF PRESENTATIONS (Item 6)**

**(i) Public Works Department – 2023 Tax Supported Operating Budget (Item 6.1)**

Carlyle Khan, General Manager, Public Works, provided the presentation respecting the Public Works Department's - 2023 Tax Supported Operating Budget, and answered questions of Committee.

The presentation respecting the Public Works Department's 2023 Tax Supported Operating Budget, was received.

**(d) MOTIONS (Item 8)**

**(i) Expanding Free Ridership to Ages 14 and Under**

That staff be directed to bring forward the feasibility of expanding free ridership to ages 14 and under at the Fare and Service Integration Roundtable for discussion and report back to the Public Works Committee.

**(e) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 12:24 p.m.

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**January 26, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**3. APPROVAL OF MINUTES OF PREVIOUS MEETING**

3.2 January 23, 2023

3.3 January 24, 2023

The agenda for the January 26, 2023 General Issues Committee (Budget) meeting, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor M. Spadafora declared a non-disqualifying interest to Item 6.1, Healthy & Safe Communities Department – 2023 Tax Supported Operating Budget with respect to the recreation budget which includes ice pads, as he sits on multiple minor hockey boards.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

The following minutes of the General Issues Committee (Budget), were approved, as presented:

(i) January 20, 2023 (Item 3.1)

(ii) January 23, 2023 (Added Item 3.2)

(iii) January 24, 2023 (Added Item 3.3)

**(d) STAFF PRESENTATIONS (Item 6)**

**(i) Healthy & Safe Communities Department – 2023 Tax Supported Operating Budget (Item 6.1)**

Angela Burden, General Manager, Healthy & Safe Communities, provided the presentation respecting the Healthy & Safe Communities Department's - 2023 Tax Supported Operating Budget, and answered questions of Committee.

The General Issues Committee recessed for 30 minutes until 12:30 pm.

The presentation respecting the Healthy & Safe Communities Department's 2023 Tax Supported Operating Budget, was received.

**(e) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 1:50 p.m.

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**February 3, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

The agenda for the February 3, 2023 General Issues Committee (Budget) meeting, was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) January 26, 2023 (Item 3.1)**

The minutes of the January 26, 2023 General Issues Committee (Budget), were approved, as presented.

**(d) STAFF PRESENTATIONS (Item 6)**

**(i) City Manager's Office - 2023 Tax Supported Operating Budget (Item 6.1)**

Janette Smith, City Manager, provided the presentation respecting the City Manager's Office - 2023 Tax Supported Operating Budget, and answered questions of Committee.

The presentation respecting the City Manager's Office - 2023 Tax Supported Operating Budget, was received.

The General Issues Committee recessed for 30 minutes until 1:00 pm.

**(ii) 2023 Preliminary Tax Operating Budget - Corporate Financials and Non Program Revenues (Item 6.2)**

Mike Zegarac, General Manager of Finance and Corporate Services, provided the presentation respecting the 2023 Preliminary Tax Operating

Budget - Corporate Financials and Non Program Revenues, and answered questions of Committee.

The presentation respecting the 2023 Preliminary Tax Operating Budget - Corporate Financials and Non Program Revenues, was received.

**(e) MOTIONS (Item 11)**

**(i) Right of Way Revenues**

That staff undertake a review of Right of Way revenues budget and report back to GIC Budget through the 2024 Budget process with recommendations regarding potential opportunities to increase revenues to the City both in relation to existing Right of Way Agreements and changes in policy to maximize revenues with future Right of Way Agreements and contracts.

**(f) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 1:50 p.m.

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**February 6, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**4. COMMUNICATIONS**

- 4.1 Correspondence respecting a vote against the proposed 6.71% increase to the Hamilton Police Services budget, and to advocate for an investment into community-led, harm reduction supports:  
(f) Sarah Van Berkel

Recommendation: Be received.

- 4.3 Correspondence from Taylor DeCoste, respecting a Public Budget Delegation

Recommendation: Be received.

- 4.4 Correspondence from Melissa Dowdall, respecting the Hamilton Police Services Budget

Recommendation: Be received.

**5. DELEGATION REQUESTS**

- 5.18 Jo Aitcheson, respecting the 2023 Hamilton Police Services Budget (In-Person) (For today's meeting)
- 5.19 Karl Andrus, Hamilton Community Benefits Network, respecting the 2023 Just Recovery Policy Paper for consideration in the 2023 municipal budget (In-Person) (For today's meeting)
- 5.20 Dania Igdoura, respecting the proposed budget increase for HPS (Virtual) (For today's meeting)
- 5.21 Brock Bodo, Just Recovery Hamilton Coalition, respecting 2023 Municipal Budget (In-Person) (For today's meeting)
- 5.22 Damien Ash, ACORN, respecting the 2023 Municipal Budget (In-Person) (For today's meeting)
- 5.23 Jessica Merolli, respecting the 2023 Municipal Budget and the 2023 Hamilton Police Services Budget (Virtual) (For today's meeting)
- 5.24 Sid Ryan Eilers, Aeris Korper Contemporary Dance, respecting 2023 Hamilton Police Budget (Virtual) (For today's meeting)
- 5.25 Laura Katz, respecting the 2023 Hamilton Police Budget (Pre-Recorded Video) (For today's meeting)
- 5.26 Montana Mellett, respecting the 2023 Hamilton Police Budget (In-Person) (For today's meeting)
- 5.27 Greg Dunnett, Hamilton Chamber of Commerce, respecting the 2023 Municipal Budget (In-Person) (For today's meeting)
- 5.28 Marnie Schurter, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (For today's meeting)
- 5.29 Sue Markey, respecting Increasing Staffing and Green Infrastructure (Virtual) (For today's meeting)
- 5.30 Kim Martin, Social Planning and Research Council of Hamilton, respecting 2023 Municipal Budget (In-Person) (For today's meeting)

- 5.31 Donald Currie, respecting Encampment Response Funding in the 2023 Budget (In-Person) (For today's meeting)
- 5.32 Gord Smyth, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (For today's meeting)
- 5.33 Jane Jamnik, Hamilton Cycling Advisory Committee, respecting Expediting Cycling Plan and Cycling Infrastructure (In-Person) (For today's meeting)
- 5.34 Becky Shaini Katz, respecting the 2023 Hamilton Police Services Budget (In-Person) (For today's meeting)
- 5.35 Mohammed Shalalfeh, respecting Affordable Housing in the City of Hamilton (In-Person) (For today's meeting)
- 5.36 Evan Ubene, Kilometres for Public Healthcare, respecting the Expansion of Public Health Services and the 2023 Hamilton Police Services Budget (In-Person) (For today's meeting)
- 5.37 Elizabeth Bloomfield, respecting the 2023 Hamilton Police Services Budget (In-Person) (For today's meeting)
- 5.38 Jacqueline Cantar, respecting the 2023 Municipal Budget (In-Person) (For today's meeting)
- 5.39 Nick de Koning, respecting the 2023 Municipal Budget (In-Person) (For today's meeting)
- 5.40 Kara Jongeling, respecting the 2023 Hamilton Police Service Budget (Virtual) (For today's meeting)
- 5.41 Lucia Iannantuono, Hamilton 350, requesting Support for Care Fare Campaign (Virtual) (For today's meeting)
- 5.42 Miranda Vander Vliet, requesting the 2023 Hamilton Police Services Budget (Virtual) (For today's meeting)
- 5.43 Adeola Egbeyemi, Environment Hamilton, respecting Reducing Fossil Fuel Dependence in the City of Hamilton (In-Person) (For today's meeting)
- 5.44 Myles Demeter, respecting the 2023 Municipal Budget (In-Person) (For today's meeting)
- 5.45 Mike Burnet, ACORN, respecting 2023 Municipal Budget (In-Person) (For today's meeting)

- 5.46 Adan Amer, Hamilton 350, respecting Support for Care Fare Campaign Initiative (In-Person) (For today's meeting)
- 5.47 Ken Stone, Community Coalition Against Racism, respecting the 2023 Hamilton Police Services Budget (Virtual) (For today's meeting)

The agenda for the February 6, 2023 General Issues Committee (Budget) meeting, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) COMMUNICATIONS (Item 4)**

The following Communications Items, were approved, as presented:

- (i) Correspondence respecting a vote against the proposed 6.71% increase to the Hamilton Police Services budget, and to advocate for an investment into community-led, harm reduction supports:

- (1) Robyn Deshaies (Item 4.1(a))
- (2) Suzy Sebeslav (Item 4.1(b))
- (3) Grace Cameron (Item 4.1(c))
- (4) Thea Haines (Item 4.1(d))
- (5) Adi Gelb (Item 4.1(e))
- (6) Sarah Van Berkel (Added Item 4.1(f))

Recommendation: Be received.

- (ii) Correspondence from Alix MacLean respecting Please Vote No to a Police Budget Increase (Item 4.2)

Recommendation: Be received.

- (iii) Correspondence from Taylor DeCoste, respecting a Public Budget Delegation (Added Item 4.3)

Recommendation: Be received.

- (iv) Correspondence from Melissa Dowdall, respecting the Hamilton Police Services Budget (Added Item 4.4)

Recommendation: Be received.

**(d) DELEGATION REQUESTS (Item 5)**

The delegation requests for today's meeting, were approved, as follows:

- (i) Anthony Marco, Hamilton and District Labour Council respecting Care Fare Transit (Virtual) (Item 5.1)
- (ii) Elizabeth Wong, Vice-President, and Simranjeet Singh, President, McMaster Students Union, respecting the 2023 municipal budget (In-Person) (Item 5.2)
- (iii) Miriam Sager, respecting the 2023 Budget (In-Person) (Item 5.3)
- (iv) Alex Bonenfant, respecting Hamilton's waterfalls (Virtual) (Item 5.4)
- (v) Tara McFadyen, respecting installation of security cameras on all escarpment stair needing to be put into the budget process (In-Person) (Item 5.5)
- (vi) Kojo Dampety, Hamilton Centre for Civic Inclusion, respecting public budget delegation on behalf of the Just Recovery HamOnt Coalition (In-Person) (Item 5.6)
- (vii) Ian Borsuk, Environment Hamilton, respecting the 2023 Budget (In-Person) (Item 5.7)
- (viii) Emily Scherzinger, respecting the 2023 Police Budget (In-Person) (Item 5.8)
- (ix) Nicole Tollenaar, respecting comments on the 2023 Budget (Pre-Recorded Video) (Item 5.9)
- (x) Elia Hamelin, respecting the police budget (Virtual) (Item 5.10)
- (xi) Rachel Chaplow, respecting the detrimental effects of the proposed budget cuts to specialized mental health and addiction services and the negative impact they will have on the citizens of Hamilton who rely on these services (In-Person) (Item 5.11)
- (xii) Ed Reece, Council of Canadians, Hamilton Chapter, respecting the Care Fare Campaign (Virtual) (Item 5.12)
- (xiii) Steacy Easton, respecting questions about funding the police budget (In-Person) (Item 5.13)
- (xiv) Theresa Cardey, respecting the Care Fare Campaign submission (In-Person) (Item 5.14)
- (xv) Katie King, respecting the 2023 Budget (Virtual) (Item 5.15)
- (xvi) Anna Norris, respecting the Care Fare Campaign submission (In-Person) (Item 5.16)

- (xvii) Anastasia Zavarella, respecting the proposed budget increase for HPS (In-Person) (Item 5.17)
- (xviii) Jo Aitcheson, respecting the 2023 Hamilton Police Services Budget (In-Person) (Added Item 5.18)
- (xix) Karl Andrus, Hamilton Community Benefits Network, respecting the 2023 Just Recovery Policy Paper for consideration in the 2023 municipal budget (In-Person) (Added Item 5.19)
- (xx) Dania Igdoura, respecting the proposed budget increase for HPS (Virtual) (Added Item 5.20)
- (xxi) Brock Bodo, Just Recovery Hamilton Coalition, respecting 2023 Municipal Budget (In-Person) (Added Item 5.21)
- (xxii) Damien Ash, ACORN, respecting the 2023 Municipal Budget (In-Person) (Added Item 5.22)
- (xxiii) Jessica Merolli, respecting the 2023 Municipal Budget and the 2023 Hamilton Police Services Budget (Virtual) (Added Item 5.23)
- (xxiv) Sid Ryan Eilers, Aeris Korper Contemporary Dance, respecting 2023 Hamilton Police Budget (Virtual) (Added Item 5.24)
- (xxv) Laura Katz, respecting the 2023 Hamilton Police Budget (Pre-Recorded Video) (Added Item 5.25)
- (xxvi) Montana Mellett, respecting the 2023 Hamilton Police Budget (In-Person) (Added Item 5.26)
- (xxvii) Greg Dunnett, Hamilton Chamber of Commerce, respecting the 2023 Municipal Budget (In-Person) (Added Item 5.27)
- (xxviii) Marnie Schurter, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (Added Item 5.28)
- (xxix) Sue Markey, respecting Increasing Staffing and Green Infrastructure (Virtual) (Added Item 5.29)
- (xxx) Kim Martin, Social Planning and Research Council of Hamilton, respecting 2023 Municipal Budget (In-Person) (Added Item 5.30)
- (xxxi) Donald Currie, respecting Encampment Response Funding in the 2023 Budget (In-Person) (Added Item 5.31)

- (xxxii) Gord Smyth, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (Added Item 5.32)
- (xxxiii) Jane Jamnik, Hamilton Cycling Advisory Committee, respecting Expediting Cycling Plan and Cycling Infrastructure (In-Person) (Added Item 5.33)
- (xxxiv) Becky Shaini Katz, respecting the 2023 Hamilton Police Services Budget (In-Person) (Added Item 5.34)
- (xxxv) Mohammed Shalalfeh, respecting Affordable Housing in the City of Hamilton (In-Person) (Added Item 5.35)
- (xxxvi) Evan Ubene, Kilometres for Public Healthcare, respecting the Expansion of Public Health Services and the 2023 Hamilton Police Services Budget (In-Person) (Added Item 5.36)
- (xxxvii) Elizabeth Bloomfield, respecting the 2023 Hamilton Police Services Budget (In-Person) (Added Item 5.37)
- (xxxviii) Jacqueline Cantar, respecting the 2023 Municipal Budget (In-Person) (Added Item 5.38)
- (xxxix) Nick de Koning, respecting the 2023 Municipal Budget (In-Person) (Added Item 5.39)
- (xxxx) Kara Jongeling, respecting the 2023 Hamilton Police Service Budget (Virtual) (Added Item 5.40)
- (xxxxi) Lucia Iannantuono, Hamilton 350, requesting Support for Care Fare Campaign (Virtual) (Added Item 5.41)
- (xxxxii) Miranda Vander Vliet, requesting the 2023 Hamilton Police Services Budget (Virtual) (Added Item 5.42)
- (xxxxiii) Adeola Egbeyemi, Environment Hamilton, respecting Reducing Fossil Fuel Dependence in the City of Hamilton (In-Person) (Added Item 5.43)
- (xxxxiv) Myles Demeter, respecting the 2023 Municipal Budget (In-Person) (Added Item 5.44)
- (xxxxv) Mike Burnet, ACORN, respecting 2023 Municipal Budget (In-Person) (Added Item 5.45)
- (xxxxvi) Adan Amer, Hamilton 350, respecting Support for Care Fare Campaign Initiative (In-Person) (Added Item 5.46)

(xxxxvii) Ken Stone, Community Coalition Against Racism, respecting the 2023 Hamilton Police Services Budget (Virtual) (Added Item 5.47)

**(e) DELEGATIONS (Item 6)**

The following Delegates addressed the Committee respecting the 2023 Budget:

- (i) Anthony Marco, Hamilton and District Labour Council respecting Care Fare Transit (Virtual) (Added Item 6.1)
- (ii) Elizabeth Wong, Vice-President, and Simranjeet Singh, President, McMaster Students Union, respecting the 2023 municipal budget (In-Person) (Added Item 6.2)
- (iii) Miriam Sager, respecting the 2023 Budget (In-Person) (Added Item 6.3)
- (iv) Alex Bonenfant, respecting Hamilton's waterfalls (Virtual) (Added Item 6.4)
- (v) Tara McFadyen, respecting installation of security cameras on all escarpment stair needing to be put into the budget process (In-Person) (Added Item 6.5)
- (vi) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting public budget delegation on behalf of the Just Recovery HamOnt Coalition (In-Person) (Added Item 6.6)
- (vii) Ian Borsuk, Environment Hamilton, respecting the 2023 Budget (In-Person) (Added Item 6.7)
- (viii) Emily Scherzinger, respecting the 2023 Police Budget (In-Person) (Added Item 6.8)
- (ix) Elia Hamelin, respecting the police budget (Virtual) (Added Item 6.10)
- (x) Rachel Chaplow, respecting the detrimental effects of the proposed budget cuts to specialized mental health and addiction services and the negative impact they will have on the citizens of Hamilton who rely on these services (In-Person) (Added Item 6.11)
- (xi) Ed Reece, Council of Canadians, Hamilton Chapter, respecting the Care Fare Campaign (Virtual) (Added Item 6.12)
- (xii) Steacy Easton, respecting questions about funding the police budget (In-Person) (Added Item 6.13)
- (xiii) Theresa Cardey, respecting the Care Fare Campaign submission (In-Person) (Added Item 6.14)

- (xiv) Katie King, respecting the 2023 Budget (Virtual) (Added Item 6.15)
- (xv) Anna Norris, respecting the Care Fare Campaign submission (In-Person) (Added Item 6.16)
- (xvi) Anastasia Zavarella, respecting the proposed budget increase for HPS (In-Person) (Added Item 6.17)
- (xvii) Jo Aitcheson, respecting the 2023 Hamilton Police Services Budget (In-Person) (Added Item 6.18)
- (xviii) Karl Andrus, Hamilton Community Benefits Network, respecting the 2023 Just Recovery Policy Paper for consideration in the 2023 municipal budget (In-Person) (Added Item 6.19)
- (xix) Dania Igdoura, respecting the proposed budget increase for HPS (Virtual) (Added Item 6.20)
- (xx) Brock Bodo, Just Recovery Hamilton Coalition, respecting 2023 Municipal Budget (In-Person) (Added Item 6.21)
- (xxi) Damien Ash, ACORN, respecting the 2023 Municipal Budget (In-Person) (Added Item 6.22)
- (xxii) Jessica Merolli, respecting the 2023 Municipal Budget and the 2023 Hamilton Police Services Budget (Virtual) (Added Item 6.23)
- (xxiii) Sid Ryan Eilers, Aeris Korper Contemporary Dance, respecting 2023 Hamilton Police Budget (Virtual) (Added Item 6.24)
- (xxiv) Montana Mellett, respecting the 2023 Hamilton Police Budget (In-Person) (Added Item 6.26)
- (xxv) Greg Dunnett, Hamilton Chamber of Commerce, respecting the 2023 Municipal Budget (In-Person) (Added Item 6.27)
- (xxvi) Sue Markey, respecting Increasing Staffing and Green Infrastructure (Virtual) (Added Item 6.29)
- (xxvii) Kim Martin, Social Planning and Research Council of Hamilton, respecting 2023 Municipal Budget (In-Person) (Added Item 6.30)
- (xxviii) Donald Currie, respecting Encampment Response Funding in the 2023 Budget (In-Person) (Added Item 6.31)

- (xxix) Jane Jamnik, Hamilton Cycling Advisory Committee, respecting Expediting Cycling Plan and Cycling Infrastructure (In-Person) (Added Item 6.33)
- (xxx) Becky Shaini Katz, respecting the 2023 Hamilton Police Services Budget (In-Person) (Added Item 6.34)
- (xxxi) Mohammed Shalalfeh, respecting Affordable Housing in the City of Hamilton (In-Person) (Added Item 6.35)

The meeting was recessed at 6:22 p.m. in order to maintain order.

As per Appendix G, Sub-section (o) of the Procedural By-law 21-012, as amended, the Chair adjourned the meeting at 7:34 pm, without a motion being put.

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**February 7, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**3. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

3.1 February 3, 2023

**4. COMMUNICATIONS**

4.3 Correspondence from John Wigle, Carnegie Gallery, respecting the Living Wage Motion before General Issues Committee

Recommendation: Be received and referred to consideration of Item 7.3

4.4 Correspondence from Simranjeet Singh; President, and Elizabeth Wong; Vice President, McMaster Students Union, respecting the motion to provide a living wage for full-time student and seasonal employees

Recommendation: Be received and referred to consideration of Item 7.3.

**7. DISCUSSION ITEMS**

- 7.19 Follow-up: Alcohol, Drug, & Gambling Services and Community Mental Health Promotion Budget 2022-2023 (BOH22012(c)) (City Wide)
- 7.20 Cycling Infrastructure 2023 – Accelerating the Cycling Master Plan (PED23042(a) / PW23008(a)) (City Wide) (Outstanding Business List Item)
- 7.17 2023 Budget Submission - Housing and Homelessness Advisory Committee (HSC22056) (City Wide) (Item 7.12) – **DUPLICATE ITEM - REMOVED**

The agenda for the February 7, 2023 General Issues Committee (Budget) meeting, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

There were no declarations of interest.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

**(i) February 3, 2023 (Item 3.1)**

That the minutes of the February 3, 2023 General Issues Committee (Budget), were approved, as presented.

**(d) COMMUNICATIONS (Item 4)**

Communications Items 4.1 through 4.4, were approved as follows:

- (i) Correspondence from the Royal Botanical Gardens respecting Updated 2023 Budget Documents (Item 4.1)

Recommendation: Be received.

- (ii) Correspondence from Grand River Conservation Authority, respecting the 2023 Grand River Conservation Authority Budget and Levy Meeting (Item 4.2)

Recommendation: Be received.

- (iii) Correspondence from John Wigle, Carnegie Gallery, respecting the Living Wage Motion before General Issues Committee (Added Item 4.3)

Recommendation: Be received and referred to consideration of Item 7.3

- (iv) Correspondence from Simranjeet Singh; President, and Elizabeth Wong; Vice President, McMaster Students Union, respecting the motion to provide a living wage for full-time student and seasonal employees (Added Item 4.4)

Recommendation: Be received and referred to consideration of Item 7.3.

**(e) STAFF PRESENTATIONS (Item 6)**

**(i) 2023 Preliminary Tax Supported Budget - Referred Items and Business Cases (Item 6.1)**

Mike Zegarac, General Manager of Finance and Corporate Services, provided the Committee with a presentation respecting the 2023 Preliminary Tax Supported Budget – Referred Items and Business Cases, and answered questions of Committee.

The General Issues Committee recessed for 15 minutes until 11:15 am.

The presentation respecting the 2023 Preliminary Tax Supported Budget – Referred Items and Business Cases, was received.

That staff be directed to evaluate amending the 2023 Gapping Budget amount available for a one-time investment to lower the tax levy and/or other options for disbursement and report back to the 2023 Budget Process.

For further disposition of this matter, please refer to Item 18.

The General Issues Committee recessed for 30 minutes until 1:20 pm.

**(f) DISCUSSION ITEMS (Item 7)**

**(i) Hamilton Beach Rescue Unit 2023 Budget Discussion (Item 7.1)**

The discussion respecting the Hamilton Beach Rescue Unit 2023 Budget, was received.

**(ii) Living Wage (HUR20003(b) / FCS20013(b)) (City Wide) (Item 7.3)**

- (a) That staff be directed to implement the Living Wage of \$19.05 per hour for School Crossing Guards and the non-union part-time casual employee group as follows:

- (i) Effective September 1, 2023, amend the hourly rate for School Crossing Guards from \$17.20 to \$19.05 per hour and update the salary schedule to reflect the new Living Wage rate;

- (ii) Effective July 1, 2023, amend the hourly rates for positions in the non-union part-time casual employee group by updating the salary schedule for the first three grades (1EK, 1DI, 1DI) from \$17.20 to \$19.05 per hour and applying the same percentage increase to the rest of the non-union, part-time casual salary schedule to maintain internal equity in accordance with the City of Hamilton compensation policy and practices;
- (b) That staff be directed to maintain the unionized full-time summer student classifications at their existing rates whereby outside unionized student workers continue to earn \$16.00 per hour with a \$0.95 shift premium for afternoon and weekend work and inside unionized student workers continue to earn a minimum \$16.00 per hour and up to \$19.773 per hour. As these positions fall under CUPE 5167, the rates are subject to the collective bargaining process;
- (c) That staff be directed to maintain the non-union full-time summer student classifications at their existing rates of \$17.20 per hour (previous Living Wage rate). These rates can be adjusted separately by the department should attraction and retention become an issue;
- (d) That staff be directed to bring forward a report to Council for approval should there be any future changes to the Living Wage rate prior to implementation, in order to consider budget impacts and to assess the effects on the City's internal compensation system.

That the following Sub-Section (e) be added; and Sub-Sections (b) and (c) be deleted in their entirety and replaced with the following:

- ~~(b) ***That staff be directed to maintain the unionized full-time summer student classifications at their existing rates whereby outside unionized student workers continue to earn \$16.00 per hour with a \$0.95 shift premium for afternoon and weekend work and inside unionized student workers continue to earn a minimum \$16.00 per hour and up to \$19.773 per hour. As these positions fall under CUPE 5167, the rates are subject to the collective bargaining process;***~~
- (b) ***That effective May 1, 2023, amend the hourly rates for unionized full time summer student classifications from \$16 per hour to \$19.05 per hour, and maintain the \$0.95 shift premium for afternoon shift and weekend work. That such***

*amendments be made to the salary schedule to reflect the new Living Wage rate;*

- ~~(c) That staff be directed to maintain the non-union full-time summer student classifications at their existing rates of \$17.20 per hour (previous Living Wage rate). These rates can be adjusted separately by the department should attraction and retention become an issue;~~
- (c) That effective May 1, 2023 staff be directed to adjust the non-union full-time summer student classifications to the 2023 Living Wage Rate of \$19.05 per hour as detailed in Appendix “B” to Report HUR20003(b)/FCS20013(b);
- (e) That staff pursue appropriate certification for the City of Hamilton as a Living Wage Employer, as defined by the Ontario Living Wage Network.

**The Amendment was DEFEATED.**

That staff be directed to report back to the 2023 Budget Process with current comparators on student wages from neighbouring municipalities and other local government agencies.

That Report HUR20003(b) / FCS20013(b), respecting the Living Wage be DEFERRED to a future 2023 Budget meeting for consideration, to provide staff the opportunity to report back on the current comparators on student wages from neighbouring municipalities and other local government agencies.

**(iii) Cycling Infrastructure 2023 – Accelerating the Cycling Master Plan (PED23042(a) / PW23008(a)) (City Wide) (Outstanding Business List Item) (Added Item 7.20)**

Councillor Jackson declared a Point of Order during Councillor Kroetsch’s comments.

Councillor Clark, Chair of the General Issues Committee - Budget, ruled that Councillor Jackson’s Point of Order was in order and therefore, asked Councillor Kroetsch to withdraw the comment, Councillor Kroetsch refused to withdraw the comment, therefore, Councillor Clark asked Councillor Kroetsch to leave the Council Chamber.

Councillor M. Wilson challenged the Chair’s ruling. Upon issuing the challenge, the Clerk assumed the role of the Chair and a vote on the appeal was voted upon, as follows:

That the Chair’s ruling be challenged.

**Council – March 29, 2023**

The Chair's ruling was upheld.

For disposition of this Item, refer to Item 17.

**(g) PRIVATE AND CONFIDENTIAL (Item 11)**

Committee moved into Closed Session Pursuant to Section 9.3, Sub-section (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to personal matters about an identifiable individual, including municipal or local board employees.

**(i) Planning and Economic Development Realignments – Corporate Real Estate Office (PED21134(a)) (City Wide) (Item 11.1)**

For disposition of this matter, refer to Item 19.

**(h) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 5:30 p.m.

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**February 21, 2023**

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**7. DISCUSSION ITEMS - WITHDRAWN**

7.3 Encampment Pilot Evaluation (HSC20038(e) / PED21188(b)) (City Wide) (Outstanding Business List Item)

The agenda for the February 21, 2023 General Issues Committee (Budget) meeting, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor E. Pauls declared a non-disqualifying interest to the Item 6.2, 2023 Tax Operating Budget Deliberations, respecting the Hamilton Police Budget as her son works for the Hamilton Police Service.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

The following minutes of the General Issues Committee (Budget), were approved, as presented:

- (i) February 6, 2023 (Item 3.1)
- (ii) February 7, 2023 (Item 3.2)

**(d) STAFF PRESENTATIONS (Item 6)**

**(i) Area Rating Review (FCS21078(d)) (City Wide) (Item 6.1)**

Gloria Rojas, Senior Tax Policy Advisor, provided the Committee with a presentation respecting the Area Rating Review, and answered questions of Committee.

The presentation respecting the Area Rating Review, was received.

- (a) That the area rating of the Fire Service be updated to a “Full Time / Composite / Volunteer” model in the 2023 tax year to align with the existing boundaries of the Fire Response Type as shown in Appendix “A” to Report FCS21078(d); and,
- (b) That the tax impact to the properties remaining in the Fire Service full-time level of service be phased in on a two-year period starting in the 2023 tax year.

That Report FCS21078(d), respecting Area Rating Review, **be amended** by adding an additional sub-section (c), as follows:

- (c) ***That the properties within the Volunteer to Composite model be implemented in their entirety in 2023 (0.7% tax increase) using the tax stabilization reserve to offset the cost up to \$200,000 limit.***

For further disposition of this matter, refer to Item 2.

The General Issues Committee recessed for 15 minutes until 11:32 am.

**(ii) 2023 Tax Operating Budget Deliberations (Item 6.2)**

Mike Zegarac, General Manager of Finance and Corporate Services, provided the Committee with a presentation respecting the 2023 Tax Operating Budget Deliberations, and answered questions of Committee.

The General Issues Committee recessed for 30 minutes until 1:30 pm.

The presentation respecting the 2023 Tax Operating Budget Deliberations, was received.

**1. Other Budget Amendments (Corporate Financials)**

The amendment to the 2023 Tax Supported Budget respecting a One-time Gapping to Fund 50% of the Paramedic Business Cases 2.4 & 2.5 (Option B) (\$2,155,200) (Gross), (\$2,155,200) (Net), (Item 5), was approved and reflected in the final budget Report FCS23007(a).

**2. SLT Proposed Amendments / Other Budget Amendments**

The amendments to the 2023 Tax Supported Budget respecting SLT Proposed Amendments, were approved and reflected in the final budget Report FCS23007(a), as follows:

- (a) Funding from Economic Development Reserve for the Canada Day Event (CM21014) Council Referred Item 1.4 (\$87,100);
- (b) Long-Term Care, Confirmation of funding from the Ministry of Long-Term Care for Q1 2023 for Business Case 2.6 (amends net levy amount of the Business Case to \$1,503,525) (\$501,175) (Item 4);
- (c) Boards and Agencies, Transfer from Unallocated Capital Levy Reserve for Hamilton Conservation Authority one-time special capital request (\$300,000) (Item 2); and,
- (d) Corporate Financials, Reduction of 10% in City-wide mileage budgets (\$63,100) (Item 3).

**3. Council Referred Items**

- (a) The following amendments to the 2023 Tax Supported Budget respecting Council Referred Items, were approved and reflected in the final budget Report FCS23007(a):
  - (i) General Manager, Planning and Economic Development, Annual Support for Bay Area Climate Change Office (CM22016 / PED22058(a) / HSC22030(a)), \$160,000 (Gross), \$160,000 (Net), (Item 1.1);
  - (ii) General Manager, Planning and Economic Development, New Project Manager for Climate Change Office (CM22016 / PED22058(a) /

- HSC22030(a)), \$71,700 (Gross), \$71,700 (Net), 1.00 FTE, (Item 1.2);
- (iii) General Manager, Planning and Economic Development, New Senior Project Manager for Climate Change Office (CM22016 / PED22058(a) / HSC22030(a)), \$79,800 (Gross), \$79,800 (Net), 1.00 FTE, (Item 1.3);
- (iv) Tourism and Culture, Canada Day Event (CM21014), \$150,300 (Gross), \$41,200 (Net), 0.25 FTE, (Item 1.4);
- (v) Licensing & By-Law Services, Nuisance Party By-Law (PED22156), \$70,900 (Gross), \$70,900 (Net), 0.50 FTE, (Item 1.5);
- (vi) Children's and Community Services, Hamilton's Plan for an Age-Friendly Community (HSC22031), \$10,000 (Gross), \$10,000 (Net), (Item 2.1);
- (vii) Housing Services, Social Housing Providers at End of Mortgage (HSC22040), \$1,100,000 (Gross), \$1,100,000 (Net), (Item 2.2);
- (viii) Housing Services, Subsidy Request for Rapid Housing Initiative New Developments (HSC20056(a)), \$125,000 (Gross), \$125,000 (Net), (Item 2.3);
- (ix) Housing Services, Adaptation and Transformation of Housing Services Post Pandemic (HSC20020(f)), \$649,700 (Gross), \$649,700 (Net), (Item 2.4);
- (x) Housing Services, Shelters Cost of Living Enhancement (Homelessness Prevention Program (HSC20020(f)), \$546,700 (Gross), \$546,700 (Net), (Item 2.5);
- (xi) Housing Services, Affordable Housing Funding Program (HSC23003), \$4,000,000 (Gross), \$4,000,000 (Net), (Item 2.7);
- (xii) Housing Services, Cold Alert Response (Motion - ECS Dec. 1, 2022), \$125,000 (Gross), \$125,000 (Net), (Item 2.8);
- (xiii) Public Health, Alcohol, Drug & Gambling Services and Community Mental Health Promotion Program

- (BOH22012(b) as amended), \$105,420 (Gross), \$105,420 (Net), 1.25 FTE, (Item 2.10);
- (xiv) Public Works – General Administration, Corporate Asset Management Resource Requirements (PW22048), \$1,117,900 (Gross), \$1,117,900 (Net), 10.00 FTE, (Item 3.1);
  - (xv) City Clerk's Office, Records & Information Management Policy (FCS22057), \$184,000 (Gross), \$184,000 (Net), 2.00 FTE, (Item 4.2);
  - (xvi) City Clerk's Office, Virtual Meeting Support (FCS21058), \$175,000 (Gross), \$175,000 (Net), 2.00 FTE, (Item 4.3);
  - (xvii) Legal Services and Risk Management, Implement Bill 13 and Bill 109 (PED22112), \$259,300 (Gross), \$259,300 (Net), 3.00 FTE, (Item 4.4);
  - (xviii) Government & Community Relations, Public Engagement Policy & Framework (CM21011), \$200,000 (Gross), \$200,000 (Net), 2.00 FTE, (Item 5.1);
  - (xix) Administration CEF, City Enrichment Fund (Motion - AF&A June 2, 2022), \$629,390 (Gross), \$629,390 (Net), 1.00 FTE, (Item 6.1); and,
  - (xx) Corporate Finance, Recruitment and Retention (HUR23002), TBD (Gross), TBD (Net), (Item 6.3);
- (b) The following amendments to the 2023 Tax Supported Budget respecting Council Referred Items, were DEFERRED to the March 1, 2023 General Issues Committee Meeting:
- (i) Housing Services, Hamilton Alliance for Tiny Shelters Proposal (HSC22015(a)), \$100,000 (Gross), \$100,000 (Net), (Item 2.6); and,
  - (ii) Housing Services, Funding for YWCA Hamilton (Motion - ECS Dec. 1, 2022), \$6,550,000 (Gross), \$2,600,000 (Net), (Item 2.9).

**4. Council Referred Items - DEFER**

The following amendments to the 2023 Tax Supported Budget respecting Council Referred Items, were DEFERRED to the March 1, 2023 General Issues Committee Meeting:

- (a) Housing Services, Encampment Pilot Evaluation – Coordination Response Team (HSC20038(e) / PED21188(b)), \$1,366,646 (Gross), \$1,366,646 (Net), 10.50 FTE, (Item 2.11);
- (b) City Clerk's Office, Election Expense Reserve for Internet Voting Consideration for 2026 Municipal Election (FCS20081(a)), \$153,800 (Gross), \$153,800 (Net), (Item 4.1); and,
- (c) Legislative, Increase to Councillors' Office Budgets (Motion - Council Dec. 7, 2022), \$600,000 (Gross), \$600,000 (Net), (Item 6.2);

**5. Business Cases**

The following amendments to the 2023 Tax Supported Budget respecting Business Cases, were approved and reflected in the final budget Report FCS23007(a):

- (a) Economic Development, Chief Real Estate Officer conversion from temporary to permanent, \$195,700 (Gross), \$- (Net), 1.00 FTE (Item 1.1);
- (b) Tourism & Culture, Film Production Facilitation, \$83,820 (Gross), \$- (Net), 1.00 FTE, (Item 1.2);
- (c) Children's and Community Services, Manager, Canada Wide Early Learning Child Care, \$178,700 (Gross), \$- (Net), 1.00 FTE, (Item 2.1);
- (d) Children's and Community Services, Indigenous Strategy, \$584,000 (Gross), \$484,000 (Net), 4.00 FTE, (Item 2.2);
- (e) Hamilton Fire Department, Hamilton Fire Department – Volunteer Staffing / Headcount Enhancement, \$- (Gross), \$- (Net), (Item 2.3);
- (f) Hamilton Paramedic Service, Hamilton Paramedic Service – Ambulance Enhancement - Call Growth, \$1,228,600 (Gross), **\$614,300** (Net), 10.00 FTE, (Item 2.4);

- (g) Hamilton Paramedic Service, Hamilton Paramedics - Ambulance Enhancement - Response Times & Current Demand, \$3,081,800 (Gross), **\$1,540,900** (Net), 25.00 FTE, (Item 2.5);
- (h) Long Term Care, 2023 Long Term Care - Covid costs, \$2,004,700 (Gross), **\$1,503,525** (Net), (Item 2.6);
- (i) Energy Fleet and Facilities, THF Post Event Increase Service Level, \$125,600 (Gross), \$125,600 (Net), 1.00 FTE, (Item 3.1);
- (j) Energy Fleet and Facilities, Green Fleet Planning, \$46,300 (Gross), \$46,300 (Net), 1.00 FTE, (Item 3.2);
- (k) Engineering Services, Roads Value for Money Audit Recommendations, \$199,500 (Gross), \$- (Net), 4.00 FTE, (Item 3.3);
- (l) Engineering Services, Request for additional staff resources for Structures, \$70,900 (Gross), \$- (Net), 1.00 FTE, (Item 3.4);
- (m) Engineering Services, Contracts Coordinator, \$55,600 (Gross), \$- (Net), 1.00 FTE, (Item 3.5);
- (n) Engineering Services, Project Manager Excess Soils, \$70,900 (Gross), \$- (Net), 1.00 FTE, (Item 3.6);
- (o) Engineering Services, Quality Management System (QMS) Staff within Engineering Services, \$80,900 (Gross), \$- (Net), 1.00 FTE, (Item 3.7);
- (p) Engineering Services, Request for additional staff resources for Municipal Class Environmental Assessments, \$70,900 (Gross), \$- (Net), 1.00 FTE, (Item 3.8);
- (q) City Clerk's Office, FOI Administration, \$50,000 (Gross), \$50,000 (Net), (Item 4.1);
- (r) Information Technology, Additional FTEs for IT, \$- (Gross), \$- (Net), 2.00 FTE, (Item 4.2);
- (s) Information Technology, Data Solution Specialist, \$159,300 (Gross), \$159,300 (Net), 2.00 FTE (Item 4.3); and,

- (t) Legal Services and Risk Management, Legal Taxation Support, \$159,000 (Gross), \$159,000 (Net), 2.00 FTE (Item 4.4).

**6. Other Budget Amendments (Boards & Agencies)**

The amendment to the 2023 Tax Supported Budget respecting Boards and Agencies to align to Board approval of external agencies budgets, \$1,414,714 (Gross), \$1,414,714 (Net), (Item 1), was approved and reflected in the final budget Report FCS23007(a).

**7. Other Budget Amendments (Corporate Financials)**

The amendment to the 2023 Tax Supported Budget respecting Corporate Financials, Living Wage (HUR20003(b)), \$353,600 (Gross), \$353,600 (Net), (Item 6), were DEFERRED to the March 1, 2023 General Issues Committee Meeting.

**(e) PRIVATE AND CONFIDENTIAL (Item 11)**

**(i) Closed Session Minutes – February 7, 2023 (Item 11.1)**

The Closed Session Minutes of the February 7, 2023 General Issues Committee (Budget) meeting, were approved and remain confidential.

**(f) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 3:05 p.m.

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**February 27, 2023**

**FOR INFORMATION:**

**(a) DECLARATIONS OF INTEREST (Item 1)**

Councillor E. Pauls declared a non-disqualifying interest to the Delegations respecting the Hamilton Police Budget as her son works for the Hamilton Police Service.

**(b) DELEGATIONS (Item 3)**

- (i) The following Delegates addressed the Committee respecting the 2023 Budget:

- (1) Evan Ubene, Kilometres for Public Healthcare, respecting the Expansion of Public Health Services and the 2023 Hamilton Police Services Budget (In-Person) (Item 3.1)
  - (2) Nick de Koning, respecting the 2023 Municipal Budget (In-Person) (Item 3.4)
  - (3) Lucia Iannantuono, Hamilton 350, requesting Support for Care Fare Campaign (Virtual) (Item 3.6)
  - (4) Miranda Vander Vliet, requesting the 2023 Hamilton Police Services Budget (Virtual) (Item 3.7)
  - (5) Adeola Egbeyemi, Environment Hamilton, respecting Reducing Fossil Fuel Dependence in the City of Hamilton (In-Person) (Item 3.8)
  - (6) Adan Amer, Hamilton 350, respecting Support for Care Fare Campaign Initiative (In-Person) (Item 3.11)
  - (7) Ken Stone, Community Coalition Against Racism, respecting the 2023 Hamilton Police Services Budget (Pre-Recorded Video) (Item 3.12)
  - (8) Nicole Tollenaar, respecting comments on the 2023 Budget (Pre-Recorded Video) (Item 3.13)
  - (9) Laura Katz, respecting the 2023 Hamilton Police Budget (Pre-Recorded Video) (Item 3.14)
  - (10) Marnie Schurter, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (Item 3.15)
  - (11) Gord Smyth, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (Item 3.16)
- (ii) The following delegates from the February 27<sup>th</sup>, 2023 meeting were not present when called upon:
- (1) Elizabeth Bloomfield, respecting the 2023 Hamilton Police Services Budget (In-Person) (Item 3.2)
  - (2) Jacqueline Cantar, respecting the 2023 Municipal Budget (In-Person) (Item 3.3)
  - (3) Kara Jongeling, respecting the 2023 Hamilton Police Service Budget (Virtual) (Item 3.5)

- (4) Myles Demeter, respecting the 2023 Municipal Budget (In-Person) (Item 3.9)
- (5) Mike Burnet, ACORN, respecting 2023 Municipal Budget (In-Person) (Item 3.10)

The delegations respecting the 2023 Budget, were received, as follows:

- (i) Delegates from the February 6<sup>th</sup>, 2023 meeting:
  - (1) Anthony Marco, Hamilton and District Labour Council respecting Care Fare Transit (Virtual) (Added Item 6.1)
  - (2) Elizabeth Wong, Vice-President, and Simranjeet Singh, President, McMaster Students Union, respecting the 2023 municipal budget (In-Person) (Added Item 6.2)
  - (3) Miriam Sager, respecting the 2023 Budget (In-Person) (Added Item 6.3)
  - (4) Alex Bonenfant, respecting Hamilton's waterfalls (Virtual) (Added Item 6.4)
  - (5) Tara McFadyen, respecting installation of security cameras on all escarpment stair needing to be put into the budget process (In-Person) (Added Item 6.5)
  - (6) Kojo Dampsey, Hamilton Centre for Civic Inclusion, respecting public budget delegation on behalf of the Just Recovery HamOnt Coalition (In-Person) (Added Item 6.6)
  - (7) Ian Borsuk, Environment Hamilton, respecting the 2023 Budget (In-Person) (Added Item 6.7)
  - (8) Emily Scherzinger, respecting the 2023 Police Budget (In-Person) (Added Item 6.8)
  - (9) Elia Hamelin, respecting the police budget (Virtual) (Added Item 6.10)
  - (10) Rachel Chaplow, respecting the detrimental effects of the proposed budget cuts to specialized mental health and addiction services and the negative impact they will have on the citizens of Hamilton who rely on these services (In-Person) (Added Item 6.11)
  - (11) Ed Reece, Council of Canadians, Hamilton Chapter, respecting the Care Fare Campaign (Virtual) (Added Item 6.12)

- (12) Steacy Easton, respecting questions about funding the police budget (In-Person) (Added Item 6.13)
- (13) Theresa Cardey, respecting the Care Fare Campaign submission (In-Person) (Added Item 6.14)
- (14) Katie King, respecting the 2023 Budget (Virtual) (Added Item 6.15)
- (15) Anna Norris, respecting the Care Fare Campaign submission (In-Person) (Added Item 6.16)
- (16) Anastasia Zavarella, respecting the proposed budget increase for HPS (In-Person) (Added Item 6.17)
- (17) Jo Aitcheson, respecting the 2023 Hamilton Police Services Budget (In-Person) (Added Item 6.18)
- (18) Karl Andrus, Hamilton Community Benefits Network, respecting the 2023 Just Recovery Policy Paper for consideration in the 2023 municipal budget (In-Person) (Added Item 6.19)
- (19) Dania Igdoura, respecting the proposed budget increase for HPS (Virtual) (Added Item 6.20)
- (20) Brock Bodo, Just Recovery Hamilton Coalition, respecting 2023 Municipal Budget (In-Person) (Added Item 6.21)
- (21) Damien Ash, ACORN, respecting the 2023 Municipal Budget (In-Person) (Added Item 6.22)
- (22) Jessica Merolli, respecting the 2023 Municipal Budget and the 2023 Hamilton Police Services Budget (Virtual) (Added Item 6.23)
- (23) Sid Ryan Eilers, Aeris Korper Contemporary Dance, respecting 2023 Hamilton Police Budget (Virtual) (Added Item 6.24)
- (24) Montana Mellett, respecting the 2023 Hamilton Police Budget (In-Person) (Added Item 6.26)
- (25) Greg Dunnett, Hamilton Chamber of Commerce, respecting the 2023 Municipal Budget (In-Person) (Added Item 6.27)
- (26) Sue Markey, respecting Increasing Staffing and Green Infrastructure (Virtual) (Added Item 6.29)

- (27) Kim Martin, Social Planning and Research Council of Hamilton, respecting 2023 Municipal Budget (In-Person) (Added Item 6.30)
- (28) Donald Currie, respecting Encampment Response Funding in the 2023 Budget (In-Person) (Added Item 6.31)
- (29) Jane Jamnik, Hamilton Cycling Advisory Committee, respecting Expediting Cycling Plan and Cycling Infrastructure (In-Person) (Added Item 6.33)
- (30) Becky Shaini Katz, respecting the 2023 Hamilton Police Services Budget (In-Person) (Added Item 6.34)
- (31) Mohammed Shalalfeh, respecting Affordable Housing in the City of Hamilton (In-Person) (Added Item 6.35)
- (ii) Delegates from the February 27<sup>th</sup>, 2023 meeting:
  - (1) Evan Ubene, Kilometres for Public Healthcare, respecting the Expansion of Public Health Services and the 2023 Hamilton Police Services Budget (In-Person) (Item 3.1)
  - (2) Nick de Koning, respecting the 2023 Municipal Budget (In-Person) (Item 3.4)
  - (3) Lucia Iannantuono, Hamilton 350, requesting Support for Care Fare Campaign (Virtual) (Item 3.6)
  - (4) Miranda Vander Vliet, requesting the 2023 Hamilton Police Services Budget (Virtual) (Item 3.7)
  - (5) Adeola Egbeyemi, Environment Hamilton, respecting Reducing Fossil Fuel Dependence in the City of Hamilton (In-Person) (Item 3.8)
  - (6) Adan Amer, Hamilton 350, respecting Support for Care Fare Campaign Initiative (In-Person) (Item 3.11)
  - (7) Ken Stone, Community Coalition Against Racism, respecting the 2023 Hamilton Police Services Budget (Pre-Recorded Video) (Item 3.12)
  - (8) Nicole Tollenaar, respecting comments on the 2023 Budget (Pre-Recorded Video) (Item 3.13)
  - (9) Laura Katz, respecting the 2023 Hamilton Police Budget (Pre-Recorded Video) (Item 3.14)

- (10) Marnie Schurter, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (Item 3.15)
- (11) Gord Smyth, ACORN, respecting the 2023 Municipal Budget (Pre-Recorded Video) (Item 3.16)

**(c) MOTIONS (Item 4)**

**(i) Investigate Increase in the Tax Rate on the Pipeline Class**

WHEREAS, the City of Hamilton approves an annual tax policy report;

WHEREAS, tax policies impact the City financially in terms of revenue streams and their sources, and have the potential to distribute the tax burden across property tax classes;

WHEREAS, in 2022 Council approved the following 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
Fam	0.1767	0.1767	

WHEREAS, the City realized approximately \$4.9 million in municipal tax revenue from the pipeline class in 2022;

WHEREAS, the Education tax rate on the pipeline class is determined by the Province of Ontario;

WHEREAS, the City of Hamilton declared a Climate Emergency in 2019; and,

WHEREAS, the City has a weighty reliance on residential taxpayers;

THEREFORE BE IT RESOLVED;

That staff be directed to report back on the options to increase the tax rate on the Pipeline class, thereby decreasing the burden on other property classes, including residential.

**(d) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 4:48 p.m.

March 1, 2023

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 1)**

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

**3. APPROVAL OF MINUTES OF PREVIOUS MEETING**

3.2 February 27, 2023

**4. COMMUNICATIONS**

4.4 Correspondence from Lou Piriano, President, REALTORS Association of Hamilton-Burlington, respecting the proposed hike to the tax levy

Recommendation: Be received.

4.5 Correspondence from Grand River Conservation Authority, respecting the 2023 Grand River Conservation Authority Municipal Levy and Budget

Recommendation: Be received.

**10. GENERAL INFORMATION / OTHER BUSINESS**

10.1. Amendments to the Outstanding Business List:

10.1.a. Items Requiring a New Due Date: - REVISED

Requirements for the Implementation of a 311 Customer Service Call Platform  
That staff be directed to review the 311 Customer Service Call Platform to determine the costs associated with having the 311 system operated by staff 24 hours per day, 7 days per week, and report back to the General Issues Committee during the 2023 operating budget process.  
Added: November 25, 2022 at GIC  
Requested New Due Date: Q2 2023 - Regular GIC

**11. PRIVATE AND CONFIDENTIAL**

11.1 Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission (LS23018) (City Wide)

**CHANGE TO THE ORDER OF ITEMS**

That Item 11.1, Report LS23018, respecting the Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission, be moved up on the agenda to be considered immediately following the Staff Presentation respecting Item 6.1, Report FCS23007(a), respecting the 2023 Tax Supported Operating Budget – Recommendations, and prior to the consideration of Report FCS23007(a).

The agenda for the March 1, 2023 General Issues Committee (Budget) meeting, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 2)**

Councillor M. Wilson declared a non-disqualifying interest to the Item 6.1, 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide), respecting the YWCA as her spouse works for an entity that is a lender to the YWCA.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETING (Item 3)**

The following minutes of the General Issues Committee (Budget) were approved, as presented:

- (i) February 21, 2023 (Item 3.1)
- (ii) February 27, 2023 (Added Item 3.2)

**(d) COMMUNICATIONS (Item 4)**

Communications Items 4.1 through 4.5, were approved as follows:

- (i) Correspondence from Anne Washington, respecting living wage (Item 4.1)  
Recommendation: Be received.
- (ii) Correspondence from Dorothy Bartalos, respecting Hamilton as a Certified Living Wage Employer (Item 4.2)  
Recommendation: Be received.
- (iii) Correspondence from Robert Cooper, respecting the 2023 proposed property tax increase (Item 4.3)  
Recommendation: Be received.

- (iv) Correspondence from Lou Piriano, President, REALTORS Association of Hamilton-Burlington, respecting the proposed hike to the tax levy (Added Item 4.4)

Recommendation: Be received.

- (v) Correspondence from Grand River Conservation Authority, respecting the 2023 Grand River Conservation Authority Municipal Levy and Budget (Added Item 4.5)

Recommendation: Be received.

The General Issues Committee recessed for 15 minutes until 11:20 am.

**(e) STAFF PRESENTATIONS (Item 6)**

- (i) 2023 Tax Supported Operating Budget - Recommendations (FCS23007(a)) (City Wide) (Item 6.1)**

Mike Zegarac, General Manager of Finance and Corporate Services, provided the Committee with a presentation respecting the 2023 Tax Supported Operating Budget - Recommendations, and answered questions of Committee.

The presentation respecting the 2023 Tax Supported Operating Budget - Recommendations, was received.

The General Issues Committee recessed for 30 minutes until 1:00 pm.

**(f) PRIVATE AND CONFIDENTIAL (Item 11)**

Committee moved into Closed Session to discuss Item 11.1 pursuant to Section 9.3, Sub-section (f) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (f) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- (i) Motion Regarding Grounds for an Appeal to the Ontario Civil Police Commission (LS23018) (City Wide) (Item 11.1)**

For disposition of this matter, refer to Item 3.

(g) STAFF PRESENTATIONS (Item 6) (Continued)

(i) 2023 Tax Supported Operating Budget - Recommendations  
(FCS23007(a)) (City Wide) (Item 6.1)

(1) Council Referred Items (Item 6.1 (a)(v) – Item 2.6)

Committee was advised that, as Council had on February 22, 2023, referred REVISED Report HSC22015(a) respecting a Hamilton Alliance for Tiny Shelters Proposal back to staff to work with the Hamilton Alliance for Tiny Shelters on the establishment of an operational plan and report back to the Emergency and Community Services Committee, the \$100,000 for Hamilton Alliance for Tiny Shelters Proposal (HSC22014(a)) – Council Referred Item 2.6, would be removed from the listing.

That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.6 of Appendix “H” of Report FCS23007(a), **be amended** as follows:

**2.6 That \$100,000 be transferred to the Housing Stabilization Reserve (Reserve # 110041) and considered as a one-time funding source for Tiny Shelters or other community-led housing innovations.**

The Motion was Defeated.

(2) Council Referred Items (Item 6.1 (a)(v) – Item 2.9)

That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.9 of Appendix “H” of Report FCS23007(a), be approved as follows:

**2.9 Housing Services Funding for YWCA Hamilton (Motion - ECS Dec. 1, 2022) \$6,550,000 (Gross), \$2,600,000 (Net), 0.24% Residential Tax Impact.**

That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.9 of Appendix “H” of Report FCS23007(a), be **amended** as follows:

**2.9 That \$2,600,000 be transferred to the Housing Stabilization Reserve (Reserve # 110041) as a one-time funding source for future consideration for YWCA or other transitional housing opportunities for women and children in conjunction with the Housing Sustainability Investment Roadmap.**

The Motion was Defeated.

That the following motion respecting sub-section (a)(v) of the recommendations in relation to Item 2.9 of Appendix “H” of Report FCS23007(a), be REFERRED to March 29, 2023 Council meeting for consideration:

- (i) That sub-section (a)(v) of the recommendations within Report FCS23007(a), respecting Item 2.9 of Appendix “H” of Report FCS23007(a), be **amended** as follows:

**2.9 That \$2,600,000 be transferred to the Housing Stabilization Reserve (Reserve # 110041) as a one-time funding source for future consideration for YWCA or other transitional housing opportunities for women and children in conjunction with the Housing Sustainability Investment Roadmap.**

Councillor C. Kroetsch challenged the Chair’s ruling on the REFERRAL Motion being in order. Upon issuing the challenge, the Clerk assumed the role of the Chair and a vote on the appeal was voted upon, as follows:

That the Chair’s ruling be challenged.

The Motion on the Challenge of the Chair was Defeated.

The Motion on the REFERRAL to Council on March 29, 2023 was Defeated.

For disposition of this matter, please refer to Item 6(i).

Consideration of the remainder of the recommendations within Report FCS23007(a) 2023 Tax Supported Operating Budget - Recommendations, was DEFERRED until after the consideration of Items 7.1 and 7.2.

That the General Issues Committee (Budget) meeting of March 1, 2023, be permitted to extend the meeting past 5:30 pm curfew for up to an additional 30 minutes.

For further disposition of this matter, refer to Item 6.

**(h) STAFF PRESENTATIONS (Item 6) (Continued)**

**(i) 2023 Tax Supported Operating Budget - Recommendations  
(FCS23007(a)) (City Wide) (Item 6.1) Continued**

At the request of Committee, the balance of sub-section (a), was voted on separately.

For further disposition of this matter, refer to Item 6(v).

At the Committee's request, sub-section (b), was voted on separately.

For further disposition of this matter, refer to Item 6(vi).

At the Committee's request, the balance of sub-section (b), was voted on separately.

For further disposition of this matter, refer to Item 6(vii).

At the Committee's request, the balance of the sub-sections ((c) through to (n)), were voted on separately.

For further disposition of this matter, refer to Item 6(viii).

**(i) GENERAL INFORMATION / OTHER BUSINESS (Item 10)**

**(i) Amendments to the Outstanding Business List: (Added Item 10.1)**

That the amendment to the Outstanding Business List, were approved as follows:

**(a) Item Requiring a New Due Date: - REVISED (Added Item 10.1(a))**

Requirements for the Implementation of a 311 Customer Service Call Platform

That staff be directed to review the 311 Customer Service Call Platform to determine the costs associated with having the 311 system operated by staff 24 hours per day, 7 days per week, and report back to the General Issues Committee during the 2023 operating budget process.

Added: November 25, 2022 at GIC

Requested New Due Date: Q2 2023 - Regular GIC

**(j) ADJOURNMENT (Item 12)**

There being no further business, the General Issues Committee adjourned at 5:35 p.m.

Respectfully submitted,

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Councillor Brad Clark  
Chair, General Issues Committee Budget

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Angela McRae  
Legislative Coordinator  
Office of the City Clerk

## CITY OF HAMILTON 2023 PENDING AMENDMENTS

REF. #	DIVISION	DESCRIPTION	2023 IMPACT			RESIDENTIAL TAX IMPACT (%)
			\$ GROSS	\$ NET	FTE Impact	
<b>Council Referred Items</b>						
2.9	Housing Services	Funding for YWCA Hamilton (Motion - ECS Dec. 1, 2022)	\$ 2,600,000	\$ 2,600,000	-	0.24%
2.11	Housing Services	Encampment Pilot Evaluation - Coordination Response Team (HSC20038(c)/PED21188(b))	\$ 1,366,646	\$ 1,366,646	10.50	0.12%
4.1	City Clerk's Office	Election Expense Reserve for Internet Voting Consideration for 2026 Municipal Election (FCS20081(a))	\$ 153,800	\$ 153,800	-	0.01%
6.2	Legislative	Increase to Councillors' Office Budgets (Motion - Council Dec. 7, 2022)	\$ 600,000	\$ 600,000	-	0.05%
<b>Council Referred Items Total</b>			<b>\$ 4,720,446</b>	<b>\$ 4,720,446</b>	<b>10.50</b>	<b>0.43%</b>
<b>Other Budget Amendments</b>						
6	Corporate Financials	Living Wage (HUR20003(b)/FCS20013(b))	\$ 353,600	\$ 353,600	-	0.03%
<b>Other Budget Amendments Total</b>			<b>\$ 353,600</b>	<b>\$ 353,600</b>	<b>-</b>	<b>0.03%</b>
<b>Grand Total</b>			<b>\$ 5,074,046</b>	<b>\$ 5,074,046</b>	<b>10.50</b>	<b>0.46%</b>

**CITY OF HAMILTON  
 2023 COUNCIL REFERRED ITEMS  
 SUMMARY**

FORM #	DIVISION	DESCRIPTION	2023 IMPACT			Status
			\$ GROSS	\$ NET	FTE Impact	
<b>Planning &amp; Economic Development</b>						
1.1	General Manager PED	Annual Support for Bay Area Climate Change Office (CM22016/PED22058(a)/HSC22030(a)).	\$ 160,000	\$ 160,000	-	GIC APPROVED
1.2	General Manager PED	New Project Manager for Climate Change Office (CM22016/PED22058(a)/HSC22030(a)).	\$ 71,700	\$ 71,700	1.00	GIC APPROVED
1.3	General Manager PED	New Senior Project Manager for Climate Change Office (CM22016/PED22058(a)/HSC22030(a)).	\$ 79,800	\$ 79,800	1.00	GIC APPROVED
1.4	Tourism & Culture	Canada Day Event (CM21014)	\$ 150,300	\$ 41,200	0.25	GIC APPROVED
1.5	Licensing & By-Law Services	Nuisance Party By-Law (PED22156)	\$ 70,900	\$ 70,900	0.50	GIC APPROVED
1.6	Transportation, Planning & Parking	Accelerating the Implementation of the Cycling Master Plan (Motion - GIC Jan. 20, 2023)	\$ 308,000	\$ 308,000	5.00	GIC APPROVED
1.7	Transportation, Planning & Parking	Waterfalls and Special Areas Enforcement (PED18011(d))	\$ 490,000	\$ -	5.00	GIC APPROVED
<b>Planning &amp; Economic Development Total</b>			<b>\$ 1,330,700</b>	<b>\$ 731,600</b>	<b>12.75</b>	
<b>Healthy &amp; Safe Communities</b>						
2.1	Children's and Community Services	Hamilton's Plan for an Age-Friendly Community (HSC22031)	\$ 10,000	\$ 10,000	-	GIC APPROVED
2.2	Housing Services	Social Housing Providers at End of Mortgage (HSC22040)	\$ 1,100,000	\$ 1,100,000	-	GIC APPROVED
2.3	Housing Services	Subsidy Request for Rapid Housing Initiative New Developments (HSC20056(a))	\$ 125,000	\$ 125,000	-	GIC APPROVED
2.4	Housing Services	Adaptation and Transformation of Housing Services Post Pandemic (HSC20020(f))	\$ 649,700	\$ 649,700	-	GIC APPROVED
2.5	Housing Services	Shelters Cost of Living Enhancement (Homelessness Prevention Program (HSC20020(f))	\$ 546,700	\$ 546,700	-	GIC APPROVED
2.6	Housing Services	Hamilton Alliance for Tiny Shelters Proposal (HSC22015(a))	\$ 100,000	\$ 100,000	-	REFERRED TO ECSC
2.7	Housing Services	Affordable Housing Funding Program (HSC23003)	\$ 4,000,000	\$ 4,000,000	-	GIC APPROVED
2.8	Housing Services	Cold Alert Response (Motion - ECS Dec. 1, 2022)	\$ 125,000	\$ 125,000	-	GIC APPROVED
2.9	Housing Services	Funding for YWCA Hamilton (Motion - ECS Dec. 1, 2022)	\$ 2,600,000	\$ 2,600,000	-	GIC APPROVED
2.10	Public Health	Alcohol, Drug & Gambling Services and Community Mental Health Promotion Program (BOH22012(b) as amended)	\$ 105,420	\$ 105,420	1.25	GIC APPROVED

**CITY OF HAMILTON  
 2023 COUNCIL REFERRED ITEMS  
 SUMMARY**

FORM #	DIVISION	DESCRIPTION	2023 IMPACT			Status
			\$ GROSS	\$ NET	FTE Impact	
2.11	Housing Services	Encampment Pilot Evaluation - Coordination Response Team (HSC20038(c)/PED21188(b))	\$ 1,366,646	\$ 1,366,646	10.50	GIC APPROVED
<b>Healthy &amp; Safe Communities Total</b>			<b>\$ 10,728,466</b>	<b>\$ 10,728,466</b>	<b>11.75</b>	
<b>Public Works</b>						
3.1	PW-General Administration	Corporate Asset Management Resource Requirements (PW22048)	\$ 1,117,900	\$ 1,117,900	10.00	GIC APPROVED
<b>Public Works Total</b>			<b>\$ 1,117,900</b>	<b>\$ 1,117,900</b>	<b>10.00</b>	
<b>Corporate Services</b>						
4.1	City Clerk's Office	Election Expense Reserve for Internet Voting Consideration for 2026 Municipal Election (FCS20081(a))	\$ 153,800	\$ 153,800	-	GIC APPROVED
4.2	City Clerk's Office	Records & Information Management Policy (FCS22057)	\$ 184,000	\$ 184,000	2.00	GIC APPROVED
4.3	City Clerk's Office	Virtual Meeting Support (FCS21058)	\$ 175,000	\$ 175,000	2.00	GIC APPROVED
4.4	Legal Services and Risk Management	Implement Bill 13 and Bill 109 (PED22112)	\$ 259,300	\$ 259,300	3.00	GIC APPROVED
<b>Corporate Services Total</b>			<b>\$ 772,100</b>	<b>\$ 772,100</b>	<b>7.00</b>	
<b>City Manager</b>						
5.1	Government & Community Relations	Public Engagement Policy & Framework (CM21011)	\$ 200,000	\$ 200,000	2.00	GIC APPROVED
<b>City Manager Total</b>			<b>\$ 200,000</b>	<b>\$ 200,000</b>	<b>2.00</b>	
<b>Other</b>						
6.1	Administration CEF	City Enrichment Fund (Motion - AF&A June 2, 2022)	\$ 629,390	\$ 629,390	1.00	GIC APPROVED
6.2	Legislative	Increase to Councillors' Office Budgets (Motion - Council Dec. 7, 2022)	\$ 600,000	\$ 600,000	-	GIC APPROVED
6.3	Corporate Financials	Recruitment and Rentention Report (HUR23002)	CONFIDENTIAL			GIC APPROVED
<b>Other Total</b>			<b>\$ 1,229,390</b>	<b>\$ 1,229,390</b>	<b>1.00</b>	
<b>Grand Total</b>			<b>\$ 25,212,919</b>	<b>\$ 24,613,819</b>	<b>44.50</b>	

**CITY OF HAMILTON  
 2023 TAX SUPPORTED OPERATING BUDGET AMENDMENTS**

Department	Description	FTE	NET LEVY ADJUSTMENT (\$)	NET LEVY ADJUSTMENT (%)
<b>PRELIMINARY BUDGET (FCS23007)</b>		<b>7,728.47</b>	<b>\$ 55,730,630</b>	<b>5.6%</b>
<b>COUNCIL REFERRED ITEMS:</b>				
PED	Annual Support for Bay Area Climate Change Office (CM22016/PED22058(a)/HSC22030(a)).	-	160,000	0.0%
PED	New Project Manager for Climate Change Office (CM22016/PED22058(a)/HSC22030(a)).	1.00	71,700	0.0%
PED	New Senior Project Manager for Climate Change Office (CM22016/PED22058(a)/HSC22030(a)).	1.00	79,800	0.0%
PED	Canada Day Event (CM21014)	0.25	41,200	0.0%
PED	Nuisance Party By-Law (PED22156)	0.50	70,900	0.0%
PED	Accelerating the Implementation of the Cycling Master Plan (Motion - GIC Jan. 20, 2023)	5.00	308,000	0.0%
PED	Waterfalls and Special Areas Enforcement (PED18011(d))	5.00	-	0.0%
HSC	Hamilton's Plan for an Age-Friendly Community (HSC22031)	-	10,000	0.0%
HSC	Social Housing Providers at End of Mortgage (HSC22040)	-	1,100,000	0.1%
HSC	Subsidy Request for Rapid Housing Initiative New Developments (HSC20056(a))	-	125,000	0.0%
HSC	Adaptation and Transformation of Housing Services Post Pandemic (HSC20020(f))	-	649,700	0.1%
HSC	Shelters Cost of Living Enhancement (Homelessness Prevention Program (HSC20020(f))	-	546,700	0.1%
HSC	Affordable Housing Funding Program (HSC23003)	-	4,000,000	0.4%
HSC	Cold Alert Response (Motion - ECS Dec. 1, 2022)	-	125,000	0.0%
HSC	Alcohol, Drug & Gambling Services and Community Mental Health Promotion Program (BOH22012(b) as amended)	1.25	105,420	0.0%
PW	Corporate Asset Management Resource Requirements (PW22048)	10.00	1,117,900	0.1%
CS	Records & Information Management Policy (FCS22057)	2.00	184,000	0.0%
CS	Virtual Meeting Support (FCS21058)	2.00	175,000	0.0%
CS	Implement Bill 13 and Bill 109 (PED22112)	3.00	259,300	0.0%
CMO	Public Engagement Policy & Framework (CM21011)	2.00	200,000	0.0%
CEF	City Enrichment Fund (Motion - AF&A June 2, 2022)	1.00	629,390	0.1%
CF	Recruitment and Retention Report (HUR23002)		CONFIDENTIAL	
HSC	Funding for YWCA Hamilton (Motion - ECS Dec. 1, 2022)	-	2,600,000	0.3%
HSC	Encampment Pilot Evaluation - Coordination Response Team (HSC20038(c)/PED21188(b))	10.50	1,366,646	0.1%
CS	Election Expense Reserve for Internet Voting Consideration for 2026 Municipal Election (FCS20081(a))	-	153,800	0.0%
LEG	Increase to Councillors' Office Budgets (Motion - Council Dec. 7, 2022)	-	600,000	0.1%
<b>Subtotal Council Referred Items</b>		<b>44.50</b>	<b>24,513,819</b>	<b>2.5%</b>
<b>BUSINESS CASES:</b>				
PED	Chief Real Estate Officer conversion from temporary to permanent	1.00	-	0.0%
PED	Film Production Facilitation	1.00	-	0.0%
HSC	Manager, Canada Wide Early Learning Child Care	1.00	-	0.0%
HSC	Indigenous Strategy	4.00	484,000	0.0%
HSC	Hamilton Fire Department - Volunteer Staffing/Headcount Enhancement	-	-	0.0%
HSC	Hamilton Paramedic Service - Ambulance Enhancement - Call Growth [Capital component with a gross cost of \$695,000 to be funded from Development Charge Reserves and the Unallocated Capital Levy for any ineligible portion]	10.00	1,228,600	0.1%
HSC	Hamilton Paramedics-Ambulance Enhancement-Response Times & Current Demand [Capital component with a gross cost of \$1,737,500 to be funded from Development Charge Reserves and the Unallocated Capital Levy for any ineligible portion]	25.00	3,081,800	0.3%
HSC	2023 Long Term Care - Covid costs	-	1,503,525	0.2%
PW	Tim Hortons Field Post Event Increase Service Level	1.00	125,600	0.0%
PW	Green Fleet Planning	1.00	46,300	0.0%
PW	Roads Value for Money Audit Recommendations	4.00	-	0.0%
PW	Request for additional staff resources for Structures	1.00	-	0.0%
PW	Contracts Coordinator	1.00	-	0.0%
PW	Project Manager Excess Soils	1.00	-	0.0%
PW	Quality Management System (QMS) Staff within Engineering Services	1.00	-	0.0%
PW	Request for additional staff resources for Municipal Class Environmental Assessments	1.00	-	0.0%
CS	FOI Administration	-	50,000	0.0%
CS	Additional FTEs for IT	2.00	-	0.0%
CS	Data Solution Specialist	2.00	159,300	0.0%

**CITY OF HAMILTON  
 2023 TAX SUPPORTED OPERATING BUDGET AMENDMENTS**

Department	Description	FTE	NET LEVY ADJUSTMENT (\$)	NET LEVY ADJUSTMENT (%)
CS	Legal Taxation Support	2.00	159,000	0.0%
<b>Subtotal Business Cases</b>		<b>59.00</b>	<b>6,838,125</b>	<b>0.7%</b>
<b>OTHER AMENDMENTS:</b>				
HSC	Arkedun Loan Repayment (Motion - Dec. 7, 2022 Council HSC22047))	-	(283,000)	0.0%
PED	Licensing Short-Term Rental (STR) Accommodations (PED17203(c))	2.25	-	0.0%
PW	Blue Box Program (increase in Resource Productivity and Recovery Authority subsidy) (Motion - Feb. 7, 2023 Budget GIC)	-	(747,464)	-0.1%
LEG	Volunteer Advisory Committees (Various staff reports - Feb. 7 and 21 GIC)	-	512	0.0%
B&A	To align Boards & Agencies Budgets with Board Approvals (Motion - Feb. 21, 2023 Budget GIC)	31.00	1,414,714	0.1%
B&A	Transfer from Unallocated Capital Levy Reserve to fund HCA one-time special capital request - Approved by Motion at Feb 21 Budget GIC	-	(300,000)	0.0%
CF	Reduction of 10% in City-wide mileage budgets - Approved by Motion at Feb 21 Budget GIC	-	(63,100)	0.0%
CF	One-time gapping reduction To fund the Hamilton Paramedics Service	-	-	-
CF	Ambulance Enhancement Business Cases 2.4 and 2.5 one-time in 2023- Approved by Motion at Feb 21 Budget GIC	-	(2,155,200)	-0.2%
HSC	Area Rating Review (FCS21078(d)) as amended - Approved by Motion at Feb 21 Budget GIC	-	(200,000)	0.0%
CF	Living Wage (HUR2003(b)/FCS20013(b))	-	353,600	0.0%
<b>Subtotal Other Amendments</b>		<b>33.25</b>	<b>(1,979,938)</b>	<b>-0.2%</b>
<b>TOTAL NET LEVY ADJUSTMENT</b>		<b>7,865.22</b>	<b>\$ 85,102,636</b>	<b>8.6%</b>

AVERAGE RESIDENTIAL TAX IMPACT (Inclusive of Above)	RESIDENTIAL TAX IMPACT (%)
Municipal Net Levy Adjustment	7.7%
Assessment Growth	1.6%
Property Class Restrictions	0.5%
Education	0.0%
<b>AVERAGE RESIDENTIAL TAX IMPACT (Inclusive of Above) *</b>	<b>6.7%</b>

Assumptions: 1% Residential tax impact = \$11 million (inclusive of Education)

\*Anomalies in totals due to rounding.

## CITY OF HAMILTON 2023 BOARDS & AGENCIES OPERATING BUDGET

#	Board/Agency	2023 NET Preliminary Budget \$
<b>City Boards:</b>		
1	Hamilton Police Services	193,596,008
2	Hamilton Public Library	34,059,326
3	Farmers' Market	242,280
4	City Enrichment Fund	6,717,793
	<b>Subtotal</b>	<b>234,615,407</b>
<b>Conservation Authorities:</b>		
4	Niagara Peninsula Conservation Authority	1,701,988
5	NPCA Binbrook Capital Improvements	91,790
6	Grand River Conservation Authority	1,605,660
7	Conservation Halton	813,080
8	Hamilton Conservation Authority	4,111,400
9	HCA: Westfield Heritage Village	636,000
	<b>Subtotal</b>	<b>8,959,918</b>
<b>Grants:</b>		
10	Hamilton Beach Rescue Unit Inc.	143,050
11	Royal Botanical Gardens	660,356
	<b>Subtotal</b>	<b>803,406</b>
<b>Other Items:</b>		
12	MPAC	6,833,219
	<b>Subtotal</b>	<b>6,833,219</b>
<b>Total for All Boards and Agencies</b>		<b>251,211,950</b>

Notes:

- 1) Anomalies in totals due to rounding.
- 2) Budget reflects budget amendments.
- 3) Budget includes Library and Police Capital Financing.

## CITY OF HAMILTON BUDGET AMENDMENT SCHEDULE

### STAFF COMPLEMENT CHANGE

#### Complement Transfer to another division or department <sup>(1,2)</sup>

ITEM #	TRANSFER FROM				TRANSFER TO			
	<u>Department</u>	<u>Division</u>	<u>Position Title (2)</u>	<u>FTE</u>	<u>Department</u>	<u>Division</u>	<u>Position Title (2)</u>	<u>FTE</u>
1	Planning and Economic Development	Tourism & Culture	Facility Attendant	0.68	Planning and Economic Development	Tourism & Culture	Retail Coordinator	0.68
<b>Explanation:</b> Position is being repurposed. Change will move the pay band from Grade B to F but can be accommodated within the current operating budget.								

(1) - All other budgeted complement changes that require Council approval per Budgeted Complement Control Policy must be done through either separate report or the budget process (i.e. Increasing/decreasing budgeted complement).

(2) - If a position is changing, the impact of the change is within 1 pay band unless specified.



## **SPECIAL GENERAL ISSUES COMMITTEE REPORT 23-009**

1:30 p.m.

March 9, 2023

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

**Present:** Mayor A. Horwath, Deputy Mayor T. Jackson (Chair)  
Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis,  
T. Hwang, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, M. Spadafora,  
M. Tadeson, A. Wilson, and M. Wilson

### **THE GENERAL ISSUE COMMITTEE PRESENTS REPORT 23-009 TO COUNCIL FOR INFORMATION:**

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

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

The agenda for the March 9, 2023 Special General Issues Committee meeting, was approved, as presented.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(c) STAFF PRESENTATIONS (Item 4)**

**(i) Toward a Sustainable Housing System in Hamilton: Framing the Issues (Item 4.1)**

Angela Burden, General Manager of Healthy and Safe Communities introduced Steve Pomeroy; Industry Professor, McMaster University, and Executive Advisor to the Canadian Housing Evidence Collaborative (CHEC); and Dr. James Dunn; Associate Dean Research, Faculty of Social Sciences, McMaster University, and Director of the Canadian Housing Evidence Collaborative (CHEC), provided the presentation

respecting Toward a Sustainable Housing System in Hamilton: Framing the Issues, and answered questions of Committee.

The presentation respecting Toward a Sustainable Housing System in Hamilton: Framing the Issues, was received.

**(d) ADJOURNMENT (Item 5)**

There being no further business, the General Issues Committee adjourned at 4:07 p.m.

Respectfully submitted,

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Councillor Tom Jackson  
Deputy Mayor, General Issues  
Committee

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Angela McRae  
Legislative Coordinator  
Office of the City Clerk



## **BOARD OF HEALTH REPORT 23-003**

**9:30 a.m.**

**Monday, March 20, 2023**

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

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**Present:** Mayor A. Horwath (Chair)  
Councillor M. Wilson (Vice-Chair)  
Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis,  
T. Hwang, T. Jackson, C. Kroetsch, N. Nann, T. McMeekin, E.  
Pauls, M. Spadafora, M. Tadeson, A. Wilson

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### **THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:**

1. (a) **Clean Air Hamilton Annual Progress Report 2021 (BOH230010) (City Wide) (Item 8.1)**

That Report BOH23010, respecting Clean Air Hamilton Annual Progress Report 2021, be received.

- (b) WHEREAS, ArcelorMittal Dofasco has site-specific air standards granted by the Province of Ontario that allows for the toxic and carcinogenic pollution above provincial air quality standards of benzene, benzo(a)pyrene, suspended particulate matter, manganese & manganese compounds that expires June 30, 2023.

THEREFORE, BE IT RESOLVED:

- (i) That staff be directed to review the status of the site-specific air standards granted to ArcelorMittal Dofasco and other industry sectors, and report back to the Board of Health; and,
- (ii) That the Mayor contact the Minister of Environment, Conservation and Parks to articulate that the City of Hamilton is opposed to any extension or continued special permissions for contaminants above provincially regulated general air standards.

**2. Modelling Morbidity and Mortality using the Hamilton Airshed Modelling System (BOH18016(a)) (City Wide) (Item 9.2)**

That staff be directed to report back to the Board of Health on the feasibility of integrating the Health Check Revision adverse health outcomes attributed to air pollution including but not limited to neurological and psychiatric disorders, like dementia, cognitive decline or impairment, anxiety, depression and suicide.

**3. Opioid Emergency Response (BOH23008) (City Wide) (Item 9.1)**

That Report BOH23008, respecting Opioid Emergency Response, be received.

**4. 2023 PHS Annual Service Plan & Budget Submission (BOH23011) (City Wide) (Item 10.1)**

- (a) That the Medical Officer of Health be directed to submit the 2023 Annual Service Plan and Budget to the Ministry of Health, in keeping with what is outlined in Board of Health Report (BOH23011);
- (b) That the Board of Health reiterate their call to the Ministry of Health to fully fund the provincial portion, at least 70%, of the total costs of the mandatory public health programs and services provided under the Ontario Public Health Standards;
- (c) That the Board of Health reiterate their call to the Ministry of Health to continue the current mitigation funding until such time as the cost-shared arrangement is restored to 75%/25% for all cost-shared programs and that the Province once again assumes 100% funding for those programs identified as such in the public health budget for 2018-2019: and,
- (d) That the Board of Health call on the Ministry of Health to include expectations for on-going COVID-19 response in the Ontario Public Health Standards and provide permanent funding to sustain these requirements.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**6. DELEGATION REQUESTS**

- 6.2 Daniel Freiheit, respecting Item 5.8, Correspondence from Loretta Ryan, Executive Director, Association of Local Public Health Agencies (aLPHa),

respecting the 2022 Chief Medical Officer of Health Annual Report (for today's meeting)

- 6.3 Jean Fair, respecting Consumption and Treatment Services Site Caveats (for today's meeting)

### **CHANGE IN THE ORDER OF ITEMS**

That Item 9.2 respecting Modelling Morbidity and Mortality using the Hamilton Airshed Modelling System (BOH18016(a)) (City Wide) be moved up on the agenda to be considered prior to Item 9.1 respecting Opioid Response (BOH23008) (City Wide).

The agenda for the March 20, 2023 Board of Health was approved, as amended.

### **(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

#### **(i) February 13, 2023 (Item 4.1)**

The Minutes of the February 13, 2023 meeting of the Board of Health were approved, as presented.

### **(d) COMMUNICATIONS (Item 5)**

(i) The following Communication items were approved, as presented:

- (a) Correspondence from Carmen McGregor, Chair, Boards of Health Section, and Trudy Sachowski, President, Association of Local Public Health Agencies (ALPHA), respecting Boards of Health Order in Council Appointments (Item 5.1)

Recommendation: Be Received

- (b) Correspondence from Dr. Penny Sutcliffe, Medical Officer of Health and Chief Executive Officer, Public Health Sudbury & Districts, respecting Provincial Funding for Consumption and Treatment Services (Item 5.2)

Recommendation: Be Received.

- (c) Correspondence from Dr. Penny Sutcliffe, Medical Officer of Health and Chief Executive Officer, Public Health Sudbury & Districts, respecting Community Engagement to Address Food Insecurity (Item 5.3)

Recommendation: Be Received.

- (d) Correspondence from Douglas Lawrance, Chair, Board of Health, Northwestern Health Unit, respecting Alcohol Health Warning Labels (Item 5.4)

Recommendation: Be Received.

- (e) Correspondence from Kathryn Wilson, Chair, Board of Health, Peterborough Public Health, respecting Improvements to Funding Streams to Support Small Businesses and Other Organizations to Improve Air Quality (Item 5.5)

Recommendation: Be Received.

- (f) Correspondence from Rick Champagne, Chairperson, Board of Health, North Bay Parry Sound District Health Unit, respecting Food Insecurity in Ontario (Item 5.6)

Recommendation: Be Received.

- (g) Correspondence from Loretta Ryan, Executive Director, Association of Local Public Health Agencies (alPHa), respecting June 2023 AGM Notice and Package (Item 5.7)

Recommendation: Be Received.

- (h) Correspondence from Loretta Ryan, Executive Director, Association of Local Public Health Agencies (alPHa), respecting the 2022 Chief Medical Officer of Health Annual Report (Item 5.8)

Recommendation: Be Received.

**(e) DELEGATION REQUESTS (Item 6)**

- (i) The following Delegation Requests for the March 20, 2023 Board of Health meeting, were approved:

- (a) Kayla Hagerty, respecting Safe Use Spaces and declaring a State of Emergency for Overdose Deaths (Item 6.1)
- (b) Daniel Freiheit, respecting Item 5.8, Correspondence from Loretta Ryan, Executive Director, Association of Local Public Health Agencies (alPHa), respecting the 2022 Chief Medical Officer of Health Annual Report (Added Item 6.2)
- (c) Jean Fair, respecting Consumption and Treatment Services Site Caveats (Added Item 6.3)

**(f) DELEGATIONS (Item 7)**

- (i) The following Delegations addressed the Board:
  - (a) Kayla Hagerty, addressed the Board respecting Safe Use Spaces and declaring a State of Emergency for Overdose Deaths (Item 7.1)
  - (b) Daniel Freiheit, addressed the Board respecting Item 5.8, Correspondence from Loretta Ryan, Executive Director, Association of Local Public Health Agencies (alPHa), respecting the 2022 Chief Medical Officer of Health Annual Report (Added Item 7.2)
  - (c) Jean Fair, addressed the Board respecting Consumption and Treatment Services Site Caveats (Added Item 7.3)
- (ii) The following delegations, were received:
  - (a) Kayla Hagerty, respecting Safe Use Spaces and declaring a State of Emergency for Overdose Deaths (Item 7.1)
  - (b) Daniel Freiheit, respecting Item 5.8, Correspondence from Loretta Ryan, Executive Director, Association of Local Public Health Agencies (alPHa), respecting the 2022 Chief Medical Officer of Health Annual Report (Added Item 7.2)
  - (c) Jean Fair, respecting Consumption and Treatment Services Site Caveats (Added Item 7.3)

**(g) STAFF PRESENTATIONS (Item 8)**

**(i) Clean Air Hamilton Annual Progress Report 2021 (BOH23010) (Item 8.1)**

Bruce Newbold, Ph.D., Chair, Clean Air Hamilton addressed the Board with a Presentation respecting the Clean Air Hamilton Annual Progress Report.

The presentation by Bruce Newbold, Ph.D., Chair, Clean Air Hamilton respecting the Clean Air Hamilton Annual Progress Report, was received.

For further disposition of this matter, refer to Item 1(a).

**(ii) WHEREAS, ArcelorMittal Dofasco has site-specific air standards granted by the Province of Ontario that allows for the toxic and carcinogenic pollution above provincial air quality standards of benzene, benzo(a)pyrene, suspended particulate matter, manganese & manganese compounds that expires June 30, 2023.**

THEREFORE, BE IT RESOLVED:

- (i) That staff be directed to review the status of the site-specific air standards granted to ArcelorMittal Dofasco and other industry sectors, and report back to the Board of Health; and,
- (ii) That the Mayor contact the Minister of Environment, Conservation and Parks to articulate that the City of Hamilton is opposed to any extension or continued special permissions for contaminants above provincially regulated general air standards.

Upon the Board's request, sub-sections (i) and (ii) were voted on separately.

For further disposition of this matter, refer to Item 1(b).

**(iii) Respiratory Diseases Update (Item 8.2)**

Jordan Walker, Director, Communicable Disease Control, addressed the Board with a presentation respecting a Respiratory Diseases Update.

The presentation by Jordan Walker, Director, Communicable Disease Control, respecting a Respiratory Diseases Update, was received.

**(h) ADJOURNMENT (Item 15)**

There being no further business, the Board of Health adjourned at 12:48 p.m.

Respectfully submitted,

Mayor Andrea Horwath,  
Chair, Board of Health

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk



**PUBLIC WORKS COMMITTEE  
REPORT 23-003**

1:30 p.m.

Monday, March 20, 2023

Council Chambers

Hamilton City Hall

71 Main Street West

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**Present:** Councillors N. Nann (Chair), E. Pauls (Vice-Chair), J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Jackson, C. Kroetsch, T. McMeekin, M. Spadafora, A. Wilson, M. Wilson

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**THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 23-003 AND  
RESPECTFULLY RECOMMENDS:**

**1. 2022 Annual Drinking Water Report (PW23014) (City Wide) (Item 9.2)**

That Report PW23014, respecting 2022 Annual Drinking Water Report, be received.

**2. Annual Watermain Break Report - 2022 (City Wide) (PW23015) (Item 9.3)**

That Report PW23015, respecting Annual Watermain Break Report – 2022, be received.

**3. Protected Bike Lane Curbs (PW23016) (City Wide) (Outstanding Business List Item) (Item 9.4)**

That Report PW23016, respecting Protected Bike Lane Curbs, be received.

**4. 2022 Year End Report on Community Bookings at Tim Hortons Field (PW18075(b)) (Ward 3) (Item 9.5)**

That Report PW18075(b), respecting 2022 Year End Report on Community Bookings at Tim Hortons Field, be received.

**5. Temporary "Road Official" Role (PW21013(a)) (City Wide) (Item 9.6)**

That Report PW21013(a), respecting Temporary "Road Official" Role, be received.

**6. Emerald Ash Borer (EAB) Management Plan (10-year Summary) (PW21023(a)) (City Wide) (Item 9.7)**

That Report PW21023(a), respecting Emerald Ash Borer (EAB) Management Plan (10-year Summary), be received.

**7. Intersection Control List (PW23001) (Wards 1, 3, 4) (Item 9.8)**

That the appropriate By-law be presented to Council to provide traffic control as follows:

Intersection		Stop Control Direction		Class	Comments / Petition	Ward	
Street 1	Street 2	Existing	Requested				
<b>Section "E" Hamilton</b>							
(a)	Dunsmure Road	Belview Avenue	WB/EB	All-way	A	Warranted for an all-way stop	3
(a)	Forsyth Place	Forsyth Avenue North	None	WB	A	Currently an uncontrolled intersection	1
(a)	Troy Avenue	Tate Avenue	None	WB	A	Currently an uncontrolled intersection	4
(a)	Troy Avenue	Dunn Avenue	None	EB	A	Currently an uncontrolled intersection	4

**Legend**

No Control Existing (New Subdivision) - **NC**

Intersection Class:

**A** - Local/Local    **B** - Local/Collector    **C** - Collector/Collector    **D** – Local/Arterial

**8. Accessing the Keep Hamilton Clean & Green Committee Reserve (Citizen Committee Report) (Item 11.1)**

The Keep Hamilton Clean & Green Committee recommends accessing the reserve budget in the amount of \$9,955.30 to have the Community Clean Trailers re-wrapped in Vinyl, as well as a marketing budget not to exceed \$2,000 to promote the Community Clean Trailer Program.

**9. Standardization of Waste Mobile and Web Application (PW23013) (City Wide) (Item 11.2)**

- (a) That Council approve the standardization of the Recycle Coach Mobile and Web Waste Application (Waste App) provided by Municipal Media Inc. pursuant to Procurement Policy #14 – Standardization, for five years from the expiration date of the existing contract with the vendor; and
- (b) That the General Manager, Public Works Department, or their designate, be authorized to negotiate, enter into and execute any required contract and any ancillary documents required to give effect thereto with Municipal Media Inc., in a form satisfactory to the City Solicitor.

**10. Wastewater Quality Management System Operational Plan Summary Report (PW23017) (City Wide) (Item 11.3)**

- (a) That Appendix “A” to Public Works Committee Report 23-003 respecting the Wastewater Quality Management System Operational Plan Summary Report be approved; and
- (b) That the Mayor, City Clerk, General Manager, Public Works and Director, Hamilton Water, be authorized and directed to execute the Wastewater Quality Management System Operational Plan Summary Report by signing the Commitment and Endorsement page within the Summary Report.

**11. Drinking Water Quality Management System (DWQMS) Operational Plan Summary Report (PW23019) (City Wide) (Item 11.4)**

- (a) That Appendix “B” attached to Public Works Committee Report 23-003 respecting the Drinking Water Quality Management System Operational Plan Summary Report be approved; and
- (b) That the Mayor, City Clerk, General Manager of Public Works, and Director of Hamilton Water, be authorized and directed to execute the Drinking Water Quality Management System Operational Plan Summary Report by signing the Commitment and Endorsement page within the Summary Report.

**12. Alternation to Kenora Avenue and Bancroft Street for GO Confederation Station Construction (PW23018) (Ward 5) (Item 11.5)**

- (a) That the intersection of Kenora Avenue and Bancroft Street be modified to permit through north-south vehicle movements on Kenora Avenue, and to close off the east and west approaches of Bancroft Street to maintain

compliance with Transport Canada Grade Crossing Standards as it pertains to the construction of the Confederation GO Station; and

- (b) That the General Manager of Public Works, or their designate, be authorized and directed to negotiate and enter into an agreement with Canada National Railway (CNR) and Metrolinx to design and reconstruct the intersection.

**13. Review of Level of Service for Winter Control in Alignment with the Principles of Vision Zero (Item 12.1) (REVISED)**

WHEREAS, the City of Hamilton's vision is to be the best place to raise a child and to age successfully;

WHEREAS, the City of Hamilton has adopted Vision Zero to guide its approach to road safety;

WHEREAS, children and the elderly are the most vulnerable road users, particularly around vehicles;

WHEREAS, the City of Hamilton is continuing its commitment to a ten-year transit plan and year-round access to transit stops and bus boarding is necessary to support this strategic investment;

WHEREAS, the City of Hamilton's climate action strategy identifies the importance of reducing transportation disruption due to extreme weather events and improve the safety of travel on roads, sidewalks, and trails;

WHEREAS, the City of Hamilton recorded seven ice related events during the 2022-2023 winter season, an increase from one event in the 2021-2022 winter season, impacting the municipality's snow clearing experience and residents' safe and equitable mobility;

WHEREAS, the City of Hamilton implemented a level of service enhancement for sidewalk snow clearing along priority 1 and 2A roadways where transit operates and for all transit stops to aid residents in accessing transit options City-wide during winter months;

WHEREAS, during the 2022-2023 winter service period, residents in all new service areas have been filing concerns about child safety and challenges in pedestrian mobility due to the piling up of snow and ice from road plows; and

WHEREAS, any changes in service levels to the City of Hamilton's snow clearance contract to support accessibility and Hamilton's commitment to Vision Zero would have to be made in advance of August 31, 2023.

THEREFORE, BE IT RESOLVED:

- (a) That staff undertake a review of the City of Hamilton's current level of service for winter control and provide options on how operations could be adapted to enhance accessibility and safety in alignment with the principles of Vision Zero, thereby protecting the interests of vulnerable road users;
  - (b) That staff report back to the Public Works Committee with the results of the review of the City of Hamilton's current level of service for winter control in advance of August 31, 2023, with possible level of service revisions and best practices including any cost and resourcing implications; and
  - (c) That the staff ensure the following areas of focus are included in the review of the City of Hamilton's current level of service for winter control;
    - (i) HSR transit stops including boarding access;
    - (ii) Controlled crosswalks, crosswalks with stationed crossing guards, school crossings, sidewalks with sloped access, neighbourhood pedestrian and multimodal pathways; and
    - (iii) School zones.
  - (d) That staff consult with the Advisory Committee for Persons with Disabilities and the Seniors Advisory Committee when reviewing snow clearing needs of the community; and
  - (e) That staff report back in full the comments and opinions of the disability and senior's communities including the Committee for Persons with Disabilities and the Seniors Advisory Committee.
- 14. Beverly Community Park, 680 Hwy. No. 8 (Flamborough), Pathway Proposal by the Rockton Lions Club (Ward 13) (Item 12.2)**

WHEREAS, Beverly Community Park is located at 680 Hwy. No. 8 (Flamborough), Hamilton;

WHEREAS, this park is a rural community park maintained by the Rockton Sub-Committee;

WHEREAS, the Rockton Lions Club has submitted a proposal to fund the development of a new pedestrian walkway at Beverly Community Park;

WHEREAS, this proposal recognizes public access to health (PATH) as a guiding principle, recognizing the challenges of rural communities' access to sidewalks;

WHEREAS, this proposed path will also benefit the park amenity users;

WHEREAS, City of Hamilton staff will assist with in-kind project management and detailed design of the proposed path, and any permits required by the Hamilton Conservation Authority; and

WHEREAS, an agreement would be required between the Rockton Lions Club (donor) and the City of Hamilton to formalize the project details.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to review the feasibility and design of a new pedestrian path at Beverly Community Park located at 680 Hwy. No. 8 (Flamborough) and to support the development of agreements as needed for the donation to be funded by the Rockton Lions Club;
- (b) That staff be directed to report back with estimates for construction and ongoing operating costs and related financing plan upon completion of the review of the feasibility and design of a new pedestrian path at Beverly Community Park located at 680 Hwy. No. 8 (Flamborough); and
- (c) That the General Manager of Public Works be authorized and directed to approve and execute any and all required agreements and ancillary documents related to the review of the feasibility and design of a new pedestrian path at Beverly Community Park located at 680 Hwy. No. 8 (Flamborough).

**15. Community Garden and Outdoor Natural Ice Rink Water Infrastructure Improvements at Birge Park, 167 Birge Street, Hamilton (Ward 3) (Item 12.3)**

WHEREAS, the neighborhoods surrounding Birge Park, 167 Birge Street, Hamilton, are underserved for park and greenspace;

WHEREAS, Birge Park has the ability to be an all-season community hub, where residents can skate in the winter; swim, garden, and play basketball in the summer, and use the play structure year-round;

WHEREAS, local residents have an established a community garden at Birge Park in the warmer months and have requested support to create a community rink in the winter months;

WHEREAS, there is no water source in the park to allow for watering the gardens and flooding the rink; and

WHEREAS, staff have identified the infrastructure needs to allow for a water source and the safe construction of a community rink.

THEREFORE, BE IT RESOLVED:

- (a) That the water infrastructure improvements for a community garden and natural outdoor ice rink, including an ice rink hut, at Birge Park, 167 Birge Street, Hamilton, be funded from the Ward 3 Special Capital Re-investment Reserve Fund (#108053) at an upset limit, including contingency, not to exceed \$150,000;
- (b) That the annual operating impacts for the required maintenance and repairs for the natural outdoor ice rink and water infrastructure at Birge Park, 167 Birge Street, Hamilton, in the amount of \$8,000, be included in the 2024 Public Works Department base operating budget; and
- (c) That the Mayor and City Clerk be authorized and directed to approve and execute required agreements and ancillary documents related to the water infrastructure improvements for a community garden and natural outdoor ice rink at Birge Park, 167 Birge Street, Hamilton, with such terms and conditions in a form satisfactory to the City Solicitor.

**16. Basketball Court Improvements at Powell Park, 53 Birch Avenue, Hamilton (Ward 3) (Item 12.4)**

WHEREAS, Powell Park, 53 Birch Avenue, Hamilton, was once home to a complete basketball court facility with two nets and backboards until the 1990s when it served as a dynamic community space for friendly competition, game play and gathering among neighbors and friends after school and on weekends;

WHEREAS, basketball provides a routine, purpose, and fosters community among young residents and newcomers alike, many who want to contribute to community space in Powell Park;

WHEREAS, the removal of the second hoop has led to this court not being used properly and discourages kids from enjoying the purpose of play;

WHEREAS, Powell Park is slated for reconstruction, with consultation beginning in 2024 and residents have requested a temporary restoration of the basketball court to include two nets;

WHEREAS, a full basketball court will allow kids to play better, build confidence and further develop skills to use on and off the court; and

WHEREAS, City staff have assessed the feasibility of installing a second basketball net and backboard and recommended installing fencing to prevent the basketballs from impacting the pathway.

THEREFORE, BE IT RESOLVED:

- (a) That the installation of a second basketball net and additional court fencing at the Powell Park basketball court, 53 Birch Avenue, Hamilton, to be funded from the Ward 3 Special Capital Re-Investment Discretionary Fund (#3302109300) with an upset limit of \$10,000 be approved;
- (b) That the Mayor and City Clerk be authorized and directed to approve and execute required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor, related to the installation of a second basketball net and additional court fencing at the Powell Park basketball court, 53 Birch Avenue, Hamilton.

**17. Installation of Pride Crosswalks at the intersection of King William Street and Ferguson Avenue North (Ward 2) (Item 12.5)**

WHEREAS, Council approved a Decorative Crosswalk Guideline on July 17, 2020 which promotes and enables the installation of decorative crosswalks in the City; and

WHEREAS, the International Village Business Improvement Area (BIA) applied for and received funding through the My Main Street Community Activator grant to fund the majority of this work.

THEREFORE, BE IT RESOLVED:

- (a) That Transportation Operations and Maintenance staff be authorized and directed to install four Pride Crosswalks at the intersection of King William Street and Ferguson Avenue North in 2023;
- (b) That all costs associated with the installation of four Pride Crosswalks at the intersection of King William Street and Ferguson Avenue North not to exceed \$5,000, be funded from the Ward 2 Area Rating Reserve Fund (108052);
- (c) That \$400 for the annual maintenance of the four Pride Crosswalks at the intersection of King William Street and Ferguson Avenue North be added to the Transportation Operations and Maintenance Division's 2024 annual base operating budget; and

- (d) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor, related to the installation of four Pride Crosswalks at the intersection of King William Street and Ferguson Avenue North.

**18. Crime Prevention Through Environmental Design Review of the City-Owned Escarpment Staircases (Item 12.6)**

WHEREAS, in the United Nations report *Cities Alive: Designing Cities That Work For Women* published in October 2022, it is stated that “without a gender-responsive approach to urban planning, cities often compound gender inequalities that restrict women’s social and economic opportunities, health and wellbeing, sense of safety and security, and access to justice and equity”;

WHEREAS, the rate of police-reported sexual assaults in Canada has reached its highest levels since 1996;

WHEREAS, Hamilton’s sexual assault centre has seen a ‘dramatic increase’ in calls to their 24-hour support line over the past three years;

WHEREAS, the City of Hamilton is responsible for five escarpment staircases to provide recreational facility and active transportation links between the mountain and lower city;

WHEREAS, in December 2021, an unknown man approached a resident, Tara McFadyen, and attempted to sexually assault her during her morning daylight workout on the escarpment stairs; and

WHEREAS, other residents who have survived sexual violence that has occurred on the escarpment stairs have raised the alarm bell on the need for the City of Hamilton to do better and be responsive;

THEREFORE, BE IT RESOLVED:

That staff be directed to conduct a Crime Prevention Through Environmental Design (CPTED) review of the five City-owned escarpment staircases and report back on recommendations to improve the safety of escarpment staircase use specifically to prevent sexual violence, including any considerations to be referred to the 2024 budget process for consideration.

**FOR INFORMATION:**

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

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

**6. DELEGATION REQUESTS**

6.2 Delegation Requests respecting Item 12.1 - Motion respecting Review of Level of Service for Winter Control in Alignment with the Principles of Vision Zero (for today's meeting)

- (a) Aznive Mallett
- (b) Tim Nolan, Accessibility Hamilton Alliance

**13. NOTICES OF MOTION**

13.1 Playground Improvements at Henry & Beatrice Warden Park, 55 Lake Avenue North, Hamilton (Ward 5)

13.2 Pathway Improvements at Sam Manson Park, 80 Nash Road North, Hamilton (Ward 5)

13.3 Ottawa Street North and Maple Avenue Pedestrian Crossing (Wards 3 and 4)

**14. GENERAL INFORMATION / OTHER BUSINESS**

**14.1 Amendments to the Outstanding Business List**

**(b) Items Requiring a New Date**

- (a) Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir  
Item on OBL: AAP  
Current Due Date: June 2023  
Proposed New Due Date: Q4 2024
- (b) Results of Parks Security Patrol Pilot Program  
Item on OBL: ABG  
Current Due Date: Q1 2023  
Proposed New Due Date: May 1, 2023

- (c) Management of the Aviary at 85 Oak Knoll Drive  
Item on OBL: AAY  
Current Due Date: Q1 2023  
Proposed New Due Date: Q2 2023
- (d) Security Report on Theft and Vandalism Prevention in  
City-Owned Spaces - Results of 2-Year Pilot Program  
Item on OBL: ADC  
Current Due Date: February 15, 2023  
Proposed New Due Date: May 1, 2023
- (e) Update to Parks By-law 01-219  
Item on OBL: ADK  
Current Due Date: Q1 2023  
Proposed New Due Date: August 16, 2023

The Agenda for the March 20, 2023 Public Works Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

**(i) February 13, 2023 (Item 4.1)**

The Minutes of the February 13, 2023 meeting of the Public Works Committee were approved, as presented.

**(d) COMMUNICATION ITEMS (Item 5)**

**(i) Citizen Committee Member Resignations – Hamilton Cycling Committee (Item 5.1)**

The following Citizen Committee Member Resignations from the Hamilton Cycling Committee, were received.

- (a) Cathy Sutherland
- (b) Marko Maric
- (c) Jessica Merolli

**(e) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests were approved for a today's meeting:

- (i) Mandi Smith respecting the Logistics of Maintaining Alleys in the Barton, Cannon, Birch, Sherman Grid (Item 6.1)
- (ii) Delegation Requests respecting Item 12.1 - Motion respecting Review of Level of Service for Winter Control in Alignment with the Principles of Vision Zero (Item 6.2)
  - (a) Aznive Mallett
  - (b) Tim Nolan, Accessibility Hamilton Alliance

**(f) DELEGATIONS (Item 7)**

- (i) **Angela Zheng, respecting Funding for a Staircase to Facilitate Access to a Commuter Trail Connecting University Gardens and Westdale (Item 7.1)**

Angela Zheng addressed the Committee respecting funding for a staircase to facilitate access to a commuter trail connecting University Gardens and Westdale, with the aid of a PowerPoint presentation.

- (ii) **Brenda Duke, GALA Community Planning Team, respecting Support for Maintenance of Gardens within the Public Parks (Item 7.2)**

Brenda Duke, GALA Community Planning Team, addressed the Committee respecting support for maintenance of gardens within the public parks.

- (iii) **Brenda Duke, GALA Community Planning Team, respecting Waste Pickup Procedures and Support for Community Cleanups (Item 7.3)**

Brenda Duke, GALA Community Planning Team, addressed the Committee respecting waste pickup procedures and support for community cleanups.

- (iv) **Mymoon Bhuiyan, McMaster EcoCAR, respecting EV in Hamilton (Item 7.4)**

Mymoon Bhuiyan, McMaster EcoCAR, addressed the Committee respecting Electric Vehicles in Hamilton.

- (v) **Mandi Smith respecting the Logistics of Maintaining Alleys in the Barton, Cannon, Birch, Sherman Grid (Item 7.5)**

Mandi Smith addressed the Committee respecting the Logistics of Maintaining Alleys in the Barton, Cannon, Birch, Sherman Grid.

**(vi) Delegation Requests respecting Item 12.1 - Motion respecting Review of Level of Service for Winter Control in Alignment with the Principles of Vision Zero (Item 7.6)**

The following delegates addressed the Committee respecting Item 12.1 – Motion respecting Review of Level of Service for Winter Control in Alignment with the Principles of Vision Zero:

- (a) Aznive Mallett
- (b) Tim Nolan, Accessibility Hamilton Alliance

The following delegations, were received:

- (i) Angela Zheng, respecting Funding for a Staircase to Facilitate Access to a Commuter Trail Connecting University Gardens and Westdale
- (ii) Brenda Duke, GALA Community Planning Team, respecting Support for Maintenance of Gardens within the Public Parks
- (iii) Brenda Duke, GALA Community Planning Team, respecting Waste Pickup Procedures and Support for Community Cleanups
- (iv) Mymoon Bhuiyan, McMaster EcoCAR, respecting EV in Hamilton
- (v) Mandi Smith respecting the Logistics of Maintaining Alleys in the Barton, Cannon, Birch, Sherman Grid
- (vi) Item 12.1 – Motion respecting Review of Level of Service for Winter Control in Alignment with the Principles of Vision Zero:
  - (a) Aznive Mallett
  - (b) Tim Nolan, Accessibility Hamilton Alliance

**(g) CONSENT ITEMS (Item 9)**

**(i) Various Advisory Committee Minutes (Item 9.1)**

The following Advisory Committee Minutes were received:

**(a) Hamilton Cycling Committee (Item 9.1(a))**

- (1) Minutes – December 7, 2022 (Item 9.1(a)(a))
- (2) No quorum report – January 4, 2023 (Item 9.1(a)(b))
- (3) Minutes – February 1, 2023 (Item 9.1(a)(c))

**(b) Keep Hamilton Clean and Green Committee (Item 9.1(b))**

(1) Minutes – January 17, 2023 (Item 9.1(b)(a))

**(h) MOTIONS (Item 12)**

Councillor Nann relinquished the Chair to Councillor Pauls in order to introduce the following Motions:

**(i) Community Garden and Outdoor Natural Ice Rink Water Infrastructure Improvements at Birge Park, 167 Birge Street, Hamilton (Ward 3) (Item 12.3)**

For disposition of this matter, refer to Item 15.

**(ii) Basketball Court Improvements at Powell Park, 53 Birch Avenue, Hamilton (Ward 3) (Item 12.4)**

For disposition of this matter, refer to Item 16.

**(iii) Crime Prevention Through Environmental Design Review of the City-Owned Escarpment Staircases (Item 12.6)**

For disposition of this matter, refer to Item 18.

Councillor Nann assumed the Chair.

**(h) NOTICES OF MOTION (Item 13)**

Councillor Jackson, in Councillor Francis' absence, introduced the following Notice of Motion:

**(i) Playground Improvements at Henry & Beatrice Warden Park, 55 Lake Avenue North, Hamilton (Ward 5) (Item 13.1)**

WHEREAS, the parks in Ward 5 provide valuable recreation and connectivity opportunities to residents;

WHEREAS, Henry & Beatrice Warden Park is located in the Riverdale West neighbourhood, 55 Lake Avenue North, Hamilton;

WHEREAS, the City of Hamilton's Parks & Cemeteries 2022/2023 Capital Workplan includes replacement and upgrades to the playground equipment; and

WHEREAS, additional funding is needed to replace and relocate the existing swing area.

THEREFORE, BE IT RESOLVED:

- (a) That the design and installation of a replacement swing area, including safety surfacing, at Henry & Beatrice Warden Park, 55 Lake Avenue North, Hamilton, to be funded from the Ward 5 Special Capital Re-Investment Reserve Fund (#108055) to an upset limit of \$32,000, be approved;
- (b) That the General Manager of Public Works be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor related to the design and installation of a replacement swing area, including safety surfacing, at Henry & Beatrice Warden Park, 55 Lake Avenue North, Hamilton.

Councillor Jackson, in Councillor Francis' absence, introduced the following Notice of Motion:

**(ii) Pathway Improvements at Sam Manson Park, 80 Nash Road North, Hamilton (Ward 5) (Item 13.2)**

WHEREAS, the parks in Ward 5 provide valuable recreation and connectivity opportunities to residents;

WHEREAS, Sam Manson Park, is located in the Kently neighbourhood, 80 Nash Road North, Hamilton; and

WHEREAS, the existing Sam Manson park pathway has deteriorated and would benefit from replacement.

THEREFORE, BE IT RESOLVED:

- (a) That the replacement of the asphalt pathways located in Sam Manson Park, 80 Nash Road North, Hamilton, to be funded from the Ward 5 Special Capital Re-Investment Reserve Fund (#108055) to an upset limit of \$90,000, be approved;
- (b) That the General Manager of Public Works be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor related to the replacement of the

asphalt pathways located in Sam Manson Park, 80 Nash Road North, Hamilton.

Councillor Nann relinquished the Chair to Councillor Pauls in order to introduce the following Notice of Motion:

**(iii) Ottawa Street North and Maple Avenue Pedestrian Crossing (Wards 3 and 4) (Item 13.3)**

WHEREAS, the Ward 3 Complete Streets Report identified areas of concerns and recommendations to provide a safer environment for all road users on neighbourhood roads based on Vision Zero and Complete Streets principles;

WHEREAS, the need for safe pedestrian crossing at Maple Avenue and Ottawa Street North was identified by residents in the Crown Point area as a safety concern hotspot in Ward 3 Complete Streets Report;

WHEREAS, at the top of the hierarchy of need in Vision Zero principles is the child pedestrian;

WHEREAS, many school routes require children, the most vulnerable road users to cross at major arterial roads to get to school and the intersection of Maple Avenue and Ottawa Street North is an active pathway for children to get to Memorial City School;

WHEREAS, Ottawa Street is the boundary of Ward 3 and Ward 4 and both offices are prepared to jointly invest in the best technical solution to ensure safe crossing; and

WHEREAS, the Transportation Operations & Maintenance Division completed an assessment of the intersection and determined that an intersection pedestrian signal (IPS) is warranted.

THEREFORE, BE IT RESOLVED:

- (a) That the design and installation of an intersection pedestrian signal at the intersection of Ottawa Street North and Maple Avenue be funded equally from the Ward 3 Capital Re-Investment Reserve #108053 and the Ward 4 Capital Re-Investment Reserve #108054 at an upset limit, including contingency, not to exceed \$200,000; and
- (b) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor related to

the design and installation of an intersection pedestrian signal at the intersection of Ottawa Street North and Maple Avenue.

Councillor Nann assumed the Chair.

Councillor Kroetsch introduced the following Notice of Motion:

**(iv) Waste Pickup for Large Community Cleanups (Item 13.4)**

WHEREAS large community park and alleyway cleanups have been coordinated across the City of Hamilton for many years; and

WHEREAS the City does not currently fully support waste pickup for large community cleanups.

THEREFORE, BE IT RESOLVED:

That City staff report back to the May 15, 2023 meeting of the Public Works Committee on what would be needed to ensure that the City can fully support waste pickup for large community cleanups including the need for safety and equipment training.

Councillor Nann relinquished the Chair to Councillor Pauls in order to introduce the following Notice of Motion:

**(v) Maintenance and Beautification of Birch Avenue Greenspace and Gardens (Ward 3) (Item 13.5)**

WHEREAS, local residents have put time, money and effort into beautifying the Birch Avenue Greenspace over the past number of years;

WHEREAS, this has become a beautiful space to welcome folks to Hamilton who enter the City along Birch Avenue, coming south from Burlington Street East;

WHEREAS, the Birch Avenue Greenspace has become a gathering space and point of pride for local community;

WHEREAS, the GALA Planning Committee has identified individuals willing to provide maintenance to the Birch Avenue Greenspace at a paid rate for the 2023 growing season; and

WHEREAS, Kiwanis is willing to provide funding to the up-keep of the Birch Avenue Greenspace for \$1,000 as long as there is matching funding provided from another source.

THEREFORE, BE IT RESOLVED:

- (a) That \$1,000 of matching funds to be allocated from the Ward 3 Bell Tower Funds Non-Property Tax Revenue Account (3301609603) to GALA Planning Committee towards the efforts of maintaining the Birch Avenue Greenspace;
- (b) That staff be directed to review the delegation requests from the Public Works Committee on March 20, 2023 regarding support for water access to help maintain the Birch Avenue Greenspace and report back with possible recommendations that could also be applied city wide where applicable; and
- (c) That the Mayor and City Clerk be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor

Councillor Nann assumed the Chair for the remainder of the meeting.

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 14)**

**(i) Amendments to the Outstanding Business List (Item 14.1)**

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

- (1) Items Considered Complete and Needing to be Removed (Item 14.1(a))
  - (i) HSR Fare Incentives for Ridership Recovery (Item 14.1(a)(a))  
Addressed as Item 8, PW Report 22-015 (PW21056(a))  
Item on OBL: ACC
  - (ii) Protected Bike Lane Curbs (Item 14.1(a)(b))  
Addressed as Item 9.4 (PW23016) (on today's agenda)  
Item on OBL: ACA
- (2) Items Requiring a New Due Date (Item 14.1(b))
  - (i) Municipal Class Environmental Assessment and Conceptual Design of Ancaster Elevated Water Reservoir (Item 14.1(b)(a))  
Item on OBL: AAP  
Current Due Date: June 2023  
Proposed New Due Date: Q4 2024

- (ii) Results of Parks Security Patrol Pilot Program (Item 14.1(b)(b))  
Item on OBL: ABG  
Current Due Date: Q1 2023  
Proposed New Due Date: May 1, 2023
- (iii) Management of the Aviary at 85 Oak Knoll Drive (Item 14.1(b)(c))  
Item on OBL: AAY  
Current Due Date: Q1 2023  
Proposed New Due Date: Q2 2023
- (iv) Security Report on Theft and Vandalism Prevention in City-Owned Spaces - Results of 2-Year Pilot Program (Item 14.1(b)(d))  
Item on OBL: ADC  
Current Due Date: February 15, 2023  
Proposed New Due Date: May 1, 2023
- (v) Update to Parks By-law 01-219 (Item 14.1(b)(e))  
Item on OBL: ADK  
Current Due Date: Q1 2023  
Proposed New Due Date: August 16, 2023

**(i) ADJOURNMENT (Item 16)**

There being no further business, the meeting adjourned at 5:11 p.m.

Respectfully submitted,

Councillor Nann, Chair,  
Public Works Committee

Carrie McIntosh  
Legislative Coordinator  
Office of the City Clerk



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**PREFACE**

Hamilton Water is committed to the protection of worker health, public health, property, and the environment. Beyond Compliance Operating System (BCOS) was developed to support this commitment. BCOS is an integrated management system that currently oversees the Drinking Water Quality Management System, Environmental Laboratory QMS and the Occupational Health and Safety Management System.

The Wastewater Quality Management System (WWQMS) falls within the BCOS umbrella. WWQMS is being implemented to effectively collect and treat wastewater and protect the environment. As no WWQMS Standard currently exists, the voluntary standard for the WWQMS was developed internally by Hamilton Water by merging the existing ISO14001:2015 Environmental Management Systems Standard and the Drinking Water Quality Management Standard. The requirements of the WWQMS are stated throughout the Operational Plan Summary Report and have been developed by subject matter experts within Hamilton Water.

**BCOS Framework & WWQMS**

Beyond Compliance Operating System (BCOS)



**Access to Reports**

Following the endorsement of the WWQMS Operational Plan Summary Report, signed copies of the WWQMS Operational Plan Summary Report will be made available to the public on the City’s website, Clerk’s Office at City Hall and the Hamilton Water storefront at 330 Wentworth.





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The WWQMS Operational Plan Summary Report is also accessible to staff through the BCOS Database and the Sectional Workspaces.

**1 QUALITY MANAGEMENT SYSTEM**

**1.1 Purpose**

The purpose of the Wastewater Quality Management System (WWQMS) Operational Plan is to document the City of Hamilton’s WWQMS as part of the City’s efforts to:

- a. consistently process wastewater that meets applicable legislative, regulatory and other requirements, and
- b. enhance environmental performance through the effective application and continual improvement of the Quality Management System.

**1.2 Scope**

The WWQMS Operational Plan applies to Hamilton Water (HW), which is the Operating Authority for the City’s wastewater collection and treatment system (WWS).

HW has developed a WWQMS Operational Plan Manual (PW-WW-M-001-007) outlining the procedures and documents appropriate to the wastewater systems located in the City of Hamilton. The purpose of the WWQMS Operational Plan Manual (PW-WW-M-001-007) is to ensure that the requirements of the WWQMS is efficiently and effectively communicated to HW staff and key stakeholders. The WWQMS Operational Plan Manual also includes a map entitled “[City of Hamilton Wastewater Collection System Map \(PW-WW-V-011-001\)](#)” which illustrates the geographic scope of the City’s wastewater systems.

**1.3 Definitions**

BCOS	Beyond Compliance Operating System – Environmental, Health and Safety Management System for the Hamilton Water Division. BCOS is an umbrella system to the Environmental Laboratory QMS, DWQMS, and WWQMS sub-systems.
BCOS Database	Electronic management system software provided by Intelx. Scope of software is EQH&S and meets the requirements of the BCOS standards.





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BLT	BCOS Lead Team - Includes SMR, Compliance Support Group, and Sectional QAs or designates from the Hamilton Water Division.
COH	City of Hamilton
Combined Sewer Overflow Tank (CSO Tank)	Tanks designed for the storage of combined sewage during heavy rain events. Gates in the sewer system direct flow into the CSO tanks. The combined sewage is stored in the tanks until the rain event has ceased at which point the wastewater is directed back to the sewer system and onto the WWTP for treatment. These tanks help decrease the volume of water in the combined sewer system being transported to the WWTP and also decrease the number of CSOs to the natural environment.
Combined Sewer System (CSS)	A wastewater collection system which conveys sanitary wastewaters (domestic, commercial and industrial wastewaters) and stormwater runoff through a single-pipe system to a Sewage Treatment Plant (STP) or treatment works. Combined sewer systems which have been partially separated and in which roof leaders or foundation drains contribute stormwater inflow to the sewer system conveying sanitary flows are still defined as combined sewer systems.
Continual Improvement	Recurring process of enhancing the management system in order to achieve improvements in overall performance consistent with the organization's policy. Continual improvement tools include identification of existing or potential non-conformances, root cause analysis, implementation of corrective / preventive action requests and verification of the effectiveness of corrective / preventive actions.



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Controlled documents	<p>Document deemed to be important to the functioning of Hamilton Water Division, as updated, reviewed, approved by the indicated staff, and authorized for release and distribution. The document is available to staff in a format that cannot be modified without appropriate approval. The document available to staff is always the most current version of the document. The document is subject to monitoring, auditing and update. Controlled documents have a unique BCOS issuance number.</p> <ul style="list-style-type: none"> <li>Includes: procedures, manuals, checklists, forms, templates, lists, visual aids, guidelines and brochures.</li> </ul>
Corrective Action	Action to eliminate the cause of a detected non-conformance or non-compliance.
CSG	Compliance Support Group
DWQMS	Drinking Water Quality Management System
ECA	Environmental Compliance Approval
E2	<p>The Environmental Emergency (E2) Regulations came into force under the authorities of the Canadian Environmental Protection Act, 1999 (CEPA 1999). The E2 Regulations were put in place to enhance the safety of the environment and human life and health of Canadians by preventing, preparing for, responding to and recovering from environmental emergencies. Under the E2 Regulations, any person who owns or has the charge, management or control of a listed substance on a fixed facility may be required to:</p> <ul style="list-style-type: none"> <li>identify substance and place;</li> <li>prepare an environmental emergency plan (E2 plan);</li> <li>implement, update and test the E2 plan annually;</li> <li>provide notice of closure or decommissioning; and</li> <li>report environmental emergencies involving regulated substances.</li> </ul>





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EQH&S	Environmental, quality, health and safety
Hamilton Water (HW)	Hamilton Water Division, which is the water, wastewater, and stormwater Operating Authority for the City of Hamilton.
HW - SMT	The Hamilton Water Senior Management Team includes the Directors & Section Managers of the Hamilton Water Division.
IPS	Infor Public Sector (formerly HANSEN). Departmental and cross-sectional modular software system, offering a variety of packages designed to handle different aspects of municipal operations such as infrastructure assets inventory, work management, stock inventory systems, service applications and call centers, licensing and enforcement.
Level III Document	A controlled document that applies to the Hamilton Water Division.
Level III Document (Scoped)	A controlled document that applies to two or more but not all the sections of the Hamilton Water Division.
Level IV Document	A controlled document that applies to one Section of the Hamilton Water Division.
MOE	Ontario Ministry of Environment as amended (i.e. Ministry of Environment (MOE), Ministry of Environment and Energy (MOEE), Ministry of Environment and Climate Change (MOECC), Ministry of Environment, Conservation and Parks (MECP))
Operating Authority	Staff within the Hamilton Water Division responsible for the operation, maintenance and providing support services to the COH DWSs (including water treatment and distribution) and WWSs (including collection and wastewater treatment).



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Owner (DWS / WWS)	Every person who is a legal or beneficial owner of the City’s DWSs and WWSs. Since the City’s DWSs and WWSs are publicly owned and operated, the Mayor and Council of the City of Hamilton have been identified as Owners of the City’s DWSs and WWSs.
PMATS	Plant Maintenance and Technical Services Section
PO	Plant Operations Section
Preventative Maintenance (PM)	Schedule of planned maintenance actions aimed at the prevention of breakdowns and failures.
QA	<p>Quality Assurance (process): Planned and systematic pattern of actions necessary to ensure that management and technical controls are being followed.</p> <p>Quality Assurance (staff): Staff who are responsible for maintaining quality within HW’s Quality Management Systems. e.g. Sectional Quality Assurance Analyst, Quality Assurance Supervisor etc.</p>
RTC	Real Time Control
SMR	Systems Management Representative (for the BCOS, DWQMS, and WWQMS Systems) - Manager of Compliance and Regulations Section. Equivalent to QMS Representative as described in the DWQMS Standard.
Top Management (DWQMS / WWQMS)	The DWQMS and WWQMS Top Management has been identified as: the General Manager, Public Works and the Director, Hamilton Water Division.
Wastewater	Water that has been used at home, in a business or as a part of an industrial process. Excludes surface runoff or stormwater unless it enters combined sewer systems.



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Wastewater Collection System	A system of sewage works, excluding plumbing, that is established for the purpose of collecting sewage from users of the system and includes: a) Anything used for the collection, storage, pumping, or transmission of sewage; b) Anything used for the management of residue from collections system or the management of the discharge of a substance into the natural environment from the collection system c) That for greater certainty does not include anything within the property line of the sewage treatment plant.
Wastewater Objective	Objective set by Hamilton Water consistent with its WWQMS Policy
Wastewater Target	Means for providing verifiable evidence that wastewater objectives have been met
Wastewater System (WWS)	Any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not include plumbing
WD&WWC	Water Distribution and Wastewater Collection Section
WWQMS	Wastewater Quality Management System

## 2 QUALITY MANAGEMENT SYSTEM POLICY

### 2.1 Requirements

2.1.1 The Operational Plan shall document a Quality Management System Policy that provides the foundation for the Quality Management System, and:

- a. includes a commitment to the maintenance and continual improvement of the Quality Management System,
- b. includes a commitment to comply with applicable legislation and regulations,
- c. includes a commitment to pollution prevention, and



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d. is in a form that can be communicated to all Operating Authority personnel and the Owner.

2.1.2 The Operating Authority shall establish and maintain a Quality Management System that is consistent with the Quality Management System Policy.

## 2.2 WWQMS Policy

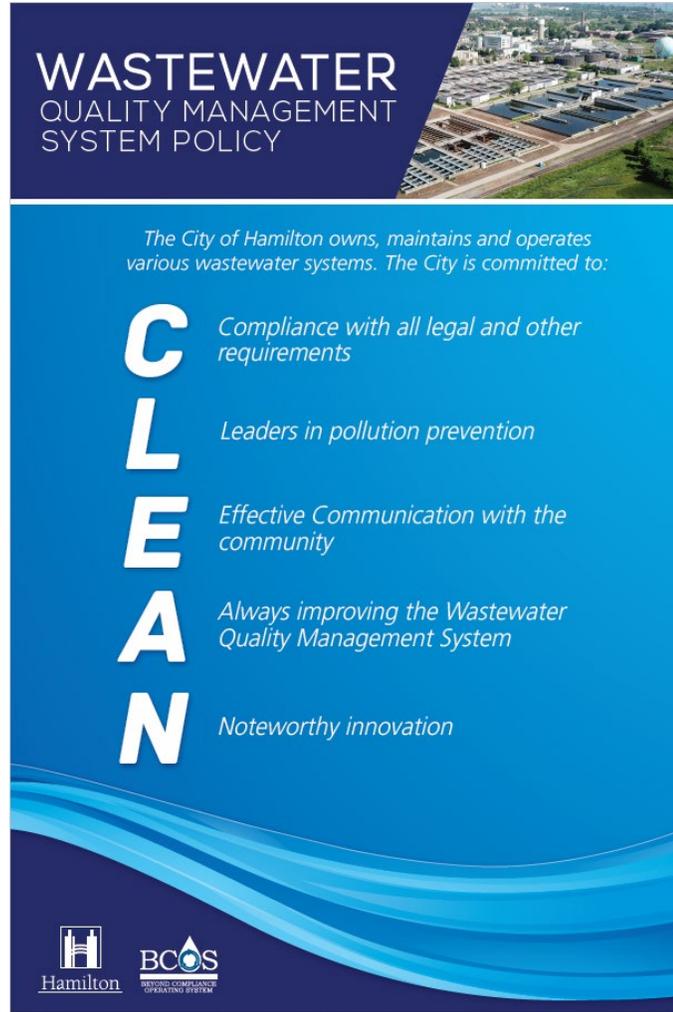
2.2.1 The [WWQMS Policy \(PW-WW-R-002-003\)](#) was approved by Top Management on January 27, 2020. It has been communicated to HW staff as per the [Internal Communications \(PW-WW-P-008-001\)](#) procedure.

The WWQMS Policy is communicated to the public through posting on the City's website.



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**WWQMS Policy**



**3 COMMITMENT AND ENDORSEMENT**

**3.1 Requirements**

- 3.1.1 The Operational Plan shall contain a written endorsement of its contents by Top Management and the Owner.
- 3.1.2 Top Management shall provide evidence of its commitment to an effective Quality Management System by:





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- a. ensuring that a Quality Management System is in place that meets the requirements of this Standard,
- b. ensuring that the Operating Authority is aware of all applicable legislative and regulatory requirements,
- c. communicating the Quality Management System according to the procedure for communications, and
- d. determining, obtaining or providing the resources needed to maintain and continually improve the Quality Management System.

### **3.2 Commitment and Endorsement**

- 3.2.1 The Owner (Mayor and Council) and Top Management (General Manager, Public Works and the Director, HW) of the Operating Authority (HW) support the development, implementation, maintenance and continual improvement of the WWQMS, which supports the COH's WWS.
- 3.2.2 The Owner acknowledges their role through the receipt and review of WWQMS reports related to the adequacy of infrastructure, audits and management reviews, and by provision of resources to support the WWQMS.
- 3.2.3 Top Management supports the WWQMS through provision of resources, ensuring staff are aware of relevant legal requirements, and supporting WWQMS communications.
- 3.2.4 The WWQMS Operational Plan will be endorsed at minimum every four years, following the municipal election cycle. The signatures that follow serve as evidence of the endorsement of the WWQMS Operational Plan Manual (PW-WW-M-001-007).



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Andrea Horwath Mayor WWS Owner Representative	Carlyle Khan General Manager, Public Works Department WWQMS Top Management Representative
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Andrea Holland City Clerk (Signing Authority on Behalf of Council)	Nick Winters Director, Hamilton Water Division WWQMS Top Management Representative
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**4 WWQMS SYSTEM REPRESENTATIVE**

**4.1 Requirements**

- 4.1.1 The Operational Plan shall identify a Quality Management System representative.
- 4.1.2 Top Management shall appoint and authorize a Quality Management System representative who, irrespective of other responsibilities, shall:
  - a. administer the Quality Management System by ensuring that processes and procedures needed for the Quality Management System are established and maintained
  - b. report to Top Management on the performance of the Quality Management System and any need for improvement,
  - c. ensure that current versions of documents required by the Quality Management System are being used at all times,
  - d. ensure that personnel are aware of all applicable legislative and regulatory requirements that pertain to their duties for the operation of the Subject System, and
  - e. promote awareness of the Quality Management System throughout the Operating Authority.





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## 4.2 WWQMS Representative

4.2.1 The Manager, Compliance & Regulations has been appointed as the Systems Management Representative (SMR) for WWQMS. The SMR is responsible for:

- ensuring that the WWQMS is established, implemented, and maintained,
- reporting to Top Management and HW - SMT regarding WWQMS performance including recommended continual improvement initiatives,
- promoting awareness of the WWQMS and of HW staff roles and responsibilities,
- overseeing the document control process including the development, review, approval and release of WWQMS System procedures and revoking obsolete documents,
- ensuring that HW and other staff are aware of all applicable legal requirements related to their duties and the WWQMS, and
- managing the WWQMS Internal Audit Program.

## 5 DOCUMENTS AND RECORDS CONTROL

### 5.1 Requirements

5.1.1 The Operational Plan shall document a procedure for Documents and Records Control that describes how:

Documents required by the Quality Management System are:

- a. kept current, legible and readily identifiable,
- b. retrievable,
- c. stored, protected, retained and disposed of, and

Records required by the Quality Management System are:

- a. kept legible, and readily identifiable,
- b. retrievable, and
- c. stored, protected, retained and disposed of.

5.1.2 The Operating Authority shall implement and conform to the procedure for Document and Records control and shall ensure that the Quality Management System documentation for the WWQMS includes:

- a. the Operational Plan and its associated policies and procedures,



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- b. documents and records determined by the Operating Authority as being needed to ensure the effective planning, operation and control of its operations, and
- c. the results of internal and third-party Audits and management reviews.

## 5.2 Hamilton Water Document and Record Management System

- 5.2.1 Procedures have been developed that outline the document and record control processes for the Operating Authority.
- 5.2.2 The procedure entitled [Control of Documents \(PW-WW-P-010-001\)](#) is an integrated procedure that outlines document control processes for the Operating Authority. The purpose of this procedure is to control the issue, change, and approval of documents, ensuring that only up to date, approved documentation is used by Operating Authority staff. The Control of Documents procedure also ensures that staff can locate and access documents relevant to their work, in the format most suitable to their work, whether the documents are created internally or externally to the Operating Authority.
- 5.2.3 [Control of Records \(PW-WW-P-016-001\)](#) is an integrated procedure that applies to all HW sections. The purpose of this procedure is to ensure that both COH and externally generated non-COH records identified as critical are properly collected, identified, accessed, filed, stored, maintained, reviewed, and disposed of after their designated retention times.

## 6 WASTEWATER SYSTEMS DESCRIPTIONS

### 6.1 Requirements

- 6.1.1 The Operational Plan shall document for the Wastewater System:
  - a. the name of the Owner and Operating Authority,
  - b. a general description of the system including all components of Wastewater Collection and applicable Treatment System processes
  - c. a description including:
    - general characteristics of the receiving water body(ies),
    - common event-driven fluctuations, and
    - any resulting operational challenges and threats.
- 6.1.2 The Operating Authority shall ensure that the description of the Wastewater System is kept current.



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## 6.2 Wastewater System Process Descriptions

6.2.1 Process descriptions meeting the WWQMS requirements are found in [WWQMS Descriptions of Hamilton Wastewater Systems \(PW-WW-P-004-009\)](#). The map entitled [City of Hamilton Wastewater Collection System Map \(PW-WW-V-011-001\)](#) illustrates the geographic scope of the COH's wastewater collection and treatment systems.

## 7 ENVIROMENTAL ASPECTS & IMPACTS

### 7.1 Requirements

7.1.1 The Operational Plan shall develop an environmental aspects and impacts process to identify and assess environmental aspects and impacts associated with the collection and treatment of wastewater that:

- a. identifies the environmental aspects of its activities, and services (outputs) within the scope of the WWQMS that it can control or influence,
- b. takes into account planned or unplanned changes or modified activities, products and services,
- c. takes into account abnormal conditions and reasonably foreseeable emergency situations,
- d. identifies the environmental aspects that can have a significant impact on the environment using established criteria,
- e. identifies control measures to address the potential impacts,
- f. ensures that the significant environmental aspects are taken into account in establishing, implementing and maintaining the wastewater management system,
- g. describes how it shall communicate its significant environmental aspects among various levels and functions of the organization,
- h. identifies a method to verify, at least once every calendar year, the currency of the information, and
- i. conducts the assessment at least once every three years.

7.1.2 The Operational Plan shall document:

- a. the identified environmental aspects and associated impacts,
- b. criteria used to determine its significant environmental aspects, and
- c. the impacts rated significant.



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The Operating Authority shall ensure that the record of environmental aspects and impacts is kept current.

## 7.2 Hamilton Wastewater Systems' Aspects and Impacts Assessment

7.2.1 The procedure entitled [Environmental Aspects & Impacts Assessment \(PW-WW-P-003-001\)](#) has been developed to document the process followed by HW to identify and assess the environmental aspects and impacts associated with the activities, products and services related to the collection and treatment of wastewater. Once the Aspect and Impact pairs are identified and rated, their Significant Impact Rating can be calculated as the product of likelihood, severity and detectability. A summary of the significant aspects and associated control measures are identified and recorded in [Aspects and Impacts Register \(PW-WW-R-003-001\)](#).

7.2.2 The Aspects and Impacts Assessment is conducted every 3 years and the WWQMS Environmental Aspects and Impacts Register is assessed annually. The Aspects and Impacts Assessment is also conducted for a new wastewater facility or a major process modification within six months after the commissioning date. Communication about significant environmental aspects is carried out as per the [Internal Communications \(PW-WW-P-008-001\)](#) procedure.

## 8 OBJECTIVES & TARGETS

### 8.1 Requirements

8.1.1 The Operating Authority shall ensure that wastewater objectives and targets are established considering significant environmental aspects and associated compliance obligations. The environmental objectives shall be:

- a. consistent with the policy,
- b. measurable (if practicable),
- c. monitored,
- d. communicated, and
- e. updated as appropriate.

When setting objectives, the Operating Authority shall determine:

- a. what will be done,
- b. what resources will be required,
- c. who will be responsible,



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- d. when it will be completed, and
- e. how the results will be evaluated, including applicable indicators for monitoring progress towards achievement.

The Operating Authority shall establish, implement, and maintain a programme(s) for achieving its objectives and targets. Programme(s) shall include:

- a. designation of responsibility for achieving objectives and targets at relevant functions and levels of the organization, and
- b. the means and time frame by which they are to be achieved.

- 8.1.2 The Operating Authority shall maintain documented information about its environmental objectives, targets, and management programmes.

The Operating Authority shall consider how actions to achieve its environmental objectives can be integrated into the organization's business processes.

## **8.2 Hamilton Wastewater Systems' Objectives and Targets**

- 8.2.1 The procedure entitled [Wastewater Objectives and Targets \(PW-WW-P-005-001\)](#) documents the process by which Hamilton Water sets objectives and targets to avoid or minimize environmental impacts of WWS. Objectives are established after considering evaluation criteria outlined in the procedure. Targets established provide quantifiable milestones for measuring performance against set objectives. Management programmes established list the specific tasks or means by which to achieve the desired objective and target.

- 8.2.2 The list of objectives, targets and wastewater management programmes is recorded in [Summary of Objectives, Targets and Management Programmes for Wastewater Systems \(PW-WW-R-005-001\)](#) and approved by Top Management annually.

## **9 ORGANIZATIONAL STRUCTURE, ROLES, RESPONSIBILITIES & AUTHORITIES**

### **9.1 Requirements**

- 9.1.1 The Operational Plan shall:
- a. describe the organizational structure of the Operating Authority including respective roles, responsibilities and authorities,
  - b. delineate corporate oversight roles, responsibilities and authorities where the Operating Authority operates multiple Wastewater Systems,



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- c. identify the person, persons or group of people within the management
- d. identify the structure of the organization responsible for undertaking the Management Review described in Section 21,
- e. identify the person, persons or group of people, having Top Management responsibilities required by this Standard, along with their responsibilities, and
- f. identify the Owner of the Wastewater System.

9.1.2 The Operating Authority shall keep current the description of the organizational structure including respective roles, responsibilities and authorities, and shall communicate this information to Operating Authority personnel and the Owner.

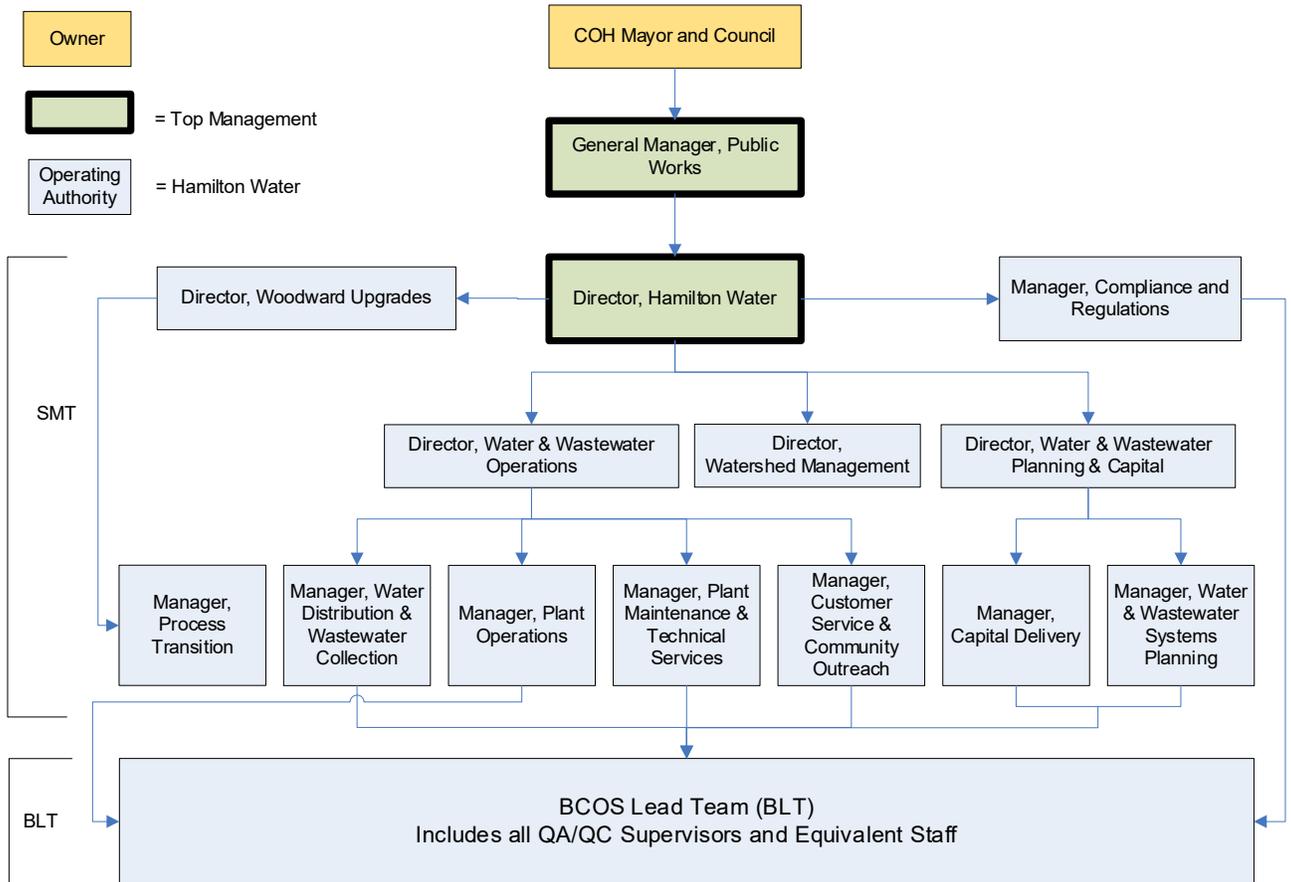
## 9.2 **Hamilton Water Organizational Structure, Roles, Responsibilities, and Authorities**

9.2.1 [Roles, Responsibilities & Authorities \(PW-WW-P-006-001\)](#) is an integrated procedure for BCOS including DWQMS and WWQMS that describes how roles, responsibilities, and authorities are defined, communicated, and maintained to ensure accountability in the implementation of these systems. The [Hamilton Water – Photo Organizational Chart \(PW-WW-R-006-002\)](#) identifies key roles and/or titles within HW. The [Roles, Responsibilities and Authorities Matrix \(PW-WW-G-006-001\)](#) outlines the roles, responsibilities and authorities relating to the BCOS systems.

9.2.2 The Roles, Responsibilities & Authorities Procedure applies to all sections of HW. CSG and BLT are responsible for ensuring that Operating Authority staff are kept aware of their respective roles, responsibilities and authorities as they relate to WWQMS. The organizational chart below delineates key wastewater positions.



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**10 COMPETENCIES**

**10.1 Requirements**

10.1.1 The Operational Plan shall document:

- a. competencies required for personnel performing duties directly affecting quality of wastewater collected and treated,
- b. activities to train, develop and/or maintain competencies for personnel performing duties directly affecting quality of treated wastewater, and
- c. activities to ensure that personnel are aware of the relevance of their duties and how they affect the quality of wastewater discharges into the environment.

10.1.2 The Operating Authority shall undertake activities to:





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- a. meet and maintain competencies for personnel directly affecting quality of treated wastewater and shall maintain records of these activities, and
- b. ensure that personnel are aware of the relevance of their duties and how they affect the quality of wastewater discharges into the environment and shall maintain records of these activities.

## 10.2 WWQMS Competencies

- 10.2.1 The [Competency and Training Procedure \(PW-WW-P-033-001\)](#) provides the framework for the identification, delivery and tracking of training requirements related to the Hamilton Water Division. The procedure is also created to document how the Division ensures competencies of staff that could have a direct impact on wastewater collection and treatment.
- 10.2.2 The [Hamilton Water Division Core Training Guideline \(PW-WW-G-033-002\)](#) lists required core and developmental competencies for job positions that could impact wastewater quality. Positions potentially impacting quality of wastewater have been identified as:
  - Positions that require a Wastewater Operator's License (Treatment or Collection) Positions that supervise licensed Operators or Water Quality Analysts and
  - Other positions recommended by Section Manager
- 10.2.3 All Operating Authority staff are expected to be aware of their roles, responsibilities and authorities. WWQMS Awareness Training is a core training requirement for all staff of the Operating Authority. WWQMS Awareness Training is an on-going training provided to new staff at the Hamilton Water New Employee Orientation. In addition, refresher training may be provided as needed. Staff are also updated about WWQMS as per [Internal Communications \(PW-WW-P-008-001\)](#) procedure.
- 10.2.4 Further, this training may be provided to other City staff outside of the Operating Authority as required.
- 10.2.5 In order to better connect staff to available training, use training resources effectively and help manage training records, HW utilizes the IT Tool – the Learning Management Database.



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## 11 PERSONNEL COVERAGE

### 11.1 Requirements

11.1.1 The Operational Plan shall document, implement and conform to a procedure to ensure that sufficient personnel meeting identified competencies are available for duties that directly affect wastewater collection and treatment.

### 11.2 Wastewater System Personnel Coverage

11.2.1 The [Personnel Coverage \(PW-WW-P-034-003\)](#) procedure outlines the process by which the Hamilton Water Division ensures that adequate staffing and personnel coverage are maintained for its water and wastewater operations. The procedure details personnel coverage measures followed during regular business hours as well as evenings, weekends and holidays. Where applicable, Level 4 (Sectional) personnel coverage procedures should be referenced for Section-specific Personnel Coverage processes.

## 12 COMMUNICATION

### 12.1 Requirements

12.1.1 The Operational Plan shall implement, document and conform to a procedure for communications that describes how the relevant aspects of the WWQMS are communicated between Top Management and:

- a. the Owner,
- b. Operating Authority personnel,
- c. Suppliers that have been identified as essential, and
- d. the Public.

### 12.2 Communications

12.2.1 The [Internal Communications \(PW-WW-P-008-001\)](#) procedure describes processes for internal communications on various elements of the organization's management systems, policies and objectives. This procedure has been developed to ensure effective and timely communication with internal stakeholders.

12.2.2 [External Regulatory and Other Communications \(PW-WW-P-008-002\)](#) describes HW communication processes with regulatory agencies, general public and other external stakeholders.



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### **13 OPERATIONAL PLANNING AND CONTROLS**

#### **13.1 Requirements**

13.1.1 The Operational Plan shall establish, implement, control, and maintain processes needed to meet WWQMS requirements, and shall implement actions identified in the aspects and impacts assessment process and Objectives planning process by:

- a. establishing operating criteria for the process(es), and
- b. implementing control of the process(es), in accordance with the operating criteria.

The Operating Authority shall control planned changes and review the consequences of unintended changes, taking action to mitigate any adverse effects, as necessary.

The Operating Authority shall ensure that outsourced processes are controlled or influenced. The type and extent of control or influence to be applied to the process(es) shall be defined within the WWQMS.

13.1.2 The Operational Plan shall maintain documented information to the extent necessary to have confidence that the processes have been carried out as planned.

#### **13.2 WWQMS Operational Planning Controls for Wastewater System**

13.2.1 The [Environmental Aspects & Impacts Assessment \(PW-WW-P-003-001\)](#) procedure documents the process followed by Hamilton Water to identify operational controls to address significant environmental impacts related to the collection and treatment of wastewater. The [Aspects and Impacts Register \(PW-WW-R-003-001\)](#) records the control measures associated with aspects and impacts including preventative maintenance, inspections and monitoring, standardized work instructions and/or improvement projects.

13.2.2 The [Essential Supplies and Services \(PW-WW-P-035-001\)](#) procedure documents the process followed by Hamilton Water to identify and review the quality of essential supplies and services provided from outside of the City of Hamilton Drinking Water and Wastewater Systems managed by the HW Division that can introduce quality, safety or environmental risks.

### **14 EVALUATION OF COMPLIANCE**

#### **14.1 Requirements**

14.1.1 The Operational Plan shall:



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- a. document a procedure for periodically evaluating compliance with legal and other requirements and taking actions if needed,
- b. keep records of the results of the periodic evaluations and action taken,
- c. maintain knowledge and understanding of its compliance status, and
- d. establish implement and maintain processes to evaluate and fulfill its compliance obligations.

14.1.2 The Operating Authority shall implement and conform to the procedure and communicate the findings to the Owner.

## 14.2 Hamilton Wastewater Systems' Compliance

14.2.1 The [Legal and Other Requirements \(PW-WW-P-004-004\)](#) procedure indicates how applicable legal and other requirements related to COH's WWS are identified, communicated and managed. The BCOS Database is used to list requirements, track and assign tasks associated with legal and other requirements. Wastewater approval related requirements are tracked in the [Approvals Register \(PW-WW-R-004-020\)](#) that is updated at least annually. In addition, external third-party compliance audits of WWS may be conducted as required.

## 15 REVIEW AND PROVISION OF INFRASTRUCTURE

### 15.1 Requirements

15.1.1 The Operational Plan shall document a procedure for reviewing the adequacy of the infrastructure necessary to operate and maintain the wastewater System that:

- a. considers the significant impacts described in Section 7, and
- b. ensures that the adequacy of the infrastructure necessary to operate and maintain the wastewater System is reviewed at least once every Calendar Year.

15.1.2 The Operating Authority shall implement and conform to the procedure and communicate the findings of the review to the Owner.

### 15.2 Hamilton Water Infrastructure Review

15.2.1 The [Review and Provision of Infrastructure procedure \(PW-WW-P-025-001\)](#) documents the process followed by Hamilton Water in reviewing the adequacy of its wastewater system infrastructure. The procedure applies to all City of Hamilton WWS infrastructure, including both vertical and horizontal infrastructure and other



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infrastructure required for the operation of the WWS including offices, workspaces, buildings and critical software.

## **16 INFRASTRUCTURE MAINTENANCE, REHABILITATION & RENEWAL**

### **16.1 Requirements**

16.1.1 The Operational Plan shall document:

- a. a summary of the Operating Authority's infrastructure maintenance, rehabilitation and renewal programs for the wastewater System, and
- b. a long term forecast of major infrastructure maintenance, rehabilitation and renewal activities.

16.1.2 The Operating Authority shall:

- a. keep the summary of the infrastructure maintenance, rehabilitation and renewal programs current,
- b. ensure that the long-term forecast is reviewed at least once every Calendar Year,
- c. communicate the programs to the Owner, and
- d. monitor the effectiveness of the maintenance program.

### **16.2 Hamilton Water Infrastructure Maintenance, Rehabilitation and Renewal**

16.2.1 The procedure [Infrastructure Maintenance, Rehabilitation and Renewal \(PW-WW-P-026-001\)](#) describes how Hamilton Water implements infrastructure maintenance, rehabilitation, and renewal programs depending on the condition of infrastructure, redundancy of equipment and the related operational risk. Infrastructure maintenance is addressed by both planned and unplanned maintenance activities carried out by PMATS, PO and WD&WWC.

## **17 SAMPLING, TESTING AND MONITORING**

### **17.1 Requirements**

17.1.1 The Operational Plan shall document:

- a. a sampling, testing, and monitoring procedure for process control and finished wastewater quality including requirements for sampling, testing, and monitoring at the conditions most challenging to the wastewater System,



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- b. a description of relevant sampling, testing or monitoring activities, if any, that take place downstream of the wastewater System, and
- c. a procedure that describes how sampling, testing and monitoring results are recorded and shared between the Operating Authority and the Owner, where applicable.

17.1.2 The Operating Authority shall implement and conform to the procedures.

## 17.2 Hamilton Water Sampling, Testing and Monitoring

17.2.1 The [Sampling, Testing and Monitoring \(PW-WW-P-013-004\)](#) procedure describes how wastewater sampling, testing and monitoring activities are undertaken and how the results are communicated as per regulatory requirements.

17.2.2 The responsibilities for performing the required sampling in the City of Hamilton's wastewater collection system and wastewater treatment plants are outlined in the [City of Hamilton Wastewater Sampling Plan \(PW-WW-P-013-006\)](#). The [City of Hamilton Wastewater Sampling Schedule \(PW-WW-L-013-003\)](#) identifies the list of samples to be collected and tests to be performed by staff to meet City of Hamilton's compliance obligations.

## 18 MEASUREMENT AND RECORDING EQUIPMENT, CALIBRATION AND MAINTENANCE

### 18.1 Requirements

18.1.1 The Operational Plan shall document, implement and conform to a procedure for the calibration and maintenance of measurement and recording equipment.

### 18.2 Hamilton Water Measurement and Recording Equipment, Calibration and Maintenance

18.2.1 The procedure entitled [Calibration & Maintenance of Measurement and Recording Equipment \(PW-WW-P-036-001\)](#) describes the requirements for the calibration, verification and maintenance of measurement and recording equipment used in the operation of WWS. The procedure identifies responsible personnel, recording requirements, frequency and method for calibration, verification and maintenance of measurement and recording equipment.



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## 19 EMERGENCY MANAGEMENT

### 19.1 Requirements

- 19.1.1 The Operational Plan shall document a procedure to maintain a state of emergency preparedness that includes:
- a list of potential emergency situations or service interruptions,
  - processes for emergency response and recovery,
  - emergency response training and testing requirements,
  - Owner and Operating Authority responsibilities during emergency situations,
  - references to municipal emergency planning measures as appropriate, and
  - an emergency communication protocol and an up-to-date list of emergency contacts.
- 19.1.2 The Operating Authority shall implement and conform to the procedure.

### 19.2 Hamilton Water Emergency Management

- 19.2.1 The [Hamilton Water Emergency Response Plan \(PW-WW-P-012-001\)](#) describes the City's Corporate, Departmental, Divisional, and Sectional Emergency Response structure. Emergency Response Plan (ERP) Manuals (binders) are available at various locations within Hamilton Water inclusive of the Hamilton Water Emergency Response Plan. A Risk Assessment approach is used to identify possible risks or emergencies that could potentially impact the City's WWS, Annual testing of the COH (Corporate) Emergency Response Plan, the HW Emergency Response Plan, and the Plant Operations' E2 Plan is required. Upon completion of testing, a debrief is held to determine possible improvement actions and document any procedural upgrades that may be required.
- 19.2.2 HW staff must receive training for all emergency response plans and/or procedures related to their job or responsibilities. Divisional training requirements are listed in the [Hamilton Water Division Core Training Guideline \(PW-WW-G-033-002\)](#). The City's Emergency Management Office determines training requirements for the COH's Emergency Response Plan.



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## 20 INTERNAL AUDITS

### 20.1 Requirements

- 20.1.1 The Operational Plan shall document a procedure for internal Audits that:
- evaluates conformity of the Quality Management System with the requirements of this Standard,
  - identifies internal Audit criteria, frequency, scope, methodology and record-keeping requirements,
  - considers previous internal and third-party Audit results, and
  - describes how Quality Management System Corrective Actions are identified and initiated.
- 20.1.2 The Operating Authority shall implement and conform to the procedure and shall ensure that internal Audits are conducted at least once every Calendar Year.

### 20.2 WWQMS Internal Audit

- 20.2.1 The [Internal Auditing procedure \(PW-WW-P-017-001\)](#) is an integrated procedure that describes how HW conducts objective and systematic internal audits as a means of measuring the performance of its BCOS, including WWQMS.
- 20.2.2 The SMR holds overall responsibility for ensuring that internal audits are planned and executed annually according to the requirements of this procedure. Internal auditors are appointed by HW - SMT and are identified in the [BCOS Auditor List \(PW-WW-L-017-003\)](#).
- 20.2.3 Audit findings are recorded in the BCOS database and may indicate the need for corrective, preventive, or improvement actions (See Section 22.0 of this Operational Plan).
- 20.2.4 Once scheduled internal audits are completed, the SMR (or designate) reviews audit findings and compiles the information for presentation to SMT. In addition, the Internal Audit Program is reviewed on an annual basis as an input to Management Review (See Section 21.0 of this Operational Plan).



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## 21 MANAGEMENT REVIEW

### 21.1 Requirements

21.1.1 The Operational Plan shall document a procedure for management review that evaluates the continuing suitability, adequacy and effectiveness of the Quality Management System and that includes consideration of:

- a. incidents of regulatory non-compliance and response actions,
- b. the effectiveness of the wastewater aspects and impacts process (changes in significant wastewater aspects),
- c. objectives and targets, and status of wastewater Management Programmes,
- d. internal audit results,
- e. summary of WWQMS non-conformance reports, including Essential Supplies and Services' non-conformances,
- f. results of emergency response testing,
- g. operational performance,
- h. influent and effluent wastewater quality trends,
- i. follow-up on action items from previous management reviews,
- j. the status of management action items identified between reviews,
- k. changes that could affect the Quality Management System,
- l. internal & external communication,
- m. the resources needed to maintain the Quality Management System,
- n. the results of the infrastructure review,
- o. Operational Plan currency, content and updates, and
- p. staff suggestions.

21.1.2 Top Management shall implement and conform to the procedure and shall:

- a. ensure that a management review is conducted at least once every Calendar Year,
- b. consider the results of the management review and identify deficiencies and actions items to address the deficiencies,



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- c. provide a record of any decisions and action items related to the management review including the personnel responsible for delivering the action items and the proposed timelines for their implementation, and
- d. report the results of the management review, the identified deficiencies, decisions and action items to the Owner.

## 21.2 Hamilton Water Management Review

- 21.2.1 The [Management Review procedure \(PW-WW-P-018-001\)](#) documents the process for planning, executing, and documenting Management Reviews, including provision of feedback to the Hamilton Water Division and reporting of review results to the Owner.
- 21.2.2 The SMR coordinates the annual Management Review meetings and compiles the required input data for presentation to Top Management. Top Management is responsible for reviewing the input materials presented and generating outputs as specified in the Management Review procedure. The SMR or delegate prepares minutes of Management Review meetings as proof of completion.
- 21.2.3 Top Management or their delegates are responsible for communicating Management Review results to the Owner. In addition, results of management reviews are summarized in the annual WWQMS Summary Report which is circulated to the WWS Owner.

## 22 NON-CONFORMANCE, CORRECTIVE & PREVENTIVE ACTION

### 22.1 Requirements

- 22.1.1 The Operating Authority shall develop a procedure for tracking and measuring effectiveness of its Quality Management System by:
  - a. documenting a process for identification and management of Quality Management System Corrective Actions that includes:
    - investigating the cause(s) of an identified non-conformity,
    - documenting the action(s) that will be taken to correct the nonconformity and prevent the non-conformity from re-occurring, and
    - reviewing the action(s) taken to correct the non-conformity, verifying that they are implemented and are effective in correcting and preventing the re-occurrence of the nonconformity.



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b. documenting a process for identifying and implementing Preventive Actions to eliminate the occurrence of potential non-conformities in the Quality Management System that includes:

- reviewing potential non-conformities that are identified to determine if preventive actions may be necessary,
- documenting the outcome of the review, including the action(s), if any, that will be taken to prevent a non-conformity from occurring, and
- reviewing the action(s) taken to prevent a non-conformity, verifying that they are implemented and are effective in preventing the occurrence of the non-conformity.

22.1.2 The Operating Authority shall implement and conform to the procedure

## 22.2 Hamilton Water Non-Conformance, Corrective and Preventative Action Process

22.2.1 The integrated [Non-conformance, Corrective & Preventive Action Process procedure \(PW-WW-P-015-002\)](#) documents the non-conformance, corrective and preventative action process that ensures the effective resolution of system non-conformances and legal non-compliances related to the WWQMS.

Non-conformances are entered into the "Findings" Application of the BCOS Database. Once details of the nature of the non-conformance are entered into BCOS, a root cause analysis can be completed, and an action plan can be developed to correct or prevent the non-conformance. All action plans are verified as being complete. Verification for effectiveness may occur at the discretion of the SMR. All of the above information must be entered into the BCOS Database. Once the completion of the plan has been verified, the non-conformance report can be closed out.

## 23 CONTINUAL IMPROVEMENT

### 23.1 Requirements

23.1.1 The Operating Authority shall develop a procedure for tracking and measuring continual improvement of its Quality Management System.

23.1.2 The Operating Authority shall strive to continually improve the effectiveness of its Quality Management System by implementing and conforming to the procedure.



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## 23.2 Hamilton Water Continual Improvement Process

23.2.1 The COH is committed to continually improving its WWQMS. The Public Works departmental Continual Improvement procedure is currently under development. In addition, Hamilton Water follows the section on continual improvement found in [Non-conformance, Corrective & Preventive Action Process procedure \(PW-WW-P-015-002\)](#). Hamilton Water uses tools such as management reviews, internal audits, communications, BIMA scorecard and benchmarking initiatives to track and measure the continual improvement of WWQMS.

**BCOS software tracks the revision history of document.**



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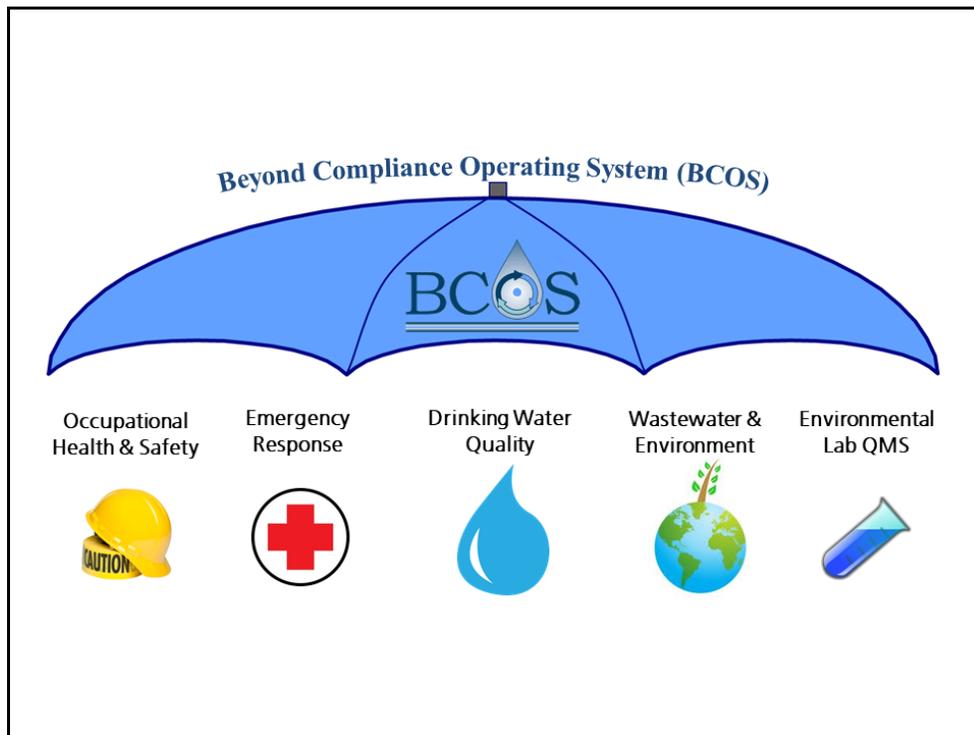


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**Preface**

A key priority of the Hamilton Water Division (HW) of the City of Hamilton (COH) is to ensure the protection of worker health, public health, property, and the environment. To support this objective, HW has developed the Beyond Compliance Operating System (BCOS). BCOS is an environmental, health and safety management system. Its successful implementation and use is a key component of our continuous improvement process and supports an environment, health and safety (EHS) compliance culture throughout HW. BCOS will strive to conform to environmental and occupational health and safety standards and is an umbrella program that oversees conformance to the Drinking Water Quality Management System (DWQMS), Wastewater Quality Management System (WWQMS), the Environmental Laboratory QMS, and future QMS (Occupational Health and Safety, etc.). Select DWQMS elemental procedures have been integrated with BCOS procedures. Integrated procedures are identified through the “BCOS + DWQMS” text in the procedure title. Procedures pertaining to DWQMS alone are identified by the “DWQMS” in the procedure title. The figure below identifies BCOS as an “umbrella” program that supports other scoped management systems of HW.

**BCOS Framework & DWQMS**





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**Access to Reports**

The DWQMS Operational Plan Summary Report is posted on the COH website and DWQMS Operational Plan Binders are available at the Clerk’s Office, City Hall (PW-WW-M-001-002) and the Hamilton Water storefront (PW-WW-M-001-003) at 330 Wentworth.

The DWQMS Operational Plan Summary Report is also accessible to staff through the BCOS Database, Sectional Workspaces and the internal DWQMS website.

**1 QUALITY MANAGEMENT SYSTEM**

**1.1 Purpose**

The purpose of the DWQMS Operational Plan is to document the COH’s DWQMS as part of the City’s efforts to ensure that clean, safe, and reliable drinking water is supplied to all of its customers. The DWQMS Operational Plan meets and sometimes exceeds the requirements of the Ministry of the Environment, Conservation and Park’s (MECP) Drinking Water Quality Management Standard.

**1.2 Scope**

This DWQMS Operational Plan applies to HW which is the Operating Authority for the City’s drinking water systems (DWSs).

HW has developed an integrated DWQMS Operational Plan Manual. The documents in the DWQMS Operational Plan pertain to all five of the City’s DWSs. The use of integrated procedures ensures the DWQMS is efficient and effectively communicates common requirements for the DWSs to HW staff. The DWS descriptions are system specific descriptions of the City’s DWSs. The DWQMS Operational Plan also includes a map entitled “Drinking Water Systems – DWS” which illustrates the geographic scope of the City’s water distribution systems.

**1.3 Definitions**

AWQI	Adverse Water Quality Incident. Any situation where the drinking water in the system (treatment / distribution) does not meet the requirements listed in O. Reg. 170/03 Schedule 16
BCOS	Beyond Compliance Operating System – Environmental, Health and Safety Management System for the Hamilton Water Division. BCOS is an umbrella system to the Environmental Laboratory QMS, the DWQMS, and the WWQMS sub-systems.





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BLT	BCOS Lead Team. Includes SMR, Compliance Support Group, and Sectional QA's or designates from the Hamilton Water Division.
C&R Section	Compliance and Regulations Section
CD Section	Capital Delivery Section in Hamilton Water including Water and Wastewater Asset Management for vertical infrastructure
CHEL QMS	City of Hamilton Environmental Laboratory (CHEL) Quality Management System (QMS). CHEL is accredited to ISO/IEC 17025 - general requirements for the competence of testing and calibration laboratories for specific tests which are listed in their scope of accreditation. If testing laboratories comply with the requirements of ISO/IEC 17025, they operate a QMS for their testing activities that also meets the principles of ISO 9001. May also be referred to as Environmental Laboratory QMS.
CMMS	Computerized Maintenance Management System
Controlled Document	Document deemed to be important to the functioning of Hamilton Water Division, as updated, reviewed, approved by the indicated staff, and authorized for release and distribution. The document is available to staff in a format that cannot be modified (i.e., BCOS Database) without appropriate approval. The document available to staff is always the most current version of the document. The document is subject to monitoring, auditing, and update. Controlled documents have a unique BCOS issuance number.  Includes: procedures, manuals, checklists, forms, templates, lists, visual aids, guidelines and brochures.
COH	City of Hamilton
Corrective Action	Action to eliminate the cause of a detected non-conformance or non-compliance.
CS&CO Section	Customer Service and Community Outreach Section
DWQMS	Drinking Water Quality Management System
DWS	Drinking Water System Works established for the collection, treatment, storage, supply, or distribution of drinking water.



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E2	The Environmental Emergency (E2) Regulations came into force under the authorities of the Canadian Environmental Protection Act, 1999 (CEPA 1999). The E2 Regulations were put in place to enhance the safety of the environment and human life and health of Canadians by preventing, preparing for, responding to and recovering from environmental emergencies. Under the E2 Regulations, any person who owns or has the charge, management or control of a listed substance on a fixed facility may be required to: <ul style="list-style-type: none"> <li>• identify substance and place;</li> <li>• prepare an environmental emergency plan (E2 plan);</li> <li>• implement, update and test the E2 plan annually;</li> <li>• provide notice of closure or decommissioning; and</li> <li>• report environmental emergencies involving regulated substances.</li> </ul>
EQH&S	Environmental, quality, health and safety
Hamilton Water (HW)	The Hamilton Water Division, which is the water and wastewater, and stormwater Operating Authority for the City of Hamilton.
HW - SMT	The Hamilton Water Senior Management Team includes the Directors & Section Managers of the Hamilton Water Division
IPS	Infor Public Sector (formerly HANSEN). Departmental and cross-sectional modular software system, offering a variety of packages designed to handle different aspects of municipal operations such as infrastructure assets inventory, work management, stock inventory systems, service applications and call centers, licensing and enforcement.
Level III System Procedure	A procedure which relates to the Hamilton Water Division, but may not fall under the scope of the DWQMS. Related to how Divisional activity is conducted. May be related to the DWQMS but does not provide direction on how DWQMS item is being addressed.
Level III DWQMS Procedure	A procedure which relates to the Hamilton Water Division and falls under the scope of the DWQMS.
Level IV Procedure	Sectional Procedure



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Level V and Higher Procedure	Procedure within units of the sections within the Hamilton Water Division, broken down / organized based on criteria and requirements set by each section.
OIC	Operator in Charge
ORO	Overall Responsible Operator
Operating Authority	Staff within Hamilton Water Division responsible for the operation, maintenance and providing support services to the COH DWSs, SWSs and WWSs (including water treatment and distribution)
Owner (AWQI)	Manager of C&R Section (owner for the purpose of adverse water quality notifications) with their designate as the backup.
Owner	Every person who is a legal or beneficial owner of the City's DWSs and WWSs. Since the City's DWSs and WWSs are publicly owned and operated, the Mayor and Council of the City of Hamilton have been identified as Owners of the City's DWSs.
PMATS Section	Plant Maintenance & Technical Services Section
PO Section	Plant Operations Section
Preventive Action	Action to eliminate the cause of a <i>potential</i> non-conformance (an action or lack of action that is not a non-conformance, however, over time could lead to a non-conformance).
QA	Quality Assurance (process) - planned and systematic pattern of actions necessary to ensure that management and technical controls are being followed.  Quality Assurance (staff): Staff who are responsible for maintaining quality within HW's Quality Management Systems. e.g. Sectional Quality Assurance Analyst, Quality Assurance Supervisor etc.
Regulators	Regulatory bodies which oversee activities, products and services of the Hamilton Water Division including Ministry of the Environment, Conservation and Parks (MECP), Ministry of Labour (MOL), Public Health Services (PHS) and others.
Scoped Level III Document	A controlled procedure, or other document, that applies to 2 or more but not all the sections of the Hamilton Water Division.



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SMR	Systems Management Representative (for both the BCOS, DWQMS and WWQMS Systems) - Manager of Compliance and Regulations Section. Equivalent to QMS Representative as described in the DWQMS Standard.
SMT (DWQMS)	The DWQMS Senior Management Team, includes the Directors and Section Managers of the Hamilton Water Division.
SW	Stormwater
Top Management (DWQMS)	The General Manager of Public Works and the Director of Hamilton Water have been identified as Top Management of the DWSs.
Wastewater System (WWS)	Any works for the collection, transmission, treatment and disposal of sewage or any part of such works but does not include plumbing.
WD&WWC Section	Water Distribution & Wastewater Collection Section
WWPC	Water & Wastewater Planning & Capital
WWWSP or WWSP	Water & Wastewater Systems Planning

**2 QUALITY MANAGEMENT SYSTEM POLICY**

The DWQMS Policy (PW-WW-R-002-002) was endorsed by the Owner (Mayor and Council) on November 12, 2008 and has since been re-formatted into the visual aid shown on page 9. The DWQMS Policy is posted internally at several HW facilities. It has been communicated to HW staff during the following events:

- BCOS and DWQMS System Awareness training and DWQMS Refresher training
- Annual internal audits
- New staff BCOS Database and DWQMS training sessions

The DWQMS Policy is communicated to the public through posting on the City’s website.



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### DWQMS Policy

**DRINKING WATER  
QUALITY MANAGEMENT  
SYSTEM POLICY**

*The City of Hamilton owns, maintains and operates various drinking water systems. The City is committed to:*

**S** *Safe, high quality, consistent supply of drinking water*

**A** *Always improving the Drinking Water Quality Management System*

**F** *Following and complying with applicable legislation*

**E** *Effective and open communication with the community concerning matters of drinking water quality*



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**3 COMMITMENT AND ENDORSEMENT**

The Owner (Mayor and Council) and Top Management (General Manager of the Public Works and the Director of HW) of the Operating Authority (HW) support the development, implementation, maintenance, and continual improvement of the DWQMS, which supports the COH’s five DWSs. The Owner acknowledges their role through the receipt and review of DWQMS reports related to the adequacy of infrastructure, audits and management reviews, and by provision of resources to support the DWQMS. Top Management of the Operating Authority includes the General Manager of the Public Works and the Director of HW. Top Management supports the DWQMS through provision of resources, ensuring staff are aware of relevant legal requirements, and supporting DWQMS communications. The Owner and Top Management attend Safe Drinking Water Act Due Diligence Training and Standard of Care training. The training sessions include an overview of Ontario’s legal framework for drinking water and Owner and Top Management’s roles and responsibilities.

The DWQMS Operational Plan was originally endorsed by Council on November 12, 2008 and is re-endorsed at minimum every four years, following the municipal election cycle. The signatures below serve as evidence of the endorsement of the DWQMS Operational Plan Manual.

---

Andrea Horwath  
 Mayor  
 DWS Owner Representative

---

Carlyle Khan  
 General Manager, Public Works Department  
 DWQMS Top Management Representative

---

Andrea Holland  
 Deputy City Clerk  
*(Signing Authority on behalf of Council)*

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Nick Winters  
 Director Hamilton Water Division  
 DWQMS Top Management Representative



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#### 4 **QUALITY MANAGEMENT SYSTEM REPRESENTATIVE**

The Manager of the Compliance & Regulations Section, has been appointed as the Systems Management Representative (SMR) for the DWQMS and BCOS. The SMR is responsible for:

- Ensuring that the DWQMS is established, implemented, and maintained;
- Reporting to Top Management and SMT regarding DWQMS performance including recommended continual improvement initiatives;
- Promoting awareness of the DWQMS and of HW staff roles and responsibilities;
- Overseeing the document control process including the development, review, approval and release of DWQMS System procedures and revoking obsolete documents;
- Ensuring that HW and other staff are aware of all applicable legal requirements related to their duties and the DWQMS; and
- Managing the DWQMS Internal Audit Program.

#### 5 **DOCUMENT AND RECORDS CONTROL**

##### 5.1 Control of Documents

A procedure has been developed that outlines document control processes for the Operating Authority. The procedure entitled Control of Documents (PW-WW-P-010-001) is an integrated procedure (BCOS + DWQMS) that applies to the Operating Authority. The purpose of this procedure is to control the issue, change, and approval of documents, ensuring that only up to date, approved documentation is used by Operating Authority staff. The Control of Documents procedure also ensures that staff can locate and access documents relevant to their work, in the format most suitable to their work, whether the documents are created internally or externally to the Operating Authority.

BCOS and DWQMS documentation can be identified using a unique numbering system specified in the Control of Documents Procedure (PW-WW-P-010-001). The BCOS Database stores and protects DWQMS procedures and also has the ability to track all reviews, revisions, and approvals to procedures. HW staff access DWQMS procedures through the BCOS Database or specialized sectional workspaces. Sectional workspaces help to ensure efficient access to Level III, IV and V DWQMS procedures.

Level III procedures which apply to all HW Sections are considered non-Scoped and



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procedures which apply to 2 or more but not all Sections of HW are considered Scoped procedures. Level III procedures are developed by the Compliance Support Group (CSG) or by an individual with the relevant technical background. Level III procedures are reviewed by BLT Members, SMT, and other staff if applicable. Some Scoped Level III procedures are developed at the Sectional level and approved with Sectional Managers.

Final approval of Level III procedures is completed by the Director of HW, for scheduled reviews, and by the System Management Representative for non-scheduled reviews. As stated, the BCOS Database tracks the document release, review, and approval process. The need for Level IV and V Sectional Documents is determined by each Section Manager and/or other Senior Sectional staff. A Sectional staff member is assigned responsibility for development of the draft procedure. The corresponding Section Manager approves Level IV and V procedures.

Electronic copies of documents are considered to be Controlled Documents. Hard copies of these documents are considered to be uncontrolled copies unless categorized as controlled with an electronic or physical stamp stating “This is a Controlled Document. Do Not Photocopy” printed or stamped in the footer or other location on the page. Hardcopy-Controlled documents are stored in designated locations and are updated by CSG, the QA Supervisor or equivalent, Administrative Assistant or the Section representative.

The review cycle of all DWQMS procedures is listed in Control of Documents (PW-WW-P-010-001), Operational Plan Procedure Review Frequency (PW-WW-L-010-004) and in the BCOS Database. Should there be discrepancies between the procedure, the list and BCOS, the frequency in the list will be taken as the correct review period. Obsolete documents are retained within the BCOS Database but only limited staff have access to obsolete documentation.

## 5.2 Control of Records

A procedure has been developed that outlines record control processes for the Operating Authority. Control of Records (PW-WW-P-016-001) is an integrated procedure (BCOS + DWQMS) that applies to all HW sections. The purpose of this procedure is to ensure that both COH and externally generated non-COH records identified as critical to the BCOS and DWQMS Systems are properly collected, identified, accessed, filed, stored, maintained, reviewed, and disposed of after their designated retention times.

Record profiles are developed in the BCOS Database which identify record type, record name, record identification method, storage location, retention time, person



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responsible, and review frequency. At minimum, record profiles are created for critical records which are records related to regulatory or legal requirements. In some cases, records are uploaded or attached to the record profiles. Record retention times are defined in individual BCOS Database record profiles. All retention times stated are minimum times and do not supersede legal, governmental, or other requirements. After the indicated storage period, unless otherwise specified, all records are destroyed by deletion, shredding, disposal in trash or recycling as determined by the controlling Supervisor, Director of HW, or the Manager of the C&R Section, as relevant. Electronic copies are removed from the active BCOS Database and labeled "obsolete".

## 6 DRINKING WATER SYSTEM PROCESS DESCRIPTIONS

The COH owns and operates the Hamilton DWS (treatment, distribution and the Fifty Road Subsystem) as well as the communal well DWSs (Carlisle, Freelon, Greenville and Lynden). Process descriptions are found in the following procedure:

- DWQMS Descriptions of Hamilton Drinking Water Systems (PW-WW-P-030-007)

Included in the Drinking Water Works Permits are process flow diagrams illustrating the treatment processes.

The map entitled "Drinking Water Systems – DWS" (PW-WW-V-030-001) illustrates the geographic scope of the COH's water distribution systems.

## 7 RISK ASSESSMENT

A procedure entitled DWQMS Risk Assessment (PW-WW-P-031-001) has been developed that documents the process followed by the COH's Operating Authority in planning, completing, documenting, reviewing, and maintaining its DWQMS Risk Assessment. The DWQMS Risk Assessment examines all aspects of the water uptake, treatment, and distribution processes controlled by the Operating Authority.

The DWQMS Risk Assessment is reviewed annually to verify the currency of the DWS information, and any assumptions made in completing the Assessment. A new DWQMS Risk Assessment is conducted every three years.

## 8 RISK ASSESSMENT OUTCOMES

The DWQMS Risk Assessment was initially completed in the summer of 2008. Core outcomes are reviewed annually, with the Risk Assessment being redone in 2014, 2017 and 2020. Risk Assessment outcomes are recorded in the BCOS Database.



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A summary of relevant Critical Control Points identified during the Risk Assessment exercise is documented in the DWQMS Risk Assessment Critical Control Point Summary Chart (PW-WW-R-032-009). Outcomes of the DWQMS Risk Assessment are stored in the Risk Assessment Database and included in the Operational Plan.

## **9 ORGANIZATIONAL STRUCTURE, ROLES, RESPONSIBILITIES, AND AUTHORITIES**

The Roles, Responsibilities, and Authorities Procedure (PW-WW-P-006-001) is an integrated procedure for BCOS and DWQMS that describes how roles, responsibilities and authorities are defined, communicated, and maintained to ensure accountability in the implementation of these Systems.

The Roles, Responsibilities, and Authorities Procedure applies to all sections of HW. Roles, responsibilities, and authorities relating to other sub-systems under the BCOS umbrella are defined in Level IV procedures and do not fall within the scope of the DWQMS.

The following Organizational Chart identifies key roles and/or titles within HW:

- Hamilton Water - Photo Organizational Charts (PW-WW-R-006-002)

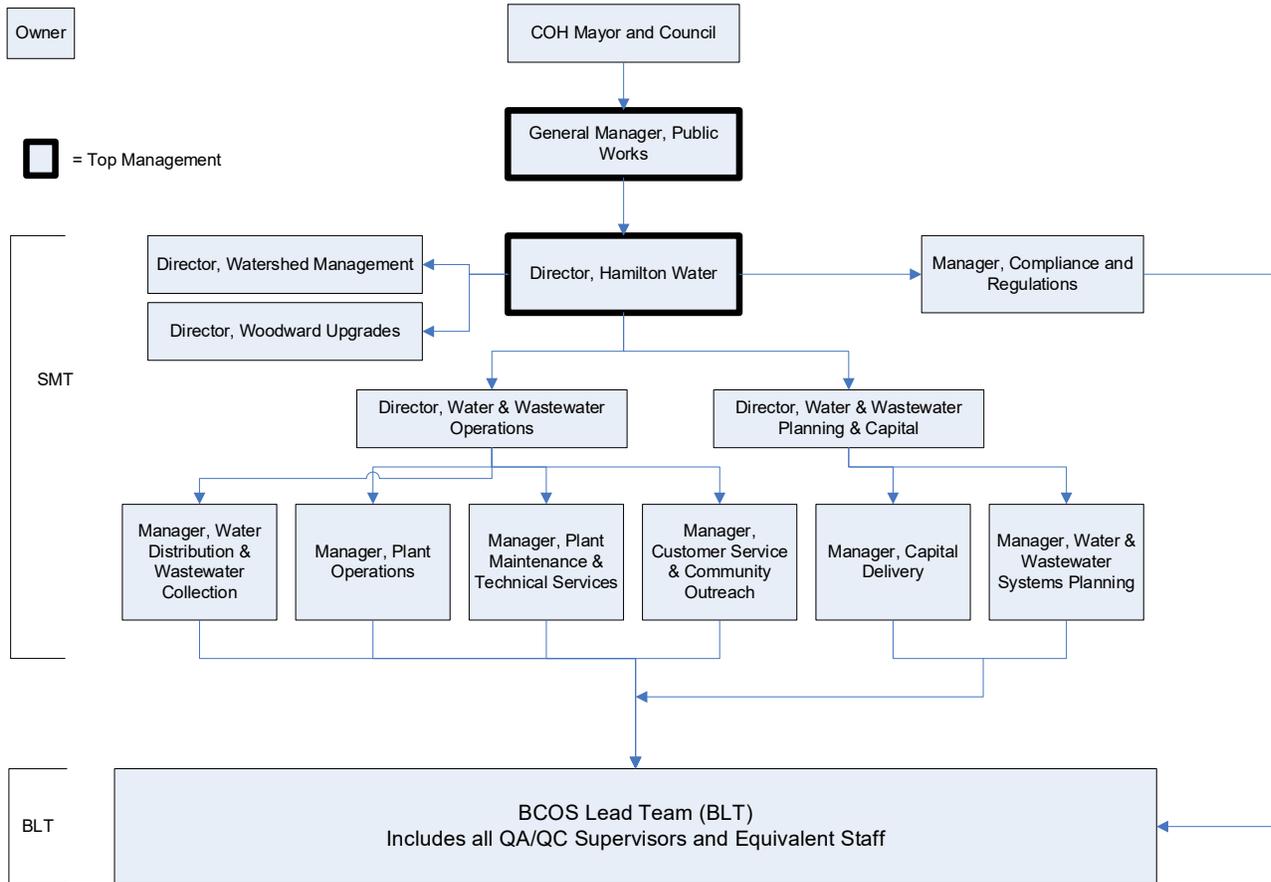
The roles, responsibilities and authorities relating to the BCOS and DWQMS Systems are defined in Roles, Responsibilities and Authorities Matrix (PW-WW-G-006-001). This document is reviewed every three years or sooner if significant organizational changes occur within HW.

CSG and BLT are responsible for ensuring that Operating Authority staff are kept aware of their respective roles, responsibilities, and authorities as they relate to the DWQMS. BCOS and DWQMS System Awareness Training was conducted across the Operating Authority in the summer of 2008. Awareness training for new staff is on-going. Refresher training is offered to staff, as required. All Operating Authority staff are expected to be aware of their roles, responsibilities, and authorities. The following is an Organizational Chart defining the Owner, Top Management, SMT, and the BLT. This organizational chart delineates only water related positions and sections.



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**Organizational Structure (Operating Authority)**



**10 COMPETENCIES**

The Competency and Training Procedure (PW-WW-P-033-001) is an integrated procedure (BCOS and DWQMS) that applies across the Operating Authority and to all types of training including, but not limited to, water quality, environmental, and health and safety training. The procedure defines the framework for identification, delivery, and tracking of training requirements related to the Operating Authority and documents how the Operating Authority ensures competencies of staff that could have a direct input on water quality.

The Hamilton Water Division Core Training Guideline (PW-WW-G-033-002) lists required core and developmental competencies for job positions that could potentially impact the quality of water. Training requirements listed are established



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and approved by the respective Section Managers. Positions potentially impacting the quality of water have been identified as follows:

- Positions that require a Drinking-Water Operator's Certificate (Treatment Operator, Distribution Operator, or Water Quality Analyst);
- Positions that supervise licensed Operators or Water Quality Analysts; and
- Other positions as recommended by the respective Section Manager.

Supervisors and Superintendents review training requirements with staff during an annual meeting or during their performance appraisals with the purpose of the development and/or maintenance of job position Training Plans.

Training can include a mix of training methods including classroom, hands-on, web-based, self-paced, on-the-job, equipment/site specific training, conferences, seminars, off-site training, operational meetings, one-to-one training, job shadowing, and video presentations. Inputs to Training Plans are identified in the Competency and Training Procedure (PW-WW-P-033-001).

DWQMS Awareness Training is considered to be a Core Training requirement for all staff of the Operating Authority. This training may also be provided to other City staff outside of the Operating Authority, as required, as well as to Vendors providing essential supplies and services (refer to Section 13.0 of this Operational Plan).

Training records may include Certificates/Licenses, training matrices, sign-in sheets, registration forms, attendance lists, tests/quizzes, comment sheets, etc. These records are managed according to the Control of Records procedure (PW-WW-P-016-001).

In order to better connect staff to available training (i.e., catalogue), use training resources more effectively (i.e., competency tests) and help us manage our training records, HW utilizes these IT tools; the Learning Management Database (LMD) and the Corporate My Learning Connection (SAP).

## 11 PERSONNEL COVERAGE

The Personnel Coverage Procedure (PW-WW-P-034-003) is a DWQMS-specific procedure that describes how adequate staffing and personnel coverage are ensured and maintained within the Operating Authority. The procedure describes personnel coverage measures followed during regular business hours as well as during evenings, weekends, and holidays, and applies to both water and wastewater operations as relevant to the Operating Authority. Level IV (Sectional) Personnel Coverage procedures should be referenced for Section-specific processes, where applicable.



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## 12 COMMUNICATIONS

### 12.1 Internal Communications

The Internal Communications procedure (PW-WW-P-008-001) has been developed to describe HW communication processes with internal stakeholders. The annual DWQMS Communication Plan has been developed to support the implementation and communication needs of the DWQMS and ensures the Owner, HW staff, suppliers, contractors, and customers understand the efforts and measures being put in place to protect the City's DWSs.

Top Management ensures that Council is aware of the DWQMS and communicates with Council to seek decisions/approval and input through Council meetings, informal DWQMS meetings, and Council Update documents.

DWQMS Refresher Training for HW staff is undertaken as needed. DWQMS Refresher Training should include quality management systems, roles and responsibilities under the DWQMS, elements of the DWQMS, including the Operational Plan, and impacts to staff. Staff can access the Operational Plan using the DWQMS website. Staff meetings may also be used as a forum for informing staff of DWQMS news, changes, and updates.

### 12.2 External Regulatory and Other Communications

The BCOS + DWQMS External Regulatory and Other Communications procedure (PW-WW-P-008-002) is an integrated procedure for the BCOS and DWQMS Systems. The purpose of this procedure is to describe HW communication processes with regulatory and other external environmental stakeholders.

Provisions for communication with the public are established in the DWQMS Communication Plan for each calendar year. The C&R and CS&CO Sections work together to provide the public with updated information regarding the DWQMS Operational Plan, the DWQMS Financial Plan, and Water Quality Reports. These documents are made available for review electronically (City website) or upon request. The Control of Records procedure (PW-WW-P-016-001) describes the control and management of these documents. Communication with suppliers is completed according to the Essential Supplies & Services Procedure (PW-WW-P-035-001) and the annual DWQMS Communication Plan.

The External Regulatory and Other Communications procedure (PW-WW-P-008-002) also discusses processes for communication with the Accreditation Body, the MECP, and other related environmental regulatory communications.



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### 12.3 Licencing and Permitting Procedure

The procedure entitled DWQMS Approvals Process for Alterations of Drinking Water Systems (PW-WW-P-004-001) outlines the approvals process and identifies specific requirements needed to make alterations to the COH's DWSs under the licencing and permitting process. This procedure applies to all DWS alterations including: additions, modifications, replacements, or extensions of watermains as well as treatment, storage, and pumping infrastructure. Activities deemed to be maintenance and/or repair to infrastructure are not subject to the approvals requirements specified in this procedure. Alterations to service lines are also outside the scope of this procedure. The procedure applies to staff of HW as well as select staff from the Planning & Economic Development Department and Engineering Services Division.

## 13 ESSENTIAL SUPPLIES AND SERVICES

The Essential Supplies and Services Procedure (PW-WW-P-035-001) is a DWQMS-specific procedure that describes the processes by which the Operating Authority identifies the supplies and services that are deemed essential to water-related operations. The procedure also documents the process followed by the Operating Authority in completing QA reviews for the essential supplies and services.

The BCOS Database application entitled "Supplier Management" lists the Operating Authority's water essential supplies and services. A supply or service is identified as essential if, and only if, it meets at least one of the following requirements:

- Essential to the safe delivery of water
- Related to drinking-water disinfection (primary or secondary).

A QA Review of all DWQMS essential supplies and services is undertaken at minimum once per year. The SMR, HW - SMT and BLT review the results of the QA review on an annual basis and suggest potential continual improvement initiatives for DWQMS essential supplies and services, with guidance from HW - SMT. Vendor QA reviews, vendor non-conformances, and resolution actions are discussed as an input to DWQMS Management Review.

All vendors providing essential supplies and services will be informed of their role in the DWQMS and records will be maintained by the Operating Authority. Quality requirements for supplies and services are determined through provincial regulations, City standards, industry best practices, and purchasing practices.



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## 14 REVIEW AND PROVISION OF INFRASTRUCTURE

The Review and Provision of Infrastructure procedure (PW-WW-P-025-001) has been developed to document the process followed by the Operating Authority in reviewing the adequacy of its drinking-water system infrastructure. This is a DWQMS-specific procedure that applies to all of the City's DWS-related infrastructure, including both horizontal and vertical infrastructure.

## 15 INFRASTRUCTURE, MAINTENANCE, REHABILITATION AND RENEWAL

The procedure entitled Infrastructure Maintenance, Rehabilitation & Renewal (PW-WW-P-026-001) describes how the Operating Authority undertakes maintenance and infrastructure renewal programs related to the water infrastructure. Infrastructure maintenance is addressed by both planned and unplanned maintenance.

Planned maintenance is scheduled and records are stored in the CMMS (PO and PMATs Sections) and IPS (WD&WWC Section) databases. Server files are backed up daily. Planned maintenance tasks are communicated to the person responsible by issuance of work orders from CMMS (PO and PMATS Section staff) or IPS (WD&WWC Section staff). Completed work orders are reviewed by the designated Superintendent, Supervisor, or Maintenance Tradesperson, Maintenance Planner, Technologist, or Operator of the respective Section.

Unplanned maintenance tasks result from equipment malfunction or breakage and / or customer complaints. Measures to prepare for and expedite unplanned maintenance include equipment redundancy (back-up units), spare parts inventory, availability of updated GIS maps of water infrastructure, as well as documented repair and safety procedures.

Replacement of aging fixed heavy equipment, as well as upgrades, expansions, and in-ground systems improvements are planned by the infrastructure review teams as described in Section 14 of this DWQMS Operational Plan Summary Report.

## 16 SAMPLING, TESTING AND MONITORING

### 16.1 General Sampling, Testing and Monitoring

The Sampling, Testing and Monitoring procedure (PW-WW-P-013-004) describes how the Operating Authority undertakes water sampling, testing, and monitoring to ensure the production and distribution of safe drinking water. A description of how results are communicated and how regulatory requirements are met is also provided in this procedure.



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Sampling, testing and monitoring requirements are identified and incorporated into various sampling plan and schedule documents such as the DWQMS City of Hamilton Drinking Water Sampling Procedure (PW-WW-P-013-002). The plans and schedules are reviewed and updated as necessary to incorporate regulatory and/or operational sampling, testing, and monitoring requirements.

The Sampling, Testing and Monitoring procedure includes both grab sampling (i.e. discrete samples representing water characteristics at a particular time) and continuous sampling (i.e. the measurement of parameters and processes through the use of online monitors and instruments). All grab samples brought for analysis to the COH’s Environmental Laboratory are collected according to protocols as specified by the City of Hamilton Environmental Laboratory General Sampling Protocols (PW-WW-CR-EL-V-011) and Ontario Regulation 170/03 Sampling Protocols for Lead (PW-WW-CR-EL-V-012). Continuous samples are collected and analyzed through the use of online analyzers and instruments as per the Water Regulatory Devices Operations Procedure (PW-WW-PO-P-011-001).

As required, and/or regulated, sampling, testing and monitoring results are communicated to: the Operating Authority, Owner (AWQI), Owner (DWS), Regulators, and to the public. In the event of an AWQI, staff follow the steps outlined in the procedure Adverse Water Quality Incidents (AWQIs) and Corrective Actions (PW-WW-P-015-001).

16.2 Regulatory Lead Sampling

To ensure the COH’s Lead Sampling Program is implemented in accordance with Ontario Regulation 170/03, Schedule 15.1, the Regulatory Lead Sampling Program (PW-WW-P-013-009) was developed. This procedure applies to the COH’s DWSs and to all aspects of the Lead Sampling Program from the initial point of contact with the consumer to delivery of the Final Report. The Program includes both Industrial/Commercial/Institutional and residential customers.

**17 MEASUREMENT AND RECORDING EQUIPMENT CALIBRATION AND MAINTENANCE**

The procedure entitled Calibration & Maintenance of Measurement & Recording Equipment (PW-WW-P-036-001) describes the requirements for the calibration and verification of measurement and recording equipment used for sampling, testing, and monitoring.

Types of recording equipment used for sampling testing and monitoring may include:

- Chlorine field kits



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- Continuous chlorine analyzers
- Flow meters
- Fluoride meters
- pH meters
- Turbidity analyzers
- UV intensity analyzers
- Orthophosphate analyzers

For each type of recording equipment, the procedure provides information including maintenance frequency, methods, and a description of how records of maintenance activities are kept. Also provided is a listing of who is responsible for the maintenance of equipment and related record keeping.

## 18 EMERGENCY MANAGEMENT

The Hamilton Water Emergency Response Plan (PW-WW-P-012-001) is an integrated procedure for BCOS and DWQMS. This procedure describes processes developed to meet Emergency Preparedness and Response requirements of the DWQMS. The procedure also describes the City's Corporate, Departmental, Divisional, and Sectional Emergency Response structure.

The procedure includes a list of emergencies that could potentially impact one or more of the City's DWSs. A Risk Assessment approach is used to identify possible risks and to highlight risks requiring Emergency Response Instructions.

Annual testing of the COH (Corporate) Emergency Response Plan, the HW Emergency Response Plan, and the Plant Operation's E2 Plan is required. Upon completion of testing, a debrief is held to determine possible improvement actions and document any procedural upgrades that may be required.

HW staff must receive training for all emergency response plans and/or procedures related to their job or responsibilities. Divisional training requirements are listed in the Hamilton Water Division Core Training Guideline (PW-WW-G-033-002). The City's Emergency Management Office determines training requirements for the COH's Emergency Response Plan.

## 19 INTERNAL AUDIT

The Internal Auditing procedure (PW-WW-P-017-001) is an integrated procedure that describes how HW conducts objective and systematic internal audits as a means of measuring the performance of its BCOS and its DWQMS. DWQMS Internal Audits assess DWQMS-related processes against the DWQMS Standards



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and relevant system procedures.

Internal auditors are appointed by HW - SMT and are identified in the Internal Auditor List (PW-WW-L-017-003). Auditors must remain objective and unbiased in their assessments of DWQMS processes and procedures and are prohibited from auditing their own work.

The SMR holds overall responsibility for ensuring that internal audits are planned and executed according to the requirements of the DWQMS Standard and of the Internal Auditing procedure (PW-WW-P-017-001). The SMR appoints a Lead Auditor on a per-audit basis to assist in planning the internal audit and to oversee the execution of the internal audit.

At minimum, all elements or clauses of the DWQMS must be audited in the year prior to the re-accreditation audit. Select elements/clauses as identified in the procedure will be audited annually as per the Internal Auditing procedure (PW-WW-P-017-001).

Audit findings may indicate the need for corrective, preventive, or improvement actions. Corrective, preventive, and improvement actions are recorded in the BCOS Database (See Section 21.0 of this Operational Plan).

Once scheduled internal audits are completed, the SMR (or designate) reviews audit findings and compiles the information for presentation to SMT. Audit findings must be considered in future relevant audits. In addition, the Internal Audit Program is reviewed on an annual basis as an input to DWQMS Management Review.

## 20 MANAGEMENT REVIEW

The Management Review procedure (PW-WW-P-018-001) is a procedure that has been developed to document the process followed in planning, executing, and documenting DWQMS Management Reviews. This includes provision of feedback to HW sections and reporting of review results to the Owner (DWS). The Management Review process ensures that all levels of the organizational structure are kept informed and aware of DWQMS and DWS performance.

The SMR has a significant role in the DWQMS Management Review process, including the coordination and facilitation of Management Review meetings and the compilation of required input data for presentation to Top Management. Required inputs to Management Review are listed in the Management Review procedure (PW-WW-P-018-001). Other Managers or Operating Authority staff may be invited to assist in presenting information to the Management Review Team or to assist in the review of information where they offer additional expertise or insight. Top Management is responsible for reviewing the input materials presented and



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generating outputs as specified in the Management Review procedure (PW-WW-P-018-001).

Management Review Meetings are held at minimum on an annual basis. The Management Review can be conducted as one meeting per year or be split into several smaller meetings over the course of the year. Either method is acceptable as long as all required review inputs and agenda items are addressed over the course of the year.

DWQMS Management Review outputs must be documented and retained as proof of completion. The SMR or delegate prepares minutes of Management Review meetings for this purpose. Top Management or their delegates are responsible for communicating Management Review results to the Owner as per the Management Review procedure (PW-WW-P-018-001).

Results of management reviews are summarized in the annual DWQMS Summary Report which is circulated to the Owner (DWS) (Mayor and Council).

## 21 CONTINUAL IMPROVEMENT

The COH is committed to continually improving its DWQMS. Several methods of improvement are embedded in and essential to the system but are not limited to:

- Management Review
- Internal/External Audits
- Kaizens
- Six Sigma Projects

The integrated Non-conformance, Corrective & Preventive Action Process procedure (PW-WW-P-015-002) applies to both the BCOS and DWQMS Systems. This procedure documents the process to be taken to ensure the effective resolution of BCOS and DWQMS system non-conformances, potential non-conformances, and legal non-compliances. The process includes a root cause analysis, identification of corrective / preventive actions, and verification of completeness and effectiveness, as required. Corrective actions are generated through audits and management reviews and on an ongoing basis through NC/PNC/OFI submissions. The scope of the procedure does not include the management of adverse water quality events. This process is documented in Adverse Drinking Water Quality Incidents (AWQIs) and Corrective Actions (PW-WW-P-015-001).

The Corrective and Preventive Action procedure (PW-WW-P-015-002) specifically illustrates how DWQMS non-conformances are resolved. Non-conformances are



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entered into the "Findings" Application of the BCOS Database. Once details of the nature of the non-conformance are entered into BCOS, a root cause analysis can be completed, and an action plan can be developed to correct or prevent the non-conformance. All action plans are verified as being complete. Verification for effectiveness may occur at the discretion of the SMR. All of the above information must be entered into the BCOS Database. Once the completion of the plan has been verified, the non-conformance report can be closed out.

**BCOS software tracks the revision history of document.**



**PLANNING COMMITTEE  
REPORT  
23-004**

**March 21, 2023**

**9:30 a.m.**

**Council Chambers, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor J.P. Danko (Acting Chair)  
Councillor T. Hwang (2<sup>nd</sup> Vice Chair)  
Councillors J. Beattie, C. Cassar, E. Pauls, M. Francis,  
C. Kroetsch, T. McMeekin, N. Nann, M. Tadeson, A. Wilson,  
M. Wilson

**Also in Attendance:** Councillor B. Clark

**THE PLANNING COMMITTEE PRESENTS REPORT 23-004 AND RESPECTFULLY  
RECOMMENDS:**

**1. Appointment of Chairs and Vice Chairs for 2023 (Item 1.1)**

**(a) Appointment of Chair**

WHEREAS, Councillor M. Wilson has resigned as the Chair of the Planning Committee and the selection of a new Chair and two Vice Chairs for 2023 is required;

THEREFORE BE IT RESOLVED:

That Councillor Danko be appointed as Chair of the Planning Committee for 2023.

**(b) Appointment of 1<sup>st</sup> Vice Chair**

That Councillor Hwang be appointed as 1<sup>st</sup> Vice Chair of the Planning Committee for 2023.

**(c) Appointment of 2<sup>nd</sup> Vice Chair**

That Councillor Cassar be appointed as 2<sup>nd</sup> Vice Chair of the Planning Committee for 2023.

2. **Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-018 and Zoning By-law Amendment Application ZAC-22-032 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 909 North Waterdown Drive, Waterdown (PED23062) (Ward 15) (Item 8.1)**

That Report PED23062 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-018 and Zoning By-law Amendment Application ZAC-22-032 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 909 North Waterdown Drive, Waterdown, be received.

3. **Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-023 and Zoning By-law Amendment Application ZAC-22-050 for Lands Located at 3064, 3070, 3078 and 3084 Regional Road No. 56, Glanbrook (PED23057) (Ward 11) (Item 8.2)**

That Report PED23057 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-023 and Zoning By-law Amendment Application ZAC-22-050 for Lands Located at 3064, 3070, 3078 and 3084 Regional Road No. 56, Glanbrook, be received.

4. **Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-024 and Zoning By-law Amendment Application ZAC-22-051 for Lands Located at 3160, 3168, 3180 and 3190 Regional Road No. 56, Glanbrook (PED23058) (Ward 11) (Item 8.3)**

That Report PED23058 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-024 and Zoning By-law Amendment Application ZAC-22-051 for Lands Located at 3160, 3168, 3180 and 3190 Regional Road No. 56, Glanbrook (PED23058) (Ward 11), be received.

5. **Correspondence Regarding the Notice of Intention to Designate 66-68 Charlton Avenue West, Hamilton, under Part IV of the Ontario Heritage Act (PED22208(a)) (Ward 2) (Item 9.1)**

That Report PED22208(a) respecting Correspondence Regarding the Notice of Intention to Designate 66-68 Charlton Avenue West, Hamilton, under Part IV of the Ontario Heritage Act, be received.

6. **Annual Report on Building Permit Fees (PED23065) (City Wide) (Item 9.2)**

That Report PED23065 respecting Annual Report on Building Permit Fees, be received.

**7. Integrating Health & Environmental Requirements to Demolition Permits (PED23066) (City Wide) (Outstanding Business List Item) (Item 9.3)**

That Report PED23066 respecting Integrating Health & Environmental Requirements to Demolition Permits, be received.

**8. Proposed Municipal Reporting on Planning Matters Under the Planning Act (PED23082) (City Wide) (Item 9.4)**

That Appendix “A” to Report PED23082 be endorsed as the City of Hamilton’s response to the Municipal Reporting on Planning Matters - Proposed Minister’s Regulation under the Planning Act.

**9. Application for a Zoning By-law Amendment for Lands Located at 1557 and 1565 Rymal Road East and 694 Pritchard Road, Hamilton (PED23063) (Ward 6) (Item 10.1)**

That Zoning By-law Amendment Application ZAC-19-035, by Mafe Ontario Inc. and 2688183 Ontario Inc. (Owner), for a change in zoning from the Prestige Business Park (M3) Zone to the Business Park Support (M4, 839) Zone to permit business support uses as well as to establish a standard parking rate, on lands located at 1557 and 1565 Rymal Road East and 694 Pritchard Road, as shown on Appendix “A” attached to Report PED23063, be APPROVED on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED23063, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) and complies with the Urban Hamilton Official Plan (UHOP).

**10. Hamilton Municipal Heritage Committee Report 23-002 (Item 11.1)**

**1. Response to Bill 23, Schedule 6, More Homes Built Faster Act, 2022, and its Changes to the Ontario Heritage Act and its Regulations (PED22211(a)) (City Wide) (Item 8.1) (attached hereto as Appendix “A” to Hamilton Municipal Heritage Committee Report 23-002)**

- (a) That, as a result of the *Bill 23* changes to the *Ontario Heritage Act*, the Council-approved process for designating properties under Part IV of the *Ontario Heritage Act*, including the City of Hamilton: Cultural Heritage Evaluation Criteria and staff designation work plan, as outlined in Report PED08211, be rescinded;

- (b) That the Candidates for Part IV Designation list, attached as Appendix “B” to Hamilton Municipal Heritage Committee Report 23-002, be approved;
- (c) That Cultural Heritage Planning staff, be directed to update the Candidates for Part IV Designation list, as required, to identify properties of cultural heritage value or interest worthy of further review for potential designation under Part IV of the *Ontario Heritage Act*, and that the list be reported to the Hamilton Municipal Heritage Committee quarterly and be made publicly available;
- (d) That Cultural Heritage Planning staff be directed to review the high priority properties of cultural heritage value or interest, identified in Appendix “B” attached to Report PED22211(a), and report back to Council with recommendations to designate individual properties under Part IV of the *Ontario Heritage Act*, and that this work be completed no later than January 1, 2025;
- (e) That, pursuant to Subsection 27(11) of the *Ontario Heritage Act*, Council require that any notice of intention to demolish or remove any building or structure on a property included on either the Candidates for Part IV Designation list attached as Appendix “A” to Report PED22211(a) or the High Priority Candidates for Part IV Designation list attached as Appendix “B” to Report PED22211(a), include a Cultural Heritage Impact Assessment report prepared to the satisfaction and approval of the Director of Planning and Chief Planner;
- (f) That Cultural Heritage Planning staff be directed to report back to Council with a Heritage Conservation District Strategy and Work Plan by Q4 2023;
- (g) The following items be considered dealt with and removed from the Planning Committee Outstanding Business List:
  - (i) Item 12B - Request to Designate 437 Wilson Street East (Ancaster) Under Part IV of the *Ontario Heritage Act* (PED12166);
  - (ii) Item 14A - Adding 206, 208, 210 King Street East to the Register of Property of Cultural Heritage Value or Interest;
  - (iii) Item 21Q – HMHC Report 21-005 RE: cost recoveries related to multiple Register removal requests from owners;
  - (iv) Item 17B - Designation of the Gore District as a Heritage Conservation District;

- (h) That staff report back on the creation of a standardized “Notice of Intention to Demolish” process, including an application form, for the consideration of the Hamilton Municipal Heritage Committee and Council in Q2 2023.

**2. Inventory and Research Working Group Notes - November 28, 2022 (Item 10.1)**

**2. 922 Main Street East, Hamilton (Item 2)**

- (a) The Inventory & Research Working Group recommends that 922 Main Street East, Hamilton, be listed on the Municipal Heritage Register as a non-designated property, due to its physical/design value as an example of a Neo-Gothic church, its historical/associative value due to its association with the Victoria Avenue Baptist Church and prominent Hamilton architectural firm Hutton & Souter, and its contextual value as a prominent building on Main Street East; and
- (b) That the property located at 922 Main man Street East, Hamilton be referred to staff to review for Part IV Designation.

**3. Hamilton Municipal Heritage Committee Heritage Recognition Awards (Item 13.2)**

That the following Hamilton Municipal Heritage Committee Heritage Recognition Awards be approved:

- (i) Heritage Property Conservation Award Recipients
  - (a) 2 Ravenscliff Avenue, Hamilton
  - (b) 44 Chatham Street, Hamilton
  - (c) 22 Homewood Avenue, Hamilton
  - (d) 79 South Street West, Dundas
  - (e) 263 John Street South, Hamilton
- (ii) Heritage Property Developer Recognition Award Recipients
  - (a) Indwell – The Oaks (Royal Oaks Dairy and Dairy Lofts), 219-225 East Avenue North, Hamilton
- (iii) Adaptive Reuse of Heritage Property Award Recipients
  - (a) 200 Caroline Street, Hamilton (Bridgeworks)

- (b) 280 Main Street East, Hamilton (Thomas Anglican Church Apartment Conversion)
  - (c) 366 Victoria Avenue North, Hamilton (Factory Media Resource Centre Gallery & Studio),
  - (d) 29 Harriet Street, Hamilton, Aeon Studio Group
- (iv) Cultural Heritage Landscape Award Recipients
  - (a) Royal Botanical Gardens – Indigenous Plant Medicine Trail, 16 Old Guelph Road, Hamilton
- (v) Making Heritage Accessible Award Recipients
  - (a) Hamilton Public Library – Dundas Branch, 18 Ogilvie Street, Dundas
- (vi) Education in Heritage Award Recipients
  - (a) Mark McNeil, Journalist
  - (b) Kevin Werner, Journalist
  - (c) Sarah Sheehan and Barton Street BIA - Woodlands Park Ghost Landscape Placemaking Project, 501 Barton Street East, Hamilton
- (vii) The Art of Heritage Award Recipients
  - (a) Sara Sandham (HamOnt Doodles), Artist
  - (b) Gordon Leverton, Artist
- (viii) Heritage Group, Society or Specialty Team Award Recipient
  - (a) Friends of St. Giles - 679 Main St E, Hamilton
- (ix) Heritage Streetscape Revitalization Award Recipients
  - (a) Green Venture – De-pave Paradise Projects (Good Shepherd Venture Center, De-paving Differently on Barton) 155 Cannon Street East, Hamilton, and 578-581 and 539 Barton Street East, Hamilton
  - (b) Locke Street Improvement Project – City of Hamilton, Public Works
  - (c) 154 James Street North, Hamilton
- (x) Volunteer Acknowledgement
  - (a) Jim Charlton – Posthumous Award
  - (b) Vivian Chang – Student Artist

- (xi) Specialized Heritage Craft and Trade
  - (a) Alan Stacey, Principal Conservator – Heritage Mill Historic Building Conservation
  - (b) DR Masonry and Authentic Ironworks (Laidlaw United Church Front Stair Restoration Project) - 155 Ottawa St N, Hamilton, ON L8H 3Z2
  - (c) Jason Schubert - Schubert Traditional Craftwork (woodwork at 33 Ontario Street, Hamilton)

**11. Application for Cash-in-Lieu of Parking for Lands Located at 211-225 John Street South and 70-78 Young Street, Hamilton (PED23052) (Ward 2) (Item 11.2)**

- (a) That Cash-in-Lieu of Parking (CLIP) Application CIL-22-002 by Corktown LP, Slate Asset Management, Owner, for a partial exemption from the parking provisions of Zoning By-law No. 05-200 for 15 of the required 409 parking spaces, for lands located at 211-225 John Street South and 70-78 Young Street, as shown on Appendix “A” attached to Report PED23052, be APPROVED on the following basis:
  - (i) That the owner pays the Cash-in-Lieu of Parking sum of \$581,250 for each of the 15 parking spaces (\$38,750 per space) with the funds to be deposited in Account No. 115085 (Off-Street Parking Reserve Fund);
  - (ii) That the City Solicitor be authorized and directed to prepare the appropriate Cash-in-Lieu of Parking Agreement to be registered on title of the subject lands in accordance with Section 40 of the *Planning Act*;
  - (iii) That the City Clerk be authorized to provide a certificate in accordance with Section 40 (5) of the *Planning Act* when all money payable to the City under the Cash-in-lieu of Parking Agreement has been paid or the agreement has been terminated.

**12. Application for Cash-in-Lieu of Parking for Lands Located at 412 Barton Street East, Hamilton (PED23053) (Ward 3) (Item 11.3)**

- (a) That Cash-in-Lieu of Parking (CLIP) Application CIL-22-001 by T. Johns Consulting Ltd., for St. Mathew’s House, Owner, for an exemption from the parking provisions of Zoning By-law No. 05-200 for four parking spaces, for lands located at 412 Barton Street East, as shown on Appendix “A” attached to Report PED23053, be APPROVED on the following basis:

- (i) That the owner pays the Cash-in-Lieu of Parking sum of \$1 for each of the four parking spaces;
- (ii) That the City Solicitor be authorized and directed to prepare the appropriate Cash-in-Lieu of Parking Agreement in accordance with Section 40 of the *Planning Act* and authorized to register the agreement on title of the subject land;
- (iii) That the City Clerk be authorized to provide a certificate in accordance with Section 40 (5) of the *Planning Act* when all money payable to the City under the Cash-in-lieu of Parking Cash-in-lieu of Parking Agreement has been paid or the agreement has been terminated..

**13. Tertiary Septic Systems and Rural Development (PW20082(a)/PED23047) (Wards 9,10,11,12,13 and 15) (Outstanding Business List Item) (Item 11.4)**

- (a) The revisions to the City of Hamilton Guidelines for Hydrogeological Studies and Technical Standards for Private Services, attached as Appendix “A” to Report PW20082(a)/PED23047 be approved to reflect the City of Hamilton’s interim policy and position on the use of tertiary treatment systems until such time as the Province comprehensively regulates the use of tertiary treatment systems;
- (b) That City of Hamilton staff be directed and authorized to continue to engage the Ministry of Environment, Conservation and Parks and the Ministry of Municipal Affairs and Housing to seek regulatory guidance on the municipal enforcement of the performance of tertiary septic systems;
- (c) That the matter respecting the “Use of Tertiary Septic Systems in Hamilton and Update re: Local Planning Appeal Tribunal Case No. PL170858 (PW20082/LS20032)” be removed from the Planning Committee Outstanding Business List.

**14. Implementing OPA No. 167 – Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update (PED21067(d)) (City Wide) (Added Item 11.5)**

- (a) That Planning and Economic Development Department staff be directed to:
  - (i) Prepare a City initiated Official Plan Amendment which establishes a policy framework outlining requirements for Secondary Plans in Urban Expansion Areas;
  - (ii) Consult with the public and stakeholders on the draft Official Plan Amendment;

- (iii) Provide public notice as required by the Planning Act and bring the Official Plan Amendment and the results on the public consultation forward for consideration by Planning Committee at a future meeting;
- (b) That the interim draft Secondary Plan Guidelines, attached as Appendix “A” to Report PED21067(d):
  - (i) Be endorsed, to guide future Secondary Planning processes for Urban Boundary Expansion Areas and to confirm minimum Secondary Plan requirements as part of a complete *Planning Act* Application;
  - (ii) That Planning and Economic Development Department staff be directed to:
    - (1) Consult with the public and stakeholders on the draft Secondary Plan Guidelines attached as Appendix “A” to Report PED21067(d);
    - (2) Bring a final Secondary Plan Guideline document, with any amendments resulting from public consultation to the Planning Committee for approval at a future Planning Committee meeting;
  - (iii) That the General Manager of the Planning and Economic Development Department, or their designate, be granted the authority to make minor modifications to the draft Secondary Plan Guidelines;
- (c) That the Planning and Economic Development Department staff be directed to:
  - (i) Lead the development of comprehensive Secondary Plans for the lands added to the City of Hamilton’s Urban Area as part of the Province’s decision on Official Plan Amendment No. 167 (Municipal Comprehensive Review);
  - (ii) Report back to Planning Committee in Q3 2023 on the proposed sequencing and scheduling for City-led Secondary Plans, including budget and staffing implications;
  - (iii) Prepare capital budget submissions for consideration as part of the 2024 budget process, for capital funds required to complete the development of Secondary Plans for all Urban Expansion Areas, and undertake Secondary Planning processes at such time as sufficient budget is provided;

- (d) That Planning and Economic Development Department staff be directed to:
  - (i) Review the staff resources required to process Official Plan Amendments for privately initiated Secondary Plans in the Urban Expansion Areas and determine an appropriate fee;
  - (ii) Report to Planning Committee no later than Q3 2023 on the proposed fee for Official Plan Amendment related to privately initiated Secondary Plans in the Urban Expansion Areas.

**15. Establishment of a Proactive By-law Team to Work with Industrial and Commercial Partners (Item 12.1)**

WHEREAS, section 128 of the *Municipal Act, 2001* authorizes the City to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could be public nuisances;

WHEREAS, certain kinds of noise are or could become public nuisances;

WHEREAS, section 8, 9 and 10 of the *Municipal Act, 2001* authorizes the City to pass by-laws necessary or desirable for municipal purposes, including by-laws respecting the economic, social and environmental well-being of the municipality; the health, safety and well-being of the persons;

WHEREAS, Council deems it desirable to establish standards for the maintenance and occupancy of certain properties, so that owners and occupants provide minimum standards for persons who may live at, attend or otherwise be affected by the condition of the properties;

WHEREAS, Council receives numerous complaints from residents about the air and noise pollution coming from some of the industrial and commercial industries; and,

WHEREAS, Council considers it in the public interest to enforce these by-laws, amend the by-laws or draft new by-laws.

THEREFORE BE IT RESOLVED:

- (a) That Licensing and By-law Services staff be directed to report back to the Planning Committee by Q4 2023, in advance of the 2024 Budget deliberations, on the scope, budget and resourcing for a 2024 pilot project that would review existing and potential new by-laws related to the impacts of commercial and industrial operations in industrial and commercial areas of Hamilton and establish a proactive by-law team.

**16. Consolidating Consent and Zoning Applications for the Same Lands (Item 12.2)**

That staff report back to the Planning Committee in Q1 of 2024 with options and considerations with respect to consolidating applications for consents with applications for zoning amendments before the Planning Committee, where the applications are dealing with the same lands.

**17. Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and and 97 St. Joseph's Drive (LS22007(a)/ PED22038(b)) (Ward 2) (Item 15.2)**

- (a) That Report LS22007(a)/PED22038(b) be referred to the March 29, 2023 Council meeting for consideration in-camera; and,
- (b) That Report LS22007(a)/PED22038(b) remain confidential.

**FOR INFORMATION:**

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

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

**6. DELEGATION REQUESTS (Item 6)**

- 6.2 Kasper Koblauch respecting Designation of 66-68 Charlton Ave. West (Item 9.1) (For today's meeting)

**8. STAFF PRESENTATIONS (Item 8)**

The following Items were moved from Consent Items to Staff Presentations, with the remaining of the Consent Items being renumbered accordingly:

- 8.1 Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-018 and Zoning By-law Amendment Application ZAC-22-032 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 909 North Waterdown Drive, Waterdown (PED23062) (Ward 15) (Previously Item 9.2)
- 8.2 Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-023 and Zoning By-law Amendment Application ZAC-

22-050 for Lands Located at 3064, 3070, 3078 and 3084 Regional Road No. 56, Glanbrook (PED23057) (Ward 11) (Previously Item 9.5)

- 8.3 Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-024 and Zoning By-law Amendment Application ZAC-22-051 for Lands Located at 3160, 3168, 3180 and 3190 Regional Road No. 56, Glanbrook (PED23058) (Ward 11) (Previously Item 9.6)

**11. DISCUSSION ITEMS (Item 11)**

- 11.5 Implementing OPA No. 167 – Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update (PED21067(d)) (City Wide) – Added Report

a. Added Written Submissions:

- (i) Maria Gatzios on behalf of the Twenty Road East Landowners Group

**13. NOTICES OF MOTION (Item 13)**

- 13.1 Outdoor Commercial Patios - Routine Minor Variances and Temporary Use By-laws

**15. PRIVATE AND CONFIDENTIAL (Item 15)**

- 15.1 Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007(a)/PED22038(b)) (Ward 2)

The agenda for the March 21, 2023 Planning Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

**(i) February 14, 2023 (Item 4.1)**

The Minutes of the February 14, 2023 meeting were approved, as presented.

**(d) DELEGATION REQUESTS (Item 6)**

**(i) Delegation Requests (Item 6.1 and Added Item 6.2)**

The following Delegations were approved:

- (a) Joel Tavormina respecting an Extension for Reconstruction (for the April 4th meeting) (Item 6.1)
- (b) Kasper Koblauch respecting Designation of 66-68 Charlton Ave West (Item 9.1) (for today's meeting) (Added Item 6.2)

**(e) DELEGATIONS (Item 7)**

**(i) Mike Burnet, ACORN, respecting a Landlord Registry (Approved at the February 14th meeting) (Item 7.1)**

The Delegate was unable to attend due to illness.

The Delegation from Mike Burnet, ACORN, respecting a Landlord Registry was DEFERRED to a future meeting.

**(ii) Kasper Koblauch respecting Designation of 66-68 Charlton Ave. West (Item 9.1) (Added Item 7.2)**

Kasper Koblauch addressed the Committee respecting Designation of 66-68 Charlton Ave. West (Item 9.1).

The Delegation from Kasper Koblauch respecting Designation of 66-68 Charlton Ave. West, was received.

**(f) STAFF PRESENTATIONS (Item 8)**

**(i) Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-018 and Zoning By-law Amendment Application ZAC-22-032 to the Ontario Land Tribunal (OLT) for Lack of Decision for Lands Located at 909 North Waterdown Drive, Waterdown (PED23062) (Ward 15) (Item 8.1)**

The Staff presentation was waived.

For disposition of this matter, refer to Item 2.

- (ii) **Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-023 and Zoning By-law Amendment Application ZAC-22-050 for Lands Located at 3064, 3070, 3078 and 3084 Regional Road No. 56, Glanbrook (PED23057) (Ward 11) (Item 8.2)**

Charlie Toman, Senior Project Manager, addressed the Committee with the aid of a PowerPoint presentation.

The Staff presentation was received.

For disposition of this matter, refer to Item 3.

- (iii) **Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-22-024 and Zoning By-law Amendment Application ZAC-22-051 for Lands Located at 3160, 3168, 3180 and 3190 Regional Road No. 56, Glanbrook (PED23058) (Ward 11) (Item 8.3)**

Charlie Toman, Senior Project Manager, addressed the Committee with the aid of a PowerPoint presentation.

The Staff presentation was received.

For disposition of this matter, refer to Item 4.

**(g) PUBLIC HEARINGS (Item 10)**

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

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

- (i) **Application for a Zoning By-law Amendment for Lands Located at 1557 and 1565 Rymal Road East and 694 Pritchard Road, Hamilton (PED23063) (Ward 6) (Item 10.1)**

The staff presentation was waived.

Liam Doherty with AJ Clarke & Associates and the Owner, Anthony Magnini, were in attendance and indicated support for the staff report.

The delegation from Liam Doherty with AJ Clarke & Associates and the Owner, Anthony Magnini, was received.

Chair Danko called three times for public delegations and none came forward.

- (a) There were no public submissions received regarding this matter; and,
- (b) The public meeting was closed.

For disposition of this matter, refer to Item 9.

**(h) DISCUSSION ITEMS (Item 11)**

**(i) Application for Cash-in-Lieu of Parking for Lands Located at 211-225 John Street South and 70-78 Young Street, Hamilton (PED23052) (Ward 2) (Item 11.2)**

Rino Dal Bello, Senior Planner – Rural Team, provided a verbal overview to the Committee.

The staff overview was received.

For disposition of this matter, refer to Item 11.

**(ii) Application for Cash-in-Lieu of Parking for Lands Located at 412 Barton Street East, Hamilton (PED23053) (Ward 3) (Item 11.3)**

The staff overview was waived.

For disposition of this matter, refer to Item 12.

The Committee recessed from 12:00 p.m. to 12:30 p.m.

**(iii) Tertiary Septic Systems and Rural Development (PW20082(a)/PED23047) (Wards 9,10,11,12,13 and 15) (Outstanding Business List Item) (Item 11.4)**

Mike Christie, Senior Planner, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

For disposition of this matter, refer to Item 13.

**(iv) Implementing OPA No. 167 – Secondary Planning Strategy for Urban Expansion Areas and Municipal Comprehensive Review Update (PED21067(d)) (City Wide) (Added Item 11.5)**

Melanie Pham, Senior Project Manager, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

The following written submission was received;

- (i) Maria Gatzios on behalf of the Twenty Road East Landowners Group (Added Item 11.5 (a)(i))

For disposition of this matter, refer to Item 14.

**(i) NOTICES OF MOTION (Item 13)**

Councillor Francis introduced the following Notice of Motion:

**(i) Outdoor Commercial Patios - Routine Minor Variances and Temporary Use By-laws (Added Item 13.1)**

WHEREAS, Outdoor Commercial Patios are regulated in size and location by Zoning By-law No. 05-200;

WHEREAS, By-law No. 20-181, as amended by By-law Nos. 20-215 and 21-143 amended the Outdoor Commercial Patio regulations in the Zoning By-law to provide temporary relief from the locational requirements for Outdoor Commercial Patios;

WHEREAS, Report PED20135(c) recommended reinstatement of the temporary locational permissions for Outdoor Commercial Patios to support local businesses by increasing operational flexibility;

WHEREAS, Council approved By-law No. 22-073 to reinstate the temporary locational permissions for Outdoor Commercial Patios on properties abutting a Residential Zone provided a minimum setback of 5 metres from a Residential Zone is provided and the patio does not obstruct a driveway, parking aisle or fire route, and the Zoning By-law restricts Outdoor Commercial Patios to the front yard of a property if the rear lot line abuts a Residential Zone, Downtown Residential (D5) Zone, or Downtown Multiple Residential (D6) Zone, or is separated by a laneway from said zones;

WHEREAS, Report PED20135(c) directed staff to report back to Council before April 2025, prior to the expiration of the Temporary Use By-law, to present staff's evaluation of the merits of establishing the temporary locational permissions for Outdoor Commercial Patios as permanent given that commercial entertainment and recreation on Outdoor Commercial Patios is now permitted in the Zoning By-laws and regulated by the Noise Control-By-law;

WHEREAS, a Minor Variance Application is required to assess variations from the requirements of the Zoning By-law;

WHEREAS, a Minor Variance Application fee is \$3,735.00.

WHEREAS, a Routine Minor Variance fee of \$675.00 is applied to pools, decks, sheds, accessory buildings, porches, eave projections, recognizing legal non-complying situations and secondary dwelling units;

WHEREAS, in 2022, four Minor Variance Applications were received to modify the zoning regulations associated with Outdoor Commercial Patio locations;

WHEREAS, a variance to the locational permissions and setback requirements for Outdoor Commercial Patios shall require varying the location requirements in the Zoning By-law and the temporary location permissions and setback requirements of the Temporary Use By-law;

THEREFORE BE IT RESOLVED

That staff be directed to amend the interpretation note for Routine Minor Variance applications in the Tariff of Fees By-law to include variances to the zoning by-law regulations for Outdoor Commercial Patios and the temporary use provisions where a Temporary Use By-law applies to the property for Outdoor Commercial Patios as a Routine Minor Variance.

**(j) PRIVATE AND CONFIDENTIAL (Item 15)**

**(i) Closed Session Minutes – February 14, 2023 (Item 15.1)**

The Closed Session Minutes dated February 14, 2023 were approved, as presented, and are to remain confidential.

Committee moved into Closed Session for Items 15.2, Pursuant to Section 9.3, 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..

- (ii) Appeal to the Ontario Land Tribunal (OLT) for Lack of Decision on Urban Hamilton Official Plan Amendment Application (UHOPA-18-004) and Zoning By-law Amendment Application (ZAC-18-009) for lands located at 299-307 John Street South and 97 St. Joseph's Drive, Hamilton (LS22007(a)/PED22038(b)) (Ward 2) (Added Item 15.2)**

For disposition of this matter, refer to Item 17.

**(k) ADJOURNMENT (Item 16)**

There being no further business, the Planning Committee adjourned at 3:23 p.m.

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Councillor J.P. Danko  
Chair, Planning Committee

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Lisa Kelsey  
Legislative Coordinator



## **GENERAL ISSUES COMMITTEE REPORT 23-010**

9:30 a.m.

March 22, 2023

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

**Present:** Deputy Mayor T. Jackson (Chair)  
Mayor A. Horwath  
Councillors J. Beattie, C. Cassar, B. Clark, J. P. Danko, M. Francis,  
T. Hwang, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, M. Spadafora,  
M. Tadeson, A. Wilson, M. Wilson

### **THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-010 AND RESPECTFULLY RECOMMENDS:**

- 1. Hamilton Waterfront Trust - Options for Future Operations, Programs & Services (FCS23029) (City Wide) (Item 8.1)**
  - (a) That City of Hamilton – Hamilton Waterfront Trust Future Options – Final Report by KPMG dated November 29, 2022, attached as Appendix “A” to Report FCS23029, be received;
  - (b) That a detailed review of the following two business models for the Hamilton Waterfront Trust future operations be undertaken as follows:
    - (i) A joint model whereby the management and operations of programs and services are delivered by the Hamilton Waterfront Trust and the City of Hamilton;
    - (ii) Winding up the Hamilton Waterfront Trust, inclusive of a recommended process founded on the City of Hamilton assuming the responsibility for existing programming and services delivered by the Hamilton Waterfront Trust.
  - (c) That Council approve a single-source procurement, pursuant to Procurement Policy #11 – Non competitive Procurements, for a detailed review of the two business models for Hamilton Waterfront Trust operations and that the General Manager, Finance and Corporate Services Department be authorized to negotiate, enter into, and execute

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the extension and any ancillary documents required to give effect thereto with KPMG LLP, and other external expertise, in a form satisfactory to the City Solicitor;

- (d) That staff report back to City Council on the preferred model and the cost including the resources necessary to deliver the programs and services required.

**2. Municipal Accommodation Tax (PED20009(d)) (City Wide) (Outstanding Business List Item) (Item 9.2)**

That Report PED20009(d), respecting Municipal Accommodation Tax, be received.

**3. Revised Board of Management for the Concession Street Business Improvement Area (BIA) (PED23059) (Ward 7) (Item 9.3)**

- (a) That the following individuals be removed from the Concession Street Business Improvement Area Board of Management:

- (i) Brendan Eyre – Investment Planning Counsel;
- (ii) David Andrews – Community Rep;
- (iii) Kathryn Goegan – At Your Service; and,

- (b) That the following individuals be appointed to the Concession Street Business Improvement Area Board of Management:

- (i) Subbu Subramonian – Property Owner of 540 Concession;
- (ii) Brenda Eszenyi – Penny Pinchers Costumes;
- (iii) Terry Rhodes – Community Rep.

**4. Assessment of Illness Linked to the Chedoke Creek Sewage Spill (BOH23009) (City Wide) (Outstanding Business List Item) (Item 9.4)**

That Report BOH23009, respecting an Assessment of Illness Linked to the Chedoke Creek Sewage Spill, be received.

**5. Chedoke Creek Order - Remediation Update (PW19008(t)) (City Wide) (Item 9.5)**

That Report PW19008(t), respecting the Chedoke Creek Order - Remediation Update, be received.

**6. Attracting Diversity During the Recruitment Process (HUR18017(a) / FCS23046) (City Wide) (Item 9.6)**

That Report HUR18017(a) / FCS23046, respecting Attracting Diversity During the Recruitment Process, be received.

**7. Proposed Transfer of Prosecution Duties for Part III and Part IX Provincial Offences from the Province to the City (LS23003) (City Wide) (Item 9.7)**

That Report LS23003, respecting the Proposed Transfer of Prosecution Duties for Part III and Part IX Provincial Offences from the Province to the City, be received.

**8. Comprehensive Legal Services Report 2020 and 2021 (LS23002) (City Wide) (Item 9.8)**

That Report LS23002, respecting the Comprehensive Legal Services Report 2020 and 2021, be received.

**9. Preparatory Activities Agreement - Hamilton Light Rail Transit (LRT) (PED23050) (City Wide) (Item 10.1)**

That the Mayor and City Manager be authorized and directed to execute, on behalf of the City, together with all necessary ancillary documents (including, without limitation, the Work Authorization agreements contemplated in the Preparatory Activities Agreement), a Preparatory Activities Agreement attached as Appendix "A" to General Issues Committee Report 22-010 between the City and Metrolinx with content acceptable to the General Manager, Planning and Economic Development and the General Manager, Public Works and in a form acceptable to the City Solicitor.

**10. 2023 Battle of Stoney Creek Re-enactment (PED23070) (City Wide) (Outstanding Business List Item) (Item 10.2)**

(a) That a \$20,000 increase in the budget for the 2023 Battle of Stoney Creek Re-enactment be funded from the Economic Development Initiatives Reserve (#112221); and,

(b) That \$30,000 be added to the Tourism and Culture 2024 base Operating Budget for annual Battle of Stoney Creek Re-enactment event costs.

**11. City of Hamilton / Ministry of Transportation 2022-23 Dedicated Gas Tax Funding Agreement (FCS23043) (City Wide) (Item 10.3)**

(a) That the Mayor and the General Manager, Finance and Corporate Services, be authorized and directed to enter into an Agreement between the City of Hamilton and the Province of Ontario related to the funding commitment made by the Province of Ontario to the municipality under the Dedicated Gas Tax Funds for Hamilton's Public Transportation Program;

(b) That the Mayor and General Manager, Finance and Corporate Services, be authorized and directed to execute the Letter of Agreement attached as Appendix "B" to General Issues Committee Report 22-010;

- (c) That the By-law attached as Appendix “C” to Report FCS23043 authorizing and directing the Mayor and General Manager, Finance and Corporate Services, to sign a Letter of Agreement between the City of Hamilton and the Province of Ontario with respect to funding under the Dedicated Gas Tax Funds for Public Transportation Program, be passed; and,
- (d) That, upon being passed, a certified copy of the By-law, together with two copies of the signed Letter of Agreement, be forwarded to the Ministry of Transportation.

**12. Advisory Committee for Persons with Disabilities (ACPD) Report 23-002 - February 14, 2023 (Item 10.4)**

**(a) Investigation of Light Rail Transit (LRT) Systems in Neighbouring Municipalities by Members of the Advisory Committee for Persons with Disabilities (no copy) (Item 11.1)**

WHEREAS, the Transportation Working Group believes that it would be beneficial for the Advisory Committee for Persons with Disabilities to review and identify accessibility barriers of Light Rail Transit (LRT) Systems in neighbouring municipalities like Kitchener and make recommendations with regard to barrier removal and prevention in compliance with the Accessibility for Ontarians with Disabilities Act and the Ontario Human Rights Code;

THEREFORE, BE IT RESOLVED:

- (i) That Members of the Advisory Committee for Persons with Disabilities be approved to travel to neighbouring municipalities to review and identify accessibility barriers of Light Rail Transit (LRT) Systems in neighbouring municipalities like Kitchener and make recommendations with regard to barrier removal and prevention in compliance with the Accessibility for Ontarians with Disabilities Act and the Ontario Human Rights Code; and
  - (ii) That the transportation costs be funded from the Advisory Committee for Persons with Disabilities 2023 approved budget for conferences and related travel expenses, to an upset limit of \$1,000.
- (b) Transfer of the Remaining Funds from the 2022 Advisory Committee for Persons with Disability Budget to the Reserve (Item 12.1)**

That remaining funds from the 2022 Advisory Committee for Persons with Disabilities Budget be transferred to the Advisory Committee for Persons with Disabilities Reserve, to the maximum allowable amount.

**13. Next Generation 9-1-1 Service Delivery (FCS20082(b) / HSC20045(b)) (City Wide) (Item 10.5)**

- (a) That pursuant to Procurement Policy #12, Council approve the procurement of the Call Handling System component for Next Generation 9-1-1 (NG9-1-1) implementation for the Hamilton Fire Department and Hamilton Police Service and that the General Manager, Finance and Corporate Services Department be authorized to negotiate, enter into and execute, on behalf of the City of Hamilton, a contract, renewals, extensions, amendments and any ancillary documents required to give effect thereto with Comtech Solacom Technologies Inc., in a form satisfactory to the City Solicitor and with content acceptable to the General Manager, Finance and Corporate Services; and,
- (b) That the General Manager, Finance and Corporate Services Department be authorized to negotiate, enter into and execute, on behalf of the City of Hamilton, all necessary funding agreements, renewals, extensions, amendments, and any ancillary documents with His Majesty the King in Right of Ontario as represented by the Solicitor General (the Province of Ontario) for acceptance of funding to support the transition to NG9-1-1, in a form satisfactory to the City Solicitor and with content acceptable to the General Manager, Finance and Corporate Services.

**14. Media Relations Program Review – Update to Media Relations Policy (CM23007(a)) (City Wide) (Item 10.6)**

- (a) That City of Hamilton’s Revised Media Relations Policy, attached as Appendix “C” to General Issues Committee Report 22-010 (as amended at the February 15, 2023 General Issues Committee Meeting), as further Amended, be approved; and,
- (b) That the full implementation of the policy be delayed from July 31, 2023 to August 31, 2023 to allow for necessary preparations and training to occur.

**15. City of Hamilton Endorsement of the Federation of Canadian Municipalities Pre-Budget 2023 Priorities (CM23013) (City Wide) (Item 10.7)**

That the City of Hamilton support and endorse the Federation of Canadian Municipalities Pre-Budget 2023 Priorities titled “A better life for all Canadians” outlined in “Appendix D” to General Issues Committee Report 22-010, ahead of the 2023 Federal Budget.

**16. City of Hamilton’s Investments into the 2026 and 2030 Commonwealth Games Bids (Item 11.1)**

That City staff report back on any investments, monetary, in kind, and in staff time, including any estimates if specifics are not available, that were contributed by the City of Hamilton to the 2026 and 2030 Commonwealth Games bids.

**17. 2023 Temporary Outdoor Patio Program Fees (Item 11.2)**

WHEREAS, the City of Hamilton first launched the temporary On-Street Patio Pilot Program in 2016, which became the permanent Temporary Outdoor Patio Program in 2022;

WHEREAS, the Temporary Outdoor Patio Program provides an opportunity for restaurants and cafes to open temporary outdoor patios in on-street parking spaces, off-street parking lots, sidewalks, alleyways and boulevards;

WHEREAS, the Temporary Outdoor Patio Program provides an important opportunity for local restaurants and cafes to increase their capacity through outdoor dining, and also helps to animate local commercial areas;

WHEREAS, during COVID, the City waived all applicable City fees for the Temporary Outdoor Patio Program in order to support economic recovery;

WHEREAS, the Mayor's Task Force on Economic Recovery recommended as one of its priority initiatives the waiving of City fees for the Temporary Outdoor Patio Program;

WHEREAS, the waiving of City fees expired in 2022, resulting in potential costs to local businesses in 2023 (above and beyond the costs of the patio itself) as follows:

- (1) City Fee Temporary Outdoor Patio Application Fee - \$676.11
- (2) City Fee Temporary Patio Occupation of Parking Space fee (if applicable) - \$875/space
- (3) City Fee Temporary Patio Installation of Safety Devices fee (if applicable) - \$800
- (4) Provincial Fee Liquor License Extension - \$815
- (5) City Fee City Liquor Licensing fee - \$561.83

WHEREAS, in addition to the above fees, in 2022, as a result of new Restaurant Patio Guidelines within the Right of Way document that was released by the Provincial Ontario Traffic Council, additional safety measures are now required that will cost business owners an estimated \$4,500 per patio for on-street patios;

WHEREAS, local restaurants and cafes continue to be impacted by reduced business as a result of hybrid working and reduced foot traffic in some of our commercial areas; and,

WHEREAS, a number of BIAs have reached out to the City to request a phased approach to returning to full fee recovery for the Temporary Outdoor Patio Program;

**THEREFORE BE IT RESOLVED:**

- (a) That for the 2023 season, the application fee for the Temporary Outdoor Patio Program of \$676.11 be waived and the costs recovered through the Economic Development Initiatives Reserve (112221);
- (b) That for the 2023 season, the City fee for Temporary Patio Installation of Safety Devices fee (if applicable) of \$800 be waived and the costs recovered through the Economic Development Initiatives Reserve (112221); and,
- (c) That local businesses be responsible for covering all other costs associated with the Temporary Outdoor Patio Program.

**18. Acquisition of Land in the City of Hamilton (Ward 10) (Item 14.3)**

- (a) That the directions to staff in Closed Session respecting Acquisition of Land in the City of Hamilton (Ward 10), be approved; and,
- (b) That the details of the motion respecting Acquisition of Land in the City of Hamilton (Ward 10), remain confidential, with the exception of the purchase price for the lands, which will be publicly released in a Communication Update, if the property purchase is successful.

**19. Privileged Solicitor-Client Encampment Litigation (LS20023(f)) (City Wide) (Added Item 14.4)**

- (a) That the direction provided to staff in Closed Session, respecting Report LS20023(f), Privileged Solicitor-Client Encampment Litigation be approved and remain confidential; and
- (b) That Report LS20023(f), respecting the Privileged Solicitor-Client Encampment Litigation and its appendices remain confidential.

**FOR INFORMATION:**

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

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

**5. COMMUNICATIONS**

- 5.1 Correspondence from Tys Theijsmeyer, Head of Natural Areas, Royal Botanical Gardens, respecting Item 9.5 - Chedoke Creek Order – Remediation Update

Recommendation: Be received and referred to consideration of Item 9.5.

- 5.2 Correspondence from Greg Dunnett, President and CEO, Hamilton Chamber of Commerce, respecting Item 11.2 - 2023 Temporary Outdoor Patio Program Fees

Recommendation: Be received and referred to consideration of Item 11.2

**6. DELEGATION REQUESTS**

- 6.3 James Kemp, respecting Item 11.2 2023 Temporary Outdoor Patio Program Fees (Virtually) (For today's meeting)
- 6.4 Adan Amer and Lucia Iannantuono, Hamilton 350, respecting Item 10.3 - Gas Tax Transfer funding agreement (In-Person) (For today's meeting)

**12. NOTICES OF MOTION**

- 12.1 Stairs at Grant Boulevard, Hamilton (Ward 13)
- 12.2 Securing Canada's \$1 Billion Investment in a Strengthened Freshwater Action Plan

**14. PRIVATE AND CONFIDENTIAL**

- 14.4 Privileged Solicitor-Client Encampment Litigation (LS20023(f)) (City Wide)

The agenda for the March 22, 2023 General Issues Committee meeting, was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

Councillor J.P. Danko declared a non-disqualifying interest to Item 14.4, respecting the Acquisition of Land in the City of Hamilton.

**(c) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 4)**

That the following minutes of the General Issues Committee be approved, as presented:

- (i) February 15, 2023 (Item 4.1)
- (ii) February 28, 2023 – Special (Item 4.2)
- (iii) March 1, 2023 – Budget (Item 4.3)
- (iv) March 9, 2023 – Special (Item 4.4)

**(d) COMMUNICATIONS (Item 5)**

The Communications items, were approved, as follows:

- (i) Correspondence from Tys Theijmeijer, Head of Natural Areas, Royal Botanical Gardens, respecting Item 9.5 - Chedoke Creek Order – Remediation Update (Added Item 5.1)

Recommendation: Be received and referred to consideration of Item 9.5.

- (ii) Correspondence from Greg Dunnett, President and CEO, Hamilton Chamber of Commerce, respecting Item 11.2 - 2023 Temporary Outdoor Patio Program Fees (Added Item 5.2)

Recommendation: Be received and referred to consideration of Item 11.2.

**(e) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests, were approved, as follows:

- (i) Daniel Freiheit, respecting vaccination requirement and how that's creating resource issues in the system (Virtual) (For a future meeting) (Item 6.1)
- (ii) Hafeez Hussain, respecting Equity, Diversity and Inclusion and My Experience with the City of Hamilton (In-Person) (For a future meeting) (Item 6.2)
- (iii) James Kemp, respecting Item 11.2 2023 Temporary Outdoor Patio Program Fees (Virtually) (For today's meeting) (Added Item 6.3)
- (iv) Adan Amer and Lucia Iannantuono, Hamilton 350, respecting Item 10.3 - Gas Tax Transfer funding agreement (In-Person) (For today's meeting) (Added Item 6.4)

**(f) DELEGATIONS (Item 7)**

- (i) James Kemp, respecting Item 11.2 2023 Temporary Outdoor Patio Program Fees (Virtually) (Added Item 7.1)**

James Kemp, addressed the Committee respecting Item 11.2 - 2023 Temporary Outdoor Patio Program Fees.

The Delegation from James Kemp, respecting Item 11.2 - 2023 Temporary Outdoor Patio Program Fees, were received.

For further disposition of this matter, refer to Item 17.

**(ii) Adan Amer and Lucia Iannantuono, Hamilton 350, respecting Item 10.3 - Gas Tax Transfer funding agreement (In-Person) (Added Item 7.2)**

Adan Amer and Lucia Iannantuono, Hamilton 350, addressed the Committee respecting Item 10.3 - Gas Tax Transfer funding agreement.

The Delegation from Adan Amer and Lucia Iannantuono, Hamilton 350, respecting Item 10.3 - Gas Tax Transfer funding agreement, were received.

For further disposition of this matter, refer to Item 11.

**(g) STAFF PRESENTATIONS (Item 8)**

**(i) Hamilton Waterfront Trust - Options for Future Operations, Programs & Services (FCS23029) (City Wide) (Item 8.1)**

Mike Zegarac, General Manager of Finance and Corporate Services introduced Bruce Peever, Partner, Public Sector Advisory, KPMG; and Sana Malik, Senior Manager, Public Sector Advisory, KPMG who provided the presentation respecting the Hamilton Waterfront Trust - Options for Future Operations, Programs & Services.

The presentation respecting the Hamilton Waterfront Trust - Options for Future Operations, Programs & Services, were received.

(a) That City of Hamilton – Hamilton Waterfront Trust Future Options – Final Report by KPMG dated November 29, 2022, attached as Appendix “A” to Report FCS23029, be received;

(b) That a detailed review of the following two business models for the Hamilton Waterfront Trust future operations be undertaken as follows:

(i) Status quo with consideration of varying the business model and governance structure; and

(ii) A joint model whereby the management and operations of programs and services are principally delivered by the Hamilton Waterfront Trust with the potential for some operations delivered by the City of Hamilton;

(c) That Council approve a single-source procurement, pursuant to Procurement Policy #11 – Non competitive Procurements, for a detailed review of the two business models for Hamilton Waterfront Trust operations and that the General Manager, Finance and

Corporate Services Department be authorized to negotiate, enter into, and execute the extension and any ancillary documents required to give effect thereto with KPMG LLP, in a form satisfactory to the City Solicitor;

- (d) That staff report back to City Council on the preferred model and the cost including the resources necessary to deliver the programs and services required.

The following amendments were put on the floor:

- (a) That sub-section (b) to Report FCS23029, respecting the Hamilton Waterfront Trust - Options for Future Operations, Programs & Services, **be amended** by deleting sub-section (i), renumbering the remaining sub-sections accordingly, and adding a new sub-section (ii), as follows:
  - (b) That a detailed review of the following two business models for the Hamilton Waterfront Trust future operations be undertaken as follows:
    - ~~(i) — **Status quo with consideration of varying the business model and governance structure; and**~~
    - ~~(ii)(i)~~ A joint model whereby the management and operations of programs and services are **principally** delivered by the Hamilton Waterfront Trust ~~with the potential for some operations delivered by and~~ the City of Hamilton;
    - ~~(iii)(ii)~~ **Winding up the Hamilton Waterfront Trust, inclusive of a recommended process founded on the City of Hamilton assuming the responsibility for existing programming and services delivered by the Hamilton Waterfront Trust.**
- (b) That sub-section (c) be **amended** by adding the words “**and other external expertise**” following it in its entirety and replacing it with the following the words KPMG LLP, as follows:
  - (c) That Council approve a single-source procurement, pursuant to Procurement Policy #11 – Non competitive Procurements, for a detailed review of the two business models for Hamilton Waterfront Trust operations and that the General Manager, Finance and Corporate Services Department be authorized to negotiate, enter into, and execute the extension and any ancillary documents required

to give effect thereto with KPMG LLP, **and other external expertise**, in a form satisfactory to the City Solicitor;

For disposition of this matter, refer to Item 1.

**(h) CONSENT ITEMS (Item 9)**

**(i) Business Improvement Advisory (BIA) Sub-Committee Minutes - January 10, 2023 (Item 9.1)**

The Business Improvement Advisory (BIA) Sub-Committee Minutes of January 10, 2023, were received.

**(ii) Municipal Accommodation Tax (PED20009(d)) (City Wide) (Outstanding Business List Item) (Item 9.2)**

That staff be directed to report back to the General Issues Committee on the mechanisms in place to ensure payment to the City of the Municipal Accommodation Tax.

For further disposition of this matter, refer to Item 2.

That the General Issues Committee recess for 35 minutes until 1:00 pm.

**(i) DISCUSSION ITEMS (Item 10)**

**(i) Media Relations Program Review – Update to Media Relations Policy (CM23007(a)) (City Wide) (Item 10.6)**

(a) That City of Hamilton’s Revised Media Relations Policy, attached as Appendix “A” to Report CM23007(a) (as amended at the February 15, 2023 General Issues Committee Meeting), be approved;

(b) That the full implementation of the policy be delayed from July 31, 2023 to August 31, 2023 to allow for necessary preparations and training to occur.

The following amendment was put on the floor:

That Appendix “A” to Report CM23007(a), respecting the Media Relations Program Review – Update to Media Relations Policy, **be amended**, by removing from Page 1, Paragraph 4, under the Scope Section:

~~**This policy is supported by the City’s Media Accreditation Policy and Procedures to ensure that City resources used to aid the media in their news gathering and distribution are used effectively and efficiently and**~~

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~~*in alignment with the Communications and Strategic Initiatives mandate to assist members of the media.*~~

For disposition of this matter, refer to Item 14.

**(j) MOTIONS (Item 11)**

**(i) Temporary Outdoor Patio Program's Compliance with the Accessibility for Ontarians with Disabilities Act (AODA) (Added Item 11.3)**

- (a) That staff consult with the Advisory Committee for Persons with Disabilities (ACPD) at their next meeting and consider recommendations from delegate James Kemp as delivered at the March 22, 2023 General Issues Committee and other best practices.
- (b) That staff report back to the General Issues Committee with recommendations.

**(k) NOTICES OF MOTION (Item 12)**

Councillor A. Wilson introduced the following Notices of Motion:

**(i) Stairs at Grant Boulevard, Hamilton (Ward 13) (Added Item 12.1)**

WHEREAS, historically residents living in the University Gardens Neighbourhood accessed the trail system, parking lot and active transportation routes to McMaster University via a set of stairs on Hamilton Conservation Authority Lands at Grant Boulevard;

WHEREAS, the Hamilton Conservation Authority, in their review of the stairs determined that the stairs were in poor condition and unsafe, and therefore removed the stairs and upgraded the trail to provide an alternative route in the area;

WHEREAS, residents of the neighbourhood desire the stairs to be reinstated as the shortest route to the paths connecting to McMaster University;

WHEREAS, the land on which the stairs were constructed is owned by the Hamilton Conservation Authority; and

WHEREAS, the provision of active transportation routes provides benefit to the city by encouraging residents to walk or bike to their destination, reducing greenhouse gas emissions, and increasing health and wellness.

THEREFORE, BE IT RESOLVED:

- (a) That Corporate Real Estate Office staff be authorized and directed to negotiate the requisite agreement(s) between the City and the Hamilton Conservation Authority (HCA) to permit the City to design, construct and maintain a new set of stairs on HCA property located at the end of Grant Boulevard, and report back to General Issues Committee for approval; and,
- (b) That Public Works staff be directed to determine the budget and work required to design, construct (capital) and maintain (operating) a new set of stairs on Hamilton Conservation Authority property located at the end of Grant Boulevard, and report back to General Issues Committee for approval.

**(ii) Securing Canada's \$1 Billion Investment in a Strengthened Freshwater Action Plan (Added Item 12.2)**

WHEREAS, the City of Hamilton, as a member of the Great Lakes and St. Lawrence Cities Initiative, supports: protecting source water, planning for climate change impacts and shoreline resilience, ensuring safe and affordable water services for all our residents, and building up a sustainable blue economy in the Great Lakes and St. Lawrence River Basin;

WHEREAS, ensuring healthy communities and a strong economy for Canadians depend on securing Canada's source water, which includes addressing water quality issues, contaminants and pollution, supporting biodiversity and reversing wetland and fish and wildlife habitat loss and improving community knowledge to empower citizens to safeguard this essential resource;

WHEREAS, a Freshwater Action Plan and the Great Lakes Protection Initiative it supported were first announced in the 2017 Canadian federal budget with a \$44.84 million investment over five years;

WHEREAS, the Freshwater Action Plan has combined science and action to address priorities in the Great Lakes such as preventing toxic and nuisance algae, enhancing the resilience of coastal wetlands in the Great Lakes, restoring Great Lakes Areas of Concern and supporting Canada's commitments under the Great Lakes Water Quality Agreement, among other priorities;

WHEREAS, a commitment was made by the Liberal Party of Canada in the 2021 federal election to strengthen the Freshwater Action Plan with an historic investment of \$1 billion over ten years to restore and protect large

lakes and river systems starting with the Great Lakes and St. Lawrence River Basin;

WHEREAS, the federal government only committed \$19.6 million in funding in the 2022 Budget for the Freshwater Action Plan, falling short of the aforementioned commitment.

WHEREAS, the United States has invested \$1.8 billion in the Great Lakes Restoration Initiative (GLRI) since 2017 and will see accelerated funding with the *Infrastructure Investment and Jobs Act*;

WHEREAS, a 2018 University of Michigan study shows that for every dollar of federal spending on GLRI projects between 2010 and 2016, yielded \$3.35 in additional economic activity;

WHEREAS, nearly half of Canada's population lives in the Great Lakes and St. Lawrence River Basin, a region that will continue to see accelerated growth, resulting in greater land and resource use pressures that will further contribute to water availability and quality issues;

WHEREAS, the Stockholm Resilience Centre recently identified the importance of wetlands as carbon sinks and fresh water's role in climate mitigation;

WHEREAS, the Great Lakes-St. Lawrence Collaborative outlined 30 recommendations to Environment and Climate Change Canada as part of a ten-year, \$2.2 billion *Action Plan 2020-2030 to protect the Great Lakes and St. Lawrence* (Action Plan 2020-2030), addressing shoreline erosion, outdated infrastructure, invasive species, exposure to toxins and beach contamination, following an 18-month consultation with First Nations, NGOs, academics and other experts;

WHEREAS, the recommendations outlined in Action Plan 2020-2030 should serve as the basis of programming for strengthened federal action in the Great Lakes and St. Lawrence River Basin through its strengthened Freshwater Action Plan;

WHEREAS, the newly established Canada Water Agency should play a role in accelerating the rollout of funding made available through a strengthened Freshwater Action Plan;

WHEREAS, Freshwater Action Plan funding should largely be directed to community groups, local governments and First Nations to ensure that investments made will have the biggest local impact and empower action at the local level, rather than being held back for federal administration and operations;

WHEREAS, it is critical to implement a strengthened Freshwater Action Plan, including accelerating a \$1 billion over five years, and to creating a Canada Water Agency to consolidate and coordinate federal water efforts and support provinces and territories in addressing systemic issues impacting the viability of the Great Lakes and St. Lawrence River Basin and the communities dependent upon the region's source water;

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton calls on the federal government to commit \$1 billion in funding over five years for a strengthened Freshwater Action Plan in Budget 2023;
- (b) That the City of Hamilton calls on the federal government to guide its Freshwater Action Plan funding to implement recommendations in the Action Plan 2020-2030;
- (c) That the City of Hamilton calls on the federal government to direct priority funding under the strengthened Freshwater Action Plan to projects in the Great Lakes and St. Lawrence River Basin;
- (d) That the City of Hamilton calls on the federal government to make municipalities eligible for future funding in programs announced under the strengthened Freshwater Action Plan; and,
- (e) That the City of Hamilton directs its staff to submit this resolution to the federal Deputy Prime-Minister and Minister of Finance; the Minister of Environment and Climate Change; the Parliamentary Secretary to the Minister of Environment and Climate Change (responsible for the Canada Water Agency), and local Member of Parliament.

**(I) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

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

That the Amendments to the Outstanding Business List, be approved, **as amended**, as follows:

**(a) Items Considered Complete and Needing to be Removed: (Item 13.1(a))**

Submission for the Disaster Mitigation and Adaptation Fund Intake  
Two Program

OBL Item: L

Added: October 6, 2021 at GIC (Item 7)

Completed: February 15, 2023 at GIC (Item 9.3)

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Property & Liability Insurance Renewal (LS22036) (City Wide)  
OBL Item: OO  
Added: November 30, 2022 at GIC (Item 12)  
Completed: January 18, 2023 at GIC (Item 10.20)

Amendment to Appendix “A” of Item 4.1 of the August 26, 2021  
Council Minutes, respecting Report HUR21008, the Mandatory  
COVID-19 Vaccination Verification Policy, which was approved by  
Council on August 26, 2021 - REVISED  
OBL Item: PP  
Added: December 7, 2022 at Council (Item 7.12)  
Completed: February 1, 2023 at GIC (Item 9.2)

The 2023 Battle of Stoney Creek Event  
OBL Item: Z  
Added: June 8, 2022 at Council (Item 6.2)  
Completed: March 22, 2023 at GIC (Item 10.2)

Methodology for Municipal Accommodation Tax Collection  
OBL Item: FF  
Added: August 4, 2022 at GIC (Item 4(n))  
Completed: March 22, 2023 at GIC (Item 9.2)

Health-Related Incidents Associated with Exposure to  
Contaminated Waterways in the Chedoke Creek & Cootes  
Paradise  
OBL Item: G  
Added: November 20, 2019 at GIC  
Completed: March 22, 2023 at GIC (Item 9.4)

Media Relations Program Review – Update to Media Relations  
Policy (CM23007)  
OBL Item: 2023-N  
Added: February 15, 2023 at GIC  
Completed: March 22, 2023 at GIC (Item 10.6)

Hamilton Waterfront Trust - April 27, 2022 Council Meeting  
OBL Item: RR  
Added: September 28, 2023 at Council (Item 11.3)  
Completed: March 22, 2023 at GIC (Item 8.1)

**(b) Items Requiring a New Due Date: (Item 13.1(b))**

City of Hamilton and the Hamilton Urban Precinct Group LP, with  
regard the lands known as the FirstOntario Centre, the Hamilton

Convention Centre and the FirstOntario Concert Hall may be publicly released

OBL Item: T

Current Due Date: January 18, 2022

Requested New Due Date: ~~Q3 Q2~~ 2023

Update on Request for Information – Downtown Parking Structure (PED16105 and PED15183)

OBL Item: A

Current Due Date: March 22, 2023

Requested New Due Date: December 6, 2023

Updated Hamilton Tourism Strategy 2021 to 2025

OBL Item: H

Current Due Date: March 22, 2023

Requested New Due Date: September 6, 2023

Annual Report on the Impacts of the No Growth Option

OBL Item: P

Current Due Date: April 19, 2023 - To GIC

Requested New Due Date: April 4, 2023 - To Planning Committee

Commonwealth Games 2030 Update (PED19108(h))

OBL Item: X

Current Due Date: March 22, 2023

Requested New Due Date: June 14, 2023

Policies and Procedures to Rescue and Safely Transport Stranded Pedestrians and their Mobility Devices

OBL Item: CC

Current Due Date: March 22, 2023

Requested New Due Date: September 20, 2023

Accessibility Award Program

OBL Item: S

Current Due Date: May 2023

Requested New Due Date: June 14, 2023  
Current Due Date: February 15, 2023

Proposed New Due Date: May 17, 2023

**(m) PRIVATE & CONFIDENTIAL (Item 14)**

That the following Closed Session Minutes be approved and remain confidential:

- (i) Closed Session Minutes – February 15, 2023 (Item 14.1)
- (ii) Closed Session Minutes – March 1, 2023 - Budget (Item 14.2)

That the General Issues Committee meeting of March 22, 2023, be extended past the 5:30 pm curfew, up to an additional 60 minutes.

That Committee move into Closed Session to discuss Items 14.3 and 14.4, pursuant to Section 9.3, Sub-sections (c), (e), (f) and (k) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-sections (c), (e), (f) and (k) of the Ontario Municipal Act, 2001, as amended, as the subject matters pertain to a proposed or pending acquisition or disposition of land by the municipality or local board; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**(i) Acquisition of Land in the City of Hamilton (Ward 10) (Item 14.3)**

For disposition of this matter, please refer to Item 18.

**(ii) Privileged Solicitor-Client Encampment Litigation (LS20023(f)) (City Wide) (Added Item 14.4)**

For disposition of this matter, please refer to Item 19.

**(n) ADJOURNMENT (Item 15)**

There being no further business, the General Issues Committee adjourned at 6:43 p.m.

Respectfully submitted,

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Deputy Mayor Tom Jackson  
Chair, General Issues Committee

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Angela McRae  
Legislative Coordinator  
Office of the City Clerk

**PREPARATORY ACTIVITIES AGREEMENT**

**Hamilton LRT**

**MADE** as of the \_\_\_ day of \_\_\_\_\_, 2023 (the “Effective Date”) between **METROLINX** (“**Metrolinx**”) and the **City of Hamilton** (the “**City**”), together the “Parties” and individually a “Party”.

**RECITALS:**

A. Metrolinx is developing and constructing a light rail rapid transit line known as the Hamilton Light Rail Transit (LRT) line, which extends east from McMaster University to Eastgate Square in Hamilton, Ontario (as currently contemplated and subject to change, including expansion or reduction), and is prescribed as a “priority transit project” for the purposes of the *Building Transit Faster Act, 2020* (Ont.) and related works (collectively, the “**Hamilton LRT**”). Metrolinx expects to undertake and deliver the Hamilton LRT by design-build, design-bid-build, by alternate financing procurement, alliance, or by other means.

B. The City owns certain infrastructure and assets, including municipal water and/or sewer infrastructure (the “**City Assets**”) that are expected to be not in alignment with or otherwise in conflict with the Hamilton LRT and, as a result, will require re-alignment, re-configuring, removal, relocation, modification, replacement, or protection of the City Assets (collectively, the “**Work**”).

C. In preparation for the Hamilton LRT, Metrolinx and the City have determined that it will be necessary to undertake the Work at various locations (each a “**Work Site**” and collectively, the “**Work Sites**”) as specified in the applicable Work Authorizations (as defined below).

D. The City has agreed to perform and complete the Work on the terms set out in this Agreement.

**NOW THEREFORE** for valuable consideration and the mutual covenants and agreements contained herein, the Parties agree as follows:

**1. The Work**

(a) The City hereby agrees to undertake the Work in connection with the City Assets that are impacted by the Hamilton LRT, and Metrolinx hereby agrees to pay to the City all actual costs incurred by the City to perform such Work, subject to the terms and conditions of this Agreement. To this effect, Metrolinx may from time to time request the City in writing to identify the scope of the Work required in regard to the City Assets at a Work Site or Work Sites. Upon receipt of a Metrolinx request and having regard to the complexity of the request, the City will use commercially reasonable efforts to identify the scope of work in reasonable detail (the “**City Proposal**”) and to provide it to Metrolinx in a timely manner having regard to Metrolinx’s time constraints, for review by Metrolinx.

(b) The City will not undertake any actual Work at any Work Site until:

(i) the Parties have agreed in writing on the scope and estimated cost of such Work, which, may for clarity, include a budget of ten percent (10%) above any budget included in the City’s procurement process;

(ii) for any Work, the City has obtained all relevant permits, licences and approvals;

(iii) the Parties have settled and executed an addendum to this Agreement for the applicable Work Site, substantially in the form attached as **Schedule A** (each a “**Work Authorization**”). Each Work

Authorization will set out any changes to this Agreement that are specific to it, if any. Each Work Authorization, when agreed by the Parties and executed, will form a part of this Agreement.

(c) The City will undertake and complete all Work in accordance with: (i) the applicable Work Authorization; (ii) all permits, licences and approvals; and (iii) applicable laws. The City is solely responsible for, without limitation:

(i) the design, construction, suitability for purpose, construction means, methods, techniques, sequences and procedures and for undertaking and completing the Work to the City’s satisfaction, and

(ii) obtaining all permits, licences and approvals required by it at law or from third parties to undertake and complete the Work.

(d) The City will use commercially reasonable efforts to complete the Work within the timeframe set out in the applicable Work Authorization (the “**Timeframe**”). The City will keep Metrolinx informed of the status of its performance, or any matters which may materially affect timing or cost of completion of the Work. If there is risk to the completion of the Work within the Timeframe, the Parties shall work together cooperatively and in good faith to develop strategies to maintain on-time schedule performance of the Work.

(e) The City, in order to avoid cost overruns, unexpected costs and delays shall: (i) exercise reasonable care and due diligence in providing the cost and time estimates for the Work under each Work Authorization; and (ii) take due care, to the extent possible, that its cost and time estimates under any Work Authorization covers all of the Work required under such Work Authorization. The City shall promptly notify Metrolinx upon learning of any actual or anticipated delays or increased costs that vary from the time estimates and costs set out in the applicable Work Authorization.

(f) Where the City retains a contractor to complete the Work, the final procurement documents will be, without need for further action, incorporated into the applicable Work Authorization; except and provided that the City provide a copy of such final procurement documents to Metrolinx. In the event of any conflict between the final procurement documents and the remainder of the Work Authorization, the final procurement documents shall prevail.

(g) If a change to the Work and/or to a Work Authorization is required to complete the Work , the City, before proceeding with the change, will: (i) consult with Metrolinx and prepare an additional and/or revised City Proposal for such change; and (ii) submit such additional and/or revised City Proposal for the written approval of Metrolinx, which approval will not be unreasonably withheld. In the event that the cost of the Work or the time required to complete the Work is increased by any unknown groundwater, contamination, abandoned or unknown infrastructure, or any other reason that could not be reasonably foreseen by the City, the Parties shall in good faith discuss changes to the Work or Work Authorization including suitable alternative locations. Upon approval by Metrolinx, the additional and/or revised City Proposal shall be deemed to be a Work Authorization, or amendment to an existing Work Authorization, as the case may be, and will form a part of this Agreement. For certainty, a change to the Work and/or to a Work Authorization does not relieve or change Metrolinx’s obligations to pay for all actual costs incurred by the City to perform any Work, as contemplated herein.

(h) The City shall inform, and provide regular updates to, Metrolinx of matters relating to Work that could reasonably affect Metrolinx operations or other stakeholders at the relevant Work Site.

(i) Metrolinx, at its cost, at a time that is agreeable to the contractor of record for the Work Site, the City and any of its contractors, may physically inspect the Work at a Work Site as it is being carried out and confirm that, among other things, the Work is being completed as contemplated by the applicable Work Authorization, but no inspection or confirmation relieves the City from the strict performance of its obligations under this Agreement or is deemed to be confirmation that the City has complied with such obligations. Metrolinx shall comply with all Occupational Health and Safety (defined below) requirements.

(j) Without limiting Sections 1(d) and (e), if and to the extent that the actual conditions encountered at a Work Site while completing the Work vary from those contemplated in the applicable Work Authorization and require a change in the Work, then the Parties will follow the change process described in Section 1(g) above.

(k) Within 20 Business Days after completing the Work set out in the applicable Work Authorization, the City will, at the City’s cost, provide Metrolinx with inspector notes for the completed Work sufficient to accurately establish the plan, profile and dimensions of the City Assets installed. The Parties acknowledge and agree that inspector notes of the City Assets constitute the City’s confidential information, which must be protected from disclosure in accordance with Section 9(g), and shall only be used by Metrolinx for the purpose of facilitating Metrolinx’s conduct of future planning and repairs to Metrolinx infrastructure.

## 2. Safety

(a) As between the Parties, the City shall be solely responsible for safety at a Work Site in connection with the Work including relocation activity, including initiating, maintaining and supervising all safety precautions and programs in connection with the performance of the Work. It is acknowledged and agreed the City may satisfy any safety requirements through any of its contractors.

(b) In connection with the performance of the Work, the City, directly or through any of its contractors, shall comply with, and implement the requirements of the Ontario *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, any and all regulations promulgated thereunder and any health and safety plan implemented thereunder (“**Occupational Health and Safety**”), and, as between the Parties, the City shall assume all liabilities and obligations imposed under applicable laws in respect of Occupational Health and Safety matters. The City represents and warrants that it is familiar with the obligations imposed on it under applicable laws in respect of Occupational Health and Safety matters.

(c) The City, directly or through any of its contractors, shall advise Metrolinx of any and all conflicts or overlap with other parties that could reasonably have an adverse impact on the Work in respect of a Work Site and will work with Metrolinx to develop plans to eliminate such conflicts or overlaps.

**4. Purchase Order and Payment**

(a) Metrolinx will either issue (i) a single purchase order to the City for all of the Work Authorizations collectively; or (ii) multiple purchase orders, each one for a Work Authorization at a specified Work Site. Notwithstanding the amount of any such purchase order, Metrolinx will pay to the City only the actual cost of the Work in accordance with this Agreement. If the actual cost is anticipated to exceed the applicable purchase order, the City shall notify Metrolinx, and if agreed to by Metrolinx, acting reasonably, Metrolinx will issue revised or additional purchase order(s).

(b) Subject to Section 4(c) below, Metrolinx will only pay the City's actual costs (including without limitation any taxes, such as non-recoverable HST, levies and charges) incurred for performing the Work as provided for in this Agreement and the applicable Work Authorization(s).

(c) Payment by Metrolinx to the City will be made within thirty (30) days of:

(i) for any payment other than the final payment, receipt by Metrolinx of a City invoice issued in accordance with the terms of the applicable Work Authorization, referencing the applicable purchase order and detailing the costs incurred;

(ii) for final payment under any Work Authorization, receipt by Metrolinx of written confirmation from the City that the Work referred to in the applicable Work Authorization for which payment is being sought, has been completed, and confirmation by Metrolinx that the City has satisfied all of its obligations under such Work Authorization and this Agreement; and

(iii) for all payments, receipt by Metrolinx of such other evidence as Metrolinx may reasonably require to validate the costs incurred by the City in respect of the Work.

For clarity, payments by Metrolinx are also subject to the statutory holdback requirements of the *Construction Act* (Ontario).

(d) The City will maintain adequate records relating to the actual cost incurred by the City in the performance of the Work ("**Records**") during the term of this Agreement and for a period of one (1) year thereafter. Such Records will not include any information, data or records from the City beyond that data reasonably necessary to verify the actual cost incurred by the City in the performance of the Work and, in particular and without limitation, will not contain any City or City customer's or City supplier's confidential information, personal information, or commercially sensitive or proprietary information.

(e) Metrolinx may, at its expense, at a mutually agreeable date and time, assign a representative who is either an employee of Metrolinx or a chartered accountant (which will be required to execute a confidentiality agreement with the City) to attend at the City's offices to review the Records solely to the extent necessary for the purpose of determining the actual cost incurred by the City in the performance of the Work. The City agrees to make such Records available for such review to allow Metrolinx's representative to verify the costs and expenses invoiced to Metrolinx. Metrolinx and/or its representative shall not disclose to any person any of the information and/or Records reviewed by it as contemplated by this paragraph, without the prior written consent of the City unless required to do so by applicable law. The Metrolinx representative shall not remove, make copies of or otherwise reproduce any of the Records reviewed or made available to Metrolinx hereunder.

If the representative is not an employee of Metrolinx, Metrolinx shall provide the City with a copy of the applicable engagement letter or contract through which the represented has been retained by Metrolinx.

(f) Upon completion of the Work under a Work Authorization, the City will determine the final amount of the actual costs and expenses incurred to complete the Work, will notify Metrolinx and will provide to Metrolinx a final invoice for the amount, if any, that Metrolinx owes to the City. For clarity, this does not prevent the City from providing interim invoices from time-to-time.

(g) The actual costs of the Work means all costs of the City properly attributed to the Work, including, without limitation, the following, as may be more particularly described and provided for in the Work Authorization:

(i) the actual wages paid to all workers (including, without limitation, the City and the City's contractor) up to and including the supervisors for their time actually spent on the Work and in travelling to and from the Work Site, and the cost of food, lodging and transportation for such workers where necessary for the proper carrying out of the Work;

(ii) the cost to the City of contributions related to such wages in respect of workplace safety and insurance premiums, vacation pay, employment insurance, pension or insurance benefits and other similar benefits;

(iii) the cost of using and transporting equipment and explosives used in the Work;

(iv) the cost of planning, designing and engineering, including, without limitation, any subsurface engineering and geo-technical work;

(v) the costs of construction inspections, include ancillary costs, such as a portion of vehicles, maintenance and overhead;

(vi) the cost of materials;

(vii) the cost of acquiring necessary permits, approvals and property rights; and

(viii) related administrative costs such as for project management.

## 5. Liability, Indemnity and Insurance

(a) Except as may be expressly set forth in this Agreement, Metrolinx has no liability to the City or to third parties for the Work or for any matter arising out of it, including design, construction, removal, relocation or modification, notwithstanding any payment by Metrolinx, or any involvement by or review, inspection or approval of Metrolinx, provided that this release shall not extend to any negligence, act or omission, or wilful misconduct of any Indemnified Person.

(b) the City indemnifies and saves harmless Metrolinx, its directors, officers, employees, representatives, agents and those for whom it is responsible at law (the "**Indemnified Persons**") from all actions, claims, penalties, damages, losses, judgements, settlements, costs and expenses or other remedies (collectively, "**Claims**") by any person arising out of the Work, provided that the City shall have no liability to Indemnified Persons or to third parties for Claims arising out of the negligent acts or omissions or willful misconduct of any of the Indemnified Persons. This indemnity shall survive the expiry of the term and any earlier termination of this Agreement.

(c) Without limiting the generality of the foregoing, neither Party shall have liability under any circumstances to the other Party for any indirect, consequential, incidental or special damages, including but not limited to loss of profits or revenues, business interruption losses, loss of contract, goodwill, or for any punitive or exemplary damages.

(d) the City, either directly or as an additional insured through a contractor's policy, shall obtain and maintain such insurance noted in **Schedule B**. Prior to the commencement of any Work, the City shall provide Metrolinx with evidence of insurance in a form satisfactory to Metrolinx, acting reasonably.

## 6. Term and Termination

(a) This Agreement shall expire upon: (i) completion of all Work under outstanding Work Authorizations, and (ii) written confirmation signed by both Parties indicating the Parties' mutual desire to terminate the Agreement, which shall not be unreasonably withheld.

(b) If either Party breaches any material term of this Agreement and fails, after written notice from the non-breaching Party, to remedy within thirty (30) days or within any other reasonable time of not less than thirty (30) days as contained in such notice, as determined by the non-breaching Party, having regard to the nature of the breach, the non-breaching Party may terminate this Agreement on written notice, without prejudice to any other rights or remedies it may have, including the right to claim and recover its losses and damages as a result of such breach.

(c) Metrolinx may, in its discretion, terminate this Agreement and/or any Work authorized by a Work Authorization that has not yet been completed by the City by notice in writing to the City.

(d) If this Agreement and/or any such Work Authorization is terminated for any reason (other than for a material breach of this Agreement by the City), Metrolinx will pay to the City: (i) its costs of performance of that portion of Work completed by the City to the date of termination; (ii) if the City has retained a contractor to perform any Work, and amount of money owed to such contractor as a result of contract termination; and (iii) any costs associated with completion of the Work undertaken under a Work Authorization, or, if the City chooses not to complete such Work, with returning the City Assets and Work location to a safe operating pre-work condition.

## 7. Dispute Resolution

(a) If any question, difference or dispute arises between the Parties to this Agreement in respect of any matter arising under this Agreement (including the performance of the Work) or in relation to the construction of this Agreement (each, a "**Dispute**"), the Parties shall use their reasonable commercial efforts to settle such Dispute.

(b) If the Parties are not able to reach a settlement within a period of thirty (30) days of receipt of written notice of a Dispute, then, upon written notice by either Party to the other, the Dispute shall be referred to mediation. A single mediator shall be appointed by agreement of the Parties, and such mediator shall endeavour to settle the Dispute as soon as practicable.

(c) If a mediator is not appointed within a period of thirty (30) days from the date of receipt of such notice, or if the Parties are not able to reach a settlement of the Dispute (regardless of whether a mediator is appointed) within a period of ninety (90) days following delivery of a referral notice to mediation, then the Parties shall be entitled to pursue, including by litigation, whatever rights and remedies are available to them at law or in equity.

(d) The Work shall continue pending resolution of a Dispute provided that the Dispute in question does not require resolution before the Work can continue.

**8. Notices**

Any notice, consent, approval, agreement, writing or other communication required or permitted under this Agreement (each, a “Notice”) shall be in writing. Any Notice delivered or to be delivered by a Party shall be sufficiently given if delivered personally or faxed or emailed to the other Party at the addresses set out below (or such other addresses as Metrolinx or the City may designate by written notice from time to time), and shall be deemed to be received, if delivered, on the day of delivery, or if faxed, on the next following day or if emailed on the day of delivery as recorded in the electronic mail system of the sender; provided that in each case if such day is not a Business Day, it shall be deemed to have been received on the next following Business Day. A Party may change its address by giving written notice to the other Party as provided for in this Section.

<p>(a) To the City:</p> <p>Director of the Hamilton LRT, Planning and Economic Development. 36 Hunter St E Hamilton Ontario, L8N3W8 <a href="mailto:Abdul.shaikh@hamilton.ca">Abdul.shaikh@hamilton.ca</a></p> <p>And: Manager Design – LRT Planning and Economic Development. 36 Hunter St E Hamilton Ontario, L8N3W8 <a href="mailto:Chris.McCafferty@hamilton.ca">Chris.McCafferty@hamilton.ca</a></p> <p>With a copy to:</p> <p>City Clerk City of Hamilton, City Hall 71 Main Street West Hamilton, Ontario L8P 4Y5 Email: <a href="mailto:clerk@hamilton.ca">clerk@hamilton.ca</a></p>	<p>(b) To Metrolinx: 20 Bay Street, Suite 600, Toronto, ON M5J 2W3 Attention: Director, Pre-Construction Services, Utilities &amp; Third Parties Fax: 416-202-7349 Email: <a href="mailto:paul.collins@metrolinx.com">paul.collins@metrolinx.com</a></p> <p>and with a copy to:</p> <p>Metrolinx Law Department 97 Front Street West, Toronto, Ontario M5J 1E6 Attention: Senior Legal Counsel Fax: 416-869-1755</p>
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**9. Miscellaneous Provisions**

(a) Each Party is performing its obligations hereunder as an independent entity and is not the representative or agent of the other Party.

(b) No action or inaction by either Party shall be construed as a waiver of its rights hereunder.

(c) This Agreement may not be modified or amended, except by written amendment signed by each of the Parties, and is the entire agreement of the Parties with respect to the subject matter hereof.

(d) This Agreement is governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

(e) This Agreement shall enure to the benefit of and be binding upon the Parties hereto and their respective successors, heirs and permitted assigns.

(f) Except as specifically set forth or referred to herein, nothing herein is intended or shall be construed to confer upon or give to any person or entity, other than the Parties and their respective successors, heirs and permitted assigns, any rights or remedies under or by reason of this Agreement. The Parties hereby irrevocably attorn to the exclusive jurisdiction of the courts of the Province of Ontario for any legal proceedings arising out of this Agreement or the performance of the obligations under this Agreement.

(g) Except as otherwise specifically provided for in this Agreement or required by law or order of any regulatory body having jurisdiction over a Party, the Parties covenant and agree with each other to:

- (i) keep the contents of this Agreement and the details of their relationship confidential;
- (ii) protect the other Party's confidential information that it receives from disclosure, in whole or in part, to any third party; and
- (iii) only disclose and use the other Party's confidential information it receives on a need-to-know basis and for the purpose of exercising or performing its rights and obligations under this Agreement.

Notwithstanding the foregoing, the City shall be authorized to discuss/present the Work and the contents of this Agreement with/to the Council of the City of Hamilton ("**City Council**") in City Council meetings and/or Committee meetings, as may be reasonable required from time-to-time, and with other third parties involved in the Hamilton LRT, including any City contractor engaged in any Work. Metrolinx represents that it is subject to the *Freedom of Information and Protection of Privacy Act* (Ontario) and the City represents that it is subject to the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56* and the Parties agree that any information provided to the other Party in connection with this Agreement may be subject to the applicable foregoing legislation. The Parties acknowledge and agree that the other Party will not be required or forced to disclose, except as may be required under such legislation or by order of a court of competent jurisdiction. Without limiting the foregoing, the Parties agree not to release any public statements concerning this Agreement or their relationship except with the prior written consent of the other Party.

(h) Each Party shall, upon the request of the other Party, do, execute, acknowledge and deliver or cause to be done, executed, acknowledged and delivered all such further acts, deeds, documents, assignments, transfers, conveyances and assurances as may be reasonably necessary to give full effect to this Agreement.

(i) Except for the Parties' obligations to make payments to each other under this Agreement, neither Party shall be liable for a delay in its performance or its failure to perform under this Agreement due to causes beyond its reasonable control including acts of God, fire, flood, or other catastrophes; government, legal or statutory restrictions on forms of commercial activity arising subsequent to this Agreement; or order of any civil or military authority; national emergencies, pandemics, epidemics, outbreak of a communicable disease, insurrections, riots or wars or strikes, lock-outs or work stoppages ("**Force Majeure**"). In the event of any one or more of the foregoing occurrences, written notice shall be given by the Party unable to perform to the other Party and the Party unable to perform shall be permitted to delay its performance to the extent required for so long as the Force Majeure occurrence continues.

(j) In this Agreement the following rules shall apply to the interpretation thereof: words denoting the singular include the plural and vice versa and words denoting any gender include all genders; the words "**include**", "**includes**" and "**including**" and other similar words and expressions shall in all cases be deemed to be followed by the words "without limitation"; "**Business Day**" means any day except Saturday, Sunday or any

day on which banks are generally not open for business in the City of Hamilton (including all days between Christmas and New Year’s Day); any reference to a statute shall mean the statute in force as at the date of this Agreement, together with all regulations promulgated thereunder, as the same may be amended, re-enacted, consolidated and/or replaced, from time to time, and any successor statute thereto, unless otherwise expressly provided; when calculating the period of time within which or following which any act is to be done or step taken, the date which is the reference day in calculating such period shall be excluded; unless otherwise specifically noted herein, all dollar amounts are expressed in Canadian currency; and the division of this Agreement into separate articles, sections, subsections and schedules and the insertion of headings are for convenience of reference only and shall not affect the construction or interpretation of this Agreement. If any payment or other action is required to be made or done under this Agreement on a day that is not a Business Day, then such act or step may be made or done on the next Business Day.

(k) This Agreement may be executed in counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same agreement. The execution of this Agreement by a Party and the fax or e-mail transmission (PDF) of such execution to the other Party shall be as binding on the Parties as if an original signature of the relevant Party had been provided.

***[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK. SIGNATURE PAGE TO FOLLOW]***

IN WITNESS WHEREOF this Agreement has been executed and delivered by the Parties as of the Effective Date.

METROLINX	CITY OF HAMILTON
<p>By: _____ Name: Title:</p> <p>By: _____ Name: Title:</p> <p><i>I/We have the authority to bind the corporation.</i></p>	<p>By: _____ Name: Andrea Horwath Title: Mayor</p> <p>By: _____ Name: Janette Smith Title: City Manager</p> <p><i>We have the authority to bind the City.</i></p>

Schedules:

- A – Form of Work Authorization
- B – Insurance Requirements

SCHEDULE A

FORM OF WORK AUTHORIZATION

WORK AUTHORIZATION

to the

CITY OF HAMILTON Preparatory Activities Agreement

**Work Location:**

Unless otherwise defined, capitalized terms contained herein shall have the definitions ascribed thereto in the Preparatory Activities Agreement.

**1.0 Type of Preparatory Activity\*:**

- Design Activity
- Construction
- Relocation Activity
- Removal Activity
- Modification Activity
- Replacement Activity
- Protection Activity

(\*Check box that applies to the Activity Request)

**2.0 Work Location**

Description details of location where work is being performed, intersection street names, etc.

**3.0 General Description of the Activity**

At the request of Metrolinx, and through this Work Authorization, the City will complete [enter summary narrative of the work to be performed.]

Any revision to the Hamilton LRT design may result in additional cost and/or duration.

**4.0 Expected Scope of the Activity and Sequencing**

Narrative of pre-construction activities (e.g.: easements, permits and approvals) and description of work steps.

**5.0 Initial Estimate of Work Cost\* [NTD: Section may need to be adjusted for a particular Work Location]**

- Design Activity
- Construction
- Relocation Activity
- Removal Activity
- Modification Activity
- Replacement Activity
- Protection Activity

(\*Check box that applies to the Activity Request; and complete relevant Section 5(a) or 5(b) only.)

- a) Design Activity—the City’s initial estimate of the total cost of the Design Activity referenced in this Work Authorization is:  
\$0\*\*\* (plus applicable taxes)
- b) Construction—the City’s initial estimate of the total cost of Construction referenced in this Work Authorization is:  
\$0\*\*\* (plus applicable taxes)
- c) Relocation Activity—the City’s initial estimate of the total cost of the Relocation Activity referenced in this Work Authorization is:  
\$0\*\*\* (plus applicable taxes)
- d) Removal Activity—the City’s initial estimate of the total cost of the Removal Activity referenced in this Work Authorization is:  
\$0\*\*\* (plus applicable taxes)
- e) Modification Activity—the City’s initial estimate of the total cost of the Modification Activity referenced in this Work Authorization is:  
\$0\*\*\* (plus applicable taxes)
- f) Replacement Activity—the City’s initial estimate of the total cost of the Replacement Activity referenced in this Work Authorization is:  
\$0\*\*\* (plus applicable taxes)
- g) Protection Activity—the City’s initial estimate of the total cost of the Protection Activity referenced in this Work Authorization is:  
\$0\*\*\* (plus applicable taxes)

The breakdown of the initial estimated cost is as follows:

Item	Description	Estimated Cost (CDN\$)
(i)	equipment and labour, construction, materials and contractors	0.00
(iv)	other (incl. third party costs)	0.00
(iii)	overheads	0.00
	<b>TOTAL</b>	<b><u>\$0.00</u></b>

As provided in the Agreement, (A) such initial estimate of the Work cost is only an estimate and is based on, among other things, the parameters on which the Work estimate for any Design Activity has been based, and (B) Metrolinx is responsible, and shall reimburse the City, for all of the City’s costs and expenses incurred in completing the Work as provided in this Work Authorization and the Agreement.

**7.0 Initial Estimate of Work Timeline**

The City's initial estimate of the date required for the City to complete the City Preparatory Activity referenced in this Work Authorization is:

**[INSERT DATE]** (the "**Estimated Completion Date**").

As provided in the Agreement, such initial estimate of Work timeline is only an estimate and is subject to, among other things, the impact of any changes to the Work as set out herein, including to the design or route of the Hamilton LRT as contemplated in the Agreement and delays may be possible and such timeline unattainable. Without limiting the generality of the foregoing, the commencement of field work for the City Preparatory Activity referenced herein will not be able to proceed until such time as the City obtains access to certain Metrolinx lands.

The Parties hereby execute this Work Authorization to evidence their agreement in respect of the Work to be undertaken under this Work Authorization, all as contemplated and provided for in the Agreement.

DATED as of the \_\_\_\_ day of \_\_\_\_\_, 2023.

**METROLINX**

**CITY OF HAMILTON**

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name: Andrea Horwath  
Title: Mayor

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name: Janette Smith  
Title: City Manager

*I/We have the authority to bind the corporation.*

*We have the authority to bind the City.*

SCHEDULE B

INSURANCE REQUIREMENTS

At all times the City shall, at the sole cost and expense of the City, maintain in force:

- (a) Commercial general liability insurance or a comparable policy (including non-owned automobile) including but not limited to coverage for personal injury and bodily injury, including death, broad form property damage, loss of use, blanket contractual liability, non-owned automobile liability, including liability for damage to hired automobiles, employers liability, contingent employers liability, completed operations and products liability, sudden and accidental pollution exposures, cross liability with severability of interest clause and owners' and contractors' protective insurance coverage. Such insurance shall be written on an occurrence basis with limits not less than Ten Million Dollars (\$10,000,000) per occurrence and an aggregate limit of not less than \$10,000,000 within any policy year with respect to products and completed operations and shall include Metrolinx and, if directed by Metrolinx, its engineering consultant retained or authorized by it from time to time, each as "Additional Insured" (except under non-owned automobile liability) but only for The City's legal liability arising from the performance of the Agreement. Such insurance shall not contain any exclusion for XCU (explosion and collapse), damage to "Existing Structure Exclusion", or contain any liability restrictions related to operations with or around railroads and railway tracks.
- (b) Automobile liability insurance with a limit not less than Five Million Dollars (\$5,000,000) per accident shall be maintained for all vehicles owned or leased by the City.
- (c) In the event of any liquid or gaseous substances, the City or its contractor shall, at their own cost and expense, maintain in force not less than Five Million Dollars (\$5,000,000) per claim and in the annual aggregate pollution liability insurance to provide coverage for property damage and clean-up and restoration costs.
- (d) Excess or umbrella insurance may be used to achieve the required insurance limits described in the foregoing subsections. All policies or certificates of insurance shall provide that thirty (30) days' advance notice in writing shall be given by the insurer to Metrolinx in the event that such policy is cancelled during policy terms. Any deductible under any of the policies shall be the responsibility of the City.
- (e) In the event that evidence of insurance (in a form sufficient and satisfactory to Metrolinx acting reasonably) is not delivered by the City, Metrolinx may purchase such insurance at the cost of the City, and the City shall reimburse Metrolinx for such cost forthwith upon receipt of invoices.

**Ministry of  
Transportation**

Office of the Minister

777 Bay Street, 5<sup>th</sup> Floor  
Toronto ON M7A 1Z8  
416 327-9200  
www.ontario.ca/transportation

**Ministère des  
Transports**

Bureau de la ministre

777, rue Bay, 5<sup>e</sup> étage  
Toronto ON M7A 1Z8  
416 327-9200  
www.ontario.ca/transports



February 24, 2023

107-2023-555

Mayor Andrea Horwath  
City of Hamilton  
71 Main Street West  
Hamilton ON L8P 4Y5

Dear Mayor Horwath:

**RE: Dedicated Gas Tax Funds for Public Transportation Program**

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This Letter of Agreement between the **City of Hamilton** (the "Municipality") and His Majesty the King in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario (the "Ministry"), sets out the terms and conditions for the provision and use of dedicated gas tax funds under the Dedicated Gas Tax Funds for Public Transportation Program (the "Program"). Under the Program, the Province of Ontario provides two cents out of the provincial gas tax to municipalities to improve Ontario's transportation network and support economic development in communities for public transportation expenditures.

The Ministry intends to provide dedicated gas tax funds to the Municipality in accordance with the terms and conditions set out in this Letter of Agreement and the enclosed Dedicated Gas Tax Funds for Public Transportation Program 2022-23 Guidelines and Requirements (the "guidelines and requirements").

In consideration of the mutual covenants and agreements contained in this Letter of Agreement and the guidelines and requirements, which the Municipality has reviewed and understands and are hereby incorporated by reference, and other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Ministry and the Municipality agree as follows:

1. To support local public transportation services in the Municipality, the Ministry agrees to provide funding to the Municipality under the Program to a maximum amount of up to **\$12,006,354** ("the "Maximum Funds") in accordance with, and subject to, the terms and conditions set out in this Letter of Agreement and, for greater clarity, the guidelines and requirements.
2. Subject to Section 1, the Ministry will, upon receipt of a fully signed copy of this Letter of Agreement and a copy of the authorizing municipal by-law(s) and, if applicable, resolution(s) for the Municipality to enter into this Letter of Agreement, provide the Municipality with **\$9,004,766**; and any remaining payment(s) will be provided thereafter.

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3. If another municipality authorizes the Municipality to provide local public transportation services on its behalf and authorizes the Municipality to request and receive dedicated gas tax funds for those services also on its behalf, the Municipality will in the by-law(s) and, if applicable, resolution(s) described in Section 2 confirm that the Municipality has the authority to provide those services and request and receive those funds.
4. The Municipality agrees that any amount payable under this Letter of Agreement may be subject, at the Ministry's sole discretion, to any other adjustments as set out in the guidelines and requirements.
5. The Municipality will deposit the funds received under this Letter of Agreement in a dedicated gas tax funds reserve account, and use such funds and any related interest only in accordance with the guidelines and requirements.
6. The Municipality will adhere to the reporting and accountability measures set out in the guidelines and requirements, and will provide all requested documents to the Ministry.
7. The Municipality agrees that the funding provided to the Municipality pursuant to this Letter of Agreement represents the full extent of the financial contribution from the Ministry and the Province of Ontario under the Program for the 2022-23 Program year.
8. The Ministry may terminate this Letter of Agreement at any time, without liability, penalty or costs upon giving at least thirty (30) days written notice to the Municipality. If the Ministry terminates this Letter of Agreement, the Ministry may take one or more of the following actions: (a) cancel all further payments of dedicated gas tax funds; (b) demand the payment of any dedicated gas tax funds remaining in the possession or under the control of the Municipality; and (c) determine the reasonable costs for the Municipality to terminate any binding agreement(s) for the acquisition of eligible public transportation services acquired, or to be acquired, with dedicated gas tax funds provided under this Letter of Agreement, and do either or both of the following: (i) permit the Municipality to offset such costs against the amount the Municipality owes pursuant to paragraph 8(b); and (ii) subject to Section 1, provide the Municipality with funding to cover, in whole or in part, such costs. The funding may be provided only if there is an appropriation for this purpose, and in no event will the funding result in the Maximum Funding exceeding the amount specified under Section 1.
9. Any provisions which by their nature are intended to survive the termination or expiration of this Letter of Agreement including, without limitation, those related to disposition, accountability, records, audit, inspection, reporting, communication, liability, indemnity, and rights and remedies will survive its termination or expiration.
10. This Letter of Agreement may only be amended by a written agreement duly executed by the Ministry and the Municipality.
11. The Municipality agrees that it will not assign any of its rights or obligations, or both, under this Letter of Agreement.

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12. The invalidity or unenforceability of any provision of this Letter of Agreement will not affect the validity or enforceability of any other provision of this Letter of Agreement. Any invalid or unenforceable provision will be deemed to be severed.
13. The term of this Letter of Agreement will commence on the date of the last signature of this Letter of Agreement.
14. The Municipality hereby consents to the execution by the Ministry of this Letter of Agreement by means of an electronic signature.

If the Municipality is satisfied with and accepts the terms and conditions of this Letter of Agreement, please print and secure the required signatures, and then deliver a fully signed pdf copy to the Ministry at the email account below. Subject to the province's prior written consent, including any terms and conditions the Ministry may attach to the consent, the Municipality may execute and deliver the Letter of Agreement to the Ministry electronically. In addition, all program documents are also to be sent to the following email account:  
[MTO-PGT@ontario.ca](mailto:MTO-PGT@ontario.ca)

Sincerely,



Caroline Mulroney  
Minister of Transportation

I have read and understand the terms and conditions of this Letter of Agreement, as set out above, and, by signing below, I am signifying the Municipality's consent to be bound by these terms and conditions.

**Municipality**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (print):  
Title (head of council or  
authorized delegate):

I have authority to bind the Municipality.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Name (print):  
Title (clerk or authorized delegate):

I have authority to bind the Municipality.

<b>Media Relations Policy</b>		January 2023
Communications & Strategic Initiatives Division		Supersedes Policy: Communications Policy – Media Relations (2012)
Page 1 of 7		

<b>Media Relations Policy</b>	
<b>PURPOSE</b>	<p>The purpose of this policy is to ensure professionalism and consistency in how the City of Hamilton works with the members of the media. The policy also includes specific procedures for successfully delivering media relations services.</p> <p>A key priority for the City of Hamilton is maintaining strong relationships with the media to remain transparent and accountable to the residents.</p> <p>The City’s Resident Survey results indicate the news media is an important and effective vehicle for communicating information about the City and its goals, increasing public awareness and education regarding municipal projects, initiatives, issues, events, bylaws, and policies.</p>
<b>SCOPE</b>	<p>The Media Relations Policy and all related schedules apply to all employees of the City of Hamilton, including full-time, temporary, and contract employees. This policy is also applicable to current volunteers, students and interns.</p> <p>This policy does not apply to Elected Officials or to Council appointed Citizen Members of City agencies, boards, and commissions.</p> <p>This policy was written and is maintained by the City’s Communications &amp; Strategic Initiatives Division and will be reviewed every three years.</p> <p>This policy does not apply to members of the general public whose inquiries are served by the City’s Customer Contact Centre and not by the Communications &amp; Strategic Initiatives Division.</p>

<b>Media Relations Policy</b>	 Hamilton	January 2023
Communications & Strategic Initiatives Division		Supersedes Policy: Communications Policy – Media Relations (2012)
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<b>DEFINITIONS</b>	
<b>Employee</b>	<p>City of Hamilton employees, including but not limited to, regular, temporary and contract employees (and for the purpose of this policy only, unpaid volunteers, students, and interns) will fall under the collective term of “employees”, and all programs, divisions and departments that make up the City of Hamilton.</p>
<b>Spokesperson(s)</b>	<p>Individuals representing the City of Hamilton, City of Hamilton departments, programs, and initiatives in an official capacity publicly and in the media.</p> <ul style="list-style-type: none"> <li>• <b>Mayor</b> or designate is the chief spokesperson for the City and shall be lead spokesperson on major new or renewed City programs/services/projects/initiatives and issues of significant public interest.</li> <li>• <b>City Manager</b> or designate shall be the spokesperson on major staff or administrative issues or initiatives.</li> <li>• <b>Departmental General Manager</b> or designate shall be the spokesperson on issues or programs that fall under the department that they serve.</li> <li>• <b>Medical Officer of Health</b> or designate shall be the spokesperson on public health matters, the provincial Health Protection and Promotion Act (and other appropriate legislation) and provincially mandated guidelines.</li> <li>• <b>City Clerk</b> or designate shall be the spokesperson regarding Council agendas, and Council decisions of record, administration of the Municipal Freedom of Information Act, and municipal elections.</li> <li>• <b>Director of Communications</b> or designate shall be the spokesperson on issues of public interest and can stand in as corporate spokesperson for any of the positions above</li> <li>• <b>Spokesperson Designates</b> such as directors/managers shall be spokespeople on issues or programs for which they are the subject matter experts</li> <li>• <b>Subject Matter Experts</b> - other staff shall be the</li> </ul>

<b>Media Relations Policy</b>	 Hamilton	January 2023
Communications & Strategic Initiatives Division		Supersedes Policy: Communications Policy – Media Relations (2012)
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<p><b>Media</b></p> <p><b>Media Centre</b></p>	<p>spokesperson on issues that they are acknowledged content experts subject to approval of the program manager, director or general manager as outlined in a list of authorized departmental spokespersons. The scope of media involvement is limited to specific areas of expertise only.</p> <p>News media refers to members of the news media that provide news to the general public or targeted public and can include print media (newspapers and magazines), broadcast news (radio and television) and internet-based news (online version of traditional news publications as well as standalone online news media).</p> <p>The City’s Media Centre refers to the dedicated media space on the basement level of City Hall, which includes office facilities, Internet access, a broadcast media lock-up area, and the City’s press conference facility.</p>
<p><b>POLICY</b></p>	<p>The City of Hamilton is an open, transparent and accountable publicly-funded organization and values the role of the media. This includes communicating City news and information to the public through the news media and reporting on the public’s views and opinions of the City of Hamilton.</p> <p>The City of Hamilton recognizes the vital role news media has in City communications and the need to respond to media requests with promptness, courtesy, transparency, and respect. The City welcomes the opportunity to communicate accurately and clearly about City programs, services, and issues.</p> <p>The City is to maintain positive working relationships with all forms of media (e.g. print, broadcast and Internet) that reach national, regional, local, neighbourhood, community, and diverse audiences.</p> <p>The City produces and distributes information to the media that align with journalistic news values, and is timely, clear, accurate, and accessible.</p> <p>When City information and/or news is first delivered to the media, the Mayor’s Office and/or Corporate Communications will be responsible for that information’s release, with all supporting communications from other areas of the corporation to follow.</p> <p>The City maintains an open, transparent communications process</p>

<b>Media Relations Policy</b>	 Hamilton	January 2023
Communications & Strategic Initiatives Division		Supersedes Policy: Communications Policy – Media Relations (2012)
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that enables media to have access to City decision-makers and knowledgeable staff.

Where preferred by members of the media, the City will prioritize delivering information via media interviews with subject matter experts over written responses.

Staff will make every effort to respond information and interview requests in a timely manner and in consideration of reasonable deadlines, which are often the same day the request is made.

The City strives to be transparent by default. If the information that is not in the custody or control of the City, Media requests may need to be processed through an FOI request under the Freedom of Information and Protection of Privacy Act. Any referral to the FOI process shall contain specific reasons for this decision.

As a priority the City will record and make accessible the content of all press conferences and announcements to members of the media and the public via livestreaming and the cataloguing of recorded content online.

While journalism codes of ethics encourage reporters to identify the information that is informing the facts in their reporting (physical and human sources of information) in the majority of cases, the City of Hamilton will respect journalists’ decisions to grant anonymity to sources when they deem it necessary to do so. City staff will not ask journalists to identify individuals who have been granted anonymity under any circumstances.

Staff are available to respond to media inquiries during regular operating hours: Monday to Friday, 8:30 a.m. to 4:30 p.m. The City will only respond to inquiries made outside business hours if the City deems them to be of an urgent operational nature or an emergency situation. Other requests will be addressed during regular business hours.

The City’s media relations activities comply with provincial legislation, Municipal Freedom of Information and Protection of Privacy Act, Personal Health Information Protection Act, City of Hamilton corporate policies, bylaws and council directives.

<b>Media Relations Policy</b>	 Hamilton	January 2023
Communications & Strategic Initiatives Division		Supersedes Policy: Communications Policy – Media Relations (2012)
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<p><b>PROCEDURE</b></p> <p><b>City of Hamilton Employee interacting with the news media in an official City of Hamilton capacity</b></p> <p><b>Corrections sought by the City of Hamilton</b></p> <p><b>Complaints by members of the media about City media relations service</b></p> <p><b>Liaising with Communications Officers</b></p>	<ul style="list-style-type: none"> <li>• Staff must refer media inquiries to the authorized spokesperson/subject matter expert for the department or project and notify <a href="#">corporate communications</a>.</li> <li>• City employees who are not designated spokespeople are not authorized to make statements to the media and/or in public discussion on behalf of the City. This does not include communications in the course of their regular duties, such as presentations at Council meetings or public meetings where media are present.</li> <li>• If contacted by a media representative, City staff shall:                         <ul style="list-style-type: none"> <li>▪ Treat the reporter as a client, being courteous and professional.</li> <li>▪ Advise the reporter that the request will be forwarded to corporate communications.</li> <li>▪ Help provide timely responses to the media by collecting the following information, if possible, to be forwarded along to your department's Senior/Communications Officer and your manager:                                 <ul style="list-style-type: none"> <li>▪ journalist's name and who they work for</li> <li>▪ contact information (telephone number and/or email address)</li> <li>▪ deadline</li> <li>▪ topic of the interview</li> </ul> </li> </ul> </li> </ul> <p>The City of Hamilton will seek corrections and provide factual information where reporting (print, broadcast, radio, online and social media) is believed to be factually incorrect.</p> <p>Complaints by members of the media about City media relations service should be raised by the members of the media directly with the individual who provided the service. If necessary, the complaint can be forwarded to the Manager of Communications followed by the Director of Communications, as necessary.</p> <ul style="list-style-type: none"> <li>• Communications Officers act as a primary media liaison. Communications Officers shall:                         <ul style="list-style-type: none"> <li>▪ Determine appropriate media spokespeople (or designate spokespeople).</li> <li>▪ Ensure all relevant and available information has been provided to the media.</li> <li>▪ Work with the media's deadlines, and/or advise on</li> </ul> </li> </ul>
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<b>Media Relations Policy</b>	 Hamilton	January 2023
Communications & Strategic Initiatives Division		Supersedes Policy: Communications Policy – Media Relations (2012)
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<p><b>Role of Designated City Spokesperson(s)</b></p>	<p>feasibility of meeting deadlines depending on nature of request; they can often provide factual and background information.</p> <ul style="list-style-type: none"> <li>▪ Advise and ensure the Mayor, members of Council, and senior staff (i.e. City Manager, and/or other staff/officials) are informed when appropriate.</li> </ul> <ul style="list-style-type: none"> <li>• Senior/Communications Officers provide advice on, and develop communications strategies and plans that incorporate proactive media relations by:                     <ul style="list-style-type: none"> <li>▪ coordinating, reviewing and distributing materials provided to media such as media releases, media advisories, public service announcements, media conferences, letters to editor, media tours, interviews and other tactics to communicate with media members.</li> <li>▪ Reviewing media materials for accuracy and appropriateness with the designated contact person(s) and that materials are produced in Canadian Press (CP) Style.</li> <li>▪ Retain copies of all media releases distributed to the media.</li> <li>▪ Track media coverage, and media requests.</li> </ul> </li> <li>• Follow all City of Hamilton corporate policies and procedures.</li> <li>• Complete the appropriate media training in consultation with the Senior/Communications Officer.</li> <li>• Consult with Senior/Communications Officer in advance of media interviews or providing information to the media.</li> <li>• Spokespeople designates such as directors/managers shall be spokespeople on issues or programs for which they are the subject matter experts.                     <ul style="list-style-type: none"> <li>▪ Other staff can act as a spokesperson on issues that they are acknowledged content experts on, subject to approval of the Program Manager, Director, or General Manager in consultation with the designated Senior/Communications Officer.</li> <li>▪ The scope of media involvement is limited to specific areas of expertise and responsibility only.</li> <li>▪ Understand the distinction between general policy or program information, and personal information about an individual when responding to such an inquiry.</li> </ul> </li> </ul>
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<b>Media Relations Policy</b>		January 2023
Communications & Strategic Initiatives Division		Supersedes Policy: Communications Policy – Media Relations (2012)
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<b>HISTORY</b>	This Policy replaces the former Communications Policy – Media Relations (2012)
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FEDERATION  
OF CANADIAN  
MUNICIPALITIES

FÉDÉRATION  
CANADIENNE DES  
MUNICIPALITÉS

# A better life for all Canadians

Municipalities are known for turning shared federal-municipal aspirations into action on the ground. We're renewing job-creating infrastructure and retrofitting buildings to cut emissions. We're making this country more resilient to extreme weather. We're working to enhance community wellbeing by promoting housing affordability and fostering inclusivity.

**We're doing all of this and more in ways that are efficient, cost-effective and that make life better in this country.**

As the national voice for Canada's local governments, FCM is ready to advance real solutions that raise the quality of life of Canadians across the country.

**Here is a brief summary of our priorities for Budget 2023.**

## A resilient quality of life



From fires to storms and floods, communities are on the front lines of extreme weather. FCM has led the charge in calling for action and investment to protect communities from extreme weather events and build towards adaptation and resilience. The federal government responded with a vision for a more climate resilient society, and in November 2022 published the first National Adaptation Strategy to implement this approach. The next steps that FCM are advocating include:

- Building on the progress demonstrated through the National Adaptation Strategy's top-up to the **Disaster Mitigation and Adaptation Fund (DMAF)**, and emphasizing the importance of long-term, predictable funding for climate resilient infrastructure.
- Municipalities are expecting to see new investments in Budget 2023, including an immediate increase to the **Disaster Mitigation and Adaptation Fund (DMAF)** totaling \$2 billion in 2022-2023 and at least **\$1 billion per year over ten years** for disaster mitigation infrastructure.



## We are FCM

FCM is the national voice of municipal government since 1901. We unite more than 2,100 cities and communities of all sizes, from big cities to rural and northern communities, as well as provincial and territorial municipal associations. Together we represent more than 92 percent of Canadians. That gives us an unparalleled ability to convene Canada's on-the-ground leaders, and to help design and deliver federal initiatives that build better lives for Canadians.

Municipalities in Canada are constrained by an outdated fiscal framework that limits the potential of our communities. Through all of our advocacy, FCM and our members are committed to working with our federal, provincial, and territorial government partners to develop a modernized fiscal framework for municipalities so local governments can continue to lead with ambition.

## An affordable quality of life



Municipalities have a critical role to play in addressing housing affordability. Like so many national policy challenges of our time, Canada's housing crisis requires local governments to dedicate more resources than ever before to deliver solutions across the country. But no order of government can do it alone. Municipalities are urging the federal government to:

- Prioritize a swift and effective rollout of the Housing Accelerator Fund, working closely with municipalities to ensure that a highly effective and results-oriented funding tool is ready to begin unlocking supply immediately.
- Rapidly advance the Budget 2022 commitment to co-develop the **Urban, Rural and Northern Indigenous Housing Strategy** in partnership and meaningful engagement with Indigenous housing providers and partners across Canada, and immediately commit at least \$3 billion over the next five years for new Indigenous housing units.
- Optimize and continue to invest in critical National Housing Strategy programs such as the **National Housing Co-Investment Fund** and **Rental Construction Financing Initiative** to preserve and create more affordable rental supply, deliver deeper market and non-market affordability and review grant to loan ratios to ensure they respond to market changes and allow for project completions.
- Continue investments in the successful **Rapid Housing Initiative** to end chronic homelessness by committing to long-term funding. Scale up **Reaching Home** to provide ongoing homelessness funding for wraparound supports needed for vulnerable populations, as well as additional social services and options for those residing in encampments.



## A growing quality of life



So many national challenges, including increasing housing supply in a context of accelerated population growth, depend on core infrastructure being in good condition. Yet according to Statistics Canada's Core Public Infrastructure Survey, 14% of municipal waste and water infrastructure and 12% of municipal transportation infrastructure is currently in "poor" or "very poor" condition. FCM has estimated that the cost of addressing all municipal assets currently in "poor" and "very poor" condition is more than \$175 billion. As current infrastructure programs end or renew, FCM is advancing recommendations for the future of federal infrastructure funding. We are looking to Budget 2023 to advance key priorities such as:

- Ensure clean water for Canadians nationwide by creating a **new dedicated water infrastructure fund** and investing at least \$1 billion annually for the next 10 years over and above **Canada Community Building Fund (CCBF)** investment. Crucial to support population growth and increasing housing supply, this would deliver much-needed potable water, stormwater, and wastewater infrastructure in both urban centers and rural communities.
- Invest at least \$500 million annually in **municipal community, culture and recreational infrastructure** for the next 10 years starting in 2024-25. These essential public amenities are needed to service growing populations in municipalities. Creating vibrant, walkable, transit-oriented neighborhoods where people want to live, work, and play is key to post-pandemic downtown renewal and achieving our net-zero goals.
- Permanently double the proven **Canada Community Building Fund** (formerly known as the Gas Tax Fund) to \$4.4 billion per year and increasing the annual index from 2% to 3.5% to renew core municipal infrastructure.

Continued on Next Page



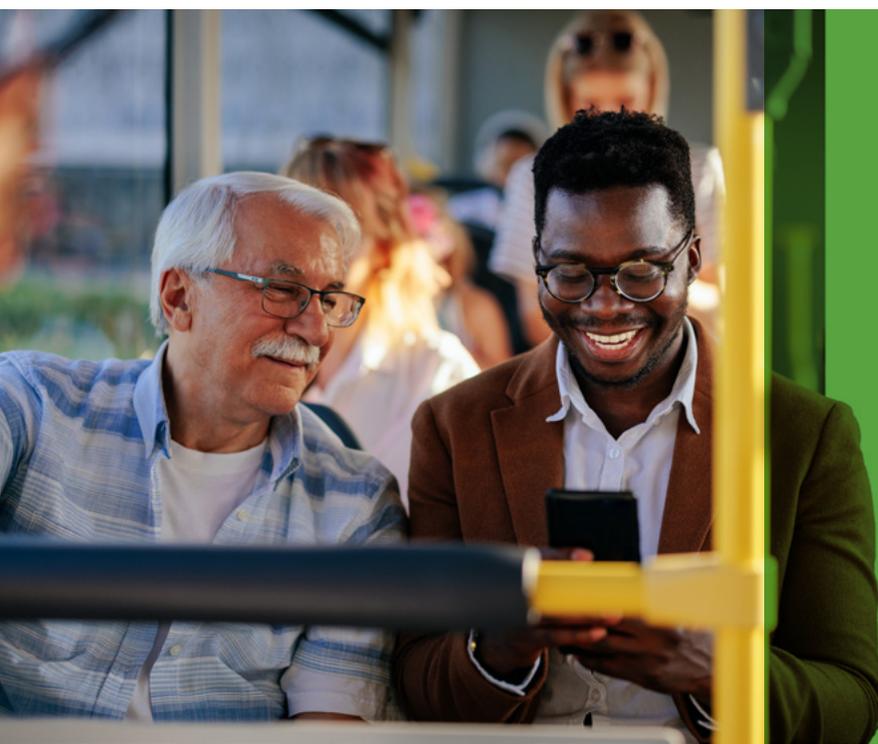


- Enshrine the **Permanent Public Transit Fund** in legislation in 2023–24 with new funding available for planning and design costs and a mechanism to approve projects for capital funding. Starting in 2026/27, the PPTF should provide no less than \$3 billion per year for a full range of eligible capital expenses and should be indexed at 3.5% per year.
- Implement a comprehensive plan for inter-community transit that builds on existing federal programs such as the **Rural Transit Solutions Fund** to create a national approach that includes a sustainable funding model in partnership with provinces and territories.
- Bolster **rural and northern infrastructure** by adding a needs-based stream to the **Universal Broadband Fund**; investing in rural infrastructure like water systems, roads and bridges, ports and airports by providing at least \$250 million annually in new funding for 10 years starting in 2024–25; and through a targeted increase to the CCBF for local governments in the territories.
- Close the **Indigenous infrastructure** gap to improve quality of life for Indigenous communities, including prioritizing safe drinking water as a human right by ending boil water advisories and providing long-term water certainty.

## A secure quality of life

Community wellbeing is the foundation of livable cities and municipalities. There are critical steps the federal and municipal orders of government can take together to keep communities safe, healthy and inclusive for all Canadians. In Budget 2023, we're looking to make progress to:

- Prevent serious repercussions on community services with a federal commitment to absorb all **retroactive costs** associated with the signing of the new RCMP bargaining agreement.
- Tackle the opioid crisis by building on Health Canada's Substance Use and Addictions Program, **supporting access to pharmaceutical alternatives** to the illegal drug supply, and moving toward more stable, long-term funding.
- Renew and expand FCM's successful **CanWILL program** so municipalities can play a leading role in helping to implement Canada's National Action Plan to End Gender-Based Violence—including by addressing the growing harassment of elected officials and candidates for public office.
- Increase access to **mental health and addictions services** in communities of all sizes across Canada, and engage municipalities in a national conversation on mental health.



**FCM**

Let's work together to ensure all Canadians experience a better quality of life in our communities.

For more information on FCM and local government priorities, visit our website at [fcm.ca](https://www.fcm.ca) or **contact us**.



## **AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 23-004**

**9:30 a.m.**

**March 23, 2023**

**Council Chambers**

**Hamilton City Hall**

**Present:** Councillors C. Kroetsch (Chair), T. Hwang (Vice-Chair), J. Beattie, B. Clark, M. Tadeson, A. Wilson, and M. Wilson

**Absent with Regrets:** Councillor Spadafora – Personal

### **THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 23-003 AND RESPECTFULLY RECOMMENDS:**

1. **Fraud and Waste Hotline Pilot Program: Evaluation (AUD23005) (City Wide) (Item 8.2)**
  - (a) That the Fraud and Waste Hotline Pilot Program be made permanent.
  - (b) That effective July 1, 2023, the Fraud and Waste Hotline be funded via the operating levy through the Office of the City Auditor's operating budget, first by exhausting any remaining funding that was previously approved by Council.
  - (c) That Council approve the single source procurement, pursuant to Procurement Policy #11 – Non-competitive Procurements, for the Fraud and Waste Hotline Intake Services, Case Management Software, and Support until July 31, 2028 and that the City Manager be authorized to negotiate, enter into and execute a Contract and any ancillary documents required to give effect thereto with Whistleblower Security Inc., in a form satisfactory to the City Solicitor.
  - (d) That the name of the Office of the City Auditor be amended to the Office of the Auditor General in all corporate systems, on the City's website, and within any City Policy that references that Office, including but not limited to the Fraud Policy and Protocol, the Code of Conduct for Employees and Schedule F of the Code of Conduct for Employees "Interacting with the Office of the City Auditor" so that the independent and objective nature of the work being performed is recognized, acknowledged, and more easily understood by the public and staff.

- (e) That the position City Auditor be known as the Auditor General and this be updated in all corporate systems, on the City's website, and within any City Policy that references that Office, including but not limited to the Fraud Policy and Protocol, the Code of Conduct for Employees and Schedule F of the Code of Conduct for Employees "Interacting with the Office of the City Auditor".
- (f) That the revised Audit Charter attached as Appendix "A" to Audit, Finance and Administration Committee Report 23-004, be approved.
- (g) That Legal Services be directed to prepare a by-law to amend the City's Procedural By-law 21-021, as amended, to replace Schedule F1, with the revised Audit Charter, attached as Appendix "A" to Audit, Finance and Administration Committee Report 23-004 and to update references made to the City Auditor and the Office of the City Auditor within the Procedural By-law 21-021 to Auditor General and the Office of the Auditor General and that notice of the proposed amendment be given pursuant to the City's Public Notice Policy By-law 07-351.
- (h) That a by-law to amend the City Auditor By-law 19-180, to reflect the change from Office of the City Auditor to Office of the Auditor General and City Auditor to Auditor General attached as Appendix "B" to Report AUD23005, be enacted by Council.
- (i) That a by-law to amend the Whistleblower By-law 19-181, to reflect the change from Office of the City Auditor to Office of the Auditor General and City Auditor to Auditor General and to extend protections from reprisals to include employees who are witnesses in whistleblower investigations attached as Appendix "C" to Report AUD23005, be enacted by Council.

## **2. Consent Items (Item 9)**

That the following Consent Items be received:

- (a) Fair Wage Policy and Fair Wage Schedule Complaints Annual Report (FCS23015) (City Wide) (Item 9.2)
- (b) Report of the 2022 Remuneration and Expenses as Required under Section 284 of the Municipal Act (FCS23018) (City Wide) (Item 9.3)
- (c) Annual Assessment Appeals as of December 31, 2022 (FCS23022) (City Wide) (Item 9.4)
- (d) Annual Tax Arrears as of December 31, 2022 (FCS23023) (City Wide) (Item 9.5)
- (e) COVID-19 Policy 10 Emergency Procurements Report (FCS23024) (City Wide) (Item 9.6)

- (f) Annual Occupational Injury & Illness Claims Report 2022 (HUR23003) (City Wide) (Item 9.7)
- (g) Annual Employee Attendance Report 2022(HUR23005) (City Wide) (Item 9.8)

**3. Use of External Services for Tax Assessment & Appeals (FCS20005(b)/LS21047(a)) (Outstanding Business List Item) (City Wide) (Item 10.1)**

- (a) That costs for the use of external legal counsel, if required, to supplement internal legal resources and use of Assessment & Appraisal consultants / Expert Witnesses to actively participate in Assessment Appeals be funded from the existing Appeals operating budget (52108-252013);
- (b) That staff report on the financial impacts of the City of Hamilton's active participation in Assessment Appeals through the Annual Assessment Appeals Report; and
- (c) That as a result of this report, the item representing Use of External Services for Tax Assessment & Appeals will be considered complete and removed from the Audit, Finance and Administration Committee outstanding business list.

**4. Request to Extend Banking Services Agreement (FCS23036) (City Wide) (Item 10.2)**

- (a) That the General Manager, Finance and Corporate Services Department, or their designate, be authorized and directed to negotiate an extension to Contract C12-01-11 for Professional Banking Services for the City of Hamilton (City) for a period of no less than three years with the Royal Bank of Canada (RBC), pursuant to Procurement Policy #11 – Non-competitive Procurements; and
- (b) That staff be directed to report back with the results of the negotiations of the extension with RBC to the Audit, Finance and Administration Committee for approval.

**5. Accounts Receivable Write-Offs for 2022 (FCS23017) (City Wide) (Item 10.3)**

- (a) That the Schedule of General Accounts Receivable Write-Offs less than \$1,000 in the amount of \$4,941.56 attached as Appendix "B" to to Audit, Finance and Administration Committee Report 23-004, be received for information;
- (b) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectable General Accounts Receivable over \$1,000 in the amount of \$86,105.77 attached as Appendix "C" to Audit, Finance and Administration Committee Report 23-004.

- (c) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible Hamilton Farmer's Market Accounts Receivables in the amount of \$55,127.28 attached as Appendix "D" to Audit, Finance and Administration Committee Report 23-004.
- (d) That the General Manager of Finance and Corporate Services be authorized to write-off uncollectible Lodges Accounts Receivables in the amount of \$17,867.05 attached as Appendix "E" to Audit, Finance and Administration Committee Report 23-004.

**6. City Auditor Reporting of Serious Matters to Council (Case #63146) (AUD23006) (City Wide) (Item 14.1)**

That Report AUD23006, respecting City Auditor Reporting of Serious Matters to Council (Case #63146) (City Wide), be received and remain confidential.

**7. Committee Report (Added Item 14.2)**

- (a) That the direction provided to staff in Closed Session, be approved; and
- (b) That the Committee Report remain confidential.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**8. STAFF PRESENTATIONS / PRESENTATIONS**

- 8.3 Hamilton Mundialization Committee – Annual Report  
To be considered following Item 8.1.

**9. CONSENT ITEMS**

- 9.1(a) Committee Against Racism Minutes – January 10, 2023 -  
**WITHDRAWN**

- 9.1(c) Hamilton Women and Gender Equity Committee Minutes –  
January 26, 2023 - **WITHDRAWN**

**12. NOTICES OF MOTION**

- 12.1 Fair Wage Policy Review

**14. PRIVATE AND CONFIDENTIAL**

## 14.2 Committee Report

The agenda for the February 16, 2023 Audit, Finance and Administration Committee meeting was approved, as amended.

### **(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

#### **(i) February 16, 2023 (Item 4.1)**

The Minutes of the February 16, 2023 meeting of the Audit, Finance and Administration Committee were approved, as presented.

### **(d) STAFF PRESENTATIONS / PRESENTATIONS (Item 8)**

#### **(i) Advisory Committee for Immigrants and Refugees – Annual Report (Item 8.1)**

Jennie Hamilton, Chair, Advisory Committee for Immigrants and Refugees, addressed the Committee respecting the Advisory Committee for Immigrants and Refugees Annual Report.

The presentation from Jennie Hamilton, Chair, Advisory Committee for Immigrants and Refugees respecting the Advisory Committee for Immigrants and Refugees Annual Report, was received.

#### **(ii) Hamilton Mundialization Committee - Annual Report (Added Item 8.3)**

Anthony Macaluso, Chair, Hamilton Mundialization Committee, addressed the Committee respecting the Hamilton Mundialization Committee Annual Report.

The presentation from Anthony Macaluso, Chair, Hamilton Mundialization Committee respecting the Hamilton Mundialization Committee Annual Report, was received.

#### **(iii) Fraud and Waste Hotline Pilot Program: Evaluation (AUD23005) (City Wide) (Item 8.2)**

Charles Brown, City Auditor, addressed Committee respecting the Fraud and Waste Hotline Pilot Program: Evaluation, with the aid of a presentation.

The presentation from Charles Brown, City Auditor, respecting the Fraud and Waste Hotline Pilot Program: Evaluation, was received.

For further disposition of this matter, refer to Item 1.

**(e) CONSENT ITEMS (Item 9)**

**(i) Committee Against Racism Minutes - February 6, 2023 (Item 9.1(a))**

The Committee Against Racism Minutes of February 6, 2023, were received.

**(f) MOTIONS (Item 11)**

Councillor Kroetsch relinquished the Chair to Councillor Hwang to introduce the following Motion and Notice of Motion:

**(i) Feasibility of a Bring Your Own Device Policy (Item 11.1)**

WHEREAS, the Council-approved *City of Hamilton E-mail, Internet, and Computer Acceptable Use Policy* and *IT Security Policy* strictly prohibit the use of personal devices in any form to conduct City of Hamilton business;

WHEREAS, the ability to use a range of technology, including software, to accommodate social media and graphic design would enable Councillors and their staff to optimize their office work;

THEREFORE, BE IT RESOLVED:

Information Technology staff was directed to investigate the feasibility of implementing a bring-your-own-device policy that would allow Councillors and their staff to use personal computers, mobile phones and other personal devices to conduct City of Hamilton business and report back to the Audit, Finance and Administration Committee on the following:

- (a) the risks, operational impacts, and cost implications of implementing a bring-your-own-device policy;
- (b) the possible implementation of a pilot for a bring-your-own-device policy, that shall be limited to Councillors and their administrative staff; and
- (c) an investigation of other direct paths to allow Councillors and their staff to use a range of personal technology to meet their individual needs.

**(g) NOTICES OF MOTION (Item 12)**

Councillor Kroetsch introduced the following Notice of Motion:

**(i) Fair Wage Policy Review (Added Item 12.1)**

WHEREAS, the Fair Wage Policy has not been updated recently, especially in light of the serious changes to the industry as a result of the COVID-19 pandemic;

WHEREAS, there are record-level investments in building and a renewed interest in health, hygiene, and safety on job sites; and

WHEREAS, the City and other employers are contending with an underground economy which is destabilizing the associated job markets.

THEREFORE, BE IT RESOLVED:

- (a) That Human Resources and Finance and Corporate Services staff be directed to engage in a review of the Fair Wage Policy and any related schedules through stakeholder meetings for report back to the Audit, Finance and Administration Committee by the end of Q3 2023 with recommendations; based on stakeholder feedback;
- (b) That the following stakeholder groups be included in the consulted: Christian Labour Association Canada; Electrical Construction Association Hamilton; Hamilton Brantford Ontario Building & Construction Trades Council; Golden Horseshoe General Contractors Association; Greater Hamilton & Niagara Construction Association; Hamilton Halton Construction Association; Mechanical Contractors Association Hamilton Niagara; Labourers' International Union of North America; and Merit OpenShop Contributors Association of Ontario;
- (b) That there be two stakeholder meetings, inviting all stakeholders to each, at the beginning of Q3 2023; and
- (c) That members of City Council be permitted to attend as guests to hear stakeholder feedback directly.

**(h) GENERAL INFORMATION / OTHER BUSINESS (Item 15)**

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

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

- (a) Items Considered Complete and to be Removed
  - 1. Use of External Services for Tax Assessment & Appeals  
Item on OBL: 21-Q  
Addressed as Item 10.1 on today's agenda

**(h) PRIVATE AND CONFIDENTIAL (Item 14)**

The Audit, Finance and Administration Committee moved into Closed Session respecting Item 14.1 and 14.2, pursuant to Section 9.3, Sub-sections (a) and (b) of the City's Procedural By-law 21-021, as amended, and Section 239(2), Sub-section (a) and (b) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to the security of the property of the City or a local board and to personal matters about an identifiable individual, including City or local board employees.

**(i) City Auditor Reporting of Serious Matters to Council (Case #63146) (AUD23006) (City Wide) (Item 14.1)**

For further disposition of this matter, refer to Item 6.

**(ii) Committee Report (Added Item 14.2)**

For further disposition of this matter, refer to Item 7.

**(i) ADJOURNMENT (Item 15)**

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 1:03 p.m.

Respectfully submitted,

Councillor Cameron Kroetsch, Chair  
Audit, Finance and Administration  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk

# CITY OF HAMILTON

## OFFICE OF THE AUDITOR GENERAL CHARTER

### INTRODUCTION

The Office of the Auditor General provides independent, objective audit, assurance and special investigative services designed to add value and improve the City of Hamilton’s operations. The Office of the Auditor General (OAG) brings a systematic, disciplined approach to evaluating and improving the effectiveness of the City’s risk management, control and governance processes.

The OAG assists City Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for the achievement of value for money in City operations.

### SCOPE

The Office of the Auditor General completes the following types of work:

- Compliance Auditing
- Value for Money Auditing
- Special Investigations (Fraud and Waste, Whistleblower)

### Audit, Assurance and Special Investigations

Audit and Assurance work includes the examination and evaluation of the adequacy and effectiveness of the City’s governance, risk management process, systems of internal control and the quality of performance in carrying out assigned responsibilities to achieve the organization’s goals and objectives. This includes both compliance and value for money audits. The City’s processes should function in a manner that ensures:

- Risks are appropriately identified and managed.
- Significant financial, managerial, and operating information is accurate, reliable and timely.
- Actions are in compliance with policies, standards, procedures, and applicable laws and regulations.
- Resources are acquired economically, used efficiently and are adequately protected.
- Programs, plans and objectives are achieved.

## CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER

- Significant legislative and regulatory issues impacting the City are recognized and addressed properly.
- Quality and continuous improvement are fostered in the organization's internal control processes.

In addition to audits, special investigations may be undertaken by the OAG pursuant to Council having given that authority under the Whistleblower By-law (19-181) and the City of Hamilton's Fraud Policy and Protocol. These include reviews or investigations of matters of alleged or suspected wrongdoing, per the Whistleblower By-law or fraud, waste or other similar activities reported by employees or residents through the Fraud and Waste Hotline or other mechanisms.

The Auditor General has been appointed by By-law 19-180 (Auditor General By-law) as an Auditor General under Section 223.19 of the *Municipal Act, 2001*, with the responsibilities, including the powers, duties and protections, under Sections 223.19 to 223.23 of the *Municipal Act, 2001*. These responsibilities apply to the extent authorized by these sections of the *Municipal Act, 2001*. The powers and protections provided to the Auditor General (by appointment as an Auditor General) strengthens the position of independence and institutional authority of the Auditor General while providing information to Council for its oversight role.

### AUTHORITY

The Office of the Auditor General is granted full, free and unrestricted access to any and all records, property and personnel relevant to any function under review. Access to personal information is provided for under the *Municipal Freedom of Information and Protection of Privacy Act* (in particular, Subsections 31(c) and 32(d)).

The OAG has the authority to conduct audits and reviews of all City departments, Members of Council, agencies, boards and commissions, as well as other entities the City is related to or has an interest in.

All employees will assist the OAG in fulfilling its objectives, in a timely manner.

As an Auditor General, the OAG has the responsibilities, including the powers, duties and protections, under Sections 223.19 to 223.23 of the *Municipal Act, 2001* for:

- City Departments;
- Members of Council;

## CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER

- Local boards (not including the Board of Health, the Hamilton Public Library Board, the Police Services Board or other local boards in accordance with the current definition of "local board" under Section 223.1 of the *Municipal Act, 2001*);
- Municipally-controlled corporations (a corporation that has 50 per cent or more of its issued and outstanding shares vested in the City or that has the appointment of a majority of its board of directors made or approved by the City, not including a corporation established in accordance with Section 203 of the *Municipal Act, 2001*); and
- Grant recipients (as currently defined under Section 223.1 of the *Municipal Act, 2001* as "a person or entity that receives a grant directly or indirectly from the municipality, a local board or a municipally-controlled corporation");

These responsibilities under Section 223.19 to 223.23 of the *Municipal Act, 2001* include the powers to access information and to examine persons under Section 33 of the *Public Inquiries Act, 2009*; the duty to preserve secrecy with respect to all matters that come to its knowledge in the course of performing its functions; and the protection of not being a competent or compellable witness in a civil proceeding.

The relevant excerpts from the *Municipal Act* (accessed on March 1, 2023 at <https://www.ontario.ca/laws/statute/01m25#BK272>) are included below for reference:

### **Auditor General**

**223.19** (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an Auditor General who reports to council and is responsible for assisting the council in holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations. 2006, c. 32, Sched. A, s. 98.

### **Same**

(1.1) The Auditor General shall perform his or her responsibilities under this Part in an independent manner. 2009, c. 33, Sched. 21, s. 6 (11).

### **Exceptions**

(2) Despite subsection (1), the responsibilities of the Auditor General shall not include the matters described in clauses 296 (1) (a) and (b) for which the municipal auditor is responsible. 2006, c. 32, Sched. A, s. 98.

### **Powers and duties**

(3) Subject to this Part, in carrying out his or her responsibilities, the Auditor General may exercise the powers and shall perform the duties as may be assigned to him or her by the municipality in respect of the municipality, its

## CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER

local boards and such municipally-controlled corporations and grant recipients as the municipality may specify. 2006, c. 32, Sched. A, s. 98.

### **Grant recipients**

(4) The authority of the Auditor General to exercise powers and perform duties under this Part in relation to a grant recipient applies only in respect of grants received by the grant recipient directly or indirectly from the municipality, a local board or a municipally-controlled corporation after the date on which this section comes into force. 2006, c. 32, Sched. A, s. 98.

### **Delegation**

(5) The Auditor General may delegate in writing to any person, other than a member of council, any of the Auditor General's powers and duties under this Part. 2006, c. 32, Sched. A, s. 98.

### **Same**

(6) The Auditor General may continue to exercise the delegated powers and duties, despite the delegation. 2006, c. 32, Sched. A, s. 98.

### **Status**

(7) The Auditor General is not required to be a municipal employee. 2006, c. 32, Sched. A, s. 98.

### **Duty to furnish information**

**223.20** (1) The municipality, its local boards and the municipally-controlled corporations and grant recipients referred to in subsection 223.19 (3) shall give the Auditor General such information regarding their powers, duties, activities, organization, financial transactions and methods of business as the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

### **Access to records**

(2) The Auditor General is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers, things or property belonging to or used by the municipality, the local board, the municipally-controlled corporation or the grant recipient, as the case may be, that the Auditor General believes to be necessary to perform his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

### **No waiver of privilege**

(3) A disclosure to the Auditor General under subsection (1) or (2) does not constitute a waiver of solicitor-client privilege, litigation privilege or settlement privilege. 2006, c. 32, Sched. A, s. 98.

## CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER

### **Powers re examination**

**223.21** (1) The Auditor General may examine any person on oath on any matter pertinent to an audit or examination under this Part. 2006, c. 32, Sched. A, s. 98.

### **Application of Public Inquiries Act, 2009**

(2) Section 33 of the *Public Inquiries Act, 2009* applies to an examination by the Auditor General. 2009, c. 33, Sched. 6, s. 72 (3).

### **Duty of confidentiality**

**223.22** (1) The Auditor General and every person acting under the instructions of the Auditor General shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

### **Same**

(2) Subject to subsection (3), the persons required to preserve secrecy under subsection (1) shall not communicate information to another person in respect of any matter described in subsection (1) except as may be required,

- (a) in connection with the administration of this Part, including reports made by the Auditor General, or with any proceedings under this Part;  
or
- (b) under the *Criminal Code* (Canada). 2006, c. 32, Sched. A, s. 98.

### **Same**

(3) A person required to preserve secrecy under subsection (1) shall not disclose any information or document disclosed to the Auditor General under section 223.20 that is subject to solicitor-client privilege, litigation privilege or settlement privilege unless the person has the consent of each holder of the privilege. 2006, c. 32, Sched. A, s. 98.

### **Section prevails**

(4) This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act*. 2006, c. 32, Sched. A, s. 98.

### **Testimony**

**223.23** Neither the Auditor General nor any person acting under the instructions of the Auditor General is a competent or compellable witness in a civil proceeding in connection with anything done under this Part. 2006, c. 32, Sched. A, s. 98.

## **CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER**

### **INDEPENDENCE**

Independence is an essential component to maintaining public trust and preserving objectivity and integrity associated with the audit function.

To provide for the independence of Office of the Auditor General, its personnel report to the Auditor General, who reports functionally to the Audit, Finance and Administration Committee of Council and administratively to the City Manager. Audit and other reports (such as the Fraud and Waste Annual Report and Serious Matter Reporting) are sent directly to the Audit, Finance and Administration Committee for discussion and approval and then to Council. These reporting relationships help ensure independence, promote comprehensive audit objectivity and coverage, and assure adequate consideration of audit recommendations.

All OAG activities shall remain free of influence by any element in the organization, including matters of audit selection, scope, procedures, frequency, timing or report content to permit maintenance of an independent and objective attitude necessary in rendering reports. The Auditor General has the authority to revise and extend the scope of any audit or investigation in the course of their examination.

The OAG shall have no direct operational responsibility or authority over any of the activities it reviews. Accordingly, it shall not develop nor install systems or procedures, prepare records or engage in any other activity which would normally be audited or investigated.

### **RESPONSIBILITIES**

The Auditor General and the staff of the OAG have the responsibility to:

- Review operations within the City at appropriate intervals to determine whether planning, organizing, directing and controlling are in accordance with management instructions, policies and procedures and in a manner that is consistent with both City objectives and high standards of administrative practice.
- Determine the adequacy and effectiveness of the systems of internal accounting, financial and operating controls.
- Review the reliability, utility and integrity of financial information and the means used to identify, measure, classify and report such information.
- Review the established systems to ensure compliance with those policies, plans, procedures, laws and regulations which would have a significant impact on operations and reports and determine whether the organization is in compliance.

## **CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER**

- Review the means of safeguarding assets and, as appropriate, verify the existence of such assets.
- Carry out value for money (VFM) / performance audits to determine the efficiency and effectiveness of services and evaluate attainment of corporate objectives and value to residents.
- Report to those members of management who should be informed or who should take corrective action, the results of audit examinations, the audit opinions formed, and the recommendations made.
- Evaluate any plans or actions taken to correct reported conditions and provide timely follow-up to ensure satisfactory disposition of audit findings in the manner and timeframe committed to by management in the original audit report. If the corrective action is considered unsatisfactory, hold further discussions to achieve acceptable disposition.
- Develop a flexible multi-year work plan, including any risks or control concerns identified by management or other audits as well as appropriate special tasks or projects requested by management.
- Undertake assessments, investigations, or refer issues to other appropriate parties as a result of disclosures under a Whistleblower By-law or the Fraud and Waste Hotline.
- Maintain a professional audit staff with sufficient knowledge, skills and experience and engage external subject matter experts as required for audits and investigations.

### **AUDIT PLANNING**

Each term of Council, the Auditor General shall prepare a multi-year work plan, setting out the proposed work for the term.

For the projects, the following sources are considered:

- Prioritization of the audit universe using a risk-based methodology;
- Requests from Members of Council, senior management and staff;
- Any audits planned for the past term but delayed or not completed;
- Any conditions, concerns, or risks discovered or communicated throughout past years; and

## **CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER**

- Input from members of the public, via the Fraud and Waste Hotline and resident complaints or suggestions.
- Areas likely to provide significant payback in terms of increased revenues, reduced costs, operational efficiencies and quality of services.

The multi-year work plan will be presented to the Audit, Finance and Administration Committee for approval. Any changes to the work plan requested by Council or individual Members of Council will require a majority of at least two-thirds the total members of Council present and not prohibited by statute from voting for the Auditor General to consider.

### **REPORTING**

A written report is prepared and issued by the Auditor General following the conclusion of each audit or assurance project. The report will include management's responses to the report findings and recommendations. Management's response will include a statement of general agreement or disagreement with the stated findings and recommendations as well as a timeframe for anticipated completion of action to be taken and an explanation for any recommendation not addressed.

The OAG is responsible for appropriate follow up on audit findings and recommendations. All significant findings will remain open until the Auditor General has determined management has appropriately taken action to resolve the finding. Follow up audits will be completed as OAG capacity permits.

By-law 19-181 (Whistleblower By-law), Section 19 – Responsibility of the Auditor General requires a semi-annual report for, in the aggregate, on the number, nature and outcome of disclosures of serious wrongdoing made under this By-law. A Fraud, Waste, and Whistleblower Semi-Annual Update report is submitted to the Audit, Finance and Administration Committee and captures at a high level the special investigations activity undertaken by the OAG. This is in addition to the Fraud and Waste Annual Report.

The OAG does not perform consulting and risk assessment work, as this would compromise the independence of the OAG.

All reports are generally presented to the Audit, Finance and Administration Committee. Reports may be presented to the General Issues Committee, if appropriate.

## **CITY OF HAMILTON OFFICE OF THE AUDITOR GENERAL CHARTER**

### **PROFESSIONAL STANDARDS**

Under the Auditor General's authority granted in this Office of the Auditor General Charter, all OAG activity will be guided by the following professional standards and/or legislative requirements:

- Municipal Act, Sections 223.19-223.23 (Auditor General), as applicable.
- City of Hamilton Whistleblower By-law (19-181).
- Government Auditing Standards (commonly referred to as generally accepted government auditing standards or GAGAS, or the "Yellow Book"), issued by the U.S. Government Accountability Office for audit and assurance work.
- Certified Fraud Examiners Code of Professional Standards issued by the Association of Certified Fraud Examiners for Fraud, Waste and Whistleblower assessments and investigations.

OAG professional staff are also bound by the standards and ethics of their respective professional organizations, which include the Chartered Professional Accountants of Canada (CPA), Institute of Internal Auditors (IIA), and Association of Certified Fraud Examiners (ACFE).

## Hamilton Accounts Receivables Less than \$1,000 For 2022

## Appendix A

Customer ID	Customer Name	Amount	Description
101131	St. Joseph's Healthcare Hamilton	389.41	Finance charges
102010	Super 8 Motel (Upper James)	46.63	Finance charges
102056	Hamilton Health Sciences Corporation	203.81	Finance charges
106388	Cogeco Connexion Inc.	786.21	Finance charges
106921	Rogers Communications Canada Inc.	246.12	Finance charges
107900	Canadian National Railway	70.11	Finance charges
108017	CityHousing Hamilton	21.81	Finance charges
108124	Don Anderson Haulage	116.89	Finance charges
108404	Aecon Group Inc	79.52	Finance charges
109001	Trustees of Hamilton Waterfront	234.42	Finance charges
113189	CUPE National	381.34	Finance charges
115776	Hydro One Networks	604.70	Finance charges
116636	Solar Sunbelt General Partnership	29.71	Finance charges
116954	Humber College	21.98	Finance charges
118459	Imagineer's Early Learning Centre	36.65	Finance charges
118585	JML Enterprises	44.08	Finance charges
118741	Shoeless Joe's	62.49	Finance charges
118988	CLV Group	86.11	Finance charges
119027	McMaster Student Union Child Care	62.73	Finance charges
120395	2425567 Ont. Ltd.	38.71	Finance charges
120410	Silver City Ancaster	35.16	Finance charges
120444	Prospect Real Estate Holdings Inc.	29.45	Finance charges
120507	2235204 Ontario Ltd.	45.59	Finance charges
117255	28 Lister Chophouse & Grill	588.37	Exhausted collections
116992	1340649 Ontario Ltd.	587.81	Exhausted collections
119808	Euro Auto Recyclers	91.75	Exhausted collections
		<b><u>\$ 4,941.56</u></b>	

## Hamilton Accounts Receivables Over \$1,000 for 2022

## Appendix B

Customer ID	Customer Name	Amount	Description
116252	Infrastructure Ontario	\$ 2,743.94	Finance charges
116968	Global Spectrum Facility Management	7,177.87	Finance charges
101579	Union Gas	1,612.72	Finance charges
100596	Envirosystems	1,646.08	Finance charges
100159	Bell Canada	2,546.59	Finance charges
119290	Urban Express	3,879.98	Exhausted collections
117442	28 Lister Restaurants Inc.	47,795.89	Exhausted collections
113418	1140402 Ont. Inc - Emerald Lodge	1,057.59	Bankrupt
115775	Country Style Food Services Inc.	1,440.65	Exhausted collections
120111	Oriux	9,823.08	Exhausted collections
120266	Solution Technique Inc.	6,381.38	Exhausted collections
		<u>\$ 86,105.77</u>	

## Hamilton Farmer's Market Accounts Receivables for 2022

## Appendix C

Customer ID	Customer Name	Amount	Description
107462	Leslie's Deli	\$ 9,645.77	Exhausted collections
114410	Market Café	5,831.92	Exhausted collections
104250	Multi Traditional Bakery	7,003.59	Exhausted collections
119841	Saltick Inc.	9,750.16	Exhausted collections
107368	Sensational Samosa	3,822.49	Exhausted collections
119102	Venti Café Co. Ltd.	19,073.35	Exhausted collections
		<u>\$ 55,127.28</u>	

## Lodges Accounts Receivables for 2022

## Appendix D

Customer ID	Name	Amount	Description
467	*	\$ 164.01	Accommodation
749	*	237.80	Personal Trust
711	*	24.56	Accommodation
846	*	10.00	Personal Trust
783	*	37.70	Personal Trust
948	*	310.90	Accommodation
1221	*	86.25	Personal Trust
825	*	15.00	Personal Trust
712	*	9,816.60	Accommodation (\$9,679.00) & Personal Trust (\$138.00)
718	*	1,157.66	Accommodation (\$1,131.00) & Personal Trust (\$27.00)
323	*	6,006.57	Accommodation
		<b><u>\$ 17,867.05</u></b>	

\* Individual's identifiable information left off at request of Council



**EMERGENCY & COMMUNITY SERVICES COMMITTEE  
REPORT 23-003**

1:30 p.m.  
Thursday, March 23, 2023  
Council Chambers  
Hamilton City Hall  
71 Main Street West

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**Present:** Councillors B. Clark (Chair), C. Kroetsch, T. Hwang, T. Jackson, N. Nann, M. Wilson and A. Wilson

**Also in Attendance:** Councillors J. Beattie, C. Cassar and J.P. Danko

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**THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE RESPECTFULLY PRESENTS REPORT 23-003 AND RECOMMENDS:**

**1. Ending Chronic Homelessness (HSC23021) (City Wide) REVISED (Item 8.1)**

That Report HSC23021, respecting Ending Chronic Homelessness, be received.

**2. Consent Items (Item 9.1 to 9.2 (i) to (iii))**

That the following items be received:

- (i) Hamilton Fire Department Service Delivery Plan (2019 - 2028) Progress Update 2022 (HSC19026(b)) (City Wide) (Item 9.1)
- (ii) Advisory Committee Minutes (Item 9.2)
  - (a) LGBTQ Advisory Committee - January 17, 2023 (Item 9.2(a))
  - (b) Seniors Advisory Committee - January 6, 2023 (Item 9.2(b))
  - (c) Seniors Advisory Committee - February 3, 2023 (Item 9.2(c))

**3. Procurement of Physiotherapy Services at Municipal Long-Term Care Homes (HSC23014) (Wards 7 and 13) (Item 10.1)**

Pursuant to Procurement Policy 11 – Non-competitive Procurements, that Council approve the extension to Contract C5-21-14, for the provision of Physiotherapy Services and Exercise Services used at Macassa and Wentworth Lodges until January 31, 2024 and that the General Manager, Healthy and Safe Communities Department be authorized to negotiate, enter into and execute the extension and any ancillary documents required to give effect thereto with Hamilton Physio Clinic, in a form satisfactory to the City Solicitor.

**4. Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (Item 10.2)**

- (a) That Council approve a short-term extension of operations for 378 Main Street East (the former Cathedral Boys School) as a temporary emergency shelter for up to 100 single women from April 1, 2023 to no later than May 31, 2023, as a result of delays to the Arkledun housing project at an approximate cost of \$320 K monthly for an approximate total of \$640 K to be funded as outlined in recommendation (c)
- (b) That staff be authorized to implement an interim plan for homelessness system service levels for unsheltered single women and non-binary individuals for additional emergency system pressures in 2023 and to the end of March 2024, at an approximate total cost of \$2.87 M, as follows:
  - (i) From April 1, 2023 to December 31, 2023 for \$2.152 M be funded as outlined in recommendation (c):
    - (1) Adding interim capacity of up to 20 additional beds in the women’s emergency shelter system as needed, by opening 46 West Avenue South as a temporary emergency shelter (run by Good Shepherd Centre Hamilton) in the approximate amount of \$952 K
    - (2) Continuation of enhanced drop-in services for unsheltered women and non-binary individuals through Mission Services of Hamilton Inc. Willow’s Place and The Hamilton Young Women’s Christian Association (YWCA) Carol Anne’s Place, with \$1.2 M
  - (ii) From January 1, 2024 to March 31, 2024 for \$718 K be funded as outlined in recommendation (c):
    - (1) Adding interim capacity of up to 20 additional beds in the women’s emergency shelter system as needed, by opening 46 West Avenue South as a temporary emergency shelter (run by

Good Shepherd Centre Hamilton) in the approximate amount of \$318 K.

- (2) Continuation of enhanced drop-in services for unsheltered women and non-binary individuals through Mission Services of Hamilton Inc. Willow's Place and The Hamilton Young Women's Christian Association (YWCA) Carol Anne's Place, in the approximate amount of \$400 K.
- (c) That all such purchases outline in Recommendation (a), (b)(i), and (b)(ii) be funded from any available source jointly deemed appropriate by the General Manager of the Healthy and Safe Communities Department and the General Manager of the Finance and Corporate Services Department including, but not limited to, one or more of the following sources: Reaching Home, Homelessness Prevention Program, any available provincial or federal funding, or the City's COVID 19 Emergency Reserve; and
- (d) That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or their designate and in a form satisfactory to the City Solicitor.

**5. Golf Courses in the City of Hamilton Overview REVISED (Item 11.1)**

WHEREAS, the City of Hamilton owns and operates three 18-hole golf courses, King's Forest, Chedoke-Beddoe and Chedoke-Martin;

WHEREAS, in 2005 Hamilton City Council directed staff to issue a Request for Proposal for the management and operation of the City of Hamilton's golf courses;

WHEREAS, the internal staff submission was selected as the successful proposal to assume the management and operations of the three City of Hamilton golf courses beginning in 2007;

WHEREAS, the 10-year staff golf course business plan was to find efficiencies to reduce operating costs, enhance revenues and generate a capital reserve to fund necessary golf course works;

WHEREAS, two Performance Analysis have been completed and presented to a previous Councils in 2010 and 2015;

WHEREAS, the previous Hamilton City Council approved a five-year extension to the Golf Course Business Plan starting in 2016;

WHEREAS, the Golf Course Business Plan has not delivered on projected revenues nor generated funds for a capital reserve necessary for course improvements listed in the Golf Course Business Plan;

WHEREAS, many municipally operated golf courses are experiencing challenges in funding increasing operating and capital costs;

WHEREAS, it is anticipated that the Province of Ontario's Bill 23, More Homes Built Faster Act, will have implications for the City of Hamilton's ability to secure future parkland while population increases;

WHEREAS, it is the overwhelming preference of Hamilton residents to focus future housing development within the city's existing urban boundaries;

WHEREAS, the Chedoke Creek watershed runs through the Chedoke Golf course lands;

WHEREAS, the City of Hamilton has adopted a Climate Change Action Strategy and a Watershed Action Plan; and

WHEREAS, open spaces like the Chedoke Golf Courses could assist in realizing climate goals of environmental stewardship, sustainability, low impact development, equity of green space while advancing the goals of the Watershed Action Plan.

**THEREFORE BE IT RESOLVED;**

That staff be directed to report back to the Emergency and Community Services Committee by Q1 2024 with the following information for the purpose of determining and ensuring that the Chedoke golf course lands serves the public interest in the best possible way:

- (i) An overview of the Golf Course Business Plan, including identified deliverables, outcomes achieved, and the Performance Analysis conducted in 2010 and 2015;
- (ii) For each of the three municipal golf courses:
  - (a) A financial review of operating revenues, expenditures and required capital investments;
  - (b) The number of rounds played, the percent of capacity and the number of unique golfers being served at each course over the past fifteen seasons and the net operating budget for each season;
  - (c) The existing environmental management of the golf courses including average volume of water and fertilizer/pesticides used per season;

- (iii) Emerging trends with the municipal golf industry including rates of play; and
- (iv) An overview of current and projected parkland needs, based on the City's Parks Master Plan, including City policies and targets as defined in the Parks Master Plan, Urban Forest Strategy, and Climate Action Strategy

**FOR INFORMATION:**

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

The Committee Clerk advised the following changes to the agenda:

**5. COMMUNICATIONS**

- 5.1 Correspondence from Carmen Orlandis, Ward 3 Stinson Elder respecting the Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide)

Recommendation: Be received and referred to Item 10.2, Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide)

**6. DELEGATION REQUESTS**

- 6.2 Jean Fair, respecting Radial Separation and Moratorium and Item 10.2, Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (for today's meeting)
- 6.3 Manny Figueiredo, President & CEO YMCA of Hamilton, Burlington and Brantford, programs and services the WMCA delivers to support homelessness prevention, and an overview of the complexities and challenges facing the delivery of service at their 174-bed Men's Transitional Living Residence at 79 James Street South in Hamilton. (for today's meeting)
- 6.4 Katherine Kalinowski, James Moulton, Shawn MacKeigan, Salvation Army, Good Shepherd and Mission Services, respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (for today's meeting)
- 6.5 Kayla Hagerty, respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (for today's meeting)

**13. GENERAL INFORMATION / OTHER BUSINESS**

13.1 Amendment to the Outstanding Business List

(a) Item to be removed:

22-A: Comprehensive, Human-rights Based, Health-focused  
Housing Solutions for Residents Living Encamped across  
Hamilton

ECS 22-001, Item 6

Addressed in: HSC23009, GIC 23-001

Encampment Issues reports will go to General Issues

The agenda for the March 23, 2023 Emergency and Community Services Committee meeting was approved, as amended.

**(b) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

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

**(i) February 16, 2023 (Item 4.1)**

The Minutes of the February 16, 2023 meeting of the Emergency and Community Services Committee, were approved, as presented.

**(d) COMMUNICATIONS (Item 5)**

- (i) Correspondence from Carmen Orlandis, Ward 3 Stinson Elder respecting the Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (Added Item 5.1)

The Correspondence from Carmen Orlandis, Ward 3 Stinson Elder, respecting the Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (Added Item 5.1), was received and referred to the consideration of Item 10.2.

**(e) DELEGATION REQUESTS (Item 6)**

The following Delegation Requests, were approved, as presented:

- (i) Hafeez Hussain, respecting the controls and verification process in the Healthy and Safe Communities in administrating the Ontario Works and ODSP Programs (Item 6.1)

- (ii) Jean Fair, respecting Radial Separation and Moratorium and Item 10.2, Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (Added Item 6.2)
- (iii) Manny Figueiredo, President & CEO YMCA of Hamilton, Burlington and Brantford, programs and services the YMCA delivers to support homelessness prevention, and an overview of the complexities and challenges facing the delivery of service at their 174-bed Men's Transitional Living Residence at 79 James Street South in Hamilton (Added Item 6.3)
- (iv) Katherine Kalinowski, James Moulton, Shawn MacKeigan, Salvation Army, Good Shepherd and Mission Services, respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (Added Item 6.4)
- (v) Kayla Hagerty, respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (Added Item 6.5)

**(f) DELEGATIONS (Item 7)**

- (i) Joanne Santucci, Hamilton Food Share addressed the Committee respecting the Status of Hamilton's Emergency Food System (Item 7.1 )
- (ii) Ingrid Waisgluss addressed the Committee respecting Recreational Facilities (Item 7.2)
- (iii) Jean Fair, respecting Radial Separation and Moratorium and Item 10.2, Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (Item 7.3)
- (iv) Manny Figueiredo, President & CEO YMCA of Hamilton, Burlington and Brantford, programs and services the YMCA delivers to support homelessness prevention, and an overview of the complexities and challenges facing the delivery of service at their 174-bed Men's Transitional Living Residence at 79 James Street South in (Item 7.4)
- (v) Katherine Kalinowski, James Moulton, Shawn MacKeigan, Salvation Army, Good Shepherd and Mission Services, respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (Item 7.5)
- (iv) Kayla Hagerty, respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (Item 7.6)

The following Delegations were received:

- (a) Joanne Santucci, Hamilton Food Share addressed the Committee respecting the Status of Hamilton's Emergency Food System (Item 7.1 )

- (b) Ingrid Waisgluss addressed the Committee respecting Recreational Facilities (Item 7.2)
- (c) Jean Fair, respecting Radial Separation and Moratorium and Item 10.2, Arkledun addressed the Committee respecting the Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (Item 7.3)
- (d) Manny Figueiredo, President & CEO YMCA of Hamilton, Burlington and Brantford, addressed the Committee respecting the programs and services the YMCA delivers to support homelessness prevention, and an overview of the complexities and challenges facing the delivery of service at their 174-bed Men's Transitional Living Residence at 79 James Street South in Hamilton (Item 7.4)
- (e) Katherine Kalinowski, James Moulton, Shawn MacKeigan, Salvation Army, Good Shepherd and Mission Services, addressed the Committee respecting the respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (Item 7.5)
- (f) Kayla Hagerty, addressed the Committee respecting the respecting Item 8.1, Ending Chronic Homelessness (HSC23021) (City Wide) (for today's meeting) (Item 7.6)

For further disposition on Item (a), refer to Item 4

For further disposition of Item (d), refer to Item 1

**(g) STAFF PRESENTATION (Item 8)**

**(i) Ending Chronic Homelessness (HSC23021) (City Wide) REVISED (Item 8.1)**

Angela Burden, General Manager, Healthy and Safe Communities, addressed Committee with a Presentation respecting Ending Chronic Homelessness (HSC23021) (City Wide).

The Presentation respecting Ending Chronic Homelessness (HSC23021) (City Wide), were received.

For further disposition of this matter, refer to Item 1

**(h) DISCUSSION ITEMS (Item 11)**

**(i) Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women (HSC23019) (City Wide) (Item 10.2)**

- (a) That Council approve a short-term extension of operations for 378 Main Street East (the former Cathedral Boys School) as a temporary emergency shelter for up to 100 single women from April 1, 2023 to no later than May 31, 2023, as a result of delays to the Arkledun housing project at an approximate cost of \$320 K monthly for an approximate total of \$640 K to be funded as outlined in recommendation (c).
- (b) That staff be authorized to implement an interim plan for homelessness system service levels for unsheltered single women and non-binary individuals for additional emergency system pressures in 2023 and to the end of March 2024, at an approximate total cost of \$2.87 M, as follows:
  - (i) From April 1, 2023 to December 31, 2023 for \$2.152 M be funded as outlined in recommendation (c):
    - (1) Adding interim capacity of up to 20 additional beds in the women's emergency shelter system as needed, by opening 46 West Avenue South as a temporary emergency shelter (run by Good Shepherd Centre Hamilton) in the approximate amount of \$952 K
    - (2) Continuation of enhanced drop-in services for unsheltered women and non-binary individuals through Mission Services of Hamilton Inc. Willow's Place and The Hamilton Young Women's Christian Association (YWCA) Carol Anne's Place, with \$1.2 M
  - (ii) From January 1, 2024 to March 31, 2024 for \$718 K be funded as outlined in recommendation (c):
    - (1) Adding interim capacity of up to 20 additional beds in the women's emergency shelter system as needed, by opening 46 West Avenue South as a temporary emergency shelter (run by Good Shepherd Centre Hamilton) in the approximate amount of \$318 K.
    - (2) Continuation of enhanced drop-in services for unsheltered women and non-binary individuals through Mission Services of Hamilton Inc. Willow's Place and The Hamilton Young Women's Christian Association (YWCA) Carol Anne's Place, in the approximate amount of \$400 K.
- (c) That all such purchases outline in Recommendation (a), (b)(i), and (b)(ii) be funded from any available source jointly deemed appropriate by the General Manager of the Healthy and Safe

Communities Department and the General Manager of the Finance and Corporate Services Department including, but not limited to, one or more of the following sources: Reaching Home, Homelessness Prevention Program, any available provincial or federal funding, or 2023 in year program and/or department/corporate surplus;

- (d) That the General Manager of the Healthy and Safe Communities Department or their designate be directed and authorized, on behalf of the City of Hamilton, to enter into, execute and administer all agreements and documents necessary to implement the purchases and grants outlined above on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department or their designate and in a form satisfactory to the City Solicitor.

Sub-section (c) of Report HSC23019, respecting the Arkledun Delay Mitigation and Interim Plan for Homelessness System Service Levels for Single Women, was amended to read as follows:

- (c) That all such purchases outline in Recommendation (a), (b)(i), and (b)(ii) be funded from any available source jointly deemed appropriate by the General Manager of the Healthy and Safe Communities Department and the General Manager of the Finance and Corporate Services Department including, but not limited to, one or more of the following sources: Reaching Home, Homelessness Prevention Program, any available provincial or federal funding, ~~or 2023 in year program and/or department/corporate surplus;~~ **or the City's COVID 19 Emergency Reserve;**

For further disposition of this item, refer to Item 4

**(i) NOTICE OF MOTION (Item 12)**

B. Clark relinquished the Chair to introduce the following Notice of Motion:

**(i) Declarations of Emergency in the Areas Of Homelessness, Mental Health and Opioid Addiction (Added Item 12.1)**

WHEREAS, the City of Hamilton acknowledges that the challenges of homelessness, mental health and the opioid crisis are exceptionally complex issues that have a measurable and significantly detrimental impact, including the loss of life;

WHEREAS, the challenges of homelessness, mental health and opioids have seen a trend of becoming more prevalent in recent years and continue to have a significant impact on the Hamilton communities;

WHEREAS, the City of Hamilton has met or exceeded its mandate in all of these areas, investing millions of unsustainable local property tax dollars into related programs and services;

WHEREAS, the City of Hamilton acknowledges that the challenges of homelessness, mental health and the opioid crisis are intrinsically diverse and should not be viewed as a single monolithic problem;

WHEREAS, the challenges of homelessness, mental health and opioid addiction are found throughout the entire province of Ontario and are not unique to Hamilton;

WHEREAS, the City of Hamilton recognizes that municipal emergencies in Ontario are declared by the head of council as per the process detailed in the Emergency Management and Civil Protections Act; and

WHEREAS, the City of Hamilton acknowledges that the declaration of an emergency does not immediately result in a municipality receiving any additional funds or resources from senior levels of government

THEREFORE BE IT RESOLVED:

- (a) That the Mayor formally issue three separate declarations of emergency, in the areas of homelessness, mental health and opioid addiction, as per the procedure outlined in the Emergency Management and Civil Protection Act;
- (b) That the Mayor send correspondence to the Provincial Government requesting that action be taken on the eight measures proposed by the Association of Local Public Health Agencies including:
  - (i) Creation of a multi-sectoral task force to guide the development of a robust provincial opioid response plan that will ensure necessary resourcing, policy change, and health and social system coordination;
  - (ii) Expanding access to evidence informed harm reduction programs and practices including lifting the provincial cap of 21 Consumption and Treatment Service (CTS) Sites, funding Urgent Public Health Needs Sites (UPHNS) and scaling up safer supply options;
  - (iii) Revision of the current CTS model to address the growing trends of opioid poisoning amongst those who are using inhalation methods; Public Health and Social Services Committee

- (iv) Expanding access to opioid agonist therapy for opioid use disorder through a range of settings (e.g. mobile outreach, primary care, emergency departments, Rapid Access to Addiction Medicine Clinics), and a variety of medication options;
  - (v) Providing a long-term financial commitment to create more affordable and supportive housing for people in need, including people with substance use disorders;
  - (vi) Addressing the structural stigma and harms that discriminate against people who use drugs, through provincial support and advocacy to the Federal government to decriminalize personal use and possession of substances and ensure increased investments in health and social services at all levels;
  - (vii) Increasing investments in evidence-informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood; and
  - (viii) Funding additional and dedicated positions for public health to support the critical coordination and leadership of local opioid and substance abuse strategies;
- (c) That the Mayor send correspondence to the Minister of Municipal Affairs and Housing requesting action be taken to correct the funding allocation model for homelessness based on the results of Auditor General's 2021 report which found that provincial funding in this area is incorrect;
- (d) That the Mayor send correspondence to the Ministry of Health and the CEO of Ontario Health requesting that the province immediately commit to fully funding gaps in mental health service as have been identified in the Needs Based Planning project by Niagara Ontario Health Team's Mental Health and Addictions Working Group, as well as funding ongoing annual increases as required by inflation and population need;
- (e) That the Mayor send correspondence to Federal Minister of Justice and Attorney General, David Lametti, and Federal Minister of Health, Jean-Yves Duclos, reaffirming Regional Council's October 22, 2020 motion urging the Federal government convene a task force to explore the legal regulation and decriminalization of all drugs in Canada; Public Health and Social Services Committee

- (f) That the Mayor send correspondence to the Association of Municipalities of Ontario (AMO) requesting that targeted advocacy be conducted in these areas, including the development of a singular motion that can be ratified by municipal councils across Ontario calling on the province to take immediate action.

**(j) GENERAL ISSUES / OTHER BUSINESS (Item 13)**

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

- 1. Item to be removed:
  - (aa) 22-A: Comprehensive, Human-rights Based, Health-focused Housing Solutions for Residents Living Encamped across Hamilton  
ECS 22-001, Item 6  
Addressed in: HSC23009, GIC 23-001  
Encampment Issues reports will go to General Issues Committee

**(j) ADJOURNMENT (Item 16)**

There being no further business, the Emergency and Community Services Committee adjourned at 6:30 p.m.

Respectfully submitted,

Councillor B. Clark  
Chair, Emergency and Community Services  
Committee

Loren Kolar  
Legislative Coordinator  
Office of the City Clerk

Principles  
*Integrity*

City of Hamilton  
Integrity Commissioner's Report  
Regarding Conflict of Interest Complaint Against Councillor Pauls  
March 23, 2023

Introductory Comments

- [1] Principles *Integrity* has served as the Integrity Commissioner for the City of Hamilton since July 2018. We are also privileged to serve as Integrity Commissioner for a number of other Ontario municipalities.
- [2] Members of Council are bound by the ethical framework set out in Council Code of Conduct, as well as by the statutory framework set out in the Municipal Conflict of Interest Act (the MCI Act).
- [3] Integrity Commissioners carry out a range of functions for municipalities. They assist in the development of the ethical framework, for example by suggesting content or commentary for Codes of Conduct. They conduct education and training for members of council and outreach for members of the community. One of the most important functions is the provision of advice and guidance to members to help sort out ethical grey areas or to confirm activities that support compliance. And finally, but not principally, they investigate allegations that a person has fallen short of compliance with the municipality's ethical framework and where appropriate they submit public reports on their findings, and make recommendations, including recommending<sup>1</sup> sanctions, that council for the municipality may consider imposing in giving consideration to that report.
- [4] Where transgressions are perceived, the review mechanism contemplated by the Code and the MCI Act is an inquiry/complaints process administered by an Integrity Commissioner.
- [5] Our role differs from other 'adjudicators' whose responsibilities generally focus, to state it colloquially, on making findings of fact and fault. While that is a necessary component when allegations are made, it is not the only component.
- [6] As noted later in this report, prior to March 1, 2019 a person who believed a member had breached the *Municipal Conflict of Interest Act* would have been required to apply to the courts to seek the imposition of a penalty under that Act. As of 2019, Integrity Commissioners have standing to make that application on behalf of the complainant.

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<sup>1</sup> The City of Hamilton has delegated to the Integrity Commissioner the responsibility to impose sanctions

## Principles *Integrity*

- [7] While there may be circumstances where Integrity Commissioners will seek that a penalty be applied by the courts under the MCI, we importantly have the jurisdiction to instead investigate such complaints as breaches of a municipal code of conduct. In doing so we balance the nature of the penalty that best serves the public interest (for example, only the courts can remove a member from office; both the courts and the Integrity Commissioner have the jurisdiction to address the suspension of a member's pay for up to three months, or to impose a reprimand).
- [8] The choice made by the Integrity Commissioner is an important one. In each case we are to decide whether the circumstances are such that it is in the public interest to incur the costs and complications of an application to the courts (and thus also burden an otherwise busy court system with another matter on the docket) or to apply administrative law principles in carrying out a review function under the code of conduct to determine whether a member has breached provisions with respect to the avoidance of conflicts.
- [9] The tenets of procedural fairness require us to provide reasons for our conclusions and recommendations, and we have done that. Procedural fairness also requires us to conduct a process where parties can participate in the review. Where possible and appropriate, informal resolution of a complaint may occur.
- [10] In this regard, we have assessed the information fairly, in an independent and neutral manner, and have provided an opportunity to the respondent named in this Report to respond to the allegations, and where findings were made, to review and provide comment on the draft findings.

### The Complaint

- [11] On January 6, 2023 we received a complaint filed by Councillor Kroetsch in which it was alleged that Councillor Pauls violated the Council Code of Conduct on December 15, 2022 by attempting to influence the outcome of a vote and by voting on the Police Budget when it was before the Hamilton Police Service Board, while in a conflict of interest.

### Process Followed for this Investigation

- [12] In conducting this investigation, Principles *Integrity* applied the principles of procedural fairness and was guided by the complaint process set out under the Code of Conduct.
- [13] This fair and balanced process includes the following elements:
- Reviewing the complaint to determine whether it is within scope and jurisdiction and in the public interest to pursue, including giving

## Principles *Integrity*

consideration to whether the complaint should be restated or narrowed, where this better reflects the public interest

- Notifying the Respondent, and providing her with an opportunity to respond in full to the allegations
- Reviewing the Code of Conduct and the MCIA, considering the evidence, and watching a live-streamed recording of the relevant meeting of the HPSB
- Providing the Respondent with the opportunity to review and provide comments to the Integrity Commissioner's Preliminary Findings Report, and considering the resulting submission.

### Relevant Facts:

[14] Councillor Pauls was appointed to the Hamilton Police Service Board (the HPSB) by City Council in November 2022 shortly following the 2022 municipal elections.

[15] The Councillor's son is employed by the Hamilton Police Service.

[16] On December 15, 2022 when the Police Budget was before the HPSB for consideration, the Councillor did not declare an interest. Instead, she participated in the deliberations and voted on the Budget.

### The Relevant Code of Conduct and MCIA Provisions:

[17] Members of Hamilton City Council are required to avoid participating while in conflict of interest by the provisions of both the Code of Conduct and the MCIA.

[18] The relevant provisions of the MCIA are as follows:

*When present at meeting at which matter considered*

**5** (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

- (a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any question in respect of the matter; and

## Principles *Integrity*

- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

### *Interest of certain persons deemed that of member*

**3** For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.

[19] The relevant provision of the Code of Conduct is as follows:

- 2.** (2) every Member shall be committed to performing his or her functions with integrity and to avoiding the improper use of the influence of his or her office, and conflicts of interest, both apparent and real;

### Background of Events:

#### Councillor's 'deemed' interest as a result of her son's employment

- [20] As set out under the MCIA, where the parent, spouse or child of the member has a pecuniary interest in the matter under consideration by Council, the member of Council has a deemed interest in such matter, and must declare that interest and recuse themselves from participating. They must also refrain from attempting in any way to influence the vote on such matter.
- [21] As has been regularly highlighted<sup>2</sup>, members of Council are also subject to the common law concept of conflicts of interest, which expands the class of family members relevant for consideration of the existence of deemed interests beyond that which appears in the MCIA. Instead of the narrow class defined by the Act (spouse, child, parent) the common law approach would include, for example, step parents/children, siblings, aunts, uncles, grandparents and grandchildren.
- [22] For the purpose of this matter, both the MCIA and the common law would include the parent-child relationship as relevant to consideration of the existence of a disqualifying interest.
- [23] The Councillor has sought and obtained the advice of the Integrity Commissioner in the past with respect to her conflict of interest obligations in considering the HPSB budget.
- [24] Our advice on managing that interest when sitting as a member of Council is that the member needs to recognize a conflict of interest (a disqualifying interest) when Council has the Police Budget before it, as the budget (a lump sum matter from the

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<sup>2</sup> Noted in the November 2020 Recommendations of the Collingwood Judicial Inquiry, and highlighted in our training sessions.

## Principles *Integrity*

perspective of Council) includes salary and other compensation issues affecting the family member's pecuniary interest.

- [25] This is different than the situation where a member's family member works for the City. Where the City's Budget is before Council, any aspect of the budget dealing with salary/compensation issues affecting the family member can be separated out, enabling the member with a deemed interest to recuse themselves from that aspect or those line items, while participating in the balance of the budget.
- [26] Unlike the City Budget, when the Police Budget is before Council, the only ability Council has is to vote on the global amount. There is no ability for Council to parse or separate out salary-related costs contained within the Police Budget. It is an 'all-or-nothing' item before Council.
- [27] When the Police Budget is before the Police Services Board, a member of the Police Services Board may ask that the pecuniary interests of the family member be separated out for consideration and voting, substantially as described in paragraph [25] above.

### Councillor Pauls seeks our advice regarding serving on the HPSB

- [28] On November 14, 2022, the Councillor sought guidance as to whether she was able to accept an appointment to the HPSB, in light of her son's employment with the Police Service.
- [29] The circumstance of a member of Council being appointed to serve as a member of the HPSB where that member has a family member employed by the Police Service is not unique to this Councillor. It has been encountered in Hamilton by previous members of Council.
- [30] Our advice to members of Council regarding managing disqualifying interests while sitting as a member of the HPSB can be summarized as follows:

Members of Council are subject to subsections 5(1) and 5(2) of the Municipal Conflict of Interest Act (MClA). Those sections require that members not take part in discussions or voting on a matter, or attempt in any way before, during or after a meeting, to influence the voting on a question related to the matter. Those sections also require members to disclose the general nature of the interest, and where the matter under consideration takes place in a forum not open to the public, to not be present.

Subsections 5(1) and 5(2) are triggered by the presence of a pecuniary interest that members may have directly or indirectly in the matter. A pecuniary interest refers to a financial or monetary interest that the member may have in the matter to be decided by Council.

## Principles *Integrity*

Section 3 of the MCIA provides that “For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member.” Therefore, section 3 of the MCIA deems any direct or indirect pecuniary interest of family members to be their own pecuniary interest.

The employment of a family member with the Police Service means that when there is a matter before Council, or a Committee, in which the Police Service has a pecuniary interest, that family member has an interest as an employee. Section 3 of the MCIA deems the family member's interest to be the member's interest. (The leading case on this matter is *Re Moll and Fisher*, which pertained to school board trustees' deemed pecuniary interests arising by virtue of a family member – in that case, spouses – being employed within the school board.)

There is no exception which would apply under the MCIA to relieve such a member of their obligations under section 5 of the MCIA to disclose the interest and recuse themselves from participating in the debate or voting on the Police Budget. Therefore, the member's obligations are set out in s.5 of the MCIA:

Prior to any consideration of the matter at the meeting, disclose the interest and the general nature;  
Not participate in the discussion, or vote on any question in respect of the matter;  
Not attempt in any way, before, during or after the meeting, to influence the vote.

Further, and when appointed to the Police Service Board, when salary matters are considered at the Police Service Board, that member may not participate in consideration of any aspect of salary discussions which might impact their family member.

With respect to other matters, most matters of a policy nature will have no particular impact on the family member's pecuniary interest, and therefore would not give rise to any apparent conflict of interest for the member. Even matters such as improved workplace environment and equipment would not, in our view, generally constitute a basis for an apparent conflict of interest.

However, an initiative or operational matter coming before the Police Service Board which could, for example, affect their family member's promotional opportunities or span of control might give rise to an apparent conflict of interest for the member.

- [31] To be clear, a member is not disqualified from sitting on a body simply because they have a family member who is employed by the organization. The member's responsibility and obligation is to recognize and declare an interest, and recuse themselves, when a disqualifying interest arises.

## Principles Integrity

[32] On November 15, 2022 we advised her that as a member of the HPSB, Councillor Pauls should declare an interest and recuse herself when the Board deals with salary issues, including the Police Budget, as this constitutes a pecuniary interest for her son, and therefore a deemed interest for herself. The advice included the following:

... it is not only regarding salary negotiations in which you must declare an interest and recuse yourself, but the overall Police Budget, as well, which clearly has an impact on salaries. In this regard, we are attaching our earlier Advice Memorandum on the subject of your son's employment<sup>3</sup>

The fact that your son is a member of the Hamilton Police Service gives rise to an apparent conflict of interest when the Police Budget is before Council. This is because the Police Budget falls clearly into the category of matters affecting the pecuniary interest of your son, as an employee of that organization.

With respect to other matters coming before you – both as a Member of Council and as a member of the Police Services Board – most matters of a policy nature will have no particular impact on your son's pecuniary interest, and therefore would not give rise to any apparent conflict of interest for you. Even matters such as improved workplace environment and equipment would not, in our view, generally constitute a basis for an apparent conflict of interest for you.

However, an initiative or operational matter coming before the Police Service Board which could, for example, affect your son's promotional opportunities or span of control might give rise to an apparent conflict of interest for you.

[33] Though not all matters will trigger a disqualifying interest, there is still the obligation to declare whatever disqualifying interest exists, and to step away from any discussion and voting on that interest.

### Advice of Integrity Commissioner is Confidential

[34] The written advice that an Integrity Commissioner provides to a member of Council is confidential to that member; the member may release it at their option, but the Integrity Commissioner cannot. There are only limited exceptions to this rule, such as where disclosure is required by law, or it is relevant to a report to Council at the conclusion of a complaint investigation.

[35] Importantly, the *Municipal Act* provides as follows in subsection (2) of section 223.6:

Report about conduct

(2) If the Commissioner reports to the municipality or to a local board his or her opinion about whether a member of council or of the local board has contravened

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<sup>3</sup> although it might be possible to parse out aspects of the budget, at the Police Board, in which the member could participate without a conflict of interest, the advice was intended to correct her misunderstanding that her only conflict of interest related to salary negotiations

## Principles *Integrity*

the applicable code of conduct, the Commissioner may disclose in the report such matters as in the Commissioner's opinion are necessary for the purposes of the report. 2006, c. 32, Sched. A, s. 98.

- [36] In our view it is necessary for the purposes of this report to identify a portion of the advice that previously was provided to Councillor Pauls. Given the importance of a system in which Councillors may ask for and receive confidential advice, we are circumspect in how much of such information is being released in this report.

### Councillor Pauls declines to Share her Advice

- [37] On November 17, 2022, on the way to signing their oaths of office as newly-appointed members of the HPSB, Councillor Kroetsch, the complainant herein, asked Councillor Pauls for a copy of the advice from the Integrity Commissioner, which she had indicated she had received. Councillor Pauls declined to share it.
- [38] As noted above, it is the member's prerogative to share the advice of the Integrity Commissioner.
- [39] Councillor Kroetsch requested that we release to him our advice to Councillor Pauls. We advised that we would require her consent.
- [40] On December 9, 2022 Councillor Kroetsch sought the consent of Councillor Pauls for release of the Integrity Commissioner's advice. Councillor Pauls declined to consent by return email that same day.

### HPSB deals with Police Budget – Councillor Pauls fails to declare an interest

- [41] On December 15, 2022 the HPSB had before it the Police Operating Budget.
- [42] Councillor Pauls made no declaration of interest at the outset of the meeting.
- [43] Sometimes, a member does not immediately recognize, upon a review of the meeting agenda, that an item before them for consideration raises an interest until the start of the deliberations. When this occurs, the member needs to declare the interest at that moment and step away from the deliberations.
- [44] At about 1 hour and 23 minutes into the December 15, 2022 HPSB meeting, the Chief provided a brief overview of the Police Budget. His overview was accompanied by a 30 slide presentation which walked through the 14 page budget report and explained how the proposed 6.71% increase was arrived at.
- [45] During that presentation, and in the questions following, it was clarified that the 6.71% increase was apportioned as follows:

## Principles *Integrity*

4.59% Employee-Related Costs  
0.9 % Operating Expenses  
1.32% Capital Costs  
6.71%

- [46] A further breakdown was set out in a table on page 4 of the Budget Report indicating that an increase of \$3.17M (or 1.72%) included under Employee-Related Costs was derived from ‘Salaries/Wages/Court & Overtime – Collective Agreements, Merit, Performance Pay etc’.
- [47] In response to questions during the deliberations it was clarified that salaries, wages and benefits accounted for 88.15% of the Police Budget or 90.85% of the Police Operating Budget alone.
- [48] We note this in order to clarify that, even if the Councillor had failed at the outset to realize that the Police Budget raised a disqualifying interest (perhaps mistakenly believing that the discussion would pertain only to general operational information), it was made abundantly clear during the presentation by the Chief that employee-related costs were the cost driver of the increase and that salary/wages and benefits comprised the largest component of the budget.
- [49] Therefore, even if the Councillor failed to recognize her deemed interest at the outset of the meeting, at some point during the presentation it must have become obvious. At that point, she should have declared her interest and recused herself.

### Councillor participates in deliberations, attempts to influence through debate, votes

- [50] Instead, she remained engaged in the deliberations. At 2:00:34 on the archived recording, she commented on the need for more staff and noting that this is the reason the budget reflects 90% [for staffing costs].
- [51] It should have been apparent to the Councillor that some aspects of the Police Budget would raise a pecuniary interest for her son; a proposed increase to cover salaries, wages and benefits of existing staff would obviously do so.
- [52] There were aspects of the Police Budget which arguably would not affect her son’s pecuniary interest; proposed staffing increases, for example, would not raise a pecuniary interest for her son.
- [53] In practical terms, the way the Police Budget is organized, approval of the HPSB budget leaves very little in which the Councillor could participate without a conflict of interest.

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- [54] However, it was incumbent on the Councillor to declare an interest on those components of the proposed budget which touched on salaries, wages and benefits of existing staff.
- [55] She did not make any request to have the items separated out for discussion or for voting purposes, to enable her to participate in some aspects while recusing herself from others.
- [56] In fact, having failed to recognize and declare an interest, the Councillor proceeded to lean in and participate with vigour in the debate on the global amount, vociferously endorsing and ultimately voting to support the overall increase.
- [57] We find that she was in a conflict of interest when she participated and voted on the Police Budget as presented to the HPSB.
- [58] We find that she participated despite having obtained our written advice on three separate occasions, in which we advised that because of her son's employment with the Police Service, she would have a conflict of interest in dealing with the Police Budget when it came before her at Council and at the HPSB.
- [59] Most municipal codes of conduct stipulate that, provided the facts remain the same, and the member follows the written advice of the Integrity Commissioner, no complaint can be sustained against the member. Although Hamilton's Council Code of Conduct does not reflect such a provision<sup>4</sup>, we would in any event consider the advice that we provide to be binding on us, in the event of a complaint.
- [60] The MCIA makes similar reference to the value of, and weight placed on, the advice of the municipal Integrity Commissioner:
- 9.(2) In exercising his or her discretion under subsection (1) the judge may consider, among other matters, whether the member or former member,
- (b) disclosed the pecuniary interest and all relevant facts known to him or her to an Integrity Commissioner in a request for advice from the Commissioner under the Municipal Act, 2001 or the City of Toronto Act, 2006 and acted in accordance with the advice, if any, provided to the member by the Commissioner;
- [61] That said, there is no obligation on the Integrity Commissioner to monitor a member's declarations to ensure that advice given has been followed.
- [62] Where there is an allegation that a member failed to recognize their disqualifying interest, and perhaps failed to follow the advice of the Integrity Commissioner, it

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<sup>4</sup> Hamilton's Code of Conduct for Council is quite dated and the last term of Council deferred dealing with updates recommended by the Integrity Commissioner.

## Principles *Integrity*

follows that the member will be exposed to an investigation and determination on the facts of the complaint.

- [63] This complaint was pursued to obtain the advice on which Councillor Pauls purported to be relying in order to participate on December 15, 2022 without running afoul of the conflict of interest rules.
- [64] In the normal course we might find a complaint brought for an ulterior motive to be frivolous. In this instance, however, and notwithstanding the impropriety of attempting to force another member to disclose their confidential advice, there was a valid basis to raise the concern.
- [65] It is settled law that an Integrity Commissioner may clarify a complaint and is not restricted to relying on the original text set out in a complaint document. This is one reason why a requirement that complaints be initiated by affidavit has fallen out of favour.
- [66] Given that the essence of the complaint related to the important obligation Members carry to avoid conflicts of interest, we found that an investigation was warranted.
- [67] Our decision should not be taken to undermine the importance given to the confidentiality of advice requests, and the advice provided.

### Findings:

- [68] We find that Councillor Pauls was in a conflict of interest when she participated and voted on the Police Budget on December 15, 2022 when it was before the HPSB.
- [69] She might have avoided this conflict had she requested that the different components of the Budget be dealt with separately, and declared an interest on those parts dealing with salary, wages and benefits.
- [70] Alternatively, she could have avoided this conflict had she simply declared an interest in the entire Police Budget, and refrained from participating, voting or attempting to influence the vote on it.
- [71] Councillor Pauls has shared with us that, in spite of obtaining our written advice, she took the advice and guidance of others who assured her that she was a liberty to participate fully on the Police Budget.
- [72] On the strength of that advice, she reached her own conclusion that, because her son's salary was determined through a collective agreement which was already in place, no pecuniary interest existed for him under the Police Budget.

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- [73] Through this investigation our conversation with the Councillor has provided her the opportunity to better understand her obligations.
- [74] The implications of the Police Budget must be recognized as a pecuniary interest to its employees, even those whose salaries are established under collective agreement. Even without reference to overtime, performance pay and other costs which must also be recognized as pecuniary interests to employees, it should be understood that the budget in its totality enables funding of all employee salaries.
- [75] The Councillor now appears to recognize that much of the Police Budget raises a pecuniary interest for her son, and therefore a deemed interest for herself.
- [76] Without being capable of parsing or separating the Police Budget line-by-line, she must recuse herself from participating in the entirety of that deliberation.
- [77] In our conversation, and in her response to us, the Councillor pointed to past members of Council who have served on the Police Board and who had family members employed by the Police Service. As we have noted earlier, there is no prohibition against a member of Council serving on the Police Service merely because they have a family member who is employed by that organization.
- [78] In many respects, this is analogous to the member of Council who has a family member employed by the City. It requires the member exercise diligence in recognizing their deemed interest from time to time, but there is no prohibition against serving on Council.
- [79] It should not be overlooked that, on a strict interpretation of the MCI A provisions, a deemed interest arises by the very fact that the member's son's employer (the Police Service) has an interest in the matter being considered. Our approach as Integrity Commissioner has been to take a more surgical approach to recognizing conflicts of interest - to allow members whose family members are employed by the City or the Police Service to participate to the greatest degree in matters NOT affecting their family member's pecuniary interest.
- [80] Despite obtaining our written advice, the Councillor turned to others for guidance and received assurances that she could participate in deliberations on the Police Budget without a conflict of interest (on the erroneous basis that her son's salary is determined by collective agreement).
- [81] It is not the role of staff or other members (past or present) to advise the member of their conflicts of interest. The legislation, through amendments enacted in 2019, has made it clear that the member should seek and rely on the advice of their Integrity Commissioner. By following the Integrity Commissioner's advice they are fully protected against complaint. By ignoring it, they invite the ramifications of a complaint and ensuing investigation.

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[82] We trust the Councillor now recognizes that the well-intended advice of others should not be preferred over the well-informed and authoritative advice of the Integrity Commissioner.

### No Application Will Be Made to Court By the Integrity Commissioner

[83] The legislature has seen fit to provide citizens with a less costly and more expeditious remedy in conflict of interest matters by authorizing an Integrity Commissioner to respond to allegations of non-compliance with the MCIA. It is through this mechanism that the complainant/applicant brought this allegation to our attention for review and investigation.

[84] The relevant provisions under the *Municipal Act* are as follows:

#### Inquiry by Commissioner re s.5, 5.1 or 5.2 of *Municipal Conflict of Interest Act*

223.4.1 (1) This section applies if the Commissioner conducts an inquiry under this Part in respect of an application under subsection (2).

(2) An elector, as defined in section 1 of the *MCIA*, or a person demonstrably acting in the public interest may apply in writing to the Commissioner for an inquiry to be carried out concerning an alleged contravention of section 5, 5.1 or 5.2 of that Act by a member of council or a member of a local board.

[85] The courts have interpreted the provisions of the MCIA strictly. The statute has been described as “punitive in nature” and “being punitive in nature must be strictly construed”<sup>5</sup>.

[86] In fact, the line of court cases dealing with members’ conflicts of interest arising from the employment of a family member have led to the removal from office for these members.<sup>6</sup>

[87] The MCIA authorizes the Integrity Commissioner to bring an application before the court, whereby a judge may impose sanctions beyond those within the jurisdiction of the Integrity Commissioner to recommend. Where the Integrity Commissioner determines that no such application is to be brought, the applicant/complainant is to be advised and reasons for such decision must be published. The relevant provisions of the MCIA are as follows:

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<sup>4</sup> Re Verdun and Rupnow, 1980

<sup>5</sup> Moll v. Fisher (1979), 1979 CanLII 2020 (ON SC); recently considered with approval in Budarick v. Townships of Brudenell, Lyndoch and Raglan (Integrity Commissioner), 2022 ONSC 640 (CanLII)

## Principles *Integrity*

223.4.1 (15) Upon completion of the inquiry, the Commissioner may, if he or she considers it appropriate, apply to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the member has contravened section 5, 5.1 or 5.2 of that Act.

(16) The Commissioner shall advise the applicant if the Commissioner will not be making an application to a judge.

(17) After deciding whether or not to apply to a judge, the Commissioner shall publish written reasons for the decision.

[88] As statutory officers carrying out an administration of justice function we are charged with the responsibility to choose which route to follow. Are the circumstances such that court time and legal expense should be incurred to seek a remedy only the courts can impose, or is it a case where the integrity commissioner should review the matter and if it is in the public interest to do so, make recommendations to Council for the imposition of a recommended penalty (if any)?

[89] It is apparent that, unless removal from office is sought, or unless a member who has benefited financially is refusing to voluntarily disgorge such profits, it is not in the public interest for the Integrity Commissioner to pursue additional sanctions by way of application to a judge.

[90] It is our view that no court sanctions are warranted in the circumstances of this case, and therefore no such application will be pursued. The applicant is aware that a court application will not be made in this matter, and this Report constitutes the written reasons for our decision not to do so.

### Sanction and Concluding Remarks:

[91] The sanctions that may be imposed following a finding of contravention by an integrity commissioner are a reprimand, or a suspension of remuneration for up to 90 days.

[92] Rules prohibiting elected officials from participating in matters in which they have direct or attributed interests is an important element of the municipal ethical framework.

[93] The case law is clear that conflict of interest law is about appearances. It is aimed at avoiding even the appearance that a member might be influenced by any personal interest.

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- [94] Conflict of interest law is about preserving the integrity of council and the decision-making processes of municipal government.
- [95] The public is entitled to be able to rely on compliance with conflict of interest rules, with the expectation that members will properly recognize their own conflicts of interest and step away.
- [96] Where an issue arises, and the member assures colleagues that they have received advice from the Integrity Commissioner, it is implied and understood that the member is following that advice.
- [97] Where that advice is, instead, being disregarded and ignored, it is misleading to imply otherwise.
- [98] Having found that Councillor Pauls breached the conflict of interest provisions under the MCIA and the Council Code of Conduct, we impose a penalty of suspension of her remuneration for a period of 15 days, to be implemented by payroll staff in the next open pay period.
- [99] In setting the sanction at 15 days we recognize the Councillor's genuine contrition for having engaged in a matter when disqualified from doing so. In other circumstances the sanction would be more severe.
- [100] We balance the Councillor's contrition against her decision to ignore our previous advice. At minimum, the Councillor should have reached out to us for an explanation as to why others may be suggesting rationales for participation. The statutory scheme established by the *Municipal Act* is highly protective of elected officials who seek and follow the advice of their integrity commissioners. It cannot be the case that 'opinion shopping' is encouraged.
- [101] We are not recommending removal of Councillor Pauls from the HPSB. She has indicated that policing issues are a significant concern to her constituents and we believe that she has now learned from this experience to be diligent in recognizing conflicts of interest arising from her appointment.
- [102] She has expressed contrition and a desire to fully embrace and learn from this experience.
- [103] And while there is nothing to prevent Council from appointing Councillor Pauls or any other member to the HPSB when a child is employed by the Service, Council should be aware that such an appointment burdens the member with the obligation of careful diligence to recognize their deemed interest which will inevitably arise from time to time.

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[104] We wish to conclude by publicly thanking the parties, and all those who participated in our investigation.

[105] We will be available (virtually) to introduce this report and respond to questions during the Council meeting at which this report is considered.



## SPECIAL GENERAL ISSUES COMMITTEE REPORT 23-011

9:00 a.m.

March 24, 2023

Rooms 192/193, 1<sup>st</sup> Floor

71 Main Street West, Hamilton, Ontario

**Present:** Deputy Mayor T. Jackson (Chair)  
Councillors J. Beattie, C. Cassar, B. Clark, T. Hwang, C. Kroetsch,  
T. McMeekin, E. Pauls, A. Wilson, and M. Wilson

**Absent:** Due to the announcement at the beginning of the meeting, the following members of the General Issues Committee were absent from the meeting:

Mayor A. Horwath - Personal  
Councillors M. Spadafora, N. Nann, M. Tadeson, J.P. Danko and M. Francis

### THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 23-011 FOR INFORMATION:

The meeting began at 9:00 a.m. with Councillor Jackson making the following announcement:

Due to an unforeseen and significant event involving a family member of Mayor Horwath's, today's Council priority workshop will be postponed to a later date.

Members of the public will be provided with public notice about the rescheduled date.

The City apologizes for any inconvenience and thanks members of the public for their understanding.

Upon quorum being present:

**(a) PRESENTATIONS (Item 4)**

**(i) Council Priorities Workshop (Item 4.1)**

The Council Priorities Workshop presentation was DEFERRED to a future General Issues Committee Meeting.

**(b) ADJOURNMENT (Item 15)**

There being no further business, the General Issues Committee was adjourned at 9:19 a.m.

Respectfully submitted,

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Deputy Mayor Tom Jackson  
Chair, General Issues Committee

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Angela McRae  
Legislative Coordinator  
Office of the City Clerk



**CITYHOUSING HAMILTON CORPORATION  
SHAREHOLDER  
REPORT 23-001**

**9:00 a.m.**

**Monday, March 27, 2023**

**Council Chambers**

**Hamilton City Hall, 71 Main Street West**

**Present:** Deputy Mayor T. Jackson (Chair)  
Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis, T. Hwang, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls, M. Wilson

**Absent** Mayor Horwath, Councillors Spadafora and Tadeson - Personal  
Councillor A. Wilson - City Business

**THE CITYHOUSING HAMILTON CORPORATION SHAREHOLDER PRESENTS  
REPORT 23-001, AND RESPECTFULLY RECOMMENDS:**

**1. Shareholder Resolutions (Item 11.1)**

WHEREAS the City of Hamilton is the sole shareholder of the Corporation ("Sole Shareholder");

AND WHEREAS the Sole Shareholder is authorized to hold shares in the Corporation and to exercise the rights attributed thereto, pursuant to Subsection 203(1) of the *Municipal Act, 2001*, SO 2001, c25 ("Act"), but the Corporation is not an Offering Corporation within the meaning ascribed to that term in the *Business Corporations Act*, R.S.O. 1990, c. B.16 ("OBCA");

AND WHEREAS the Corporation is currently developing a vacancy renewal and management plan to support its commitment to maintain an appropriate and acceptable pace of unit turnover work to ensure there are no future backlogs of affordable units;

AND WHEREAS the existing backlog of units requiring unit turnover work is estimated to be approximately 476 units, which requires additional funding of up to \$5.7M to address, as further outlined in CityHousing Hamilton Report #23005 (attached hereto as Appendix A);

AND WHEREAS the Corporation has been engaged in co-developing a housing project located at 8 Roxanne Drive since 2016 (the "Roxborough Development");

AND WHEREAS in order to finalize the funding structure for the Roxborough Development the Corporation is seeking approval of certain loans and/or grants from the Canada Mortgage and Housing Corporation, the Federation of Canadian Municipalities and the City of Hamilton, as further outlined in CityHousing Hamilton Report #17029(f) (attached hereto as Appendix B);

NOW THEREFORE the Council of the City of Hamilton, acting in its capacity as representative of the Sole Shareholder of the Corporation, RESOLVES AS FOLLOWS:

**1. FINANCIAL SHORTFALL RE: UNIT TURNOVER WORK BACKLOG**

BE IT RESOLVED:

- (a) That CityHousing Hamilton Report #23005 (attached hereto as Appendix A) be and the same is hereby received by the Sole Shareholder; and
- (b) That CityHousing Hamilton Report #23005 be forthwith referred to the City of Hamilton's General Manager of Healthy and Safe Communities for further action.

**2. SOLE SHAREHOLDER APPROVAL RE: CERTAIN LOANS**

BE IT RESOLVED:

- (a) That the Sole Shareholder approves the Corporation entering into agreements with the Canada Mortgage and Housing Corporation and the Federation of Canadian Municipalities for grant and/or loan funding (as the case may be), as further outlined in CityHousing Hamilton Report #17029(f) (attached hereto as Appendix B), which, in the case of the Federation of Canadian Municipalities agreement, contemplates the registration of a general security interest on title against 8 Roxanne Dr. as collateral;
- (b) That the Sole Shareholder approves the Corporation entering into a credit agreement with the City of Hamilton to facilitate the Corporation's borrowing of (CAD) \$19,396,979 as further outlined in CityHousing Hamilton Report #17029(f) (attached hereto);
- (c) That the Sole Shareholder approves the preparation of all necessary documents and/or agreements to give effect to the foregoing and the Corporation's Chief Executive Officer (or designate) is authorized and directed to execute, on behalf of the Corporation, all such necessary documents and/or agreements; and
- (d) That the Mayor and City Clerk are hereby authorized and directed to sign and/or dispatch and deliver all other agreements, documents, notices,

articles and/or certificates to be signed and/or dispatched or delivered under or in connection with the Declaration and Direction of the Sole Shareholder or to take any action deemed necessary in respect of any of the foregoing.

**THE FOREGOING RESOLUTIONS** are hereby consented to by the Sole Shareholder of the Corporation entitled to vote on such resolutions and are hereby passed as resolutions of the Corporation pursuant to the OBCA.

**FOR INFORMATION:**

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

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

The agenda for the March 27, 2023 meeting of the CityHousing Hamilton Corporation Shareholder 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) August 15, 2022 (Item 4.1)**

The Minutes of the August 15, 2022 meeting of the CityHousing Hamilton Shareholder, were approved, as presented.

**(g) ADJOURNMENT (Item 15)**

There being no further business the CityHousing Hamilton Corporation Shareholder meeting was adjourned at 9:20 a.m.

Respectfully submitted,

Deputy Mayor Tom Jackson  
Chair, CityHousing Hamilton  
Corporation Shareholder

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk

**CITYHOUSING HAMILTON CORPORATION  
NOTICE OF MOTION**

**BOARD Date: February 09, 2023**

**MOVED BY PRESIDENT NRINDER NANN**

**SECONDED BY DIRECTOR CAMERON KROETSCH**

**Financial Support for CityHousing Hamilton for assistance in addressing the backlog of approximately 476 units, Hamilton ON.**

**Financial contribution request (All Wards -exception 10, 11, 15)**

WHEREAS CityHousing Hamilton Corporation (CityHousing) is a local housing corporation defined under the Housing Services Act, 2011 and owned solely by the City of Hamilton;

AND WHEREAS CityHousing is the largest provider of deeply affordable housing in the City of Hamilton responsible for operating over 7,100 units of housing available to households with diverse backgrounds and needs, having low to moderate incomes, and comprised of seniors, single individuals and families of many different sizes;

AND WHEREAS CityHousing has been operating with a balanced operating budget as per direction from the City of Hamilton, in its capacity as Service Manager, under the Act since at least 2016;

AND WHEREAS CityHousing balances many competing priorities to achieve this direction, resulting in many operational challenges including an inability to consistently keep pace with the work required to rehabilitate units to a safe, quality and livable standard when tenants move-out;

AND WHEREAS CityHousing is actively developing a revised and ambitious plan to support its renewed commitment to maintain an appropriate and acceptable pace of unit turnover work to ensure there are no future backlogs of affordable units;

AND WHEREAS CityHousing approved its 2023-2027 Strategic Plan which includes a priority to preserve and upgrade CityHousing's current housing stock;

AND WHEREAS CityHousing currently has a backlog of approximately 476 units of various sizes and types sitting vacant requiring an estimated investment of \$5.7M over a 12 to 18 month period;

AND WHEREAS CityHousing cannot address the backlog of units within its current operating budget;

THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS FOR CITYHOUSING HAMILTON CORPORATION:

- (a) THAT the Chief Executive Officer be authorized and directed to forward this resolution to the City of Hamilton, in its capacity as sole-shareholder of CityHousing Hamilton, on behalf of the Board of Directors of CityHousing Hamilton, as a formal request for assistance in addressing the backlog of approximately 476 units by a financial contribution of up to \$5.7M with a commitment to complete the unit turnover work by the November 30, 2024; and
- (b) THAT the Chief Executive Officer be directed to engage in continued discussions with the City of Hamilton, in its capacity as Service Manager, to review the annual operating funding formula for the purposes of ensuring CityHousing is appropriately resourced to meet its operational needs in providing safe, quality, affordable housing for current and future tenants.



**Date:** February 9, 2023

**Report to:** Board of Directors  
CityHousing Hamilton Corporation

**Submitted by:** Adam Sweedland  
Chief Executive  
Officer/Secretary

**Prepared by:** Sean Botham  
Manager, Development  
  
Samantha Blackley  
Development Coordinator

**Subject:** 8 Roxanne Drive Funding Update (Report #17029(f))

**RECOMMENDATION:**

That the Board of Directors approve the following resolutions:

- (a) To enter into agreements with CMHC for grant funding, and with FCM for grant and loan funding, with terms and conditions to the satisfaction of CityHousing Hamilton legal counsel;
- (b) To negotiate with the City of Hamilton the terms for debt for 8 Roxanne Dr in the amount of \$19,396,979 as per Report 17029(f) with terms and conditions that ensure that CHH is responsible for all debt or loan payments, and to the satisfaction of CityHousing Hamilton legal counsel;
- (c) That the Report be forwarded to the City of Hamilton in their role as Service Manager for any consents required;
- (d) That the City of Hamilton as Sole Shareholder be requested to:
  - i) Approve development plans including the debt outlined in Report 17029(f); and the debt financing to the upset limit of \$19,396,979;
  - ii) That Report 17021(f) be presented to the next Shareholder's meeting for approval of development/redevelopment projects and approval of debt in accordance with the Shareholder Direction.



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Adam Sweedland  
Chief Executive Officer/Secretary

### **EXECUTIVE SUMMARY:**

CHH co-developed, with the consortium Roxborough Park Incorporated (RPI), a mixed income, mixed tenure housing demonstration project in the McQuesten neighbourhood which substantially rebuilds the existing affordable housing and is intended to stimulate neighbourhood renewal.

The deal structure set out in a Master Development Agreement (MDA) signed November 2019 between the parties includes two key processes that are conjoined, a real estate transaction and a design-build contract. The land sale transacted in October, 2022, while the design-build project reached substantial completion in December 2022. Lease up for the new CHH building addressed as 8 Roxanne Dr is currently underway, with tenant occupancy to begin in mid-February 2023.

This report sets out recommendations specific to the financial structure of the 8 Roxanne Dr project given that funding partner allocations are now confirmed.

Recommendations are given for agreements to be entered with Canadian Mortgage and Housing Corporation (CMHC) and the Federation of Canadian Municipalities (FCM) to receive significant grant and loan funding. In addition, a recommendation is made for CHH to enter into a loan agreement with the City of Hamilton for the remaining financing of the project.

### **BACKGROUND:**

#### **Project History**

The Roxborough development is a demonstration project for neighbourhood revitalization that is the result of a comprehensive and coordinated effort to deliver community redevelopment in a meaningful and equitable manner.

Following extensive engagement beginning in 2016 with the adjacent landowner of the former Roxborough Park School, RPI, the CHH Board of Directors approved the draft Master Development Agreement between the parties, for a land sale of \$6.7M and a building purchase for \$29,225,000 on June 10, 2019. On September 2020 demolition began on site, and construction commenced July

2021. The 8 Roxanne Dr building received substantial completion in December 2022, and lease up is currently underway with tenant occupancy to begin in mid-February 2023.

## Financing History

Essential for CHH to commit to the Roxborough community revitalization project was confirmation of significant City of Hamilton support. To enable this demonstration project for community revitalization, in June 2019 the City of Hamilton committed to contributing \$400,000 annually for 35 years as per HSC19034 for support in servicing debt.

On October 2020, in accordance with the terms of Master Development Agreement between CHH and RPI, CHH secured construction financing for the Roxborough project through the City of Hamilton, with RPI responsible for all associated costs.

Additionally, parcels of land were conveyed to RPI as needed to facilitate demolition and construction of the CHH building, related storm water management, new roads, and eventually for new private market rental and ownership units. Mortgages were held in favour of CHH against these lands, and became due on October 31, 2022. In October 2022, the land sale transaction closed providing CHH with \$6.7M in proceeds.

CHH pursued funding partners for the project, including CMHC and FCM. With applications beginning in 2019 for CMHC's Co-Investment Fund, in July 2022, CHH was notified 8 Roxanne Dr was successful in securing a \$7.16M grant. And from FCM's Sustainable Affordable Housing fund, CHH received confirmation in October 2022 it was successful in securing a an additional \$2.86M investment of equal parts grant and loan.

## DISCUSSION:

Due to the expected cost of the Roxborough community revitalization project, the City of Hamilton agreed to provide annual funding of \$400,000 for 35 years to be utilized for the repayment of debt on the project in order to keep this project's proforma financially viable.

CHH received the land value of \$6.7M set at the time of agreement in 2019, which was established through an impartial process via a third-party through the assistance of the City of Hamilton's Real Estate Department. Additionally, CHH has benefitted immensely from the fixed price design-build contract of \$29,225,000 for the construction of 8 Roxanne Dr established at the same time and similarly independently vetted. During the project construction the project

scope expanded to better accommodate tenants and funding requirements, increasing the project cost to \$29,424,219.

CHH has received confirmation that both CMHC and FCM have committed grant funding for the outstanding achievements in energy and accessibility, totalling \$8.58M. FCM has also provided \$1.4M in loan as well.

It is recommended that the following updated funding arrangement be approved that optimally retains a balance of equity and debt without the need for the application of land sale proceeds, which may be transferred into a Development Reserve should it be established.

Table A – Summary of Funding

CMHC-Grant	FCM-Grant	FCM-Loan	City Loan	Total
7,166,020	1,430,610	1,430,610	19,396,979	29,424,219

CMHC: Canada Mortgage and Housing Corporation provides top up funding for secured funding for new affordable housing

FCM: The Federation of Canadian Municipalities funding supports measures to install physical infrastructure, to create new housing units that are designed to achieve net-zero-ready building energy performance.

**CONCLUSION:**

The Roxborough redevelopment is demonstrating the effectiveness of broad scale community renewal, including through neighbourhood and affordable housing revitalization. To finalize funding arrangements for the new 8 Roxanne Dr building, staff is recommending Board authorization to enter into agreements with CMHC, FCM, and the City of Hamilton, based on an updated funding arrangement.

**ALIGNMENT TO THE 2023-2027 STRATEGIC PLAN:**

This report implements:

**FLOURISHING COMMUNITIES:**

Empower tenants with the support and services they need to thrive.

**NEIGHBOURHOOD REVITALIZATION:**

Develop new and inclusive affordable mixed housing that builds strong and successful multi-generational communities.

AS/sb

Mission: We provide affordable housing that is safe, well maintained and cost effective and that supports the diverse needs of our many communities.

# CITY OF HAMILTON

## MOTION

Council Date: March 29, 2023

**MOVED BY COUNCILLOR T. JACKSON.....**

**SECONDED BY COUNCILLOR .....**

### **Council Membership on Sub-Committees for the 2022-2026 Term of Council**

(a) That the following Committees' Terms of Reference, be ***amended*** to reflect the following membership compositions:

(i) HMRF/HWRF Pension Administration Committee - ***two (2)*** members of Council;

(c) That the Council Member appointments to the following Sub-Committees, for the 2022-2026 Term of Council, be approved:

(i) Accessibility Transit Services Review Sub Committee

- (1) M. Tadeson
- (2) C. Cassar
- (3) C. Kroetsch

(xxv) HMRF/HWRF Pension Administration Committee

- (1) A. Wilson
- (2) C. Cassar

**CITY OF HAMILTON**  
**MOTION**

**Council Date: March 29, 2023**

**MOVED BY COUNCILLOR M. WILSON.....**

**SECONDED BY COUNCILLOR .....**

**Halton-Hamilton Water Source Protection Committee**

That the following member of Council be considered as the one representative who represents Hamilton, Grimsby and Niagara on the Halton-Hamilton Water Source Protection Committee:

- (1) Councillor T. McMeekin

# CITY OF HAMILTON

## MOTION

Council: March 29, 2023

**MOVED BY COUNCILLOR M. TADESON.....**

**SECONDED BY COUNCILLOR.....**

### **Amendment to the Current City of Hamilton Complement on the Hamilton Conservation Authority Board of Directors**

WHEREAS, Council received a letter from the Honourable Graydon Smith, Minister of Natural Resources and Forestry (Item 5.15 on the March 29, 2023 Council Agenda) advising the City of Hamilton that the City's application seeking a Minister's exception under the *Conservation Authorities Act* (CAA) from the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA) is not granted;

WHEREAS, Council has been asked to comply with the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council (Section 14(1.1) of the CAA);

WHEREAS, the Councils of both the City of Hamilton and Town of Puslinch on March 31, 2021 ratified the agreement to create a board of eleven members - ten Hamilton members, and one Puslinch member, which is not time limited and with the intention of it being continued by the Hamilton Conservation Authority;

WHEREAS, the City of Hamilton's current complement on the Hamilton Conservation Authority Board of Directors is ten Hamilton members, consisting of five members of Council and five citizens;

WHEREAS, Council in order to comply with Section 14(1.1) of the CAA, for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council, Council is required to change the City's current membership (ten Hamilton members) to seven members of Council and three citizens;

WHEREAS, Council on December 7, 2022, appointed Councillors Cassar, Clark, Francis, A. Wilson and M. Wilson, to the Hamilton Conservation Authority Board of Directors for the 2022-2026 Term of Council;

WHEREAS, Council appointed five citizens to the Hamilton Conservation Authority Board of Directors, for a term commencing May 8, 2019, until a successor is chosen; and

WHEREAS, Recruitment for citizens for the Hamilton Conservation Authority Board of Directors, began on February 24, 2023 and concludes on April 6, 2023;

THEREFORE, BE IT RESOLVED:

That the current complement of five elected officials and five citizen appointments from the City of Hamilton to the Hamilton Conservation Authority Board of Directors, be **amended** to reflect the requirement for at least 70 per cent of municipal appointments to a conservation authority to be selected from among members of municipal council, as per the Section 14(1.1) of the *Conservation Authorities Act*, to **seven** elected officials and **three** citizen appointments, effective following the appointment of the three citizens for the 2022-2026 Term of Council.

# CITY OF HAMILTON MOTION

Council: March 29, 2023

MOVED BY COUNCILLOR N. NANN.....

SECONDED BY COUNCILLOR.....

**Amendment to Item 7 of Emergency and Community Services Committee Report 22-012  
respecting the Adaptation and Transformation of Services for People Experiencing  
Homelessness Update 6 (HSC20020(f)) (City Wide)**

WHEREAS, on August 12, 2022 Council approved a grant to Mission Services of Hamilton Inc., (“Mission Services”) for capital improvements for the provision of an emergency shelter for men containing 58 permanent emergency shelter beds and 50 transitional beds on the property known municipally as 400 King Street East (the “Property”);

WHEREAS, subsequent to Council’s approval staff became aware that Mission Services would not be undertaking the capital improvements but instead would be purchasing the Property with the capital improvements completed for the provision for 58 permanent emergency shelter beds and 50 transitional;

WHEREAS, subsequent to Council’s approval on August 12, 2022, Mission Services and the owner of the property agreed to extend the closing date of the sale of the Property in order that all the capital improvements to the Property would be completed prior to the closing date resulting an emergency shelter with 58 permanent beds and 50 transitional beds;

WHEREAS, the provision of the grant to Mission Services is required for the purchase of the Property.

THEREFORE, BE IT RESOLVED:

That Item 7(a)(i)1 of Emergency and Community Services Committee Report 22- 012 respecting the Adaptation and Transformation of Services for People Experiencing Homelessness Update 6 (HSC20020(f)) (City Wide), be **amended**, as follows:

(a) That staff be authorized to implement an interim plan for homelessness system service levels at an approximate cost of \$5.472M for additional pressures in 2022 and to the end of **December 2023**, as follows:

(i) In 2022:

1. Subject to such conditions as the General Manager of Healthy and Safe Communities deems appropriate, provide a one-time grant to a maximum amount of \$3.04 M to Mission Services to purchase the property known municipally as 400 King Street East (the “Property”) for the purpose of operating a new men’s emergency shelter location at the Property instead of at Mission Services’ current shelter location at 325 James St. North, and which possesses, at the time of closing of the sale, the necessary capital improvements for the relocation and operation of an emergency shelter for men containing 58 permanent emergency beds and **50** transitional beds; and

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

**8. Adaptation and Transformation of Services for People Experiencing Homelessness Update 6 (HSC20020(f)) (City Wide) (Item 10.3)**

(a) That staff be authorized to implement an interim plan for homelessness system service levels at an approximate cost of \$5.472M for additional pressures in 2022 and to the end of **December 2023**, as follows:

(i) In 2022:

1. Subject to such conditions as the General Manager of Healthy and Safe Communities deems appropriate, provide a one-time grant to a maximum amount of \$3.04 M to Mission Services to purchase the property known municipally as 400 King Street East (the "Property") for the purpose of operating a new men's emergency shelter location at the Property instead of at Mission Services' current shelter location at 325 James St. North, and which possesses, at the time of closing of the sale, the necessary capital improvements for the relocation and operation of an emergency shelter for men containing 58 permanent emergency beds and **50** transitional beds; and
2. Ancillary costs, including security and damages, associated with the rental of hotel rooms for expanded temporary emergency shelter for single men and women, in the approximate amount of \$500 K;

(ii) From January to March 2023, addressing the needs of community members accessing the emergency shelter system through:

1. Interim capacity of up to 100 additional beds in the women's emergency shelter system as needed, by extending temporary emergency shelter operations at 378 Main Street East (the former Cathedral Boys School) at an approximate cost of \$334 K monthly for an approximate total of \$1 M;
2. Maintaining increased interim emergency shelter capacity of up to 24 beds in the men's system, by increasing the overflow capacity of the new Mission Services men's shelter by up to 24 additional beds in the approximate monthly amount of \$58.3 K for an approximate total of \$175 K;
3. Extending four temporary emergency shelter beds at Salvation Army men's shelter at an approximate cost of \$22 K; and;
4. Continuation of enhanced drop-in services including but not limited to The Living Rock Ministries, Mission Services of Hamilton Inc., Wesley Urban Ministries Inc. and The Hamilton Young Women's Christian Association (YWCA) in the approximate monthly amount of \$245 K for an approximate total of \$735 K;

- (b) That staff be directed to pursue full recovery from senior levels of government for the costs identified in recommendation (a) as they are associated to COVID and that recommendations will be coming back through the Year End report outlining what has been funded and what requires additional funding;
- (c) That staff be directed to bring a business case forward to Council through the 2023 budget process detailing a phased transition plan over the remaining nine months of 2023 for the emergency shelter system; and,
- (d) That the Mayor, on behalf of City Council, correspond with the Federal Minister of Housing and Diversity and Inclusion and the Provincial Minister of Municipal Affairs and Housing to advocate for additional transitional COVID-19 funding resources to support ongoing housing and homelessness systems responses, address budgetary shortfalls, and mitigate impacts on the City.
- (e) That the General Manager of the Healthy and Safe Communities Department be directed and authorized, to enter into, execute and administer all agreements and documents necessary to implement the grants outlined in Recommendation (a) on terms and conditions satisfactory to the General Manager of the Healthy and Safe Communities Department and in a form satisfactory to the City Solicitor.

# CITY OF HAMILTON

## MOTION

Council Date: March 29, 2023

**MOVED BY COUNCILLOR M. FRANCIS.....**

**SECONDED BY COUNCILLOR .....**

**Resignation and Appointment to the Hamilton Enterprise Holding Corporation Board of Directors**

- (a) That Council accept Mayor Horwath’s resignation from the Hamilton Enterprise Holding Corporation Board of Directors, effective immediately; and
- (b) That Councillor Tammy Hwang be appointed to the Hamilton Enterprise Holding Corporation Board of Directors, for the remainder of the 2022-2026 Term of Council, effective immediately.

# CITY OF HAMILTON

## MOTION

Council: March 29, 2023

**MOVED BY COUNCILLOR M. WILSON.....**

**SECONDED BY COUNCILLOR .....**

**Amendment to Item 4 of the Public Works Committee Report 21-005, respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1), which was approved by Council, as amended, on April 28, 2021**

WHEREAS, Council on April 28, 2021 approved the Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1); and

WHEREAS, on March 10, 2023, correspondence was provided by 1643055 Ontario Ltd., the new owners of 63 New Street, Hamilton, to the Right-of-Way Coordinator, Public Works Department, requesting that the permanent closure and sale of the unassumed alleyway abutting 63 New Street Hamilton, be rescinded and that the lands remain as an unassumed public alleyway.

THEREFORE, BE IT RESOLVED:

That Item 4 of the Public Works Committee Report 21-005, respecting Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1), be ***amended***, as follows:

**4. Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021) (Ward 1) (Item 9.2)**

- (a) That the application of the owner of 63 New Street, Hamilton, to permanently close and purchase a portion of the public unassumed alleyway, abutting the south side of 63 New Street, Hamilton, running east/west from the westerly limit of the alleyway to the east property limit of 63 New Street, Hamilton ("Subject Lands"), as shown on Appendix "A", attached to Public Works Committee Report 21-005, be ***withdrawn***.

~~(i) — That the applicant makes an application to the Ontario Superior Court of Justice, under Section 88 of the Registry Act, for an order to permanently close the Subject Lands, if required by the City, subject to:~~

- ~~(1) — The General Manager of Public Works, or designate, signing the appropriate documentation to obtain any required court order; and,~~
  - ~~(2) — The documentation regarding any required application to the Ontario Superior Court of Justice being prepared by the applicant, to the satisfaction of the City Solicitor;~~
- ~~(ii) — That the applicant be fully responsible for the deposit of a reference plan in the proper land registry office, and that said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Manager, Geomatics and Corridor Management Section, and that the applicant also deposit a reproducible copy of said plan with the Manager, Geomatics and Corridor Management Section;~~
- ~~(iii) — That, subject to any required application to the Ontario Superior Court of Justice to permanently close the Subject Lands being approved:~~
- ~~(1) — The City Solicitor be authorized and directed to prepare all necessary by-laws to permanently close and sell the alleyway, for enactment by Council;~~
  - ~~(2) — That the City Solicitor be authorized to amend and waive such terms as the City Solicitor considers reasonable to give effect to this authorization and direction;~~
  - ~~(3) — The Real Estate Section of the Planning and Economic Development Department be authorized and directed to enter into any requisite easement agreements, right of way agreements, and/or other agreements deemed necessary to affect the orderly disposition of the Subject Lands and to proceed to sell the Subject Lands to the owner of 63 New Street, Hamilton, as described in Report PW21021, in accordance with the City of Hamilton Sale of Land Policy By-law 14-204;~~
  - ~~(4) — The City Solicitor be authorized to complete the transfer of the Subject Lands to the owner of 63 New Street, Hamilton, pursuant to an Agreement of Purchase and Sale or Offer to Purchase as negotiated by the Real Estate Section of the Planning and Economic Development Department;~~
  - ~~(5) — The City Solicitor be authorized and directed to register a certified copy of the by-law permanently closing and selling the alleyway in the proper land registry office; and,~~

~~(6) — The Public Works Department publish any required notice of the City's intention to pass the by-law and/or permanently sell the closed alleyway pursuant to City of Hamilton Sale of Land Policy By-law 14-204.~~

Attachment: Correspondence from 1643055 Ontario Ltd., to the Right-of-Way Coordinator, Public Works Department, requesting that the permanent closure and sale of the unassumed alleyway abutting 63 New Street Hamilton, be rescinded and that the lands remain as an unassumed public alleyway (March 10, 2023)

## Attachment to Item 7.6

March 10, 2023

**Via Email**

Ms. Cetina Farruggia, HBSc, B. Ed.,m PMP  
Right-of-Way Coordinator

City of Hamilton  
100 King Street West, 2<sup>nd</sup> Floor  
Hamilton, ON L8P 1A2

Dear Ms. Farruggia,

**RE: Proposed Permanent Closure and Sale of a Portion of Public Unassumed Alleyway Abutting 63 New Street, Hamilton (PW21021)**

We, 1643055 Ontario Ltd. are now the owners of 63 New Street, Hamilton, which was purchased on March 17, 2022. We understand there was a council approval on April 28, 2021 for the permanent closure and sale of a portion of the public unassumed alleyway abutting 63 New Street via PW21021. As the new owners, we are requesting that this approval be rescinded, and the lands remain as an unassumed public alleyway.

We trust the enclosed is in order; however, please feel free to contact the undersigned with any questions.

Regards,

DocuSigned by:  
  
CF41079C1C29498...

**Richard Paletta**  
President  
1643055 Ontario Ltd

# CITY OF HAMILTON

## MOTION

Council: March 29, 2023

MOVED BY COUNCILLOR C. KROETSCH.....

SECONDED BY COUNCILLOR.....

**Amendment to Item 19 of Public Works Committee Report 22-012, respecting Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2)**

WHEREAS, Council on August 12, 2022, approved Item 12 of Public Works Committee Report 22-012, respecting Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2);

WHEREAS, Corporate Security, working with the Privacy Office, have completed the project specific Privacy Impact Assessment on the use and application of CCTV technology, which resulted in no major issues being highlighted; and

WHEREAS, the Ward 2 Councillor requests at this time, that the CCTV cameras not be installed at John Rebecca Park;

THEREFORE, BE IT RESOLVED:

That Item 19 of the Public Works Committee Report 22-012, respecting Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2), be **amended**, by deleting Item 19 in its entirety, as follows:

- 19. Enhanced Safety and Security Measures at John Rebecca Park, 76 John Street North, Hamilton (Beasley Neighbourhood) (Ward 2) (Item 11.4)**

~~**WHEREAS, CCTV cameras installed in public parks where criminal acts occur have assisted, in partnership with other parallel reasonable security measures and as investigative tools for law enforcement, to mitigate the likelihood of reoccurrence and impact of the criminal behaviour to the property and its local community;**~~

~~**WHEREAS, John Rebecca Park, located at 76 John Street North in Hamilton, is a recently completed multi-million-dollar urban parkette that replaced a surface asphalt parking lot and received substantial public input on design to serve residents and visitors;**~~

~~WHEREAS, John Rebecca Park has become an unsafe environment due to an increase in criminal acts that include but are not limited to theft of and vandalism to City property and adjacent properties and businesses, alcohol and drug use, physical altercations, violence, vulgar and offensive graffiti, wire and power theft, encampments, illegal dumping and excessive litter, human defecation and urination, harassment of staff and local businesses;~~

~~WHEREAS, City of Hamilton staff cannot ensure a safe play environment at John Rebecca Park;~~

~~WHEREAS, all City of Hamilton Staff with work assignments at John Rebecca Park must not attend to the work without the presence of the Hamilton Police Service, as further detailed in Appendix "A";~~

~~WHEREAS, many assets within the park such as fixed metal chairs and components of the spray pad have been repeatedly vandalized and stolen and due to the high cost to replace these items and likelihood of repeated damage they have not been replaced and will not be replaced until the vandalism and theft incidents are controlled;~~

~~WHEREAS, often, when individuals at John Rebecca Park are approached during multiple daily visits from the Hamilton Police Service, Municipal Law Enforcement, Various Health Outreach teams and City of Hamilton Encampment staff they refuse to welcome the help being offered;~~

~~WHEREAS, a recently planned festival for John Rebecca Park was relocated by request of the City of Hamilton Special Events Advisory Team (SEAT) due to the concern for public safety at the park; and~~

~~WHEREAS, adjacent businesses to the park have incurred substantially higher maintenance costs due to the same incidents that are occurring in the park and would benefit from support by the City to deal with the impacts on their properties.~~

~~THEREFORE, BE IT RESOLVED:~~

~~(a) That following a project specific Privacy Impact Assessment on the use and application of CCTV technology, CCTV cameras be installed including all reasonable mitigating measures recommended through the Privacy Impact Assessment at John Rebecca Park, 76 John Street, Hamilton, at the upset limit of \$35,000, to be funded through the Ward 2 Area Rating Capital Reserve account # 108052 along with an annualized \$1,000 operating impact for PM maintenance;~~

- ~~(b) — That staff from Public works, with requested Hamilton Police Service assistance, be authorized and directed to meet with the businesses adjacent to John Rebecca Park, 76 John Street North, to work on a plan for reducing the negative impact to their properties and report back to Public Works Committee on these and any future measures that could be instituted along with the associated costs; and~~
- ~~(c) — That the General Manager of Public Works be authorized and directed to approve and execute all required agreements and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.~~

# CITY OF HAMILTON

## NOTICE OF MOTION

City Council: March 29, 2023

**MOVED BY COUNCILLOR T. JACKSON.....**

**Request that the Minister of Natural Resources and Forestry Reconsider the Ministry’s Decision respecting the composition of the Hamilton Conservation Board of Directors**

WHEREAS the Hamilton Conservation Authority has long been supported by engaged citizens which enrich the Board of Directors, and all participating municipalities agree to the value of citizen representatives on the Hamilton Conservation Authority Board;

WHEREAS the City of Hamilton sought an exemption to certain sections of the *Conservation Authorities Act* which require 70% of representation from the City be members of Council to ensure that citizen representatives would continue to provide value and continuity to the conservation authority;

WHEREAS the City of Hamilton requested 50% of their representatives be City Councillors and the remainder be citizen representations.

WHEREAS recent correspondence from the Minister of Natural Resources and Forestry in denial of this request, and there is no formal appeal process in the *Act*;

THEREFORE, BE IT RESOLVED:

That Council appeal to the Minister of Natural Resources and Forestry to approve the City of Hamilton’s original request (50% of their representatives be City Councillors and the remainder be citizen representations).

# COUNCIL COMMUNICATION UPDATES

## February 17, 2023 to March 23, 2023

Council received the following Communication Updates during the time period listed above, the updates are also available to the public on City's website, as per Section 5.18 of By-law 21-021 (A By-Law To Govern the Proceedings of Council and Committees of Council) a member of Council may refer any of the items listed below, to a Standing Committee by contacting the Clerk and it will be placed on the next available agenda of the respective Standing Committee.

Item Number	Date	Department	Subject
1	February 24, 2023	Planning and Economic Development	1083 Main Street East (Ward 3)
2	February 27, 2023	Public Works	Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid and Spotted Lanternfly (City Wide) (ES23001)
3	March 1, 2023	Public Works	Temporary Closure of Claremont Access downbound lanes (ENG23001) (City Wide)
4	March 3, 2023	City Manager's Office	City Response to Federal Government Ban on TikTok app on Government Devices (City Wide)
5	March 9, 2023	Public Works	Hamilton Municipal Cemeteries: Cemetery Chronicles – Historic Tours of Hamilton Cemetery (ES23004) (City Wide)
6	March 8, 2023	Corporate Services	Court Security and Prisoner Transportation Program Agreement for 2023 (City Wide)
7	March 14, 2023	Planning and Economic Development	Noise By-law Complaint Process (City Wide)
8	March 14, 2023	Planning and Economic Development	1083 Main Street East - Property Standards (Ward 3)
9	March 15, 2023	Public Works	Chedoke Creek Remediation - MECP Order Amendment - HW.23.01
10	March 16, 2023	Public Works	Update: Provincial Officer's Order #1-142403769 - HW.23.02
11	March 23, 2023	Corporate Services	2023 Preliminary Tax Impacts (City Wide)



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	February 24, 2023
<b>SUBJECT:</b>	1083 Main Street East (Ward 3)
<b>WARD(S) AFFECTED:</b>	Ward 3
<b>SUBMITTED BY:</b>	Monica Ciriello Director, Licensing & By-law Services Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to advise Council of the outcome of the Property Standards Tribunal on Tuesday, February 21, 2023 and advise of next steps.

On December 23, 2022, a building permit was issued to the property owner of 1083 Main Street East to renovate the existing multi-unit residential apartment. As the property was undergoing renovations, on December 28, 2022, the plumbing system was exposed to freezing temperatures which caused significant damage to the system and resulted in the water being turned off.

Since being informed of the situation Wednesday, December 28, the City's Municipal Law Enforcement Officers and building inspectors have visited the site to offer support and advise tenants of next steps. Hamilton Water has provided 512 jugs of water at a cost of approximately \$12,000 to the affected tenants every other day. Moving forward the property owner has agreed to take over providing potable water to the tenants. Housing Services has also offered assistance to the residents, specifically previously offering hotel rooms, and support from a Housing Support Worker who can help them access various other community supports, depending on their need.

On January 5, 2023, the City's Bylaw department issued two property standards orders to the property owner of 1083 Main Street East. The first, to repair or replace the plumbing system pipes, by the compliance date of January 24, 2023 and second, to provide a Plumber's Report to outline the scope of damage to the plumbing system and work required to repair or replace it. The Plumber's Report was provided and is attached as Appendix "A". As the City of Hamilton's Property Standards By-law is

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pursuant to the *Ontario Building Code*, the property owner has a right to appeal the order to repair or replace the plumbing system pipes.

The appeal was heard by the Property Standards Tribunal on Tuesday, February 21, 2023 at 9:30am. The City's property standards order was confirmed. No compliance date was set to comply with the confirmed order, which was agreed to by both parties. The joint submission is attached as Appendix "B". This was due to the nature and scope of the work needed to satisfy the order, which requires the building to be vacant. The Property Standards Tribunal decision was to grant an extension of time.

A related Landlord Tenant Board hearing is scheduled for Wednesday, March 8, 2023.

As a procedural matter, the Property Standards Tribunal has ordered that this matter come back before it as soon as practicable or within 45 days. When the hearing resumes, the Tribunal will hear the evidence of the parties and may fix a date or dates for further compliance based on that evidence.

At the February 22, 2023 Council meeting Council directed the following direction which staff are in the process of implementing:

- (a) That staff continue to take and enforce any and all available actions under the City's by-laws, including the Vital Services By-law if applicable, to ensure that clean, running water is restored as expediently as possible to the residents of 1083 Main Street East;
- (b) That staff be directed to proactively monitor and ensure sufficient supply of safe potable water is provided to the residents at 1083 Main Street East;
- (c) That staff provide regular communications and updates to tenants with respect to the ongoing property standards matter;
- (d) That staff report back to Planning Committee with an update regarding this matter; and,
- (e) That staff report back to the Planning Committee on any changes to the current Property Standards, Vital Services, public health and other related by-laws to ensure that enforcement mechanisms are available to address issues such as the ones faced by residents at 1083 Main Street East.

If you have any questions regarding this communication, please contact Monica Ciriello, Director, Licensing & By-law Services at (905) 546-2424 Ext. 5809 or by email at [Monica.Ciriello@hamilton.ca](mailto:Monica.Ciriello@hamilton.ca).

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" – Plumber's Report

Appendix "B" – Joint Submissions

**PLUMBING SUPPLY LINE RESTORATION – INSPECTION REPORT:**

**ADDRESS:**

1278 KING ST E - 1083 MAIN ST. E

**DATE:**

February 10 2023

**PREPARED BY:**

Rob Stoltz

**LICENSE #:**

306a 12277421

**PREPARED ON BEHALF OF:**

1083 MAIN ST. INC.

**BUILDING REFERENCE INFORMATION:**

**Building A – 1083 Main St E.**

Floors: 3

Total units: 24

Tenanted units: 6

Basement: No - First floor slab on grade

**Building B – 1083.5 Main St E.**

Floors: 4

Total units: 14

Tenanted units: 1

Basement - Yes

**Building C – 1278-1284 King St E.**

Floors: 4

Total units: 14

Tenanted units: 1

Basement - Yes

**INITIAL INSPECTION NOTES & SUMMARY:**

-After being called to the property by Grow Property Management, initial inspection noted water leaking from roughly a dozen broken water supply lines within 2 occupied units as well several vacant residential units on the 1st and 2nd floor of Building A, as well a dozen larger leaks within the ground floor of the commercial spaces located in building C.

-Emergency notice was provided to tenants and water was first shut off for approximately 24 hours in order to stop further water damage and to complete repair of all noted leaks and pipe bursts.

-After repair was completed of all the original leaks noted, water was turned back on for testing and newly noted pipe bursts were then observed where the main unit branch lines enter into building A, B. Further investigation then revealed pipe bursts within almost every kitchen and bathroom of all vacant units, within all three buildings.

-It was later confirmed that freezing had occurred in both basements of the commercial spaces which caused damage within areas that the pipes were deemed inaccessible without extensive demolition and removal of all existing plumbing supply lines, as well as all of the existing boiler distribution lines

-At this point, it was determined that had occurred in all unheated areas of these 3 buildings and that typical repair service with temporary bypass lines would not be sufficient, nor possible.

-To summarize, extensive and catastrophic damage had occurred to all plumbing supply and boiler distribution lines throughout all basement, 1st floor, 2nd floor and 3rd floor areas with in Building A, Building B, and Building C. The extreme cold weather experienced in late December had caused freezing and bursting of all unprotected pipes with in the demolished and unheated areas of these 3 buildings.

-The proposed solution of a complete overhaul of all plumbing supply lines was then recommended by our team and later accepted by the owners and property management.

-The owners also confirmed that a decision had been made not to replace the existing boiler system due to additional issues noted with its exhaust system not being code compliant, as well as the overall costs that were going to be associated with the system repair and line replacement, and that they were opting towards a more cost effective solution for space heating. Full decommission of the existing boiler system was recommended as part of the solution and permission to commence demolition was then granted.

-A timeline was proposed and provided to the owners, with an approximate date of mid April 2023 for the completion of all plumbing remediation work. Due to the amount of pressure put on by the owners and city bylaw, we have since revised our time line to shave several weeks from this with an estimated restoration to all tenanted units by the third week of March 2023.

**Disclaimer:**

-While not relevant to the work required to restore water to tenanted units, it is important to note that there is an open building permit for full construction and conversion of existing main floor and second floors of the existing vacant commercial and residential spaces within Buildings B and C, which is ready to commence. Part of the scope of work involved in these areas may directly impact our ability to complete our scope of work by the dates noted above without full cooperation of the contractors of that project.

**Our Goal:**

-Complete installation of all plumbing supply lines required to restore water to all tenanted units located within all 3 buildings.

-Complete scope in a timely manner on or before in our proposed completion date above.

-Execute on the scope work in a manner that does not conflict or impact the ability for the other trades to complete their scope of work involved with the conversion construction project commencing within the other parts of the building.

**BUILDING A: 1083 MAIN ST E.: PLUMBING ISSUES:**

During the extreme cold weather experienced in late December 2022, extensive and catastrophic damage occurred to all plumbing supply lines throughout the parking garage and in all vacant units on the 1st floor, 2nd floor or 3rd floor. This damage was a result of the freezing and bursting of all unprotected pipes within the vacant and/or demolished unheated areas of this building.

**BUILDING A: IMPACTED UNIT LIST:**

**GROUND FLOOR:**

G1- Vacant - Burst pipes  
G2- Vacant- Burst pipes  
G3- Occupied- Burst pipes  
G4- Vacant- Burst pipes

**2ND FLOOR:**

UNIT 101- Vacant- Burst pipes  
UNIT 102- Occupied- Burst pipes  
UNIT 103- Vacant- Burst pipes  
UNIT 104- Vacant- Burst pipes  
UNIT 105- Vacant- Burst pipes  
UNIT 106- Vacant- Burst pipes  
UNIT 107- Occupied- Burst pipes  
UNIT 108- Vacant- Burst pipes  
UNIT 109- Vacant- Burst pipes  
UNIT 110- Vacant- Burst pipes

**3RD FLOOR:**

UNIT 201- Vacant- Burst pipes  
UNIT 202- Vacant- Burst pipes  
UNIT 203- Vacant- Burst pipes  
UNIT 204- Vacant- Burst pipes  
UNIT 205- Vacant- Burst pipes  
UNIT 206- Occupied - No damage reported  
UNIT 207- Occupied -No damage reported  
UNIT 208- Vacant- Burst pipes  
UNIT 209- Vacant- Burst pipes  
UNIT 210- Occupied - No damage reported

**SCOPE OF WORK REQUIRED:**

**Building A –**

Removal of all remaining cabinets in kitchens and bathrooms to gain access to plumbing.

Open up plumbing walls to expose all damaged plumbing supply lines and remove.

Demolition of all remaining shower plumbing wall tile, (or walls behind if accessible). Remove existing supply lines.

Complete removal of all old copper branch supply lines and interior unit lines.

Source and install new hot water tanks for new DHW supply.

Rough in and install exhaust venting for additional hot water tanks.

Rough in and install gas connections for additional hot water tanks.

Supply and install new 2" copper main lines from meter to basement service rooms.

Supply and install of new pex supply lines from hot water tank main branch to all units in building A – install ball valves at all unit mains

Installation of temporary electric heat cable around all supply lines throughout all unheated areas

Supply and install new pex supply lines from unit mains through to all kitchen and bathrooms. Install with ¼ turn ball valves at all fixtures.

Rough in inspections for plumbing supply lines.

Reinstallation of all plumbing wall drywall, sink wall cabinetry and plumbing wall tile finishes. (tenanted units only)

Final connections to all fixtures.

Final inspection.

**BUILDING B: 1083.5 MAIN ST E.: PLUMBING ISSUES:**

Extensive damage occurred to all plumbing supply lines and boiler distribution lines throughout all areas of the basement, 1st floor, 2nd floor or 3rd floor areas of Building B. This damage was a result of freezing and bursting of all unprotected pipes within the demolished and unheated areas of this building.

**BUILDING B: 1083.5 MAIN ST E. - IMPACTED UNIT LIST:**

**GROUND FLOOR:**

UNIT B 201- Vacant- Burst pipes

UNIT B 202- Vacant - Burst pipes

**2ND FLOOR:**

UNIT B 201- Vacant- Burst pipes

UNIT B 202- Vacant - Burst pipes

UNIT B 203- Vacant - Burst pipes

UNIT B 204- Vacant - Burst pipes

UNIT B 205- Vacant - Burst pipes

**3RD FLOOR:**

UNIT B 301- Vacant- Burst pipes

UNIT B 302- Vacant - Burst pipes

UNIT B 303- Vacant - Burst pipes

UNIT B 304- Vacant - Burst pipes

UNIT B 305- Occupied - Burst pipes

UNIT B 306- Vacant - Burst pipes

UNIT B 307- Vacant - Burst pipes

**SCOPE OF WORK REQUIRED:**

**Building B –**

Complete decommission and removal of existing boiler system and all boiler lines to expose all remaining DHW supply lines in basement of building B, as well as the removal of all existing radiators and accessible lines.

Removal of all remaining cabinetry kitchens and bathrooms.

Open up plumbing walls to expose all damaged plumbing supply lines and remove.

Demolition of all remaining shower plumbing wall tile. Remove existing supply lines.

Complete removal of all old copper DHW lines.

Source and install new hot water tanks in basement of building B for new DHW supply.

Rough in and install exhaust venting for hot water tanks in building B

Rough in and install gas connections for hot water tanks in building B

Supply and install of new pex supply lines from hot water tank main branch to all units in building B – install ball valves at all unit mains.

Installation of electric heat cable around all supply lines throughout all unheated areas.

Supply and install new pex supply lines from unit mains through to kitchen and bathrooms. Fix with ¼ turn ball valves at all fixtures and cap.

Rough in inspections for plumbing supply lines.

Reinstallation of all plumbing wall drywall, sink wall cabinetry and plumbing wall tile finishes. (tenanted units only)

Final connections to all fixtures.

**BUILDING C: 1278.5 KING ST. E.: PLUMBING ISSUES:**

Similar to building B, extensive damage occurred to all plumbing supply lines and boiler distribution lines throughout all areas of the basement, 1st floor, 2nd floor or 3rd floor areas of Building C. This damage was a result of freezing and bursting of all unprotected pipes within the demolished and unheated areas of this building.

**BUILDING C: 1278.5 KING ST. E.: IMPACTED UNIT LIST:**

**GROUND FLOOR:**

UNIT C 101- Vacant- Burst pipes  
UNIT C 102- Occupied - No plumbing damage noted - moderate damage to drywall and finishes  
UNIT C 103- Vacant - Burst pipes  
UNIT C 104- Vacant - Burst pipes  
UNIT C 105- Vacant - Burst pipes

**2ND FLOOR:**

UNIT C 201- Vacant- Burst pipes  
UNIT C 202- Vacant- Burst pipes  
UNIT C 203- Vacant - Burst pipes  
UNIT C 204- Vacant - Burst pipes

**3RD FLOOR:**

UNIT C 301- Vacant - Burst pipes  
UNIT C 302- Vacant - Burst pipes  
UNIT C 303- Vacant - Burst pipes  
UNIT C 304- Vacant - Burst pipes  
UNIT C 305- Vacant - Burst pipes

**SCOPE OF WORK REQUIRED:**

**Building C –**

Complete decommission and removal of existing boiler system and all boiler lines to expose all remaining DHW supply lines in basement of building C, as well as the removal of all existing radiators and accessible lines.

Removal of all remaining cabinetry kitchens and bathrooms.

Open up plumbing walls to expose all damaged plumbing supply lines and remove.

Demolition of all remaining shower plumbing wall tile. Remove existing supply lines.

Complete removal of all old copper DHW lines.

Source and install new hot water tanks in basement of building C for new DHW supply.

Rough in and install exhaust venting for hot water tanks in building C

Rough in and install gas connections for hot water tanks in building C

Supply and install of new pex supply lines from hot water tank main branch to all units in building C – install ball valves at all unit mains.

Installation of electric heat cable around all supply lines throughout all unheated areas.

Supply and install new pex supply lines from unit mains through to kitchen and bathrooms. Fix with ¼ turn ball valves at all fixtures and cap.

Rough in inspections for plumbing supply lines.

Reinstallation of all plumbing wall drywall, sink wall cabinetry and plumbing wall tile finishes. (tenanted units only)

## **ISSUES AND CHALLENGES WITH TENANTED UNITS**

### **Can the work be completed with tenants in unit?**

- a. No, due to the expansive nature of the work that is required as a whole at each of these buildings and due to the various construction, that is set to occur, should the units remain tenanted they will be subjected to the following:
  1. Main systems to the building including but not limited to heating and cooling systems require to be upgraded and replaced.
    - i. This will take place throughout the course of the renovations which will cause essential services to be turned off for an extended period of time.
  2. Replacing electrical throughout the building and individual units.
    - i. Power will be shut off to the building while electrical is getting replaced, while units are getting rewired and when servicing and tests are being performed.
  3. Walls are being removed and/or moved within the building. This includes but is not limited to individual units as well as load bearing walls.
  4. Flooring baseboards, trim, casing and doors will be replaced.
  5. Complete re plumbing of the building is required and therefore water will be and is currently shut off to the building, this will be for extended periods of time to complete plumbing scope.
  6. Appliances are being upgraded and replaced.
  7. Fixtures are to be rewired and replaced.
  8. Painting, staining, sanding and additional cosmetic changes to units will occur after demolition and renovation.
2. The renovations will also require the use of hazardous and dangerous materials including but not limited to the following
  1. High voltage equipment;
  2. Industrial strength glue and adhesives;
  3. Paint, Stain, Thinners, Spray;
  4. Power tools;
  5. Heavy equipment;

6. Structural integrity as load bearing walls will be demolished, repaired or relocated;
  7. Scaffolding, ladders, benches and stilts;
  8. Cleaning equipment;
  9. Cleaning chemicals; and,
  10. Garbage and hazard bins.
3. The demolition and/or remediation of the interior of the building will cause excessive noise, dust, hazardous situations, and unsafe living conditions.
  4. The building will be dangerous while renovations are taking place and precautions will need to be adhered too for the safety of the contractors in attendance at the property and throughout the duration of the project.

**Why or why not and if any safety hazards are imposed by doing the work with the tenant's present?**

This is not possible as set out within the appropriate N13 Notices that were provided and filed with the Landlord and Tenant Board. As specified above, the renovations will require the use of hazardous and dangerous materials and will cause excessive noise, dust, hazardous situations, and unsafe living conditions.

Order # 23-100294 00 MLE

**City of Hamilton**

**PROPERTY STANDARDS COMMITTEE**

BETWEEN:

**1083 Main Inc. C/O Angela Smith**

Appellant

-and-

**Licensing and By-law Services  
City of Hamilton**

Respondent

APPEAL UNDER the Ontario Building Code Act, S.O. 1992, c.23 as amended, Section 15.3

**AGREED STATEMENT OF FACTS**

**PART I – FACTS**

1. The City of Hamilton (the “City”) has enacted By-law No. 10 – 221 (the “By-Law”) to regulate the standards for the maintenance and occupancy of property within the City pursuant to Section 15.1(3) of the Ontario *Building Code Act*;
2. The Appellant is the owner of the property, an apartment complex known municipally as 1083 Main Street, Hamilton and also known as 1276-1286 King Street East.
3. The Respondent inspected the subject property on December 28, 2022 and identified the conditions noted in the order in contravention of the By-law.
4. On January 5, 2023, the Respondent issued orders number 23-100294 00 MLE pursuant to Section 15.2(2) of *the Ontario Building Code Act* and served the said orders in accordance with the provisions of Subsections 15.2(3)

*(Exhibit A)*

5. The said orders direct that the terms and conditions therein are to be remedied by January 24, 2023. The Appellant agrees the subject property does not conform to the standards of the By-Law as stated in one of the orders and is seeking an extension of time to comply with that order. The remaining order (requesting reports) is now in compliance
6. This extension is requested because of the nature and scope of work needed to satisfy the order. In March of 2022, Form N13 – Notice to End Your Tenancy Because the Landlord Wants to Demolish the Rental Unit, Repair it, or Convert it to Another Use were given to the nine tenants occupying the property with 120 days to evict for the purposes of a renovation. Tenants continued to occupy their units on the property. It is the appellant's position and confirmed by the City of Hamilton issued building permit, that the building must be vacant for the work to be completed. At this time, seven out of the nine tenants remain occupying their units. A hearing before the Landlord and Tenant Tribunal is scheduled for March 8, 2023.
7. Section 15.3 (3.1) of *the Ontario Building Code Act* gives the Property Standards Committee the authority to grant an extension of the compliance date in a Property Standards order.

## **PART II – JOINT RECOMMENDATION**

The City concludes the request by the Appellant maintains the general intent and purpose of the By-law and consents to the appellant's request for an extension of time for complying with the order, following the decision of the Landlord and Tenant Board hearing.

Jointly, both parties submit to have both Property Standards Orders, No.: 23-100294 00 MLE confirmed by Committee.

The order requiring the official report and timeline be fully confirmed as it has been satisfied.

The order requiring the work to be done be confirmed, however the parties return to Committee within 45 days of today, in order for the compliance date of this order to be set. The reason for this request is that the outcome of the Landlord and Tenant Tribunal will provide a conclusive decision regarding the occupancy of the remaining tenanted units.

Currently, the City of Hamilton has been providing water to the remaining tenants. Should the order be confirmed, the City of Hamilton requests that it state the Appellant agrees to providing all potable water to the remaining tenants.

**PART III – EXHIBITS**

- A. Property Standards Order number 23-100294 00 MLE dated January 5, 2023 issued by the Respondent under Section 15.2(2) of the *Building Code Act*, paragraph 4.

**ALL OF WHICH IS RESPECTFULLY SUBMITTED** this 21<sup>st</sup> day of February, 2023

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**Angela Smith on behalf of  
1083 Main Inc.**

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**Sheena Watts  
Project and Policy Assistant –  
Licensing and By-law  
Services  
City of Hamilton**



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	February 27, 2023
<b>SUBJECT:</b>	Invasive Spread of Urban Forest Pests: Hemlock Woolly Adelgid and Spotted Lanternfly (City Wide) (ES23001)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Cynthia Graham Acting Director, Environmental Services Public Works Department
<b>SIGNATURE:</b>	

The health and composition of the City of Hamilton's tree assets are anticipated to be influenced by two incoming urban forest pests, hemlock woolly adelgid (HWA) and spotted lanternfly. In order to prepare, it is crucial to understand the history, movement, and consequences for these pests being introduced into Hamilton. This information update is intended to provide council with information on HWA and spotted lanternfly that may be found in Hamilton in the near future.

### *Hemlock Woolly Adelgid [uh-del-jid]*

Hemlock Woolly Adelgid (HWA) is an invasive insect that threatens the survival of hemlock trees in eastern Canada. HWA was first introduced into Virginia, United States from Asia in the 1950s and has invaded half of the North American range of eastern hemlock, one of the only native tree hosts for HWA in Ontario. In British Columbia, there is a genetically different HWA, and western hemlock has adapted resistance to the pest. HWA was first detected in Nova Scotia, Canada and is now being closely monitored. In Ontario, it was detected and eradicated in Etobicoke in 2012 and Niagara Falls in 2013. Between 2019 and 2022, HWA has been found around Fort Erie, Pelham and Niagara Falls. On August 10, 2022, the presence of HWA was confirmed by the Canadian Food Inspection Agency (CFIA) in Grafton, about 200 km from the City of Hamilton. Restrictions on the movement of hemlock materials has been placed on the contaminated property. This regulated area may expand as survey work is conducted by the CFIA.

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Eastern hemlock is an important tree species to eastern Canada. It is one of the older, slower growing trees that appears in old growth forests and provides significant habitat for wildlife. In some forests across Ontario, this tree can exceed 400 years of age. Eastern hemlock has a strong influence on biodiversity, stream temperature, volume of flow and cold-water fish populations, such as brook trout. Loss of Eastern hemlock trees could result in a decline of bird species that rely on hemlock, including blackburnian warbler, black-throated green warbler, and northern goshawk.

HWA attacks and kills hemlock trees by attaching to branches and feeding on nutrients extracted at the base of the needles. In some hemlock stands, HWA infestation has caused 100% mortality. HWA is spread by wind, birds, deer, and movement of plant nursery stock, firewood and other wood products.

To mitigate the damage caused by HWA, several management plans have been put in place for eastern Canada because of the high mortality rate caused by this insect and the ecological importance of eastern hemlock. An integrated management approach is needed because singular management tactics have not been effective at controlling the widespread mortality resulting from HWA. Natural Resources Canada has published tactics suggested for the integrated management of HWA. These recommendations include a detailed monitoring program, eradication of contaminated material, and community and stakeholder awareness.

For the month of August 2022, the CFIA encouraged the public to participate in #TreeCheckMonth to take an active role in protecting against invasive pests (e.g., HWA, *Lymantria dispar dispar*, emerald ash borer). Tree inspections on private and public property were encouraged to monitor these pests and the public was encouraged to share photos of invasive species on social media using the #TreeCheckMonth.

Other surrounding municipalities, such as Town of Oakville and the City of Toronto, are monitoring their public tree assets and are recommending residents monitor private properties.

Conservation lands and other large woodlots within and adjacent to the City of Hamilton have mature eastern hemlocks that would be crucial to protect. Outside of Hamilton's urban boundary, the loss of hemlock trees has implications for critical habitats, aesthetics and property values. Because hemlock is a slow growing, large canopy tree that greatly influences the surrounding habitat, terrestrial and aquatic ecosystems may experience a functional shift if hemlock trees are killed by HWA. This shift may include, a change in forest species and composition, invasion of non-native plants, and changes in nutrient cycling and carbon storage.

Currently, only about 1% of the City of Hamilton's urban street, park, and cemetery tree assets are eastern and carolina hemlock. This makes the threat of HWA low within the urban boundary, comparative to publicly and privately-owned woodlots and other parts

of Ontario. The impact of HWA to hemlocks in Hamilton's publicly owned woodlots is harder to quantify. Hamilton's tree inventory data for city owned woodlots is incomplete, therefore the impact of HWA is harder to predict, and monitoring is more challenging. Staff recognize this gap in data and plan to explore opportunities to expand the current inventory to public woodlots to aide in forest health management through actions outlined within the Urban Forest Strategy.

Forestry staff are aware of HWA, the potential threats and the protocol for this pest being found within the City of Hamilton. The [City of Hamilton website](#) has been updated to reflect the updated protocol for residents, so residents will know what to do if they find HWA on their property. The protocol is to report potentially HWA contaminated material to the CFIA and notify forestry staff.

### *Spotted Lanternfly*

Spotted lanternfly (*Lycorma delicatula*) is an extremely destructive invasive insect, native to Asia, that threatens the survival of over 103 plant and tree species. There are major implications for ornamental and forest trees, and they have preference for maple trees, black walnut, birch, willow and many others. Spotted lanternfly was first established in Pennsylvania, United States in 2014, where there are now severe quarantine zones in 14 counties in that state. It is estimated that that this invasive insect could cost the Pennsylvania economy as much as \$324 million per year from loss of forestry and agricultural stock. Spotted lanternfly was identified in Staten Island, New York in August 2020 and has quickly moved across the state. In early September of 2022, hundreds of adult spotted lanternflies were seen near the Buffalo border in Monroe and Erie counties of New York. The spread of spotted lanternfly has been rapid as these areas were surveyed in April of 2022 and no egg masses were found.

Significant damage is caused to trees via its piercing-sucking mouthpart that it uses to feed on sap, which causes stress, decreased health and potential death. Spotted lanternfly excretes a sugary substance as it feeds that attracts bees, wasps, and other insects. This substance promotes growth for mould and can cover the tree, as well as anything beneath it, such as parked cars, sidewalks, and signage.

While these insects can move and fly short distances, they are primarily spread through human activity. Spotted lanternflies can stick to many different surfaces and their egg masses can be laid on any material, such as metal, vegetation, cut logs, stone, and plastic.

Adult individuals prefer to feed and lay eggs on tree-of-heaven (*Ailanthus altissima*), which is an invasive tree in Ontario. Currently, Hamilton's public urban tree inventory shows 1059 tree-of-heaven trees, which represents < 1% of the existing inventory. Scientists do not fully understand the relationship between these two species, however

lanternflies will cluster and engage in unusual feeding frenzies on a tree-of-heaven and the tree potentially facilitates part of the insect's life cycle.

Areas with active infestations are implementing multi-faceted management tactics, including removal of tree-of-heaven and quarantines for movement of agricultural and wood material. Since there are no active investigations in Canada, the CFIA has recommended to keep monitoring for signs of spotted lanternfly and to not move firewood.

The City of Hamilton has 134,347 trees currently on the list of plants that spotted lanternfly feeds on, which represents 43% of Hamilton's public tree assets. Although difficult to accurately assess the structural (replacement) value of these trees, it is estimated at \$398.35 million.

Forestry staff are aware of spotted lanternfly, the potential threats, and the protocol for this pest being found within the City of Hamilton. The [City of Hamilton website](#) has been updated to reflect the updated protocol for residents, so residents will know what to do if they find spotted lanternfly on their property. The protocol is to report spotted lanternfly and potentially contaminated material to the CFIA and notify forestry staff.

#### Summary and Next Steps

Neither of these pests have been established in Hamilton yet, but staff are closely monitoring CFIA news and following guidelines. As the situation develops with these urban pests, forestry staff will keep Council informed of any changes.

#### **APPENDICES AND SCHEDULES ATTACHED**

None



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 1, 2023
<b>SUBJECT:</b>	Temporary Closure of Claremont Access downbound lanes (ENG23001) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Jackie Kennedy Director, Engineering Services Public Works Department
<b>SIGNATURE:</b>	

In January 2020, City Council approved Policy HR-01-09, Sharing of Consultant Reports with Identified Imminent Risk to Human Health or Safety, which requires staff to ensure Council is promptly and appropriately informed of any identified imminent danger to human health or safety. To ensure Council and the community are appropriately informed, Public Works staff are sharing details about a safety concern on Claremont Escarpment.

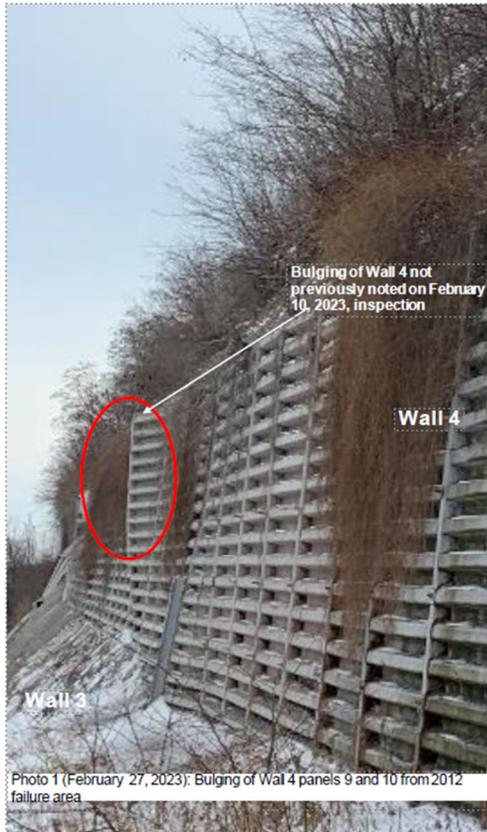
The City has retained Stantec Consulting Limited to prepare plans to remove the steel walls from the escarpment along the Claremont Access, and as part of their work, Stantec conducts regular inspections. During an inspection on February 27, 2023, the consultant noticed a change in the steel wall, indicative of a potential failure of certain sections of the steel facing wall along of the escarpment.

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The Consultant followed up with Engineering Services staff on February 28<sup>th</sup>, and recommendations for increased monitoring and relieving the pressure on the steel wall were recommended.

Upon further review on March 1<sup>st</sup>, Stantec recommended the closure of the down bound lanes on Claremont Access as a temporary measure out of an abundance of caution until further investigation could be completed.

The Traffic Operations and Maintenance Division is taking steps to implement a temporary closure immediately, and will review with detour signage on March 2<sup>nd</sup>, 2023.

We understand that this closure may cause some inconvenience, and we apologize for any disruption this may cause.

In the meantime, we are working closely with Stantec to find a solution to remedy this situation.

If you require further information, please contact: Jackie Kennedy, Director, Engineering Construction, ext. 1611

## **APPENDICES AND SCHEDULES ATTACHED**

None



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 3, 2023
<b>SUBJECT:</b>	City Response to Federal Government Ban on TikTok app on Government Devices (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Matthew Grant Director, Communications & Strategic Initiatives 905-977-8045
<b>SIGNATURE:</b>	

On February 27, 2023, The Right Honourable Prime Minister Justin Trudeau and the President of the Treasury Board Mona Fortier [announced](#) a ban on use of the popular social media app TikTok on federal government devices:

“Effective February 28, 2023, the TikTok application will be removed from government- issued mobile devices. Users of these devices will also be blocked from downloading the application in the future. Following a review of TikTok, the Chief Information Officer of Canada determined that it presents an unacceptable level of risk to privacy and security.

The decision to remove and block TikTok from government mobile devices is being taken as a precaution, particularly given concerns about the legal regime that governs the information collected from mobile devices, and is in line with the approach of our international partners. On a mobile device, TikTok’s data collection methods provide considerable access to the contents of the phone.”

For Council’s awareness, at the time of writing this update, the Ontario government has not indicated what, if any, action it may take.

Out of an abundance of caution and in consultation with the City's IT division, Senior Leadership and social media team, the City will be removing the TikTok app from City devices and will be prevented from use on City of Hamilton devices going forward. In addition, the City’s Communications TikTok account will be paused and made dormant

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**SUBJECT: City Response to Federal Government Ban on TikTok app on Government Devices (City Wide)- Page 2 of 2**

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while staff await result of the Federal Office of the Privacy Commissioner probe alongside privacy regulators from provinces of Quebec, British Columbia and Alberta.

**BACKGROUND**

The City of Hamilton launched a communications TikTok account on January 25, 2023 to pilot the social media platform as an opportunity to reach residents in a new, fun way. Staff met with TikTok staff in December 2022 to set up the account, and at that time discussed related news from the United States and concerns about security. City staff also led a Canada-wide environmental scan to determine use of TikTok by government and felt comfortable based on accounts that were active across Canada.

Following the announcement by the Federal Government, staff have met and watched closely as multiple provincial governments have followed the Federal lead related to potential security risks. The City of Hamilton's IT division has not identified any specific security risks at this time.

On March 1, 2023, the City of Calgary followed their provincial and federal government lead and announced a similar ban on municipal devices.



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 9, 2023
<b>SUBJECT:</b>	Hamilton Municipal Cemeteries: Cemetery Chronicles – Historic Tours of Hamilton Cemetery (ES23004) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Cynthia Graham Acting Director, Environmental Services Public Works Department
<b>SIGNATURE:</b>	

This Communication Update is to inform the Mayor and Members of City Council of the launch of the new historically based cemetery tours at Hamilton Cemetery. In prior years, this program was provided by a volunteer that provided a story-based tour. Many people have participated in these tours and we would like to thank the volunteer who led these tours for his time and effort to date. The new program will be provided by a volunteer and be history focused.

The Cemetery Chronicles Historical Walking Tours at Hamilton Cemetery offer visitors the opportunity to explore the rich history and cultural heritage of this significant site. Led by knowledgeable guides, the tours take participants on a journey through the cemetery, visiting the graves of some of Hamilton's most prominent and interesting historical figures.

During the tours, visitors will learn about the history of Hamilton and the lives of the individuals who shaped the city. The guides will provide information on the architectural styles and cultural significance of the monuments, mausoleums, and statuary within the cemetery, as well as the history of the cemetery itself.

Tours are free to attend with no reservations required. Tours begin at the Cemetery Gatehouse – Hamilton Cemetery 777 York Blvd at the below noted dates and times.

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**SUBJECT: - Hamilton Municipal Cemeteries: Cemetery Chronicles – Historic  
Tours of Hamilton Cemetery (ES23004) (City Wide) - Page 2 of 2**

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Cemetery Chronicles Tour	Date	Time
March Break – Family Friendly Tours	March 13 <sup>th</sup> – March 17 <sup>th</sup> (Daily)	10:00am & 1:00pm
Doors Open Gatehouse Tour	May 6 <sup>th</sup> & May 7 <sup>th</sup>	10:00am – 2:00pm
War of 1812 Tour – Battlefield	May 27 <sup>th</sup> & May 28 <sup>th</sup>	10:00am
Garden Tour	June 18 <sup>th</sup>	10:00am
George Hamilton Day Tour	August 7 <sup>th</sup>	10:00am
Ambitious City Tours #1	July 4 <sup>th</sup> & August 15 <sup>th</sup>	10:00am
Ambitious City Tours #2	July 18 <sup>th</sup> & August 29 <sup>th</sup>	10:00am
Naval Tour	September 10 <sup>th</sup> & September 24 <sup>th</sup>	7:00pm
Naval Tour	November 26 <sup>th</sup>	10:00am
Garden Tour	October 22 <sup>nd</sup>	10:00am

Please contact John Perrotta, Superintendent of Cemeteries, at extension 4402 should you have any questions or concerns respecting the operation of any of the City owned and operated Cemeteries.

**APPENDICES AND SCHEDULES ATTACHED**

**N/A**



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 8, 2023
<b>SUBJECT:</b>	Court Security and Prisoner Transportation Program Agreement for 2023 (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Brian McMullen Director, Financial Planning, Administration and Policy Corporate Services Department
<b>SIGNATURE:</b>	

Each year, the Province requires the City to enter into a new agreement in order to access the funds made available for the Court Security and Prisoner Transportation (CSPT) Program. Authorization was provided through Report FCS21036 for the General Manager, Finance and Corporate Services, to be able to execute this agreement between the City of Hamilton and the Province as represented by its Solicitor General, in a form satisfactory to the City Solicitor.

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).

By entering into the 2023 Transfer Payment Agreement with the Province, the City will receive funding amounting to \$4,958,267 for 2023 to help offset the cost of providing court security and prisoner transportation. The 2023 Hamilton Police Service (Police) budget estimated this provincial funding to be maintained at the 2022 level of \$4,895,063. The higher allocation for 2023 will result in an additional recovery of \$63,204 for the Police compared to the approved budget.

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**SUBJECT: Court Security and Prisoner Transportation Program Agreement for 2023 (City Wide) – Page 2 of 3**

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 (CSPT) Program, in accordance with the terms and conditions of the agreement effective January 1, 2023. The Agreement sets out the criteria for eligible services and activities.

Table 1 shows details of the funding received by the City from 2012 to 2023 and the budgeted CSPT expenditures incurred by the City. The funding shortfall has been increasing over the last few years and for 2023, there is an anticipated funding shortfall is expected to be \$3,059,456.

**Table 1  
CSPT Funding and City Expenses – 2012 to 2023**

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%
2023	125,000	8,018	4,958	62%	(3,059)	4.0%
<b>Total</b>		<b>76,866</b>	<b>42,788</b>		<b>(34,078)</b>	

Although total funding from 2018-2023 has been maintained at \$125,000,000, 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 \$4,958,267 for 2023 represents approximately 4.0% of the available funding.

## **BACKGROUND**

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 \$125,000,000 for 2023 province wide.

An expenditure-based model was used to determine allocation for 2023. Funding is allocated based on each municipality's relative share of the total 2021 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 2023, the City of Hamilton's funding allocation is \$4,958,267 (4.0%). 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.

Ontario is the only province in Canada where legislation dictates court security be paid for with municipal property tax dollars and delivered through local police service boards via police chiefs.

Funding is conditional upon the execution of the Agreement for 2023 between the Province and the City by March 17, 2023.

### **Delegation of Authority**

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 sought (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.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Communication Update – Letter from the Province dated February 24, 2023, outlining the details of the funding offered for 2023 for Court Security and Prisoner Transportation along with terms and conditions.

CP/dt



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 14, 2023
<b>SUBJECT:</b>	Noise By-law Complaint Process (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Monica Ciriello Director, Licensing and By-law Services Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to inform the Mayor and Members of Council about the updated noise bylaw complaint process.

### BACKGROUND

On December 5, 2022 a [Communication Update](#) advised Council on the discontinuance of the joint Municipal Law Enforcement (MLE) and Hamilton Police Service (HPS) Noise Enforcement Team. The update advised that the joint Noise Enforcement Team, created to respond to overnight noise complaints, would no longer have HPS involvement as of January 1, 2023. Unless accompanied by HPS, MLE Officers do not respond to noise complaints beyond 1:00 a.m. due to safety reasons.

Since the discontinuance of the joint Noise Enforcement Team, MLE officers have continued enforcement of evening noise complaints, however the response hours are reduced to Friday, and Saturday nights until 1:00am.

The December 5, 2022 [Communication Update](#) advised that noise complaints outside MLEs scheduled shifts can be directed to the HPS non-emergency line 905-546-4925 and response times will be set by the HPS Priority Response System.

On Tuesday, February 28, 2023, communications teams for both HPS and the City received media inquiries regarding a resident calling HPS over the weekend regarding a noise complaint. The resident was told by HPS they are no longer handling noise complaints and to call the City's By-Law division. The voicemail the resident received on the City By-Law voicemail advised to call HPS.

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## **SUBJECT: Noise By-law Complaint Process (City Wide) - Page 2 of 2**

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As of February 2023, HPS has advised that in order to prioritize public safety related calls in the community, they will no longer be responding to or intaking noise complaints after MLEs scheduled shifts. HPS will still receive calls related to public safety where people's lives or property are at risk. HPS would only respond to noise complaints that impact public safety.

To provide greater clarity to the public, a joint communication plan between MLE and HPS will be undertaken which will include updated messaging on the following:

- City of Hamilton By-Law complaint webpage - <https://www.hamilton.ca/city-council/by-laws-enforcement/register-by-law-complaint>
- Hamilton Police webpage - <https://hamiltonpolice.on.ca/report-crime/non-emergencies>
- City of Hamilton and HPS social media channels

In addition, updated scripts will be provided to the By-Law Clerk Customer Contact Centre and the HPS contact.

### **The messaging will clarify the following:**

Following the discontinuance of a joint Noise Enforcement team between HPS and By-law officers, there will be a slight change in how residents should report nuisance-related noise complaints.

Starting immediately, nuisance-related noise complaints should be sent to the City's by-law department. Any complaints that include a risk to safety, involving noise or not, should be directed to the Hamilton Police Department by calling 905-546-4925 or 911.

The City's by-law department can receive and action noise complaints Monday to Friday, 8:30 am to 4:30 pm by calling 905-546-2782 option 2 or by sending an email to [mle@hamilton.ca](mailto:mle@hamilton.ca). MLE staff are scheduled to respond to after hour noise complaints Friday and Saturday nights until 1:00 am by calling the City's Customer Contact Centre at 905-546-2489.

If you have any questions respecting this communication, please contact Monica Ciriello, Director, Licensing and By-law Services, by phone at (905) 546-2424 Ext. 5809 or by email at [Monica.Ciriello@hamilton.ca](mailto:Monica.Ciriello@hamilton.ca).

### **APPENDICES AND SCHEDULES ATTACHED**

N/A



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 14, 2023
<b>SUBJECT:</b>	1083 Main Street East - Property Standards (Ward 3)
<b>WARD(S) AFFECTED:</b>	Ward 3
<b>SUBMITTED BY:</b>	Monica Ciriello Director, Licensing and By-law Services Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to update the Mayor and Members of Council on the status of 1083 Main Street East Property Standards Order following the Landlord Tenant Board (LTB) hearings.

### BACKGROUND

#### Property Standards Committee

On Tuesday February 21, 2023 the City of Hamilton Property Standards Committee heard an appeal of a property standards order issued to the owner of 1083 Main St E. The order required the owner to repair or replace the plumbing system pipes that was in violation of the City's Property Standards By-law. As the City of Hamilton's Property Standards By-law is pursuant to the *Ontario Building Code*, the property owner had a right to appeal the order.

The City's property standards order was confirmed. No compliance date was set to comply with the confirmed order, which was agreed to by both parties. This was due to the nature and scope of the work needed to satisfy the order. The Property Standards Committee decision was to grant an extension of time and ordered that this matter return before them as soon as practicable or within 45 days. When the Property Standards Committee reconvenes, it will hear evidence of the parties and may fix a date or dates for further compliance based on that evidence.

The Property Standards Committee is scheduled to reconvene on April 5, 2023 at 9:30am at City Hall.

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**Landlord Tenant Board (LTB)**

On Thursday March 9, 2023 the property owner's application to vacate the rental unit to complete extensive repairs or renovations was heard by the LTB. Staff are aware that several applications are being brought before the LTB by the property owner for multiple units at 1083 Main Street E. Staff anticipate the LTB will release an order with its decision within the coming weeks.

Staff did not attend the LTB hearing. Staff are not aware of any future scheduled LTB hearing dates for this property.

**Next Steps**

It remains the City's position that the property owner is to comply with the order issued by Licensing & By-law Services. The date of compliance will be set by the Property Standards Committee on April 5, 2023.

Should the property owner fail to comply with the order by the date determined by the Property Standards Committee, staff will implement an action plan to have the work completed through a City approved contractor at the expense of the property owner.

An officer from Licensing & By-law Services continues to visit the property once a week to ensure water delivery.

Hamilton Water staff continue to deliver water to the residents of 1083 Main Street East. Last week (March 5<sup>th</sup> to 11<sup>th</sup>), staff delivered twenty (20) jugs on Monday and Wednesday each and forty (40) jugs on Friday. The total count, to date, is 710 jugs as of Friday March 10.

If you have any questions respecting this communication, please contact Monica Ciriello, Director, Licensing and By-law Services, by phone at (905) 546-2424 Ext. 5809 or by email at [Monica.Ciriello@hamilton.ca](mailto:Monica.Ciriello@hamilton.ca).

**APPENDICES AND SCHEDULES ATTACHED**

N/A



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 15, 2023
<b>SUBJECT:</b>	Chedoke Creek Remediation - MECP Order Amendment - HW.23.01
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Nick Winters Director, Hamilton Water Public Works Department
<b>SIGNATURE:</b>	

As Council is aware, on March 3, 2023, the Ministry of the Environment, Conservation and Parks (MECP) amended Director's Order No.1-PE3L3 (Order) related to the Chedoke Creek Remediation, requiring that the City complete the in-water targeted dredging work on or before August 31, 2023.

Council considered the Order amendment with recommendations from staff (Report LS21012(c)), at a Special Council meeting on March 9, 2023, and provided the following direction to staff:

- (a) That the City Solicitor and external legal counsel be directed to file an appeal in respect of the March 3, 2023, amendment to Director's Order dated December 4, 2020 (1-PE3L3).

This past Friday, City representatives engaged with representatives from the MECP to discuss the City's concerns with the amendments to the deadline in the Order. This was a positive and collaborative discussion with the goal of identifying a common path forward that would not require the City to file an appeal, supports the City's concerns regarding the August 31, 2023 deadline to complete the in-water targeted dredging work, and still expedites the remediation of Chedoke Creek. During that discussion, it was agreed that a deadline to complete the in-water targeted dredging work of October 31, 2023 would be more achievable provided the City and its contractor are able to gain free and unimpeded access to the work site and able to assure the contractor of same.

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**SUBJECT: Chedoke Creek Remediation - MECP Order Amendment (City Wide) -  
Page 2 of 2**

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As a result, yesterday afternoon the MECP again amended the Order with a new date, requiring that the City complete the in-water targeted dredging work on or before October 31, 2023. The March 14, 2023 letter from the MECP amending the Order is attached to this communications update as Appendix "A".

The issuance of the March 14, 2023 amendment to the Order effectively revokes the previous amendment to the Order, and as a result Council's direction to staff to proceed with an appeal (Report LS21012(c) recommendation (a)) has been nullified.

The City does have the option to appeal the March 14, 2023 revised amendment to the Order, but it is staff's opinion that October 31, 2023 is a reasonable timeframe to complete the in-water targeted dredging work. As a result, and unless otherwise directed by Council, staff will not be recommending that the March 14, 2023 amendment to the Order be appealed.

As a reminder, staff have been directed by Council to provide a public report at the March 22, 2023 General Issues Committee Meeting regarding an update to the Chedoke Creek Order and Remediation. That report will also speak to the March 14, 2023 amendment to the Order.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Communication Update HW23.01 - Letter from MECP dated  
04/14/2023 - Director's Order 1-  
PE3L3 Amendment

Ministry of the Environment, Conservation  
and Parks  
Drinking Water and Environmental  
Compliance Division  
West Central Region  
Hamilton District Office

Ministère de l'Environnement de la Protection  
de la nature et des Parcs  
Division de la conformité en matière  
d'eau potable et d'environnement  
Direction régionale du Centre-Ouest  
Bureau de district de Hamilton



119 King Street West, 9<sup>th</sup> Floor  
Hamilton, Ontario L8P 4Y7

119 rue King Ouest, 9<sup>e</sup> étage  
Hamilton (Ontario) L8P 4Y7

March 14, 2023

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

Attention Nick Winters, Director, Hamilton Water:

**Re: Amendment of Item No.6 of Director's Order No.1-PE3L3**

I am in receipt of your letter and appended correspondence dated March 13, 2023, in which the City of Hamilton outlines the reasons they are unable to complete the dredging activities by the August 31, 2023 deadline as set out in the amended Director's Order No.1-PE3L3 as of March 3, 2023. I have considered the City's request to extend the compliance date for the dredging activities specified in Item No. 6 of the Order from August 31, 2023 to October 31, 2023.

In considering this request, I have reviewed the City's letter and supplementary correspondence from its contractors. Based on my review of the materials provided to support the City's request, I understand there are many complexities that can occur on the project which could result in delays. Unexpected events such as staffing and supply chain challenges, work stoppages due to prolonged wet weather creating high flows as well as mechanical and equipment issues create project timeline uncertainties and could impact the City's ability to comply with the August 31, 2023 deadline. The City of Hamilton remains responsible to address their contractors concerns and their request for a confirmation letter regarding a safe and secure work environment.

Having considered your submissions, I am of the view that the compliance date may be amended. To ensure the ministry is made aware of any impacts to the revised timelines as soon as possible, I will also require that the City of Hamilton provide the ministry with weekly written reports outlining progress on key milestones before dredging begins and weekly written project updates once the dredging begins. Further discussions on format of these project updates can be held at our next monthly Chedoke Creek update meetings required by the Order, the next of which is scheduled on April 4, 2023.

As such, pursuant to my authority under sections 157.3 of the *Environmental Protection Act*, s.16.4 of the *Ontario Water Resources Act*, and sections 49 and 54 of the *Legislation Act, 2006*, I hereby alter the compliance date in Item No. 6 as requested so that Item No. 6 now reads as follows:

6. Commence activities in the approved Chedoke Creek Workplan as soon as possible such that all dredging activities are completed by October 31, 2023, with the remaining activities in the approved Chedoke Creek Workplan completed by December 31, 2023.

All other Items in the Order remain in effect, and unaltered. This Order alters and constitutes part of Director's Order No. 1-PE3L3, issued on December 4, 2020 (as amended). You may require a hearing before the Ontario Land Tribunal (OLT) in respect of this amendment to Item No. 6 in accordance with the *Environmental Protection Act* and the *Ontario Water Resources Act*. If you require a hearing, you have 15 days after the service of this Order to serve notice upon the OLT and the Director.

I encourage you to inform the indigenous communities and various stakeholders who are interested in the work that is required pursuant to the Director's Order, of this amendment.

If you have any questions concerning this amendment to Director's Order No. 1-PE3L3, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to be 'S. Burt', is shown within a light gray rectangular box.

Stephen Burt

District Manager & Director appointed for the purposes of s.157.3 EPA, s.16.4 OWRA.

Cc. Lubna Hussain, Director, West Central Region, MECP  
Elizabeth Chee Sing, Supervisor, MECP  
Carlyle Khan, General Manager Public Works, City of Hamilton  
Cari Vanderperk, Director, Watershed Management Hamilton Water  
Susan Girt, Compliance & Regulations Manager, Hamilton Water



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	March 16, 2023
<b>SUBJECT:</b>	Update: Provincial Officer's Order #1-142403769 - HW.23.02
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Nick Winters Director, Hamilton Water Public Works Department
<b>SIGNATURE:</b>	

As you are aware, the City of Hamilton was served with a Provincial Officer's Order #1-142403769 (Order) from the Ministry of the Environment, Conservation and Parks (MECP) related to the Burlington Street spill on November 22, 2022 which can be found on the City's Ministry Order webpage ([here](#)).

The City has been actively working to comply with all Order item due dates since it has been issued. In addition, the City has continued ongoing work related to the risk-based inspection program pilot that focuses on other areas of the combined sewer system where similar sewer cross connections could be present.

City staff completed Items No. 1 and No. 2 of the Order in February 2023 and as of today, have fulfilled all necessary requirements of Items No. 3 and No. 4 which includes developing a sampling program within the sewage system of the City that discharges to the Natural Environment. The sampling program aims to:

- (a) Identify Spill(s) and unauthorized discharges of untreated sewage within the City of Hamilton storm and combined sewer system that discharges or potentially discharges to the Natural Environment.
- (b) Outline requirements for in-pipe representative sampling of storm and combined sewers that discharge to the natural environment during dry weather, where upstream, downstream samples cannot be collected at the receiving water body.

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**SUBJECT: Update: Provincial Officer's Order #1-142403769 - HW.23.02 (City Wide) - Page 2 of 2**

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- (c) Identify trigger conditions, parameters, and/or limits to initiate further investigation to identify Spill(s) and unauthorized discharges of untreated Sewage.
- (d) Outline investigation procedures for identifying Spill(s) and unauthorized discharges of untreated Sewage.

A copy of the recommended sampling program has been submitted to the MECP today in advance of the March 17, 2023 compliance due date. It has also been attached to communications update HW.23.02 as Appendix "A" for your convenience and uploaded to the Ministry Order webpage.

To ensure Council remains informed of the City's progress on the Order, staff will provide further updates as additional requirements are fulfilled. After the recommendations required by Items No. 5 and 6 have been completed and submitted to the MECP by the May 12, 2023 due date, Hamilton Water plans to submit a Recommendation Report to the Public Works Committee (PWC) for consideration that details the resources that will be required to implement the identified new programs. Staff estimate that this report will be presented to PWC in June 2023.

As always, the City remains committed to working with the MECP to fulfill all requirements set out in the Order.

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A" to Communication Update HW.23.02 - Report for the City of Hamilton on the January 18, 2023, Provincial Officer's Order # 1-142403769 Item #3

# DiCaro & Associates Inc.

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March 16, 2023

Report for the City of Hamilton on the  
January 18, 2023, Provincial Officer's Order # 1-142403769  
Item #3

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## 1.0 Introduction

On January 18, 2023, the Ontario Ministry of Environment, Conservation & Parks (MECP) issued Provincial Officer's Order 1-142403769 ("Order") to The Corporation of the City of Hamilton ("City" or "Hamilton") in relation to dry weather overflow of the combined sewer system into the storm sewer system, at Burlington Street East and Wentworth Street North, and ultimately, into the natural environment (Hamilton Harbour). This report addresses specifically Item No.3 of the Order.

### MECP Order Item No.3:

Develop a sampling program within the sewage works of the City of Hamilton that discharges to the Natural Environment. The program shall include at a minimum but not limited to:

- i. Identifying Spill(s) and unauthorized discharges of untreated sewage within the City of Hamilton storm and combined sewer system that discharges or potentially discharges to the Natural Environment.
- ii. In-pipe representative sampling of storm and combined sewers that discharge to the natural environment during Dry Weather Flow(s), where upstream, downstream samples cannot be collected at the receiving water body.
- iii. Trigger conditions, parameters, and/or limits to initiate further investigation to identify Spill(s) and unauthorized discharges of untreated Sewage.
- iv. Investigation procedures for identifying Spill(s) and unauthorized discharges of untreated Sewage.
- v. Timelines to implement the sampling program.

Under the Order, sewage is defined under the Ontario Water Resources Act (OWRA) that which includes drainage, stormwater, commercial wastes, industrial wastes and such other matter or substances as is specified by the Regulations.

It should be noted that Hamilton's sanitary/combined sewer system, like other older Ontario cities, is a complex system which was designed with regulators to intentionally allow for overflows into the storm sewer system to occur under certain wet weather conditions. These overflows allow for relief basement flooding and in Hamilton's case, prevents the Woodward Avenue Wastewater Treatment facility from flooding during heavy rains. Regulators provide intentional interconnections between the combined sewer and storm sewer and exist only at maintenance access hole chambers.

## **2.0 Hamilton Proactive Programs to Detect, Mitigate or Eliminate Sewage Pollution into the Natural Environment.**

The City has undertaken numerous initiatives over the years to detect, mitigate and eliminate sewage/wastewater pollution from entering the natural environment. Below is a synopsis of the City's extensive efforts:

- Enforcing a Sewer Use Bylaw since 1989. The City has a long history of regularly presenting to City Council amendments to strengthen the Sewer Use Bylaw against emerging issues or pollutants. The City has increased staffing levels within the Environmental Monitoring & Enforcement (EME) unit over the years to enforce the Sewer Use Bylaw. It also added Environmental Enforcement Officers on a weekly on-call rotational basis, 24 hours, 7 days per week, to provide spills response to protect the City's natural environment.
- In 2001, the City created a Sewer Lateral Cross Connection (SLXC) Program within the separated sewer areas which were developed post World War II: Ancaster, Binbrook, Stoney Creek and Waterdown, and parts of the top of the Escarpment (Source – Stantec Report, 2021). This Program has found sewage entering the storm sewer system from improperly connected residential sewer laterals and has repaired 471 cross connections which diverts over an estimated 105 million litres of sewage out of the storm sewer and back into the sanitary sewage collection system thereby protecting and improving the natural environment (Source: March 7, 2023, Hamilton Water Division Program staff).
- Asset Management of the City has professional contractors who use closed-circuit television (CCTV) contractors to visually inspect storm sewer conditions for infrastructure condition assessment. The CCTV contractors have been instructed to make additional notes in the 'Remarks' field under the inspection condition record at connections where signs of sanitary cross connection are visible, e.g., 'Sanitary Waste' and inform the City's Asset Management group. Further, the SLXC Program coordinates water quality sampling at storm sewer outfalls to check for elevated levels of E.coli and the presence of caffeine (as an indicator for human sewage contamination). These results help to prioritize storm sewer catchment areas for a detailed in-pipe CCTV inspection. The CCTV inspections assess and document overall mainline sewer condition while also looking specifically for physical evidence in the storm sewer of sanitary sewer cross connections (e.g., 'Sanitary Waste' or dark staining around cross connected laterals). When these connections are identified, City staff initiate a follow-up dye test inspection of the address to confirm and coordinate the required repair of sewer lateral cross connections.

- In 2020, Hamilton initiated a Surface Water Quality Program (SWQP) to monitor 33 surface water quality areas, consisting of rivers, tributaries, and the Hamilton Harbour nearshore environment, adjacent to City sewer infrastructure. The SWQP is integrated with Hamilton Water's Spill Response protocol and identifies, but not limited to:
  - hot spots and whether these are from the City's infrastructure, heavy industry and international ships or other sources
  - seasonal trends (e.g., saltwater pool discharges in residential areas versus road salt application to the environment)
  - baseline ambient surface water conditions
  - data collection of both dry and wet weather events

The SWQP data is shared with surrounding area water quality partners (local conservation authorities, academia, Royal Botanical Gardens, Environmental Groups, select Provincial Ministries) and the public.

- In December 2022, a risk-based proactive sewer inspection pilot program was created to investigate combined and storm sewer maintenance access holes (MH) during dry and wet weather, within a specific area of the combined sewer area. This program focuses on MHs based on risk, stemming from the findings of the November 2022 Burlington Street East combined sewer cross connected to storm (a dry weather finding). The risk basis was also derived from the available SWQP data. The pilot covered the area known as SWQP Urban Core (UC) Surface Water (SW) UC-SW 6, 7, 8 & 9, which demonstrated high levels of E. coli and common industrial/commercial wastewater pollution. 292 MHs in the combined sewer and 346 storm sewer MHs were identified to be inspected. Between two (2) to six (6) staff were utilized for the inspections and as of early March 2023, Program staff advised approximately 90% of the pilot program MH inspections have been completed. The Program has resulted in the finding of three (3) improper cross connections and identified nine (9) previously unchartered critical regulators (source: February 21, 2023 Program Staff communications).

### **3.0 Key Issues about Hamilton Storm Sewers under influence by Combined Sewers**

A dry weather inspection and sampling program, of the City's storm sewers under influence by combined sewers, must consider the following key issues:

- 1) 53 storm sewer outfalls discharge to receiving waters within the Urban Core, Chedoke Creek, Westdale/McMaster University area and Red Hill Creek during wet weather events.

Some storm sewer outfalls built within the combined sewer system (CSS) may be influenced by wet weather from the combined sewer system.

- 2) Regulators within the CSS are designed to overflow into the storm sewer system during wet weather and may become influenced in dry weather due to a condition in the combined sewer system such as, downstream blockages, significant volumes of sewage in short duration exceeding sewer design criteria, or grease build up restricting flows.
- 3) Some storm sewer outfalls within the Urban Core of Hamilton that discharge into Hamilton Harbour are submerged and not visible. These outfalls are also directly influenced by the Great Lakes water level. Lake Ontario water levels vary with annual Great Lakes water levels and seasonality.
- 4) Storm sewer MHs are generally located on roadways rated 40 to 60 Km/hr necessitating strict Occupational Health & Safety Act compliance using Ministry of Transportation Ontario Traffic Manual Book 7 (Traffic Control Planning). When observations of MHs are required on the roadway, inspections will take time as a result.
- 5) Other storm sewer outfalls and their associated MHs may be in ravines and steep sloped settings, necessitating very specific health and safety training. Speciality equipment for inspection and / or sample collection in these areas, may be required.
- 6) Animals nest/live in storm sewers and contribute to the presence of E. coli bacteria.
- 7) Other discharges to the storm sewer during dry weather may occur as a result of the following conditions or situations and many of these discharges would fall within the OWRA definition of sewage:
  - a. City issued permits for construction dewatering,
  - b. Residential/business overuse of potable water at a property,
  - c. illicit sewer connections,
  - d. illicit discharges/spills,
  - e. infiltration from connected foundation drains,
  - f. infiltration through sewer joints,
  - g. seasonal swimming pool discharge,
  - h. watermain leaks, and
  - i. vehicle/car washing or washing equipment.

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## 4.0 Dry Weather In-Pipe Storm Sewer Inspection and Sampling Program in CSS

The CSS is bounded by Hamilton Harbour (Lake Ontario), the top of the Mountain from the brow of the Niagara Escarpment up to Mohawk Road, Red Hill Creek to the East, and Wilson Street East (Ancaster/West Hamilton) to the West.

A proactive Dry Weather In-Pipe Storm Sewer Inspection and Sampling Program for Hamilton is recommended to be implemented within the CSS, in a phased approach. Further, the City's December 2022 risk-based Pilot program involving proactive MH inspections in a high-risk Urban Core area remains active at the time of writing this report. It is recommended that the In-Pipe Inspection and Sampling Program begin to expand outside of the current Pilot program area.

Phase I of this Program would comprise of:

- Westdale/McMaster University area storm sewer outfalls that discharge to Chedoke Creek, and to the south side of Cootes Paradise.
- A storm sewer MH inspection within a portion of the Urban Core (UC) of the City, which extends to the upper Hamilton Mountain (Niagara Escarpment), (Source: Stantec Combined Sewer System Characterization Study Report, 2021, Figure 3.3).
- Areas along western portion the Red Hill Creek from the Escarpment brow

The brow's storm sewer system and that of the western side of Red Hill Creek from the brow were selected as these have not been intensely monitored in the past compared to the lower City storm sewer systems. This presents an opportunity to understand if the CSS can impact the storm in dry weather in those residential communities. Moreover, the Westdale/McMaster University area was also selected for the same reasons as the latter locations, with the exception of a higher density in population due to the University campus and associated housing, as well as the presence of commercial businesses. Many of these businesses generate grease which may block or restrict flow in the combined sewers to potentially impact the storm sewers in dry weather. Targeting these areas in Phase I is expected to yield valuable logistical and resource information within the lower parts of the City where the CSS is complicated.

The In-Pipe Inspection and Sampling Program would start at an accessible outfall or at the first MH entering the storm sewer system at the bottom of the Mountain. Please refer to Figure 1 which identifies storm sewer outfalls and the associated upstream MH, as well as each outfall's catchment area within the CSS. The circled areas within Figure 1 depict the three areas of the Program's Phase I.

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Following Phase I of the In-Pipe Inspection and Sampling Program, it is recommended to inspect and sample the remaining areas of the CSS, which discharge to the natural environment. For example, several SWQP UC sampling zones not covered by the December 2022 risk-based pilot program, starting with UC SW10 working westwards and UC SW1 working eastwards. Other CSS storm sewer MH inspections can be added to the Phase II scope, as the program matures.

SWQP data should be reviewed on an ongoing basis along with sampling data collected from the In-Pipe Inspection and Sampling Program.

The In-Pipe Program is expected to cycle through all storm sewers possibly influenced by the CSS in dry weather, within 2 to 3 years. It will assist the City in complying with MECP's Ontario Water Resources Act and Environmental Protection Act by locating, mitigating, and preventing unauthorized discharges to the natural environment.

The In-Pipe Program will supplement existing efforts and programs in which the City has undertaken since 1989 to find and eliminate wastewater pollution sources from entering the storm sewer system and into the natural environment.

#### **4.1 Dry Weather Definition**

Dry Weather for the In-Pipe Storm Sewer Inspection and Sampling Program, is defined as:

- 24 hours following a 10 mm or less precipitation event and/or no significant snow melt\*
- 48 hours following a 10.1mm up to 14.9 mm precipitation event and/or no major snow melt
- 72 hours following a 15 mm or greater precipitation event and / or following significant snow melt event

\*(in keeping with Hamilton Water EME dry weather definition for permits)

The In-Pipe Inspection and Sampling program operates in dry weather only.

#### **4.2 In-Pipe Inspection and Sampling Procedures Within Storm Sewer System Catchment Areas Key Health & Safety Training:**

For MH inspections on roadways, all staff must follow the Ontario Occupational Health and Safety Act (OH&SA) requirements (e.g., MTO Book 7 Traffic Control Planning). For inspection and sampling in ravines and steep/high areas, fall arrest training and equipment may be required, as well as any other applicable OH&SA training and equipment identified by the Program Supervisor and City H&S specialists.

#### 4.2.1 Inspection of Storm Sewer Outfalls and MHs

When inspecting a storm sewer outfall and/or MH, document all observations of flow, no flow, debris build up at the base of the outfall, staining, and any odours. Take a photograph of the full outfall pipe, if safe to do so. If vegetation or tree build up is obstructing the outfall, or erosion around the outfall structure has occurred, contact the appropriate City team to rectify.

If there is no flow from the outfall, document that there is no flow on the specific day and time for the Asset ID and move upstream to inspect the first accessible upstream MH.

If there is flow at the outfall or within an upstream MH:

- Take a photograph of the infrastructure (outfall or MH Interior);
- Collect an initial sample in a clear observatory sample jar (not for laboratory submission) to determine if olfactory and visual observations of the flow can be made;
- Estimate the approximate flow rate (using known volume sample bottle / container and stopwatch approach);
- Sample for In-Pipe Sampling Program parameters;
- Take a photograph of the collected Program sample bottles lined up; and,
- Document all findings:
  - Date
  - Asset ID number
  - Staff member's name
  - Street name; park name of MH location (add additional reference point if possible)
  - non-natural odours (e.g., sewage, chemicals, raw materials)
  - vegetation obstruction/excessive vegetation
  - erosion around outfall
  - cloudiness
  - colour
  - foam
  - suds (non-natural)
  - sanitary waste
  - orange staining
  - oily sheen
  - oil separated layers
  - floatables
  - algae
  - approximate flow rate
  - Time sample was collected

Once the outfall has been inspected, sampled (if flow observed), and all documentation completed, proceed to the next upstream MH for inspection and sampling, if required. Continue to systematically inspect next upstream storm MH in dry weather, to complete the storm sewer outfall catchment area. Follow Section 4.2.6 for Spill determination.

#### 4.2.2 Documenting Lake Level Influence on upstream MH

Documenting the influence of Lake levels and possible ship crossings wakes on the storm sewer system is important to establish baseline conditions at submerged outfalls. This documentation will create an official baseline record for the Program. It is understood that over time, outfalls and MHs influenced by lake water, may change depending on Lake Ontario water levels. Due to changing lake levels, inspections will begin at the visible Outfalls for this Program and will then move upstream to the MH. From the submerged storm sewer outfalls, the first upstream MH influenced by Lake water, is to be documented as such and then work backwards, upstream, inspecting, and documenting conditions in each upstream MH. This upstream MH inspection will continue until a MH, not influenced by lake water levels, can be properly inspected and sampled, if flow is present.

#### 4.2.3 Non-Lake water influence MH Inspection and Sampling

Once the first, non-Lake water influenced, upstream storm sewer MH from a submerged CSS storm sewer outfall catchment area is determined, it is to be inspected and where it is found to contain a flow, in dry weather, it shall be sampled, and observations documented:

- Date
- Asset ID number
- Staff member's name
- Street name; park name of MH location (add additional reference point if possible)
- non-natural odours (e.g., sewage, chemicals, raw materials)
- cloudiness
- colour
- foam
- suds (non-natural)
- sanitary waste
- orange staining
- oily sheen
- oil separated layers
- floatables
- algae
- approximate flow rate
- Time sample was collected

#### 4.2.4 In-Pipe Inspection Checks for Non-Lake influenced Storm MH Procedure

- Is there flow in the MH?
- Is there the presence of detectable odours of sewage, chemicals, or raw materials within or emanating from of the MH, regardless of flow or absence of flow in the storm sewer?
- Record sewer conditions and observations.
- Take photograph of internal MH condition.

If no observations are made of flow or odours, document these conditions; continue to systematically inspect next upstream storm MH in dry weather, to complete the storm sewer outfall catchment area.

#### 4.2.5 In-Pipe Inspection and Sampling:

If a flow is present in the storm sewer MH, in dry weather, samples are to be collected. Table 1, below references a list of parameters recommended for sampling in the Dry Weather In-Pipe Program which will assist in identifying illicit connections, illicit ICI (industrial/commercial/institutional) discharges/spills, groundwater infiltration, watermain breaks, and sewage:

**Table 1: In-Pipe Sampling Program Parameters, Rationale and Trigger Condition**

Parameter	Rationale	Trigger Condition
○ Metals Group*	○ Representative of ICI discharges and are within Hamilton’s Sewer Use Bylaw & meets definition of OWRA Sewage	○ Storm parameter exceedances of Hamilton Sewer Use Bylaw 14-090 limits ○ Presence of other metals without storm limits that should not be in the storm sewer and potentially a spill
○ Total Mercury	○ Recent findings of dental practices in Hamilton using low pH cleaners and solubilizing Mercury and meets definition of OWRA Sewage	○ Greater than 0.05 ug/L (microgram per Litre), which is the detection limit for Mercury. ○ Mercury should not be present in the storm sewer and is an indicator of a spill
○ Caffeine	○ Caffeine is only found in Human Sewage	○ Presence of Caffeine at or above the analytical detection level of 5 ug/L
○ Biochemical Oxygen Demand (BOD <sub>5</sub> )	○ Indicator of sewage	○ BOD <sub>5</sub> exceeds 15 mg/L. ○ A number of Greater Toronto Area municipalities have this limit in their storm section of Sewer Use Bylaws

		and this would be an indicator of a sewage spill.
○ E. coli	○ Indicator of sewage and animals	○ Over 3400 counts/100 ml to account for animal sewage
○ pH	○ Representative of ICI discharges and within Hamilton the Sewer Use Bylaw and meets definition of OWRA Sewage	○ Exceedance of the Hamilton Sewer Use Bylaw 14-090 storm sewer limits ○ An indicator of a spill
○ O-Phosphate	○ Indicator of potable water leak due to use of substance for lead control in watermains and an opportunity to find and fix non-revenue water losses.	○ Presence of O-Phosphate will indicate a leak of potable water or contributions from fertilizers or ICI discharges.
○ Chloride	○ Indicator of saltwater pool discharge, road salt, and industrial dischargers and meets definition of OWRA Sewage	○ Greater than 1500 mg/L to detect industrial discharges, excessive road salt or saltwater pool discharges
○ Temperature	○ Indicator of sewage, spill, or potable water leak and meets definition of OWRA Sewage	○ Greater than 40°C. A number of Greater Toronto Area municipalities have this limit in their storm section of Sewer Use Bylaws and would be indicative of Sewage under OWRA.

\* Hamilton Water’s Laboratory has a predetermined list of metals it automatically analyzes when metals are selected for analysis. Metals Group is comprised of: *Aluminium, Antimony, Arsenic, Barium, Beryllium, Bismuth, Boron, Cadmium Calcium, Chromium, Cobalt, Copper, Iron, Potassium, Lead, Magnesium, Manganese, Molybdenum, Nickel, Silver, Sodium, Selenium, Strontium, Thallium, Tin, Titanium, Vanadium, and Zinc.*

#### 4.2.6 Is the Flow a Spill?

When determining if the flow is a spill in the storm sewer, in dry weather:

- An observatory clear and known volume sample jar should be used to collect a sample from the storm sewer MH flow to:
  - a) Estimate the flow rate; and,
  - b) observe for any olfactory observations of non-natural odours

This sample bottle will not be submitted to the Laboratory for analysis.

- Should the initial observatory clear jar sample show cloudiness, colour, oily sheen, oil separated layers, foam, suds (non-natural foam determined from shake test), sewage odours, non-natural odours, suspended material or solids:
  - Take a photo of the MH condition.
  - Take a grab sample to be analyzed for the In-Pipe Program parameters.

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- Photograph filled sample bottles, which are lined up.
  - Document observations, time of sampling and sampling actions before proceeding to upstream MH.
  - Mandatory tracing upstream to find the source in dry weather is required.
- When Source Not Found:
- When working in the office to review sample data of flow in MH with no source found, determine if sample parameter trigger conditions, per above, were detected. Add to master tracking spreadsheet that flow was detected, and whether trigger exceedances were recorded.
  - When no trigger exceedances of the program parameters occur – return to inspecting the next upstream MH in the catchment area and inspect MH and sample if flow is present and continue moving upstream inspecting and sampling as required.
  - When exceedances are detected return to MH displaying exceedances and check for flow again and if present collect a sample for comparison with original sample and then attend upstream MH and determine if flow is present and if so, collect sample and trace upstream to find the source.
- When Source is found from tracing and deemed a spill under the Hamilton Sewer Use Bylaw and other Legislation:
- Report to MECP Spills Action Centre (SAC) at 1-800-565-4923 immediately.
  - Report to the City Spill Reporting Centre (905-540-5188) for spill response initiated through Hamilton Water.
  - Spill containment and cleanup may be required along with an updated report to MECP SAC.
  - Information is recorded in the master tracking spreadsheet of spill found (add date) contributing to source of exceedance(s).
  - Following spill remediation and clean-up and sampling data review return to catchment area and re-check that the MH which had flow deemed as a spill to ensure no other flows exist and to confirm the spill had been the source of the observed flow. If flow exists, repeat 4.2.5.
- Should the flow be traced to be between two MHs, (meaning there is no flow in upstream MHs, but there is flow in two downstream MHs), then this is to be documented in the master tracking sheet and a request for CCTV work is to be made to determine if the flow is from damaged infrastructure or unknown connection in between the two MHs.
- Following CCTV work and conclusion that infrastructure repairs are required and made, the master tracking spreadsheet is updated, and the downstream MH is re-inspected to confirm

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if the flow has ceased. If flow exists upon repairs being made, this is likely indicative of another event occurring and the steps in 4.2.6 are repeated.

Data management and review is key for the In-pipe Inspection & Sampling Program to evaluate data and trends and evaluate together with the SWQP.

## 5.0 Program Logistics, Operation and Resources Required

The Program should commence when staffing and equipment resources are approved by Council and secured. Ideally the Program should take advantage of dry weather periods using existing resources, if possible, before resource approvals secured.

Phase I of the Program contemplates four (4) temporary Full Time Equivalent (FTEs) and two (2) dedicated students (summer or co-op). Specifically, the FTEs are:

- 1 FTE for a temporary data analytical position to review data and trends and prepare presentations, graphs, maps, reports etc., as required.
- 1 FTE for a temporary Supervisor to oversee and manage the team and ensure OH&SA training and equipment is provided.
- 2 FTEs for temporary field staff with experience in water/wastewater sampling, knowledge of sewer infrastructure and environmental law training
- 2 summer or co-op students with experience in water/wastewater sampling and/or knowledge of sewer infrastructure.

One full time temporary field staff member would be teamed with a student for training and experience, such that there are two teams. This would also build experience for students in a unique and limited profession. Due to OH&SA requirements, specifically traffic control planning, teams of two employees should work together in the tracing and sampling of a storm sewer catchment area. Each team is responsible for its own storm sewer outfall catchment area.

Phase I would operate in dry weather until all catchment area MHs are inspected, and sampled where applicable, to allow City management to assess the Program needs, equipment, length of time to complete MH inspections and sampling, lessons learned, impacts to the Laboratory or other units in Hamilton Water and staffing resources. This would allow for Hamilton Water to present to Council a fact-based resource needs Recommendation Report to operate the program year-round.

It is recommended that staffing resources be from existing position classifications within the City.

This is a year-round Program, very much weather dependent, and it is understood that certain months of the year will not permit for extensive field operations due to rain, snow melt or snow-covered MHs.

Non-field days are an opportunity for data entry, to reassess or review data, to complete training, and to hold team meetings for collaboration, brainstorming and sharing updates.

Once Phase I of the Dry Weather In-Pipe Storm Sewer Inspection and Sampling Program is completed, it is recommended to move onto the remaining outfalls and MHs associated with the CSS as outlined in Section 4.0.

It is anticipated that it should take 2 to 3 years to complete the CSS In Pipe Inspection and Sampling Program, based on the size of the area. Should the technology outlined in this report be utilized or future technology prove to be assistive, the timeframe for complete program completion may shorten.

**Expected Minimum Equipment Resources:**

- Vehicles for sampling and inspection field work
- Sampling equipment
- Health & Safety equipment
- Cameras
- Smartphones
- Field laptops/Tablets\*

**Inspections sheets and electronic repository needs:**

- Inspection summary information fields on a summary form to capture infrastructure information or tablet with built in and customized form\*
- Centralized and shareable electronic repository of MH inspection reports

\*Field tablets with a customizable form able to be uploaded to a centralized and shareable electronic repository system is recommended to maximize field staff efficiencies and reduce duplication in the office with data entry of collected information.

## **6.0 Technology Recommendations**

### **6.1 Aerial Infrared Thermography**

It is recommended that the City research aerial infrared (IR) thermography technology with drones, by way of a contractor offering such service, to monitor the outfalls entering surface

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waters surrounding the CSS to determine if unauthorized discharges are occurring during dry weather. Multiple sectors utilize this technology including the MECP to visually assess pollution sources, leaks, etc.

Wastewater pollution will have a higher temperature from the surrounding area and any release of wastewater or sewage into surface waters from outfalls can be visualized as visible coloured plumes through the variations depicted by temperature. "The amount of radiation emitted by an object increases with temperature, therefore thermography allows one to see variations in temperature" (Source: 2009, Lega & Napoli).

Lega & Napoli provided numerous examples in their September 2009 article of the use of IR technology to discern sanitary wastewater and wastewater pollution in surface waters. In one case, during dry weather, a catch basin connected to the sea at a popular tourist town was found to display a temperature variation using IR, concluding that a pollution event had occurred.

Several United States municipalities have utilized IR on a short-term basis to assist in finding illicit wastewater discharges. A Greater Toronto Area Municipality utilized the technique in late 2000 with the use of a helicopter in a one-time event which yielded images in one watershed with sewage outfalls at night. However, the use of IR at that time was cost prohibitive due to the helicopter and pilot rental to consider for long term use. More recently IR has been used with drones making it practical and generally more affordable. Nassau County, New York utilized the technique with great success, in 2020, through various grant programs available to it.

After Phase I of the In-pipe Inspection & Sampling Program, is completed and if the City has had an opportunity to investigate IR technology and available contractors in Ontario, the use of IR may assist in determining which storm sewer outfalls to prioritize for the In-Pipe Inspection and Sampling Program Phase II. Further, the use of IR may assist the City in identifying if other sources are contributing actively to discharges within Hamilton Harbour.

## **6.2 Real-time monitoring In MH Level sensing equipment with overflow alarms in Dry Weather**

It is recommended that the City investigate the use of battery operated, real-time remote monitoring MH level sensors, in storm sewers to provide information on possible dry weather overflow, in areas within the CSS which may be subjected to extreme high sanitary flows. For example, during a Tim Horton's Field event or an event at the FirstOntario Centre, where potentially excessive flows causing surcharge may occur and areas with known heavy grease discharges from restaurants and/or grocery stores are known to cause blockages. These latter types of situations may cause the combined sewer to rise to a level which may then trigger the regulator to overflow into the storm sewer during dry weather. The real-time in sewer monitor in the combined sewer and storm sewer systems alarm to a computer monitoring network and to smart phones. Satellite or cellular systems are used to transmit information. Upon an alarm condition, key dedicated sampling staff could be mobilized to assess the alarm and if an overflow

into the storm sewer is occurring, or about to occur, they can initiate sampling, inspection, tracing, and spill control at the storm sewer until the cause of the overflow or potential overflow is determined. The goal of this dry weather pilot is to assess if there are overflow/surcharge conditions in the examples provided to take proactive measures through the use of alarm notifications of potential overflow. Also, a proactive sewer cleaning program may result from the data if it proves valuable.

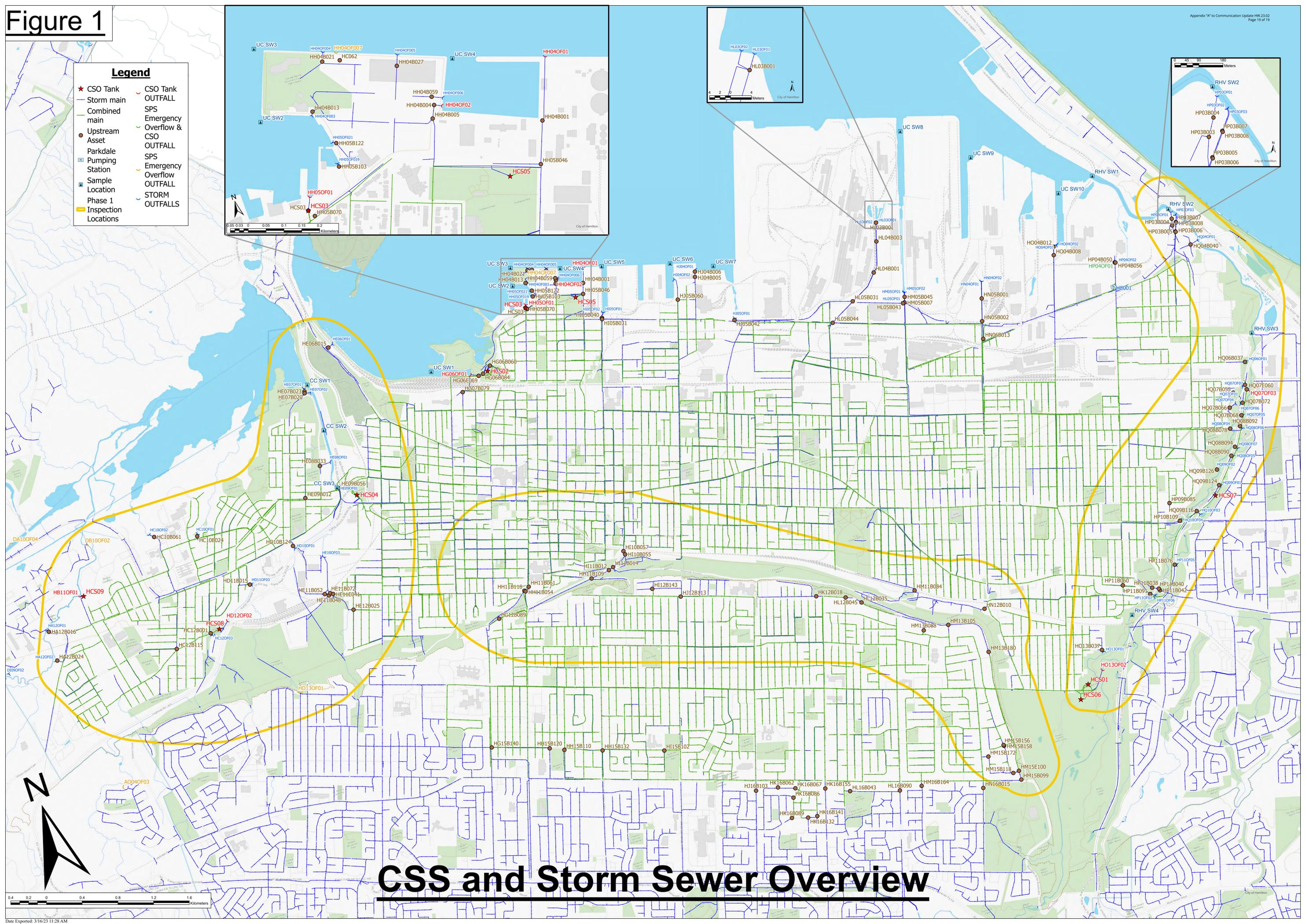
Following the City's investigation of the real-time monitoring MH level sensing technology as potential assistance to its dry weather programs, it could explore with a vendor a trial demonstration of four (4) real-time monitoring systems, in the downstream portion of a combined sewer regulator, and in the nearby receiving storm sewer downstream of the regulator, to determine if this technology is an option for future use as opposed to potentially hiring more Program staff.

Approximately 20 Ontario municipalities are utilizing this technology for overflow conditions.

### 6.3. References

1. Stantec Consulting Inc. Combined Sewer System Characterization Study Report, June 4, 2021
2. Hamilton Water, Surface Water Quality Program Council Report PW2258, 2021
3. September 2009, *Aerial Infrared Thermography In The Surface Waters Contamination Monitoring*, M. Lega and R.M.A. Napoli

# Figure 1



- ### Legend
- ★ CSO Tank
  - Storm main
  - Combined main
  - Upstream Asset
  - Parkdale Pumping Station
  - Sample Location
  - Phase 1 Inspection Locations
  - CSO Tank OUTFALL
  - SPS Emergency Overflow & CSO OUTFALL
  - SPS Emergency Overflow OUTFALL
  - STORM OUTFALLS

## CSS and Storm Sewer Overview

**Authority:** Item 9, Public Works Committee  
Report 07-016 (PW07153)  
CM: December 12, 2007  
Ward: 3, 10

**Bill No. 040**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Amend By-law No. 01-215 Being a By-law To Regulate Traffic**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001, S.O. 2001, c. 25*, authorize the City of Hamilton to pass by-laws as necessary or desirable for the public and municipal purposes, and in particular paragraphs 4 through 8 of subsection 10(2) authorize by-laws respecting: assets of the municipality, the economic, social and environmental well-being of the municipality; health, safety and well-being of persons; the provision of any service or thing that it considers necessary or desirable for the public; and the protection of persons and property;

**AND WHEREAS** on the 18th day of September 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 9 (No Right Turn On Red Light) of By-law No. 01-215, as amended, is hereby further amended by Adding to Section "E" (Hamilton) thereof the following items, namely;

Cannon Street East    Westbound    Victoria Avenue North    Anytime

2. Schedule 18 (Bike Lanes) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" (Stoney Creek) thereof the following items, namely;

Dewitt Road    Highway 8 to Barton Street    East curb lane    Anytime    Northerly  
Dewitt Road    Highway 8 to Barton Street    West curb lane    Anytime    Southerly

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

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

**PASSED** this 29<sup>th</sup> day of March, 2023.

---

A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
Ward: 6

**Bill No. 041**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Establish City of Hamilton Land  
Described as Block C on Plan 62M-246  
as Part of Anchor Road**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Block C on Plan 62M-246, is established as a public highway, forming part of Anchor Road.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 29<sup>th</sup> day of March, 2023.

---

A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
Ward: 12

**Bill No. 042**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Establish City of Hamilton Land Described as Block 130 on Plan 62M-1116 as Part of Chambers Drive**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Block 130 on Plan 62M-1116, is established as a public highway, forming part of Chambers Drive.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 29<sup>th</sup> day of March, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 3, Public Works Committee  
Report 22-004 (PW22013)  
CM: March 30, 2022  
Ward: 13

**Bill No. 043**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Establish City of Hamilton Land  
Described as Block 66 on Plan 62M-676  
as Part of Wainwright Boulevard**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 31(2) of the *Municipal Act, 2001* provides that land may only become a highway by virtue of a by-law establishing the highway.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The land, owned by and located in the City of Hamilton, described as Block 66 on Plan 62M-676 in the City of Hamilton, is established as a public highway, forming part of Wainwright Boulevard.
2. The General Manager of Public Works or their authorized agent is authorized to establish the said land as a public highway.
3. This By-law comes into force on the date of its registration in the Land Registry Office (No. 62).

**PASSED** this 29<sup>th</sup> day of March, 2023.

---

A. Horwath  
Mayor

---

A. Holland  
City Clerk

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Amend By-law No. 21-021, A By-law to Govern the Proceedings of Council and Committees of Council**

**WHEREAS** Council enacted a Council Procedural By-law being City of Hamilton By-law No. 21-021;

**AND WHEREAS** it is necessary to amend By-law 21-021.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That By-law No. 21-021, be amended by including the following subsections:

(i) **3.2 Regular Council Meeting Times**

(4) A meeting of Council shall adjourn after being in session for eight (8) hours;

(5) A meeting of Council will recess for 30 minutes within the first five (5) hours of a meeting, in accordance with the Employment Standards Act;

(6) Notwithstanding subsection 3.2(4), Council may extend the meeting for a specified period of time, with a majority of the Members of Council present and voting in the affirmative.

(ii) **5.6 Standing Committee Meeting Times**

(4) A meeting of Committee shall adjourn after being in session for eight (8) hours;

(5) A meeting of Committee will recess for 30 minutes within the first five (5) hours of a meeting, in accordance with the Employment Standards Act;

(6) Notwithstanding subsection 5.6(4), Committee may extend the meeting for a specified period of time, with a majority of the Members of Committee present and voting in the affirmative.

2. The amendments in this By-law include any necessary indexing, grammatical, numbering and lettering changes.

3. This By-law come into force on the day it is passed.

**PASSED** this 29th day of March, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 7, Planning Committee  
Report 22-016 (PED22208)  
CM: December 7, 2022  
Ward: 2

**Bill No. 045**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Designate Property Located at 66-68 Charlton Avenue West, City of Hamilton as Property of Cultural Heritage Value**

**WHEREAS** section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18 authorizes Council of the municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of cultural heritage value or interest;

**AND WHEREAS** Council of the City of Hamilton has received and considered the recommendations of its Hamilton Municipal Heritage Committee pertaining to this by-law, arising from the meeting of the Hamilton Municipal Heritage Committee held on November 21, 2022;

**AND WHEREAS** the Council of the City of Hamilton, at its meeting held on December 7, 2022, resolved to direct the City Clerk to take appropriate action to designate the Property described as 66-68 Charlton Avenue West, in the City of Hamilton, and more particularly described in Schedule "A" hereto (the "Property"), as property of cultural heritage value or interest, which resolution was confirmed by By-law No. 22-276;

**AND WHEREAS** in accordance with subsection 29(3) of the *Ontario Heritage Act*, Council of the City of Hamilton has caused to be served on the owner of the Property and upon the Ontario Heritage Trust, a Notice of Intention to Designate the Property as being of cultural heritage value or interest, and has caused a Notice of Intention to Designate to be published in a newspaper having general circulation in the municipality, a copy of which is attached hereto as Schedule "B";

**AND WHEREAS** no Notice of Objection to the proposed designation under section 29(5) of the *Ontario Heritage Act* has been served upon the Clerk of the municipality;

**AND WHEREAS** Council has decided to designate the Property in accordance with section 29(8) of the *Ontario Heritage Act*;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. A statement explaining the cultural heritage value or interest of the Property, and a description of the heritage attributes of the Property are set out in Schedule "C" hereto.
2. The Property, together with its heritage attributes listed in Schedule "C" hereto, is hereby designated as property of cultural heritage value or interest.

3. The City Clerk is hereby authorized and directed,
- a. to cause a copy of this By-law, together with the statement of cultural heritage value or interest and description of heritage attributes of the Property, to be served on the Ontario Heritage Trust, the owner of the Property, and any person who served an objection to the Notice of Intention to Designate, by a method permitted by the *Ontario Heritage Act*; and,
  - b. to publish a notice of passing of this By-law in a newspaper having general circulation in the City of Hamilton. Once this By-law comes into force and effect in accordance with the applicable provisions of the *Ontario Heritage Act*, the City Solicitor is hereby authorized and directed to cause a copy of this By-law, together with its Schedules, to be registered against the whole of the Property described in Schedule "A" hereto in the proper registry office.

**PASSED** this 29<sup>th</sup> day of March, 2023.

---

A. Horwath  
Mayor

---

A. Holland  
City Clerk

**Schedule "A"**  
**To**  
**By-law No. 23-045**

**66-68 Charlton Avenue West**  
**Hamilton, Ontario**

PIN: 17172-0094 (LT)

Legal Description:

LOTS 7 & 8, PLAN 191; HAMILTON

## Schedule "B"

To

### By-law No. 23-045

### 66-68 Charlton Avenue West Hamilton, Ontario

#### Notice of Intention to Designate 66-68 Charlton Avenue West, Hamilton ON

The City of Hamilton intends to designate 66-68 Charlton Avenue West, Hamilton ON, under Section 29 of the Ontario Heritage Act, as being a property of cultural heritage value.

#### Statement of Cultural Heritage Value or Interest

The property located at 66-68 Charlton Avenue West is comprised of two formerly single-detached two-and-a-half-storey brick dwellings. The design of the buildings are representative of early-twentieth century Queen Anne Revival style architecture and demonstrates a high degree of craftsmanship in its detailing, including decorative brick paneling, wood mouldings, decorative slate shingles and dentilated cornices.

The property at 68 Charlton Avenue West is attributed to F. J. Rastrick and Sons architectural firm and is one of the few known surviving buildings designed by the two sons of the noted Hamilton architect, Frederick James Rastrick. The property at 66-68 Charlton Avenue West supports the historic character of the Durand Neighbourhood, one of Hamilton's oldest residential neighbourhoods. The property defines the northeast corner of Charlton Avenue West and Park Street, with two elevations featuring notable architectural details, a moderate setback, and a large stone wall along the western boundary along Park Street.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes may be found online via [www.hamilton.ca](http://www.hamilton.ca) or viewed at the Office of the City Clerk, 71 Main Street West, 1st Floor, Hamilton, Ontario, L8P 4Y5, during regular business hours.

Any person may, within 30 days after the date of the publication of the Notice, serve written notice of their objections to the proposed designation, together with a statement for the objection and relevant facts, on the City Clerk at the Office of the City Clerk.

Dated at Hamilton, this 14th day of December 2022.

Andrea Holland  
City Clerk  
Hamilton, Ontario

**CONTACT:** Lisa Christie, Cultural Heritage Planner,  
Phone: (905) 546-2424 ext. 1291,  
E-mail: [Lisa.Christie@hamilton.ca](mailto:Lisa.Christie@hamilton.ca)

[www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning)



Hamilton

**Schedule “C”**

**To**

**By-law No. 23-045**

**66-68 Charlton Avenue West  
Hamilton, Ontario**

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND  
DESCRIPTION OF HERITAGE ATTRIBUTES**

**Description of Property**

The 0.31-acre property municipally-addressed as 66 Charlton Avenue West is comprised of two formerly single-detached two-and-a-half-storey brick buildings, 66 and 68 Charlton Avenue West, that were constructed circa 1903-1904, and connected by a circa 1966 two-storey addition. The property is located on the northeast corner of Charlton Avenue West and Park Street South, in the Durand Neighbourhood, within the City of Hamilton.

**Statement of Cultural Heritage Value or Interest**

The early-twentieth century buildings located at 66-68 Charlton Avenue West exhibit architectural features representative of Queen Anne Revival style houses. While number 66 is of more modest construction and number 68 is more finely detailed, this style of architecture is well represented in both structures through their two-and-a-half storey brick construction, tall hip roofs punctuated with a variety of dormers, bays and chimneys, and the use of a variety of materials and textures. The decorative brick panelling and banding, leaded glass transom, wood mouldings, decorative slate shingle cladding, dentilated cornices, and wood brackets on the south and west facing facades, represent a high degree of craftsmanship.

The subject property reflects the work and ideas of prominent architects who are significant to the Hamilton community and demonstrates the capacity of Hamilton-based architects and craftspeople to offer high style to their patrons. The building constructed at 68 Charlton Avenue West is attributed to F. J. Rastrick and Sons architectural firm and is one of the few known surviving buildings designed by the two sons of the noted Hamilton architect, Frederick James Rastrick. Frederick James Rastrick (1819-1897) was a prominent nineteenth-century Hamilton architect. He was an active partner in a various of Hamilton firms and designed a number of well-known buildings in Hamilton. Rastrick opened a firm with his son Edward Llewellyn Rastrick (1861-1931) in 1881 and they practised together until his death in 1897, at which time his other son Francis Reginald Rastrick (1864-1932) joined the firm as a partner. Edward and Francis Rastrick of F. J. Rastrick & Sons were in partnership together

from 1898 until 1931. During their partnership the Rastrick sons designed a number of residential buildings, however their best-known works are the Twentieth Century Club on Locke Street South and the Stoney Creek Battlefield Monument, a National Historic Site of Canada.

The building constructed at 66 Charlton Avenue West is not attributed to a prominent architecture firm. However, the property does represent the work of the local Hamilton building company – Donaldson and Patterson. Hugh Donaldson (1847-1928) and J. L. Patterson (1852-1930) were local builders in the City of Hamilton.

The buildings at 66 and 68 Charlton Avenue West illustrate the theme of wealth and development in early-twentieth century Hamilton. Their construction at the turn of the twentieth century was commissioned by wealthy local landowners who were establishing the Durand Neighbourhood as a place for upper-class dwellings. The dwelling at 66 Charlton Avenue West was constructed circa 1904 for Adam Henry Hope (1852-1920), Accountant / Auditor, formerly of the Canadian Steel and Wire Company, then Brennen Manufacturing Company and then briefly the manager of the Hamilton Dustless Housecleaning Company Limited. The property at 68 Charlton Avenue West was owned by Annie Bryson Osbourne (1824-1912), and she was responsible for commissioning the circa 1903 dwelling from F.J. Rastrick & Sons. Annie lived in the dwelling with her son William Woodburn Osborne (1867-1915) and his wife and their two children. William was a Barrister at Gibson, Osborne, O' Reilly and Levy in the 1900's (affiliated with Sir John Morrison Gibson, 10th Lieutenant Governor of Ontario) and later ran his own firm by 1911.

The property at 66-68 Charlton Avenue West supports the historic character of the Durand Neighbourhood, one of Hamilton's oldest residential neighbourhoods. The neighbourhood is well known for the quality of its architecture since it is home to many of Hamilton's finest historic residential properties. The property defines the northeast corner of Charlton Avenue West and Park Street, with two elevations featuring notable architectural details, a moderate setback, and a large stone wall along the western boundary along Park Street. Located in the Durand Neighbourhood, this property blends into the turn-of-the-twentieth century residential streetscape and buildings of this era are prevalent along the north side of Charlton Avenue West from Park Street east to MacNab Street.

### **Description of Heritage Attributes**

Key attributes that embody the design / physical value of the property as being representative of the Queen Anne Revival style of architecture and the high degree of craftsmanship, and the historical / associative value of the property demonstrating the work and ideas of significant Hamilton architects and builders and connections with prominent Hamiltonians, include:

- The front (south) and side (east) elevations and roofline of the two-and-a-half-storey brick building historically known as 66 Charlton Avenue West, including its:

- Red brick facades laid in Stretcher bond;
- Tall hip roof with projecting eaves;
- Large projecting pedimented front gable, including its:
  - Tripartite window with moulded wood trim;
  - Moulded wood bargeboard with returning eaves;
  - Wood shingle cladding; and,
  - Bracketed cornice;
- Gable-roofed front dormer;
- Tall brick side chimney;
- Plain brick pilasters below the front gable;
- Flat-headed window openings in the front (south) facade, including the rock-faced stone lintels, stone lug sills and a continuous brick course at the sill in the second storey;
- Segmentally-arched window openings in the side (east) facade including the brick voussoirs and stone lug sills; and,
- Stone foundation.
- The front (south) and side (west) elevations and roofline of the two-and-a-half-storey brick building historically known as 68 Charlton Avenue West, including its:
  - Red brick facades laid in Stretcher bond;
  - Tall hip roof with projecting eaves;
  - Projecting two-and-a-half storey three-sided bay in the front (south) facade including its:
    - Pedimented gable clad in octagonal slate shingles with a paired window with wood trim;
    - Decorative moulded brackets flanking either side of the gable and running moulded cornice with brackets;
    - Round-arched windows in central portion of bay with raised brick ribbing framing the brick voussoirs;
    - Flanking segmentally-arched windows with brick voussoirs;
    - Rock-faced stone sills;
    - Continuous brick courses with dentiling detail; and,
    - Decorative rectangular brick panels and details between the first and second storeys;

- Shallow rectangular projection on the upper storey on the east side of the south facade including its:
  - Round-arched window in the second storey with decorative wood trim; and,
  - Octagonal slate shingles cladding the upper storey;
- Projecting one-storey brick portico entrance on the east side of the south facade including its:
  - Leaded-glass half-round transom above the entrance;
  - Decorative stone surround with central keystone and decorative square rosettes; and,
  - Moulded cornice separating the storeys;
- Gable-roofed front (south) and side (west) dormers;
- Projecting two-and-a-half-storey, three-sided bay on the side (west) facade including its:
  - Pedimented gable clad in octagonal slate shingles with a central brick panel flanked by small flat-headed windows;
  - Moulded cornice with brackets below the gable;
  - Segmentally-arched window openings with brick voussoirs and rock-faced stone lug sills;
  - Continuous brick courses with dentiling detail;
  - Decorative rectangular brick panels between first and second storeys; and,
  - Decorative arched brick panels in the central portion of bay;
- Shallowly projecting brick chimney (truncated) in the side (west) facade with decorative arched brick panel;
- Stone foundation with segmentally-arched window openings; and,
- Remaining one-over-one hung wood windows.

The central two-storey addition constructed circa 1966 is sympathetic to the character of the historic former dwellings but is not included in this Designation By-law.

Key attributes that embody the contextual value of the property include the:

- Stone perimeter wall along west property boundary facing Park Street including its:
  - Broken-course, cut-stone construction;
  - Half-circle coping stones of alternating sizes; and,

- Tiered construction, with the wall declining in height as it extends north towards rear of property;
- Moderate setback of 66 and 68 Charlton Avenue West from Charlton Avenue in line with the setbacks of the adjacent properties to the east; and,
- Moderate setback of 68 Charlton Avenue West from Park Street.

**Authority:** Item 4, Planning Committee  
Report: 23-003 (PED23040)  
CM: February 14, 2023  
Ward: 10

**Bill No. 046**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Adopt:**

**Official Plan Amendment No. 183 to the  
Urban Hamilton Official Plan**

Respecting:

**238 Barton Street  
(Stoney Creek)**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 183 to the Urban Hamilton Official Plan consisting of Schedule “1”, hereto annexed and forming part of this by-law, is hereby adopted.

**PASSED** this 29<sup>th</sup> day of March, 2023.

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A. Horwath  
Mayor

---

A. Holland  
City Clerk

## Urban Hamilton Official Plan Amendment No. 183

The following text, together with Appendix “A” – Volume 2: Map B.7.1-1 – Western Development Area Secondary Plan – Land Use Plan attached hereto, constitutes Official Plan Amendment No. 183 to the Urban Hamilton Official Plan.

### 1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the Western Development Area Secondary Plan – Land Use Plan to permit the development of 11 block townhouse dwellings on the subject lands.

### 2.0 Location:

The lands affected by this Amendment are known municipally as 238 Barton Street, in the former City of Stoney Creek.

### 3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development will be compatible and complementary with the existing and planned development in the immediate area.
- Adequate servicing and transportation capacity are available for the proposed uses.
- The Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

**4.0 Actual Changes:**

**4.1 Volume 2 – Secondary Plans**

**Maps**

4.1.1 Map

- a. That Volume 2: Map B.7.1-1 – Western Development Area Secondary Plan – Land Use Plan be amended by redesignating lands from “Low Density Residential 2b” to “Low Density Residential 3c”, as shown on Appendix “A”, attached to this Amendment.

**5.0 Implementation:**

An implementing Zoning By-Law Amendment and Site Plan will give effect to the intended uses on the subject lands.

This Official Plan Amendment is Schedule “1” to By-law No. 23-046 passed on the 29<sup>th</sup> day of March, 2023.

**The  
City of Hamilton**

\_\_\_\_\_  
A. Horwath  
Mayor

\_\_\_\_\_  
A. Holland  
City Clerk

1. Eastdale Neighbourhood

3. Poplar Park Neighbourhood

5. Guernsey Neighbourhood

### Appendix A APPROVED Amendment No. 183 to the Urban Hamilton Official Plan

 Lands to be redesignated from "Low Density Residential 2b" to "Low Density Residential 3c"  
(238 Barton Street, Stoney Creek)

Date:  
March 7, 2023

Revised By:  
TV/NB

Reference File No.:  
OPA-U-183(H)

### Legend

#### Residential Designations

-  Low Density Residential 2b
-  Low Density Residential 3c
-  Medium Density Residential 3
-  High Density Residential 1

#### Commercial and Mixed Use Designations

-  Local Commercial
-  Mixed Use - Medium Density
-  District Commercial

#### Parks and Open Space Designations

-  Parkette
-  Neighbourhood Park
-  Community Park
-  General Open Space
-  Natural Open Space

#### Other Designations

-  Institutional
- ES** Elementary School
- SS** Secondary School

#### Other Features

-  Area or Site Specific Policy
-  Secondary Plan Boundary

Council Adopted: July 9, 2009  
Ministerial Approval: March 16, 2011  
Effective Date: August 16, 2013

**Urban Hamilton Official Plan**  
**Western Development Area**  
**Secondary Plan**  
Land Use Plan Map  
Map B.7.1-1

Date: February 2022



Not To Scale



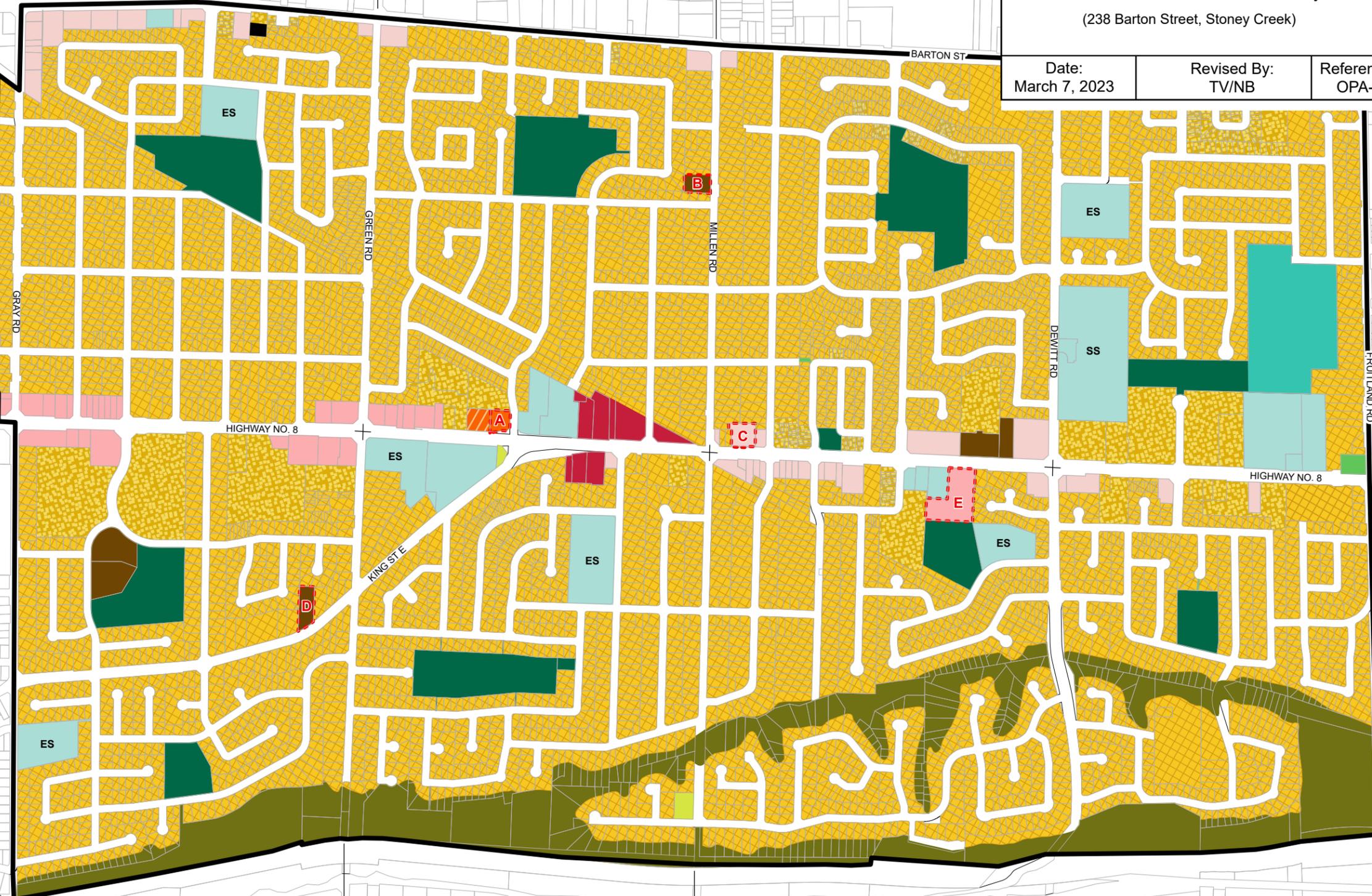
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

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THIS IS NOT A PLAN OF SURVEY.

2. Corman Neighbourhood

4. South Meadow Neighbourhood

6. Highway Valley Neighbourhood



**Authority:** Item 4, Planning Committee  
Report 23-003 (PED23040)  
CM: February 14, 2023  
Ward: 10

**Bill No. 047**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 238 Barton Street, Stoney Creek**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 4 of Report 23-003 of the Planning Committee at its meeting held on the 22<sup>nd</sup> day of February, 2023, which recommended that Zoning By-law No. 3692-92, be amended as hereinafter provided;

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan, upon finalization of Official Plan Amendment No. 183.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Map No. 6 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by changing the zoning from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM3-71" Zone, Modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. That Subsection 6.10.7, "Special Exemptions" of Section 6.10, Multiple Residential "RM3" Zone, of Zoning By-law No. 3692-92, be amended by adding Special Exemption "RM3-71", as follows:

**“RM3-71” 238 Barton Street, Schedule “A” Map No. 6**

Notwithstanding the provisions of Part 2, those lands zoned “RM3-71” by this By-law shall be considered as one lot, the lot line adjacent to Barton Street shall be deemed the front lot line, and all lot lines shall correspond thereto and regulations including but not limited to lot area, lot frontage, lot coverage, building setbacks, landscaped areas, parking requirements, and accessory buildings, shall be from the exterior boundaries of those lands zoned “RM3-71” by this By-law and not from individual properties or boundaries created by registration of a condominium plan or created by Part Lot Control.

Notwithstanding Subsections 6.10.3 (a), (b), (c), (d), (f), (h), (i), and (m) of the Multiple Residential “RM3” Zone, the following regulations shall apply:

- |     |  |   |
|-----|--|---|
| (a) | Minimum Lot Area                                   | 2,300 square metres   |
| (b) | Minimum Lot Frontage                               | 41 metres   |
| (c) | Minimum Front Yard                                 | 2.4 metres  |
| (d) | Minimum Side Yard                                  | 2.0 metres  |
| (f) | Minimum Rear Yard                                  | 7.4 metres  |
| (h) | Minimum Distance Between Buildings on the Same Lot | 11.0 metres   |
| (i) | Maximum Density                                    | 47 units per hectare  |
| (m) | Minimum Landscaped Open Space                      |   |
|     | 1.   | Not less than 35 percent of the lot area for maisonettes, townhouses and dwelling groups shall be landscaped including privacy areas.   |
|     | 4.   | A landscaped strip having a minimum width of 2.4 metres shall be provided and thereafter maintained adjacent to every portion of any lot that abuts a street except for points of ingress and egress. Notwithstanding the definition of Landscaped Strip, an area for temporary waste pickup shall be permitted within the required landscaped strip. |

In addition to Subsection 4.10.3 b) Dimensions of Parking Spaces and notwithstanding Subsection 6.1.8 (c) Parking Restrictions In Residential Zones

and Subsection 6.10.5 (d) of the Multiple Residential “RM3” Zone, the following regulations shall apply:

- (d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 0.4 metres to any lot line or 5 metres to any dwelling unit located on a lot other than the said lot. Interior door swings shall be permitted to encroach into an interior garage parking space.
3. No building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the Multiple Residential “RM3” Zone provisions, subject to the special requirements referred to in Section 2 of this By-law.
  4. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

**PASSED** this 29<sup>th</sup> day of March, 2023.

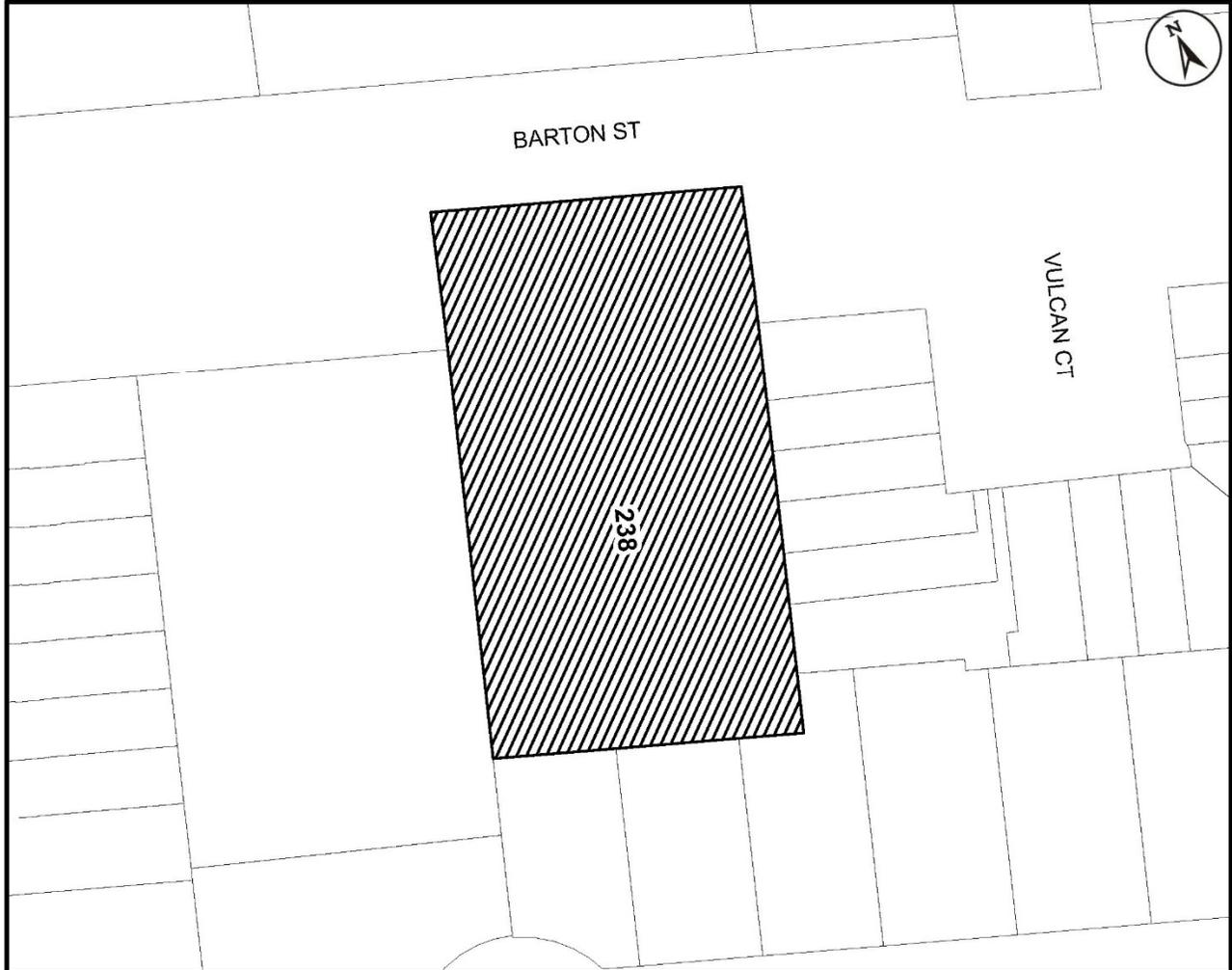
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A. Horwath  
Mayor

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A. Holland  
City Clerk

ZAC-19-007



This is Schedule "A" to By-law No. 23-  
 Passed the ..... day of ....., 2023

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 Mayor  
 -----  
 Clerk

**Schedule "A"**  
**Map forming Part of**  
**By-law No. 23-\_\_\_\_\_**  
**to Amend By-law No. 3692-92**

**Subject Property**  
 238 Barton Street, Stoney Creek  
 Change in zoning from the Neighbourhood Development "ND" Zone to the Residential Multiple "RM3-71", Zone, Modified

Scale: N.T.S	File Name/Number: ZAC-19-007 & 25T-201901 & UHOPA-19-003	 Hamilton
Date: November 4, 2022	Planner/Technician: TV/VS	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 9, Planning Committee  
Report 23-004 (PED23063)  
CM: March 29, 2023  
Ward: 6

**Bill No. 048**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Amend Zoning By-law No. 05-200 with respect to lands located at 1557 and 1565 Rymal Road East and 694 Pritchard Road, Hamilton**

**WHEREAS** Council approved Item 9 of Report 23-004 of the Planning Committee, at the meeting held on March 29, 2023;

**AND WHEREAS** this By-law will be in conformity with the Urban Hamilton Official Plan.

**NOW THEREFORE** Council amends Zoning By-law No. 05-200 as follows:

1. That Map Nos. 1548 of Schedule "A" – Zoning Maps are amended by changing the zoning from the Prestige Business Park (M3) Zone to the Business Park Support (M4, 839) Zone for the lands identified on the Location Map attached as Schedule "A" to this By-law.
2. That Schedule "C" - Special Exceptions is amended by adding the following new Special Exception:
  - "839. Within the lands zoned Business Park Support (M4, 839) Zone, identified on Map No. 1548 of Schedule "A" – Zoning Maps and described as 1557 and 1565 Rymal Road East and 694 Pritchard Road, the following special provision shall apply:
    - a) Notwithstanding Sections 5 and 9.4.3 p), parking shall be a minimum of 1 space for each 30.0 square metres of gross floor area."
3. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

**PASSED** this 29<sup>th</sup> day of March, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

ZAC-19-035



<p>This is Schedule "A" to By-law No. 23-</p> <p>Passed the ..... day of ....., 2023</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<p><b>Schedule "A"</b></p> <p>Map forming Part of By-law No. 23-_____</p> <p>to Amend By-law No. 05-200 Map 1548</p>	<p><b>Subject Property</b></p> <p>1557 &amp; 1565 Rymal Road East &amp; 694 Pritchard Road</p> <p> Change in zoning from the Prestige Business Park (M3) Zone to the Business Park Support (M4, 839) Zone</p>
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<p>Scale: N.T.S</p>	<p>File Name/Number: ZAC-19-035</p>	
<p>Date: January 25, 2023</p>	<p>Planner/Technician: MF/VS</p>	
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>		

**Authority:** Item 1, General Issues Committee  
Report 22-010 (FCS23043)  
CM: March 29, 2023  
Ward: City Wide  
**Bill No. 049**

**CITY OF HAMILTON  
BY-LAW NO. 23-**

**To Authorize the Signing of an Agreement between the City of Hamilton and the  
Ministry of Transportation Related to Funding Provided Under the Dedicated Gas  
Tax Funds for Public Transportation Program**

**WHEREAS** the Council of the City of Hamilton deems it advisable to enter into an agreement with His Majesty the King in right of Ontario, as represented by the Minister of Transportation related to funding provided by the Province of Ontario to the Municipality under the Dedicated Gas Tax Funds for Public Transportation Program;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The Mayor and General Manager, Finance & Corporate Services are authorized and directed to sign the Letter of Agreement between the City of Hamilton and His Majesty the King in right of Ontario, as represented by the Minister of Transportation which is attached Schedule A and forms part of this By-law.
2. This By-law may be cited for all purposes as the 2022/2023 City of Hamilton/Ministry of Transportation Gas Tax Funding Agreement Bylaw.
3. This By-law is deemed to have come into force on March 29, 2023.

**PASSED** this 29<sup>th</sup> day of March 29, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Ministry of  
Transportation**

Office of the Minister

777 Bay Street, 5<sup>th</sup> Floor  
Toronto ON M7A 1Z8  
416 327-9200  
www.ontario.ca/transportation

**Ministère des  
Transports**

Bureau de la ministre

777, rue Bay, 5<sup>e</sup> étage  
Toronto ON M7A 1Z8  
416 327-9200  
www.ontario.ca/transports



February 24, 2023

107-2023-555

Mayor Andrea Horwath  
City of Hamilton  
71 Main Street West  
Hamilton ON L8P 4Y5

Dear Mayor Horwath:

**RE: Dedicated Gas Tax Funds for Public Transportation Program**

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This Letter of Agreement between the **City of Hamilton** (the "Municipality") and His Majesty the King in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario (the "Ministry"), sets out the terms and conditions for the provision and use of dedicated gas tax funds under the Dedicated Gas Tax Funds for Public Transportation Program (the "Program"). Under the Program, the Province of Ontario provides two cents out of the provincial gas tax to municipalities to improve Ontario's transportation network and support economic development in communities for public transportation expenditures.

The Ministry intends to provide dedicated gas tax funds to the Municipality in accordance with the terms and conditions set out in this Letter of Agreement and the enclosed Dedicated Gas Tax Funds for Public Transportation Program 2022-23 Guidelines and Requirements (the "guidelines and requirements").

In consideration of the mutual covenants and agreements contained in this Letter of Agreement and the guidelines and requirements, which the Municipality has reviewed and understands and are hereby incorporated by reference, and other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Ministry and the Municipality agree as follows:

1. To support local public transportation services in the Municipality, the Ministry agrees to provide funding to the Municipality under the Program to a maximum amount of up to **\$12,006,354** ("the "Maximum Funds") in accordance with, and subject to, the terms and conditions set out in this Letter of Agreement and, for greater clarity, the guidelines and requirements.
2. Subject to Section 1, the Ministry will, upon receipt of a fully signed copy of this Letter of Agreement and a copy of the authorizing municipal by-law(s) and, if applicable, resolution(s) for the Municipality to enter into this Letter of Agreement, provide the Municipality with **\$9,004,766**; and any remaining payment(s) will be provided thereafter.

-2-

3. If another municipality authorizes the Municipality to provide local public transportation services on its behalf and authorizes the Municipality to request and receive dedicated gas tax funds for those services also on its behalf, the Municipality will in the by-law(s) and, if applicable, resolution(s) described in Section 2 confirm that the Municipality has the authority to provide those services and request and receive those funds.
4. The Municipality agrees that any amount payable under this Letter of Agreement may be subject, at the Ministry's sole discretion, to any other adjustments as set out in the guidelines and requirements.
5. The Municipality will deposit the funds received under this Letter of Agreement in a dedicated gas tax funds reserve account, and use such funds and any related interest only in accordance with the guidelines and requirements.
6. The Municipality will adhere to the reporting and accountability measures set out in the guidelines and requirements, and will provide all requested documents to the Ministry.
7. The Municipality agrees that the funding provided to the Municipality pursuant to this Letter of Agreement represents the full extent of the financial contribution from the Ministry and the Province of Ontario under the Program for the 2022-23 Program year.
8. The Ministry may terminate this Letter of Agreement at any time, without liability, penalty or costs upon giving at least thirty (30) days written notice to the Municipality. If the Ministry terminates this Letter of Agreement, the Ministry may take one or more of the following actions: (a) cancel all further payments of dedicated gas tax funds; (b) demand the payment of any dedicated gas tax funds remaining in the possession or under the control of the Municipality; and (c) determine the reasonable costs for the Municipality to terminate any binding agreement(s) for the acquisition of eligible public transportation services acquired, or to be acquired, with dedicated gas tax funds provided under this Letter of Agreement, and do either or both of the following: (i) permit the Municipality to offset such costs against the amount the Municipality owes pursuant to paragraph 8(b); and (ii) subject to Section 1, provide the Municipality with funding to cover, in whole or in part, such costs. The funding may be provided only if there is an appropriation for this purpose, and in no event will the funding result in the Maximum Funding exceeding the amount specified under Section 1.
9. Any provisions which by their nature are intended to survive the termination or expiration of this Letter of Agreement including, without limitation, those related to disposition, accountability, records, audit, inspection, reporting, communication, liability, indemnity, and rights and remedies will survive its termination or expiration.
10. This Letter of Agreement may only be amended by a written agreement duly executed by the Ministry and the Municipality.
11. The Municipality agrees that it will not assign any of its rights or obligations, or both, under this Letter of Agreement.

.../3

-3-

12. The invalidity or unenforceability of any provision of this Letter of Agreement will not affect the validity or enforceability of any other provision of this Letter of Agreement. Any invalid or unenforceable provision will be deemed to be severed.
13. The term of this Letter of Agreement will commence on the date of the last signature of this Letter of Agreement.
14. The Municipality hereby consents to the execution by the Ministry of this Letter of Agreement by means of an electronic signature.

If the Municipality is satisfied with and accepts the terms and conditions of this Letter of Agreement, please print and secure the required signatures, and then deliver a fully signed pdf copy to the Ministry at the email account below. Subject to the province's prior written consent, including any terms and conditions the Ministry may attach to the consent, the Municipality may execute and deliver the Letter of Agreement to the Ministry electronically. In addition, all program documents are also to be sent to the following email account:  
[MTO-PGT@ontario.ca](mailto:MTO-PGT@ontario.ca)

Sincerely,



Caroline Mulroney  
Minister of Transportation

I have read and understand the terms and conditions of this Letter of Agreement, as set out above, and, by signing below, I am signifying the Municipality's consent to be bound by these terms and conditions.

**Municipality**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (print):  
Title (head of council or  
authorized delegate):

I have authority to bind the Municipality.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Name (print):  
Title (clerk or authorized delegate):

I have authority to bind the Municipality.

**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PD01184)  
CM: October 16, 2001  
Ward: 9

**Bill No. 050**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **Removal of Part Lot Control, Block 246, Registered Plan No. 62M-1257, Municipally Known as 185 Bedrock Drive, Stoney Creek**

**WHEREAS** the sub-section 50(5) of the *Planning Act*, (R.S.O. 1990, Chapter P.13, as amended, establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** sub-section 50(7) of the *Planning Act*, provides as follows:

“(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.”

**AND WHEREAS** the Council of the City of Hamilton is desirous of enacting such a by-law with respect to the lands hereinafter described;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sub-section 5 of Section 50 of the *Planning Act*, for the purpose of creating 55 lots for street townhouse dwellings shown (Parts 1-18, 25, 27, 28, 33, 35-42, 45-61, 67, 78-89, 90-103 inclusive) storm drainage easements (Parts 84, 86, 88-89, and 90-103 inclusive), and land comprised of a private road, sidewalk and visitor parking for a Common Element Condominium (Parts 85-87 and 104 inclusive) on deposited Reference Plan 62R-21655 shall not apply to the portion of the Registered Plan of Subdivision that is designated as follows, namely:

Block 246, Registered Plan No. 62M-1257, in the City of Hamilton.

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. This by-law shall expire and cease to be of any force or effect on the 29<sup>th</sup> day of March, 2025.

**PASSED** this 29<sup>th</sup> day of March, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

PLC-21-003E

**Authority:** Item 14, Committee of the Whole  
 Report 01-003 (FCS01007)  
 CM: February 6, 2001  
 Ward: 1,2,3,4,6,8,9,11,12

**Bill No. 051**

**CITY OF HAMILTON  
 BY-LAW NO. 23-**

**To Amend By-law No. 01-218, as amended,  
 Being a By-law To Regulate On-Street Parking**

**WHEREAS** Section 11(1)1 of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
8 - No Parking	E	Cannon	Both	Balsam to Ottawa	Anytime	Deleting
8 - No Parking	F	Allcroft Court	East	Utter Place to northerly end	December 1st to March 31st	Adding
8 - No Parking	G	Cannon Street East	South	33 metres west of Ottawa Street North to 6 metres west thereof	Anytime	Adding
8 - No Parking	E	Cannon Street East	North	Balsam Avenue North to Ottawa Street North	Anytime	Adding
8 - No Parking	E	Cannon Street East	South	Balsam Avenue North to 39 metres west of Ottawa Street North	Anytime	Adding
8 - No Parking	E	Farah Court	Both	Upper Gage to westerly end	Anytime	Adding
8 - No Parking	E	Fortissimo Drive	East	Citino Drive to northerly end	December 1st to March 31st	Adding
8 - No Parking	A	Garner Road West	Both	Wilson Street West to McClure Road	Anytime	Adding

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

8 - No Parking	F	King Street East	Both	Gray Road to Highway 8	Anytime	Adding
8 - No Parking	E	Mary Street	East	71 metres north of Barton Street to 24 metres north thereof	9:00 a.m. to 5:00 p.m. Monday to Friday	Adding
8 - No Parking	F	Utter Place	South	Morrissey Boulevard to easterly end	December 1st to March 31st	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
12 - Permit	E	Balmoral Avenue North	East	16 metres north of Roxborough Avenue to 6 metres north thereof	Anytime	Adding
12 - Permit	E	Cameron Avenue North	West	22 metres north of Roxborough Avenue to 6 metres north thereof	Anytime	Adding
12 - Permit	E	Cheever Street	East	20 metres south of Mars Avenue to 6 metres south thereof	Anytime	Adding
12 - Permit	E	Clyde Street	West	70 metres north of Cannon Street East to 6 metres north thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
13 - No Stopping	A	Kitty Murray Lane	West	76 metres north of Emick Drive to 83 metres north thereof	Anytime	Adding
13 - No Stopping	A	Kitty Murray Lane	East	78 metres north of Emick Drive to 81 metres north thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/Deleting
23 - Special Enf. Area	D	Armes Street	Both	McWatters Street to Pumpkin Pass	September 1 - June 30	Adding
23 - Special Enf. Area	D	Bradley Avenue	Both	Magnificent Way to Windwood Drive	September 1 - June 30	Adding
23 - Special Enf. Area	D	Fall Fair Way	Both	Valiant Circle to 110m north of Pumpkin Pass	September 1 - June 30	Adding
23 - Special Enf. Area	D	Fletcher Road	Both	35 metres north of McWatters Street to 35 metres south of Pumpkin Pass	September 1 - June 30	Adding
23 - Special Enf. Area	D	Great Oak Trail	Both	Magnificent Way to Windwood Drive	September 1 - June 30	Adding
23 - Special Enf. Area	D	Magnificent Way	Both	Bradley Avenue to Great Oak Trail	September 1 - June 30	Adding

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

Page 3 of 3

23 - Special Enf. Area	D	<b>McWatters Street</b>	Both	Fletcher Road to Armes Street	September 1 - June 30	Adding
23 - Special Enf. Area	D	<b>Pumpkin Pass</b>	Both	Hitching Post Ridge to Fall Fair Way	September 1 - June 30	Adding
23 - Special Enf. Area	D	<b>Pumpkin Pass</b>	Both	Fletcher Road to Armes Street	September 1 - June 30	Adding
23 - Special Enf. Area	D	<b>Windwood Drive</b>	Both	Bradley Avenue to Great Oak Trail	September 1 - June 30	Adding
23 - Special Enf. Area	E	<b>Dundurn Street</b>	Both	63 metres south of Herkimer Street to Homewood Avenue	September 1 - June 30	Adding
23 - Special Enf. Area	E	<b>Homewood Avenue</b>	Both	Dundurn Street South to 155 metres west thereof	September 1 - June 30	Adding
23 - Special Enf. Area	E	<b>Stanley Avenue</b>	Both	Dundurn Street South to 95 metres west thereof	September 1 - June 30	Adding
23 - Special Enf. Area	E	<b>Stanley Avenue</b>	Both	Dundurn Street South to 20m east thereof	September 1 - June 30	Adding

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED** this 29<sup>th</sup> day of March, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 1(h), Audit, Finance and  
Administration Committee Report  
23-004 (AUD23005)  
CM: March 29, 2023  
Ward: City Wide

**Bill No. 052**

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

**To Amend By-law No. 19-180, the City Auditor By-law**

**WHEREAS** Council enacted a City Auditor By-law being City of Hamilton By-law No. 19-180;

**AND WHEREAS** it is necessary to amend By-law 19-180.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That By-law No. 19-180 be amended by repealing every reference to “Office of the City Auditor” and replacing such references with “Office of the Auditor General”.
2. That By-law No. 19-180 be amended by repealing every reference to “City Auditor” and replacing such references with “Auditor General”.
3. That By-law No. 19-180 be amended by deleting section 3 and renumbering the remaining sections accordingly.
4. This By-law comes into force on the day it is passed.

**PASSED** this 29<sup>th</sup> day of March, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**Authority:** Item 1(i), Audit, Finance and  
Administration Committee Report 23-  
004 (AUD23005)  
CM: March 29, 2023  
Ward: City Wide

**Bill No. 053**

## **CITY OF HAMILTON**

### **BY-LAW NO. 23-**

#### **To Amend By-law No. 19-181, the Whistleblower By-law**

**WHEREAS** Council enacted a Whistleblower By-law being City of Hamilton By-law No. 19-181;

**AND WHEREAS** it is necessary to amend By-law 19-181.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That By-law No. 19-181 be amended by repealing every reference to “Office of the City Auditor” and replacing such references with “Office of the Auditor General”.
2. That By-law No. 19-181 be amended by repealing every reference to “City Auditor” and replacing such references with “Auditor General”.
3. That By-law 19-181 be amended by repealing the first WHEREAS clause and replacing it with the following:

**WHEREAS** Council of the City of Hamilton desires to put into place a mechanism whereby, under appropriate circumstances, (i) employees who disclose serious wrongdoing regarding City operations; and (ii) employees who disclose information as cooperating witnesses in whistleblower investigations, are protected from reprisal and whereby, under appropriate circumstances, investigations or alternative actions are undertaken in response to such disclosures;

4. That By-law 19-181 be amended by repealing subsection 1(b) and replacing it as follows:
  - (b) the protection from reprisals of (i) employees for making disclosures of serious wrongdoing when such disclosures are qualifying disclosures; and (ii) employees who disclose information as cooperating witnesses in whistleblower investigations when the employee has had no direct or indirect involvement in the serious wrongdoing under investigation, including prescribing the conduct of employees with supervisory or management responsibilities and members of Council with respect to the provision of protection from reprisals; and

5. That By-law 19-181 be amended by repealing the definition of reprisal and replacing it with the following:

"reprisal" means any of the following measures taken against (i) an employee because the employee has made a qualifying disclosure; or (ii) an employee who discloses information as a cooperating witness in whistleblower investigations when the employee has had no direct or indirect involvement in the serious wrongdoing under investigation:

- (a) the dismissal, suspension, demotion, discipline, harassment of an employee;
- (b) the denial of a benefit of employment to an employee;
- (c) any other disadvantaging of an employee;
- (d) or the threat to take any of the measure in paragraphs (a) to (c) inclusive;

6. The By-law comes into force on the day it is passed.

**PASSED** this 29<sup>th</sup> day of March, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk

**CITY OF HAMILTON**

**BY-LAW NO. 23-**

To Confirm the Proceedings of City Council at its meeting held on March 29, 2023.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 29<sup>th</sup> day of March 2023, in respect of each recommendation contained in

Sole Voting Member of the Hamilton Farmers' Market Report 23-001 – February 23, 2023,

General Issues Committee (Special) Report 23-008 – February 28, 2023,

General Issues Committee (Budget) Report 23-001 – January-March 2023,

General Issues Committee (Special) Report 23-009 – March 9, 2023,

Board of Health Report 23-003 – March 20, 2023,

Public Works Committee Report 23-003 – March 20, 2023,

Planning Committee Report 23-004 – March 21, 2023,

General Issues Committee Report 23-010 – March 22, 2023,

Audit, Finance & Administration Committee Report 23-004 – March 23, 2023,

Emergency & Community Services Committee Report 23-004 – March 23, 2023,

City of Hamilton's Integrity Commissioner's Report Regarding Conflict of Interest Complaint Against Councillor Pauls – March 23, 2023,

General Issues Committee (Special) Report 23-011 – March 24, 2023,

and

CityHousing Hamilton Shareholder Report 23-001 – March 27, 2023

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting is hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

**PASSED** this 22<sup>nd</sup> day of February, 2023.

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A. Horwath  
Mayor

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A. Holland  
City Clerk