



## City of Hamilton

### CITY COUNCIL ADDENDUM

Wednesday, September 27, 2023, 9:30 A.M.

Council Chambers

Hamilton City Hall

71 Main Street West

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#### 5. COMMUNICATIONS

- \*5.4 Correspondence from the Honourable Paul Calandra, Minister of Municipal Affairs and Housing responding to the Housing Affordability Task Force's Recommendations.

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

- \*5.5 Correspondence from Lisa Burnside, Chief Administrative Officer, Hamilton Conservation Authority requesting Council's support for the direction to reverse the changes to the Conservation Authorities Act and Ontario Wetland Evaluation System.

Recommendation: Be *endorsed*.

- 5.6 Correspondence respecting Report PW23052, Management of the Aviary at 86 Oak Knoll Drive (Ward 1):

\*i. Marissa Casale, Board Director, The Hamilton Aviary

\*j. Samantha Emmerson

\*k. Anne Dwyer

- \*l. Andrea Phair
- \*m. Alison Forde
- \*n. Andrea Harewood
- \*o. Jacob Hagey
- \*p. Scott Crooker
- \*q. Sara Jenivieve
- \*r. Lisa Johnston

Recommendation: Be received and referred to the consideration of Item 7 of Public Works Committee Report 23-013, September 18, 2023.

- \*5.7 Correspondence from Lisa Gagnon, Director, Corporate Services, Niagara Peninsula Conservation Authority (NPCA) respecting the NPCA's 2024 Budget and Municipal Levies.

Recommendation: Be received.

## **7. MOTIONS**

- \*7.3 Resignation and Appointment - Hamilton Police Services Board Selection Committee  
REVISED

## **8. NOTICES OF MOTIONS**

- \*8.1 City's Support for the Doors Open Event in 2024
- \*8.2 Independent Third Party Air Monitoring at GFL Stoney Creek Landfill

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

- \*12.5 181 REVISED

To Amend By-law No. 01-218, as amended, To Regulate On-Street Parking  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 14 (Wheelchair Loading Zones)  
Schedule 15 (Commercial Vehicle Loading Zones)  
Schedule 16 (Taxi Stand)



September 15, 2023

Dear Head of Council,

**Subject: Responding to the Housing Affordability Task Force's  
Recommendations**

As you know, in February 2022, the Housing Affordability Task Force delivered [its final report](#) with recommendations to help Ontario tackle the housing supply crisis and build at least 1.5 million homes by 2031. Including sub-items and appendices, the Task Force made 74 unique recommendations. While Ontario has made progress in acting on these recommendations — with 23 implemented to date helping to achieve the highest level of housing starts in over three decades — as the province grows at incredible speed, all levels of government need to do more.

To bring the dream of home ownership into reach for more people, I have asked my ministry to renew its efforts to review and, where possible, implement the Task Force's remaining recommendations with minimal delay. As part of that review, I am asking for your position, as head of council, on all 74 recommendations, as well as for you to prioritize your top five recommendations for future consideration. For these top five priorities, this could include your advice to revisit the way a recommendation has been implemented up to this point (for example, the Task Force's recommendation to allow as-of-right zoning for four units on a single residential lot, compared to the province's current baseline of allowing three units as-of-right with the option for municipalities to adopt a higher density threshold if they choose), as well as how some of the recommendations could or should be implemented with amendments.

Accompanying this letter, you will find a chart containing the full list of 74 Task Force recommendations. Please fill in this chart, indicating whether you as the leader of your municipality support each recommendation. At the top of the chart, I ask that you rank the top five Task Force recommendations that you feel would be, or have been, the most useful in increasing housing supply in your community and across Ontario.

As we look to do more to solve the housing supply and affordability crisis together, it's important for the province to have a full understanding of our municipal partners' positions on these recommendations as quickly as possible. I ask that you **please return the completed chart to [housingsupply@ontario.ca](mailto:housingsupply@ontario.ca) no later than October 16, 2023.**

At the same time, we cannot afford to deploy resources or enable tools where they won't be used or optimized. Now more than ever, we need clarity about your views. As such, failing to return this chart completed in full by October 16, 2023 **will disqualify your municipality from being eligible for the province's new \$1.2 billion Building Faster Fund** that was announced at the Association of Municipalities of Ontario conference in August. To make this process easy and efficient for you, we have standardized the feedback form with very simple 'support' or 'oppose' options.

I look forward to continuing our work together to ensure that more people can afford a place to call home.

Sincerely,



The Hon. Paul Calandra  
Minister of Municipal Affairs and Housing

c: Hon. Rob Flack, Associate Minister of Housing  
Kirstin Jensen, Interim Chief of Staff, Minister's Office  
Martha Greenberg, Deputy Minister  
Joshua Paul, Assistant Deputy Minister, Market Housing Division  
Sean Fraser, Assistant Deputy Minister, Planning and Growth Division  
Caspar Hall, Assistant Deputy Minister, Local Government Division

Attachment:

List of 74 Housing Affordability Task Force (HATF) Recommendations for Response

**Attachment: List of 74 Housing Affordability Task Force (HATF) Recommendations for Response**

Please identify the top 5 HATF recommendations that you support, and rationale / comments	
1.	
2.	
3.	
4.	
5.	

<b>HATF Recommendation</b> <i>(Note: Bracketed numbers are per the numbering in the original Task Force report; numbering in the first column is for Ministry use)</i> <i>Recommendations with an asterisk * have been implemented</i>		<b>Support or Oppose</b> (Mandatory Field – Please only mark with an ‘X’ as appropriate)	
1.	1) Set a goal of building 1.5 million new homes in ten years.*	Support	Oppose
2.	2) Amending the Planning Act, Provincial Policy Statement, and Growth Plans to set “growth in the full spectrum of housing supply” and “intensification within existing built-up areas” of municipalities as the most important residential housing priorities in the mandate and purpose.	Support	Oppose
3.	3) a) Limit exclusionary zoning in municipalities through binding provincial action: allow “as of right” residential housing up to four units and up to four storeys on a single residential lot.*	Support	Oppose
4.	3 b) Modernize the Building Code and other policies to remove any barriers to affordable construction and to ensure meaningful implementation (e.g., allow single-staircase construction for up to four storeys, allow single egress, etc.)	Support	Oppose
5.	4) Permit “as of right” conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use.	Support	Oppose
6.	5) Permit “as of right” secondary suites, garden suites, and laneway houses province-wide.*	Support	Oppose

7.	6) Permit “as of right” multi-tenant housing (renting rooms within a dwelling) province-wide.		Support		Oppose
8.	7) Encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children.		Support		Oppose
9.	8) Allow “as of right” zoning up to unlimited height and unlimited density in the immediate proximity of individual major transit stations within two years if municipal zoning remains insufficient to meet provincial density targets.		Support		Oppose
10.	9) Allow “as of right” zoning of six to 11 storeys with no minimum parking requirements on any streets that have direct access to public transit (including streets on bus and streetcar routes).		Support		Oppose
11.	10) Designate or rezone as mixed commercial and residential use all land along transit corridors and re-designate all Residential Apartment to mixed commercial and residential zoning in Toronto.		Support		Oppose
12.	11) Support responsible housing growth on undeveloped land, including outside existing municipal boundaries, by building necessary infrastructure to support higher density housing and complete communities and applying the recommendations of this report to all undeveloped land.		Support		Oppose
13.	12) a) Create a more permissive land use, planning, and approvals system: Repeal or override municipal policies, zoning, or plans that prioritize the preservation of physical character of neighbourhood.*		Support		Oppose
14.	12 b) Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances.*		Support		Oppose
15.	12 c) Establish provinciewide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act and reduce or eliminate minimum parking requirements.		Support		Oppose
16.	12 d) Remove any floorplate (sic) restrictions to allow larger, more efficient high-density towers.		Support		Oppose
17.	13) Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the Planning Act.		Support		Oppose
18.	14) Require that public consultations provide digital participation options.		Support		Oppose

19.	15) Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants through a simplified review and approval process, without the ability to withdraw Council's delegation.*		Support		Oppose
20.	16) a) Prevent abuse of the heritage preservation and designation process by: prohibiting the use of bulk listing on municipal heritage registers.*		Support		Oppose
21.	16 b) Prohibiting reactive heritage designations after a Planning Act development application has been filed.*		Support		Oppose
22.	17) Requiring municipalities to compensate property owners for loss of property value as a result of heritage designations, based on the principle of best economic use of land.		Support		Oppose
23.	18) Restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews.*		Support		Oppose
24.	19) Legislate timelines at each stage of the provincial and municipal review process, including site plan, minor variance, and provincial reviews, and deem an application approved if the legislated response time is exceeded.*		Support		Oppose
25.	20) Fund the creation of "approvals facilitators" with the authority to quickly resolve conflicts among municipal and/or provincial authorities and ensure timelines are met.*		Support		Oppose
26.	21) Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines what constitutes a complete application; confirms the number of consultations established in the previous recommendations; and clarifies that if a member of a regulated profession such as a professional engineer has stamped an application, the municipality has no liability and no additional stamp is needed.		Support		Oppose
27.	22) Simplify planning legislation and policy documents.		Support		Oppose
28.	23) Create a common, province-wide definition of plan of subdivision and standard set of conditions which clarify which may be included; require the use of standard province-wide legal agreements and, where feasible, plans of subdivision.		Support		Oppose
29.	24) Allow wood construction of up to 12 storeys.*		Support		Oppose
30.	25) Require municipalities to provide the option of pay on demand surety bonds and letters of credit.		Support		Oppose

31.	26) Require appellants to promptly seek permission (“leave to appeal”) of the OLT and demonstrate that an appeal has merit, relying on evidence and expert reports, before it is accepted.		Support		Oppose
32.	27) a) Prevent abuse of process: remove right of appeal for projects with at least 30% affordable housing in which units are guaranteed affordable for 40 years.		Support		Oppose
33.	27 b) Require a \$10,000 filing fee for third party appeals.*		Support		Oppose
34.	27 c) Provide discretion to adjudicators to award full costs to the successful party in any appeal brought by a third party or by a municipality where its council has overridden a recommended staff approval.		Support		Oppose
35.	28) Encourage greater use of oral decisions issued the day of the hearing, with written reasons to follow, and allow those decisions to become binding the day that they are issued.*		Support		Oppose
36.	29) Where it is found that a municipality has refused an application simply to avoid a deemed approval for lack of decision, allow the Tribunal to award punitive damages.		Support		Oppose
37.	30) Provide funding to increase staffing (adjudicators and case managers), provide market-competitive salaries, outsource more matters to mediators, and set shorter time targets.		Support		Oppose
38.	31) In clearing the existing backlog, encourage the Tribunal to prioritize projects close to the finish line that will support housing growth and intensification, as well as regional water or utility infrastructure decisions that will unlock significant housing capacity.		Support		Oppose
39.	32) Waive development charges and parkland cash-in-lieu and charge only modest connection fees for all infill residential projects up to 10 units or for any development where no new material infrastructure will be required.		Support		Oppose
40.	33) Waive development charges on all forms of affordable housing guaranteed to be affordable for 40 years.		Support		Oppose
41.	34) Prohibit interest rates on development charges higher than a municipality’s borrowing rate.*		Support		Oppose
42.	35 a) Regarding cash in lieu of parkland, s.37, Community Benefit Charges, and development charges: Provincial review of reserve levels, collections and drawdowns annually to ensure funds are being used in a timely fashion and for the intended purpose, and, where review points to a significant concern, do not allow further collection until the situation has been corrected.		Support		Oppose
43.	35 b) Except where allocated towards municipality-wide infrastructure projects, require municipalities to spend funds in the neighbourhoods where they were collected. However, where		Support		Oppose



	there's a significant community need in a priority area of the City, allow for specific ward to ward allocation of unspent and unallocated reserves.			
44.	36) Recommend that the federal government and provincial governments update HST rebate to reflect current home prices and begin indexing, and that the federal government match the provincial 75% rebate and remove any clawback.		Support	Oppose
45.	37) Align property taxes for purpose-built rental with those of condos and low-rise homes.		Support	Oppose
46.	38) Amend the Planning Act and Perpetuities Act to extend the maximum period for land leases and restrictive covenants on land to 40 or more years.*		Support	Oppose
47.	39) Eliminate or reduce tax disincentives to housing growth.		Support	Oppose
48.	40) Call on the Federal Government to implement an Urban, Rural and Northern Indigenous Housing Strategy.*		Support	Oppose
49.	41) Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first-generation homeowners.		Support	Oppose
50.	42) Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.		Support	Oppose
51.	43) Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued.		Support	Oppose
52.	44) Work with municipalities to develop and implement a municipal services corporation utility model for water and wastewater under which the municipal corporation would borrow and amortize costs among customers instead of using development charges.		Support	Oppose
53.	45) Improve funding for colleges, trade schools, and apprenticeships, encourage and incentivize municipalities, unions and employers to provide more on-the-job training.*		Support	Oppose
54.	46) Undertake multi-stakeholder education program to promote skilled trades.*		Support	Oppose
55.	47) Recommend that the federal and provincial government prioritize skilled trades and adjust the immigration points system to strongly favour needed trades and expedite immigration status for these workers and encourage the federal government to increase from 9,000 to 20,000 the number of immigrants admitted through Ontario's program.*		Support	Oppose

56.	48) The Ontario government should establish a large “Ontario Housing Delivery Fund” and encourage the federal government to match funding. This fund should reward: a) Annual housing growth that meets or exceeds provincial targets b) Reductions in total approval times for new housing c) The speedy removal of exclusionary zoning practices	Support	Oppose
57.	49) Reductions in funding to municipalities that fail to meet provincial housing growth and approval timeline targets	Support	Oppose
58.	50) Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of a common data architecture standard, supported by an external expert committee, across municipalities and provincial agencies/ministries and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.	Support	Oppose
59.	51) Require municipalities and the provincial government to use the Ministry of Finance population projections as the basis for housing need analysis and related land use requirements.	Support	Oppose
60.	52) Resume reporting on housing data and require consistent municipal reporting, enforcing compliance as a requirement for accessing programs under the Ontario Housing Delivery Fund.*	Support	Oppose
61.	53) Report each year at the municipal and provincial level on any gap between demand and supply by housing type and location, and make underlying data freely available to the public.	Support	Oppose
62.	54) Empower the Deputy Minister of Municipal Affairs and Housing to lead an all of government committee that meets weekly to ensure our remaining recommendations and any other productive ideas are implemented.	Support	Oppose
63.	55) Commit to evaluate these recommendations for the next three years with public reporting on progress.*	Support	Oppose
64.	B-1) Call upon the federal government to provide equitable affordable housing funding to Ontario.*	Support	Oppose
65.	B-2) Develop and legislate a clear, province-wide definition of “affordable housing” to create certainty and predictability.	Support	Oppose
66.	B-3) Create an Affordable Housing Trust from a portion of Land Transfer Tax Revenue (i.e., the windfall resulting from property price appreciation) to be used in partnership with developers, non-profits, and municipalities in the creation of more affordable housing units. This Trust should create	Support	Oppose

	incentives for projects serving and brought forward by Black- and Indigenous-led developers and marginalized groups.			
67.	<p>B-4) Amend legislation to:</p> <ul style="list-style-type: none"> <li>• Allow cash-in-lieu payments for Inclusionary Zoning units at the discretion of the municipality.</li> <li>• Require that municipalities utilize density bonusing or other incentives in all Inclusionary Zoning and Affordable Housing policies that apply to market housing.</li> <li>• Permit municipalities that have not passed Inclusionary Zoning policies to offer incentives and bonuses for affordable housing units.</li> </ul>		Support	Oppose
68.	B-5) Encourage government to closely monitor the effectiveness of Inclusionary Zoning policy in creating new affordable housing and to explore alternative funding methods that are predictable, consistent and transparent as a more viable alternative option to Inclusionary Zoning policies in the provision of affordable housing.		Support	Oppose
69.	B-6) Rebate MPAC market rate property tax assessment on below-market affordable homes.		Support	Oppose
70.	C-1) Review surplus lands and accelerate the sale and development through RFP of surplus government land and surrounding land by provincially pre-zoning for density, affordable housing, and mixed or residential use.		Support	Oppose
71.	C-2) All future government land sales, whether commercial or residential, should have an affordable housing component of at least 20%.		Support	Oppose
72.	C-3) Purposefully upzone underdeveloped or underutilized Crown property (e.g., LCBO).		Support	Oppose
73.	C-4) Sell Crown land and reoccupy as a tenant in a higher density building or relocate services outside of major population centres where land is considerably less expensive.		Support	Oppose
74.	C-5) The policy priority of adding to the housing supply, including affordable units, should be reflected in the way surplus land is offered for sale, allowing bidders to structure their proposals accordingly.		Support	Oppose



A Healthy Watershed for Everyone

Via Email: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

September 15, 2023

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

**Re: Reverse Changes to the Conservation Authorities Act and Ontario Wetland  
Evaluation System**

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Dear Ms. Holland,

The Hamilton Conservation Authority (HCA) Board of Directors passed the following resolution, brought forward at its September 7, 2023 meeting:

**Resolution No.  
BD12, 3243**

**MOVED BY: Brian McHattie  
SECONDED BY: Craig Cassar**

**Whereas over the past several years the Provincial Government has amended the Conservation Authorities Act to reduce the effectiveness of Conservation Authorities in protecting natural heritage (i.e., Bill 23), and;**

**Whereas, the Provincially Significant Wetland Evaluation System has also been changed leading Conservation Ontario to estimate that over 80% of the wetlands that currently receive protection will lose this status, and;**

**Whereas, legislative changes implemented January 1, 2023 to Conservation Authority roles related to Natural Heritage and review under prescribed Acts as well changes to the Ontario Wetland Evaluation System, as well as remaining legislative changes regarding Conservation authority development regulations that have not yet come into effect, if implemented, would have serious unintended consequences, and;**

**Whereas recent reports by the Provincial Auditor-General and the**

**Integrity Commissioner have raised serious concerns on the bias and lack of transparency and fairness in the Greenbelt removals, drawing conclusions that the changes unfairly benefitted private landowners, and;**

**Whereas, the role of Conservation Authorities in protecting natural heritage and mitigating/ adapting for climate change has never been more important in light of the 6<sup>th</sup> Mass Extinction in biodiversity and the increasing possibility that Canada and the world will not meet the Paris Accord greenhouse gas target limiting temperature rise to less than 1.5 degrees Celsius, and;**

**Whereas the Hamilton Conservation Authority's ability to provide comments on natural heritage to the City of Hamilton is critical and must be restored.**

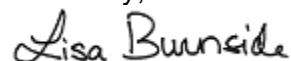
**Therefore:**

**That the Hamilton Conservation Authority Board of Directors respectfully request that:**

- a) the Province of Ontario reverse recent changes to the Conservation Authorities Act and Provincially Significant Wetland Evaluation System that adversely affect natural heritage protection, and;**
- b) the Province of Ontario's Auditor General undertake an investigation into the processes that were followed to make the above policy decisions, and whether this decision-making structure and its outcomes provide Ontarians with value for money, and;**
- c) That the Hamilton Conservation Authority Board requests that City of Hamilton Council provide similar direction to the Province of Ontario and;**
- d) That a copy of this Hamilton Conservation Authority Board of Director's motion be shared with local Members of Provincial Parliament, Conservation Ontario and all conservation authorities in Ontario.**

Please accept this correspondence for your information and consideration.

Sincerely,



Lisa Burnside  
Chief Administrative Officer

**Pilon, Janet**

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**Subject:** Correspondence for September 27th Council Meeting Re: THE HAMILTON AVIARY**From:** Marissa Casale**Sent:** September 25, 2023 10:34 PM**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca); Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>**Subject:** Correspondence for September 27th Council Meeting Re: THE HAMILTON AVIARY

Attention: Public Works Committee

Dear Councillors,

I write you this in hopes that you will see the value in The Hamilton Aviary that the community, volunteers and especially myself see. This is my personal story.

In 2015 I was in a severe accident. I was the victim of a random shooting when a man shot into the apartment I was visiting with a two barrel shotgun. I was forced to the balcony where I jumped from the third story. I injured my hip in the jump.

Fast forward to 2017 where I underwent hip surgery and was left bed bound for 7 weeks and months of physiotherapy. Not being mobile for such a long period time put me in severe depression, as I also dealt and still deal with crippling PTSD.

I was sent to do Dialectic Behavioural Therapy (DBT) in January of 2018. Little did I know it wasn't the therapy that was going to save me, it was the aviary. The nurse knew about my love of birds, (having one myself) and told me about The Hamilton Aviary.

The next weekend my little cousin and I went to visit. I walked into the greenhouse and was blown away by these big beautiful creatures that I had no idea existed in Hamilton. There was one specific bird that especially caught my attention, Baby. Baby was a Moluccan Cockatoo in his mid 20's. I never realized parrots could have such personality and affection. I started volunteering a couple weeks later. I volunteered on Monday morning's crew and also ran the Open Houses we had every Saturday from 1:00pm- 4:00pm. I then became a Board Director and have been ever since.

After being in such a terrible place with my mental health, I finally had a reason to get out of bed in the morning. I was there whenever I could be. Through that time I developed a personal bond with Baby. I adored him, he was my Saturday buddy. He would be out with me all afternoon. He was the sweetest and funniest parrot I had ever met and I loved him like he was my own. One night I was called because Baby had possibly injured his claw. I rushed down to the aviary to see him. After taking him to the vet the following day, we learned he was actually suffering from bone cancer. As a Board we had an impossible decision to make and in the best interest of Baby due to pain that bone cancer causes, we decided we needed to be his voice and end his suffering.

My heart shattered into a million pieces. Baby was being kept at Ontario Veterinary College in Guelph. The next day myself and fellow board member Tom Priestly drove out to Guelph to spend our last afternoon with Baby. I will never forget the moment I held him and he spread his wing to stretch over my chest as if he was giving me a goodbye hug. Baby was a Hamilton Aviary staple. He was born into the aviary and the community knew him. Still to this day we have people ask about Baby.

This is just one example of the heartbreaking decisions we have had to make as a board when it comes to aviary birds. The City has never had to make those decisions. They have never had to sit and worry about what the outcome of a vet visit would be. Yet here they are making this decision about our existence? It was mentioned that the Aviary doesn't meet the City's manifest however, I was under the assumption that the City values safe inclusive environments for their communities. That is what the Aviary is. Our volunteers pour their hearts into caring for the birds 365 days a year. The City is taking our organization from our volunteers. We have a volunteer who has been with us for over 25 years. If birds aren't of the City's interest, I would hope humanity is. The City isn't having to deal with our volunteers' emotions of losing something so close to their hearts. Our volunteers have grown bonds with these birds. These bonds will be ripped from our volunteers if we have to rehome the birds. There's many stories within our organization like mine. I would not be the person I am today without the Aviary and I can't fathom not being able to see them whenever I want. I have sat in our Umbrella Cockatoo Jessie's cage on countless occasions crying over life with her head in my lap while I give her scratches and it's those moments I couldn't imagine not having. These birds have been together for over 15 years and they have put their trust in us. They are being failed by the City at no fault of their own.

The City doesn't recognize that we are a part of Hamilton history. The aviary was started at Dundurn Castle in 1927 and has been running ever since. We are the longest running Aviary in North America. We've had visitors from around the world. We are a staple in the Westdale community and many families who come visit on Sundays. I ask you to see our worth. This is a Hamilton hidden gem and should be cherished not banished.

"Hamilton is home for the birds"

Regards,  
Marissa Casale  
Board Director  
The Hamilton Aviary

**Pilon, Janet**

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**Subject:** Hamilton Aviary PW23062 Management of the Aviary at Oak Knoll Drive, Ward 1

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**From:** Samantha Emmerson

**Sent:** September 26, 2023 12:27 AM

**To:** [clerk@hamilton.ca](mailto:clerk@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)>; Ward 2 <[ward2@hamilton.ca](mailto:ward2@hamilton.ca)>; Ward 1 Office <[ward1@hamilton.ca](mailto:ward1@hamilton.ca)>

**Subject:** Hamilton Aviary PW23062 Management of the Aviary at Oak Knoll Drive, Ward 1

Good day,

I was very disappointed to hear the Public's Works Committee voted to close the Hamilton Aviary.

The flock have been together for decades with trained volunteers. To break them up will likely have devastating effects on the birds.

Over the years our family has had great educational experiences at the Aviary that have been priceless. We need to keep this treasure in Hamilton.

Why can they not be housed at Gage Park Greenhouse?  
Or at a City Recreation Centre?

Regards,  
Samantha Emmerson



**Pilon, Janet**

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**Subject:** City Council Meeting, September 27, 2023-Agenda item PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

From: Anne Dwyer

Sent: September 26, 2023 8:27 AM

To: clerk@hamilton.ca

Cc: Ward 1 Office <ward1@hamilton.ca>

Subject: City Council Meeting, September 27, 2023-Agenda item PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

Hello,

I am writing to voice my support for the work that staff at The Aviary do and to express the importance of ensuring that the flock are re-homed, together, under the care of the trained Aviary volunteers.

Thank you,  
Anne Dwyer

**Pilon, Janet**

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**Subject:** City Council Meeting, September 27, 2023-Agenda item PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

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**From:** Andrea Phair

**Sent:** September 26, 2023 8:46 AM

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

**Cc:** Ward 1 Office <[ward1@hamilton.ca](mailto:ward1@hamilton.ca)>

**Subject:** City Council Meeting, September 27, 2023-Agenda item PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

Hello,

I am writing to voice my support for the work that staff at The Aviary do and to express the importance of ensuring that the flock are re-homed, together, under the care of the trained Aviary volunteers.

Thank you,  
Andrea Phair

**Pilon, Janet**

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**Subject:** City council meeting September 27, 2023. PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

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**From:** Alison Forde

**Sent:** September 26, 2023 9:43 AM

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

**Cc:** Ward 13 <[ward13@hamilton.ca](mailto:ward13@hamilton.ca)>; [info@hamiltonaviary.ca](mailto:info@hamiltonaviary.ca)

**Subject:** City council meeting September 27, 2023. PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

Hello,

I am writing in support of maintaining funding and a home in Hamilton for the Hamilton Aviary. As a parrot owner myself, I know how important it is for these birds to have a sense of safety, security, and continuity in their care, particularly if they have experienced trauma in their past. All of these rescued birds receive the best care at the Hamilton Aviary and it would be cruel to force them away from the people they trust. I understand finding a new home is necessary - surely this is not an impossible task, particularly with the generous support they have been receiving from the community.

Secondary to the birds' care is the phenomenal educational resource the Aviary provides to the community and visitors. Many people are aware of the fun side of parrots but not the care and attention they require throughout their very long lifespans. The Aviary is a credit to parrots around the world and contributes to animal welfare and conservation by educating about these species. Volunteers who may be considering having a parrot as a companion have the rewarding experience of working with rescues and deciding whether that type of responsibility is right for them - and on the flip side, those who might not be able to afford a parrot can still have the opportunity to be around them.

The Hamilton Aviary is a unique resource and attraction in the City that should be celebrated, not dismantled.

Thank you for your time,

Alison Forde

**Pilon, Janet**

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**Subject:** City Council Meeting, September 27, 2023 PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

From: ANDREA Harewood  
Sent: September 26, 2023 10:02 AM  
To: Office of Ward 3 City Councillor Nrinder Nann <ward3@hamilton.ca>  
Cc: clerk@hamilton.ca  
Subject: City Council Meeting, September 27, 2023 PW23062: Management of the Aviary at 85 Oak Knoll Drive (Ward 1)

Good Morning Councillor Nan & City Clerk,

First, I am grateful for what the Councillors & the City does for our community and in making Hamilton Family-Friendly. I am writing this letter in hopes that my small contribution of opinion would matter. I personally love animals and it would be a missed opportunity if we don't preserve the aviary. I strongly believe that the Hamilton Aviary at 85 Oak Knoll Drive would have a better future in a new location instead of rehoming the birds.

As the City builds up new infrastructures and gain in population, new family attractions would be beneficial in the long term. Relocating the aviary would create opportunities for families to have more places to enjoy with their children within the city and for more generations to come. It would also preserve the Aviary's legacy of their hard work and dedication in caring for the birds.

We have wonderful big parks around the city which would be a suitable location for the new aviary. The Aviary being situated in the park have its benefits: 1). Easy Parking Access for parents 2). Wonderful exploration experience for the little ones. 3). The Aviary have its dedicated space where the Birds can thrive and still be a part of the community.

I do appreciate your time and consideration. I am confident that you Councillor Nan and the City would consider the best decision in continuing to make Hamilton Family-Friendly. Have a great week!

Regards,  
Andrea

**Pilon, Janet**

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**Subject:** Aviary Relocation

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**From:** Jacob Hagey  
**Sent:** September 26, 2023 10:09 AM  
**To:** Kroetsch, Cameron <[Cameron.Kroetsch@hamilton.ca](mailto:Cameron.Kroetsch@hamilton.ca)>; [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Aviary Relocation

Hello counsellor and clerk,

I'm writing to advocate for the maintenance of the Aviary as is. The news of the relocation of the birds is very disheartening.

I used to work at a group home for low-functioning adults and finding different activities they enjoyed was often a challenging task. But the Aviary provided a place and activity that brought genuine happiness to those who aren't interested in much else. The relocation of the birds would end that and one things those adults really loved.

It would be a genuine disservice to those people and the community as a whole to close down the aviary.

The volunteers there are phenomenal and have always provided the best experience possibly for my clients. They were very kind and patient, especially when my clients would be distracted momentarily.

Please leave the aviary as is. It is a true benefit to the community and to a lot of those who need help living.

With all due respect and thank you,

Jacob Hagey

**Pilon, Janet**

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**Subject:** Hamilton Aviary

Tuesday September 26, 2023

My name is Scott Crooker, I started volunteering with the Aviary in 1992. I have a brain injury as a result of an accident in my youth, through the work of Hamilton Brain Injury Services, I was referred to the Aviary to volunteer, as a form of therapy, where I've remained for the last 31 years. The aviary has been deeply important to my mental health and well-being, It has taught me responsibility, self confidence and given my life enormous purpose. When I first started, it was at Dundurn Castle, then we were at Kenilworth Street jail for a year until we moved to the RBG teaching gardens at Churchill Park, in the fall of 1995. During all of my years there, I developed strong bonds with many of the birds that I handled and interacted with, I loved all of them deeply.

Over the years, the Hamilton Aviary has played an important role in providing entertainment, serenity, joy and most importantly, education for children and adults of knowledge of bird care.

The decision by the city of Hamilton, after all of these years, is a terrible one and very shortsighted , it would be tragic to lose such an important part of Hamilton's cultural history.

Sincerely,  
Scott Crooker  
Volunteer Crew Leader, Tuesday, Wednesday

Sent from my iPad

**Pilon, Janet**

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**Subject:** Aviary

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**From:** Sara Jenivieve

**Sent:** September 26, 2023 11:13 AM

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

**Subject:** Aviary

I am writing with concern over the city trying to split up the flock of the Hamilton aviary. Their work is without thanks and provides a safe home with trained personnel to care for them. I believe splitting the flock would be bad for the animals mental and physical health.

**Pilon, Janet**

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**Subject:** Hamilton Aviary**From:** Lisa Johnston**Sent:** September 26, 2023 11:31 AM**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)**Cc:** Francis, Matt <[Matt.Francis@hamilton.ca](mailto:Matt.Francis@hamilton.ca)>**Subject:** Hamilton Aviary

Tuesday September 26, 2023.

To the councillors, my name is Lisa Johnston, I am a volunteer with the Hamilton Aviary. I have proudly cared for the birds who reside in Churchill Park for 8 years, I have developed strong bonds over the years with the birds that I've looked after, I love them very much. Over the years, my experience and knowledge of these birds have improved exponentially. These birds thrive in our care. They are deeply loved not only by us, their stewards, but the countless numbers of people, families and children who come to see them, sing to them, read to them, loved them.

Through no fault of their own, these birds were taken out of Dundurn castle and placed in a temporary home at the old Kenilworth Street jail, and then placed in the old gardeners cottage at the teaching gardens in Churchill Park, and left to live out their lives in a shoddy old building for the last 25 years. Such as it was, all of the volunteers made the best of it, and as much as we could, made it a home for our birds. With the exception of paying for food and veterinary services by the city of Hamilton, of which we were grateful to at least have, that's where the "care" of the birds ended.

No promotion of these birds by either this city or the RBG, residing on their property, or the city of Hamilton was ever done, I find this shameful. Remarks made, on camera, by the former mayor, Fred Eisenberg was an absolutely cruel slap in the face to all of the people who volunteered and worked so hard with the birds. In case it was forgotten, he said, "just give it enough time, the problem will solve itself", when referring to the aviary. A truly



unforgivable, incredibly rude insult. It was hurtful, one that will never be forgotten. Actions such as these will not be looked upon favourably by future generations.

It was devastating to learn that the city of Hamilton and the RBG decided to pull the plug on this 96 year old institution. I found and still find this decision to be heartless, shortsighted, unconscionable, and void of any sort of example of kindness for living, breathing animals.

I am urging you to please reject the recommendation made by the public works department. These birds deserve a proper home in this city by this city.

Sincerely,  
Lisa Johnston  
Friday Volunteer Crew



**Pilon, Janet**

**Subject:** 2024 Budgets and Municipal Levies - 30-day Notice

**From:** Lise Gagnon <[lgagnon@npca.ca](mailto:lgagnon@npca.ca)>

**Sent:** Wednesday, September 20, 2023 4:19 PM

**To:** Holland, Andrea <[Andrea.Holland@hamilton.ca](mailto:Andrea.Holland@hamilton.ca)>; McMullen, Brian <[Brian.McMullen@hamilton.ca](mailto:Brian.McMullen@hamilton.ca)>; Weaver, Kirk <[Kirk.Weaver@hamilton.ca](mailto:Kirk.Weaver@hamilton.ca)>

**Cc:** Chandra Sharma <[csharma@npca.ca](mailto:csharma@npca.ca)>; Cathy Belic <[cbelic@npca.ca](mailto:cbelic@npca.ca)>

**Subject:** 2024 Budgets and Municipal Levies - 30-day Notice

Hi:

In compliance with provisions in the Conservation Act relating to 30-day notice for Board of Directors' review and approval of NPCA's 2024 Budgets and Municipal Levies, please note the following schedule for governance presentations:

- Finance Committee – Wednesday, September 27, 2023
- Board of Directors – Friday, October 20, 2023

Full details of 2024 Budgets including staff report(s) and appendices will be provided in advance of the Board of Directors meeting, and subsequent to the presentation to the Finance Committee. Note that all (draft) budget documents require Governance approval prior to distribution.

**2024 Levy Apportionment**

Municipality	2024	2023	Variance
Niagara	76.9641%	76.9585%	0.0056%
Hamilton	21.1370%	21.1484%	-0.0114%
Haldimand	1.8989%	1.8931%	0.0058%

**Operating**

NPCA's overall 2024 operating budget of \$13.303M is supported by 52.9% (\$7.041M) municipal levy, 41.4% (\$5.51M) self-generated revenue, and 5.7% (753K) other revenues and grants including provincial and federal funding. Overall, the operating volume in this zero-based budget is projected to increase by 3% (\$421K). While the operating volume has increased to address gaps and achieve required service levels, overall municipal levy contributions to the overall budget envelope continue a pattern of reduced reliance on the municipal levy:

- 2024 – 52.9%
- 2023 – 53.9%
- 2022 – 58.4%
- 2021 – 63.0%
- 2020 – 64.5%

**2024 Capital, Special Projects and Land Securement**

The 2024 Draft Capital, Special Projects and Land Securement budget represents past backlog and current critical priorities as well as a contribution to support NPCA land securement initiatives. In consideration of current pressures on municipal budgets, Staff are recommending a very conservative Special Levy Budget increase over 2023 for Capital and Special Projects of \$54,735 (3%). Anticipated land securement contributions are flat against 2023 ask.

We look forward to meeting with you next Wednesday to discuss NPCA's 2024 draft budgets.

Feel free to contact me should you need additional information and/or clarification.

**Lise Gagnon, CPA, CGA**  
**Director, Corporate Services**

Niagara Peninsula Conservation Authority (NPCA)  
250 Thorold Road West, 3<sup>rd</sup> Floor | Welland, ON L3C 3W2

Tel: 905-788-3135 Ext #258

Cell: 416-884-3939

[lgagnon@npca.ca](mailto:lgagnon@npca.ca)

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

# CITY OF HAMILTON

## MOTION

City Council: September 27, 2023

**MOVED BY COUNCILLOR T. JACKSON.....**

**SECONDED BY COUNCILLOR.....**

**Resignation and Appointment - Hamilton Police Services Board Selection Committee**

- (a) That Council accept Councillor E. Pauls' resignation from the Hamilton Police Services Board Selection Committee, effective immediately; and
- (b) That Councillor Cassar be appointed to the Hamilton Police Services Board Selection Committee, effective immediately.

# CITY OF HAMILTON

## NOTICE OF MOTION

Council: September 27, 2023

**MOVED BY COUNCILLOR C. KROETSCH.....**

### City's Support for the Doors Open Event in 2024

WHEREAS, Doors Open Hamilton is one of the 22 communities across the province that participate in the Ontario Heritage Trust Doors Open Program;

WHEREAS, Doors Open Hamilton in 2023 saw more than 12,000 visitors to 35 historic and cultural sites across the city;

WHEREAS, Doors Open Hamilton has for the last three years been led by the Architectural Conservancy of Ontario Hamilton Branch and the 2023 event relied on the services of more than 70 community volunteers;

WHEREAS, Doors Open Hamilton provides residents and visitors with access to many sites of historical and cultural significance in the City and therefore complements the Tourism and Culture Division's museums, programming and events;

WHEREAS, the City has in previous years provided in-kind support to Doors Open Hamilton programming in the form of staff support and free access to Hamilton Civic Museums and the Auchmar Manor House;

WHEREAS, the Tourism and Culture Division currently provides \$1500 in annual support to cover the cost of including Doors Open Hamilton on the Ontario Heritage Trust's Doors Open Ontario website; and

WHEREAS, there would be a benefit to the Doors Open event organizers, City staff and the community to enhance and formalize the City's support for the Doors Open event in 2024;

THEREFORE, BE IT RESOLVED:

- (a) That staff in the Tourism & Culture Division be authorized and directed to enter into a Memorandum of Understanding with the Architectural Conservancy of Ontario (Hamilton Chapter) and any other appropriate community organizations that addresses the following:
  - (i) how City staff can support the success of the 2024 Doors Open event through in-kind support of making City venues open and available during the event, and staffing of City venues during the event;
  - (ii) one-time provision of funding support from the City for the 2024 Doors Open event in the amount of \$15,000 to be funded from the Economic Development Initiatives Fund; and
  - (iii) appropriate performance expectations of the 2024 Doors Open event organizers with respect to the successful delivery of the event as it relates to the City's financial support.

# CITY OF HAMILTON

## NOTICE OF MOTION

Council: September 27, 2023

**MOVED BY COUNCILLOR B. CLARK.....**

### **Independent Third Party Air Monitoring at GFL Stoney Creek Landfill**

WHEREAS, the Ministry of the Environment, Conservation and Parks (MECP) air monitoring report has been received indicating no exceedances to the Ontario Air Quality Standards;

WHEREAS, many residents have expressed a level of distrust and are still concerned about the health impacts from breathing these odours virtually daily since the spring;

WHEREAS, the MECP and GFL representatives have indicated that there is no timeline to end the odours;

WHEREAS, the psychosocial impacts of this experience are negatively effected residents lives; and,

WHEREAS, the city of Hamilton has no legal authority over the landfill but do have a public health responsibility;

**THEEFORE, BE IT RESOLVED:**

That staff be directed to explore the ways and means to provide independent third party air monitoring for a minimum seven day period at GFL Stoney Creek Landfill to be funded by the Stoney Creek Compensation Royalties (GFL Landfill) Reserve 117036 and report back to the Public Health Committee.

**Authority:** Item 14, Committee of the Whole Report 01-003 (FCS01007)  
 Council Meeting: February 6, 2001 Wards: 1, 2, 3, 7, 12  
 Written approval for this by-law was given by Mayoral Decision MDE-2023-03 dated  
 September 27, 2023

**Bill No. 181**

## 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:

- By-law No. 01-218, as amended, is hereby further amended by adding/deleting from the identified Schedules and Sections noted in the table below as follows:

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
8 - No Parking	E	<b>Grant Ave.</b>	West	35m north of Allanson St. to 12m northerly	6 pm - 8 pm, Mondays Only - Except for Bookmobile	Deleting
8 - No Parking	E	<b>James</b>	East	King William to Rebecca	7:00 a.m. to 6:00 p.m. Monday to Friday	Deleting
8 - No Parking	E	<b>James</b>	East	from 73.1m north of Robert to 13.8m northerly	Anytime	Deleting
8 - No Parking	G	<b>James Street North</b>	East	12 metres south of Rebecca Street to 14 metres south thereof	Anytime	Deleting
8 - No Parking	A	<b>Southcote Rd.</b>	Both	Gray Court Drive to 239m southerly	Anytime	Deleting
8 - No Parking	E	<b>Cameo Avenue</b>	West & North	68 metres south of the east intersection with Carmen Avenue to 28 metres south thereof	Anytime	Adding



To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

8 - No Parking	E	<b>Cameo Avenue</b>	East & North	2 metres south of the west intersection with Carmen Avenue to 31 metres south thereof	Anytime	Adding
8 - No Parking	E	<b>Carmen Avenue</b>	East & South	53 metres north of the east intersection with Cameo Avenue to 26 metres north thereof	Anytime	Adding
8 - No Parking	E	<b>Grant Avenue</b>	West	35 metres north of Alanson Street to 12 metres north thereof	5:00 p.m. - 7:00 p.m., Mondays - Except for Bookmobile	Adding
8 - No Parking	A	<b>Southcote Road</b>	Both	Golf Links Road to Garner Road East	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
12 - Permit	E	<b>Lamoreaux Street</b>	South	108 metres west of Strathcona Avenue North to 6 metres west thereof	Anytime	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
14 - Wheelchair LZ	E	<b>Myrtle Avenue</b>	East	94 metres south of Main Street East to 8 metres south thereof	8:00 a.m. to 5:00 p.m. Monday to Friday	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
15 - Comm Veh LZ	E	<b>James St.</b>	East	From 27m south of King William and extending 30m southerly.	8:00 a.m. - 6:00 p.m. Monday to Saturday	Deleting
15 - Comm Veh LZ	E	<b>James St.</b>	East	From 63m south of King William and extending 13m southerly.	8:00 a.m. - 6:00 p.m. Monday to Saturday	Deleting

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
16 - Taxi Stand	E	<b>James</b>	East	from 15.4m south of the south branch of King to 74 feet southerly	6:00 p.m. to 6:00 a.m. Monday to Friday and all day on Saturday and Sunday	Deleting

To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

Page 3 of 3

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 27<sup>th</sup> day of September 2023.

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A. Horwath  
Mayor

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JAP Holland  
Acting City Clerk