



## City of Hamilton

### CITY COUNCIL REVISED

24-010

Wednesday, May 8, 2024, 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 2023-24 United Way Employee Campaign Contribution

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

4.1 April 24, 2024

#### 5. COMMUNICATIONS

5.1 Correspondence from Conservation Halton respecting Conservation Halton's 2023 Audited Financial Statements.

Recommendation: Be received.

- 5.2 Correspondence from the City of St. Catharines requesting support for their resolution respecting Provincial Regulations Needed to Restrict Keeping of Non-native ("exotic") Wild Animals.
- Recommendation: Be received.
- 5.3 Correspondence from Jelena Vermilion, Executive Director, SWAP Hamilton to the Honourable Filomena Tassi respecting support for regularization for undocumented people and permanent resident status for all migrants.
- Recommendation: Be received.
- 5.4 Correspondence respecting Stoney Creek's Veteran's Lane and the downtown parking lot:
- a. Dr. Lozinski
  - b. Wayne Newman
- Recommendation: Be received.
- 5.5 Correspondence from the Municipality of Clarington requesting support for their resolution respecting The Perfect Storm - Impact of Provincial Changes on our Community.
- Recommendation: Be received.
- 5.6 Correspondence from Rachel Jones, President, Hamilton Naturalists' Club respecting a Request for a Value for Money Audit on the Airport Employment Growth District Development Plans.
- Recommendation: Be received and referred to the Auditor General for consideration.
- 5.7 Correspondence from Rose Janson and Family in support of City-wide Green Building Standards.
- Recommendation: Be received.
- 5.8 Correspondence from Joseph Minor respecting How much PFOS should Health Canada "advise" children and women of childbearing age to eat?
- Recommendation: Be received and referred to the General Manager of Planning and Economic Development for appropriate action.
- 5.9 Correspondence from Dave & Patricia Amos respecting the proposed development at 560 Grays Road, Stoney Creek.
- Recommendation: Be received and referred to the consideration of Item 4 of Planning Committee Report 24-006.

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

5.10 A petition requesting changes to the Dewitt Repavement.

Recommendation: Be received and referred to the consideration of Item 7.6.

5.11 Correspondence respecting Dewitt Road:

- a. Ryan Hook
- b. Rick and Lois Tarbutt
- c. Andrea DiNicola
- d. Mark Anderson, Co-Chair, Cycle Hamilton
- e. Susan Holohan
- f. Warren and Rise Conrad
- g. Peg Harrington
- h. Tonia Williams Ruberto
- i. Mark Pecaric
- j. Alecia Lewis

Recommendation: Be received and referred to the consideration of Item 7.6.

5.12 Correspondence from Chris White, Chair, Grand River Conservation Authority respecting the Grand River Conservation Authority's Watershed-based Resource Management Strategy - Consultation Period.

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

5.13 Correspondence from Divan Meyer respecting Christian Heritage Month.

Recommendation: Be received.

5.14 Correspondence from Watson & Associates Economists Ltd. respecting the release of the Affordable Housing Bulletin which provides the Affordable Unit Prices (ownership and rental) that will be used to determine eligibility

for the affordable housing exemption.

Recommendation: Be received and referred to the consideration of Item 2 of Audit, Finance and Administration Committee Report 24-009.

\*5.15 Correspondence from James Kemp respecting Extreme Heat and the Response Plan BOH24010.

Recommendation: Be received and referred to the consideration of Item 1 of Public Health Committee Report 24-004.

\*5.16 Correspondence respecting Durand Hall at St. Marks:

\*a. Teresa Reid

\*b. Roberta Harman, President, Durand Neighbourhood Association

\*c. Janice Brown

\*d. Diane Dent

\*e. Bob Maton

Recommendation: Be received and referred to the consideration of Item (h)(i)(1) of the General Issues Committee Report 24-008.

\*5.17 Correspondence respecting the 2024 Development Charge Policy and By-law:

\*a. Michelle Diplock, Manager, Planning and Government Relations, West End Home Builders' Association

\*b. Greg Dunnett, President & CEO, Hamilton Chamber of Commerce

Recommendation: Be received and referred to the consideration of Item 1 of Audit, Finance and Administration Committee Report 24-009.

\*5.18 Correspondence from Donna Tiqui-Shebib, Steward of Little Free Library #139424 respecting Little Free Library Week May 12th to May 18th.

Recommendation: Be received.

## 6. COMMITTEE REPORTS

6.1 Public Health Committee Report 24-004, April 29, 2024

6.2 Public Works Committee Report 24-005, April 29, 2024

6.3 Planning Committee Report 24-006, April 30, 2024

6.4 General Issues Committee Report 24-008, May 1, 2024

6.5 Audit, Finance and Administration Committee Report 24-009, May 2, 2024

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

## **7. MOTIONS**

- 7.1 Amendment to Item 5 of the General Issues Committee Report 24-004, respecting Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (PED23099(a) / HSC23028(a)) (City Wide),  
  
which was approved by Council on March 27, 2024
- 7.2 Nomination for the Association of Municipalities Ontario (AMO) 2024-2026 Board of Directors
- 7.3 Additional City of Hamilton Advocacy at the Federation of Canadian Municipalities Annual Conference and Trade Show in Calgary, Alberta in June 2024
- 7.4 2024 International Children's Games
- 7.5 Federation of Canadian Municipalities - Election to the 2024-2025 Board of Directors
- 7.6 Amendment to Item 11 of the Public Works Committee Report 22-012, respecting Dewitt Road Reconstruction and Cycling Infrastructure (Hamilton Cycling Committee – Citizen Committee Report), which was approved by Council on August 12, 2022
- 7.7 Regulatory Changes Relating to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)
- 7.8 Keith Neighbourhood Community Events REVISED
- 7.9 Victoria Park Fieldhouse Furnishing (Ward 1)
- 7.10 Amendment to Item 8 of the Audit, Finance & Administration Committee Report 23-010, respecting the Grants Sub-Committee Report 23-003, which was approved by Council on June 21, 2023

## **8. NOTICES OF MOTIONS**

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

## **10. COUNCIL COMMUNICATION UPDATES**

- 10.1 April 19, 2024 to May 2, 2024

## **11. PRIVATE AND CONFIDENTIAL**

Members of the public can contact the Clerk's Office to acquire the documents considered at this meeting, in an alternate format.

11.1 Closed Session Minutes - April 24, 2024

Pursuant to Section 9.3, Sub-sections (a), (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (a), (e), (f) and (k) 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, litigation or potential litigation, including matters before administrative tribunals, affecting the City or a local board and 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 City or a local board.

11.2 Verbal Update on a Cyber Security Incident (no copy) WITHDRAWN

Pursuant to Section 9.3, Sub-section (a) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-section (a) 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.

11.3 Lease Agreement – Pier 7, 121 Haida Drive (formerly 47 Discovery Drive) (PED24078) (Ward 2)

*(Referred to Council by the General Issues Committee on May 1, 2024)*

Pursuant to Section 9.3, Sub-section (c) of the City's Procedural By-law 21-021, as amended, and Section 239(2) sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City or a local board purpose.

\*11.4 Lease Agreement, Pier 7, 121 Haida Drive (formerly 47 Discovery Drive (Ward 2) (PED24078(a))

Pursuant to Section 9.3, Sub-section (c) of the City's Procedural By-law 21-021, as amended, and Section 239(2) sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City or a local board purpose.

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

12.1 064

To Permanently Close and Sell a Portion of the Unassumed Alleyway Abutting 165 Burton Street, Hamilton; being Part of the Alleyway Lying East of Lot 235 on Plan 209, designated as Part 1 on Plan 62R-22256, in the City of Hamilton, being ALL of PIN 17189-0301 (LT)

Ward: 3

- 12.2 065  
To Amend Zoning By-law No. 3692-92 with Respect to Lands Located at 560 Grays Road, Stoney Creek  
ZAC-24-005  
Ward: 10
- 12.3 066  
To Designate Property Located at 176 Wilson Street East, Ancaster, City of Hamilton as Property of Cultural Heritage Value  
Ward: 12
- 12.4 067  
To Designate Property Located at 241 Wilson Street East, Ancaster, City of Hamilton as Property of Cultural Heritage Value  
Ward: 12
- 12.5 068  
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
- 12.6 069  
To Amend By-law No. 01-218, as amended, Being a By-law to Regulate On-Street Parking  
Schedule 5 (Parking Meters)  
Schedule 8 (No Parking Zones)  
Schedule 12 (Permit Parking Zones)  
Schedule 13 (No Stopping Zones)  
Schedule 15 (Commercial Vehicle Loading Zones)  
Schedule 16 (Taxi Stands)  
Ward: 2, 4, 6, 12

12.7 070

Respecting Removal of Part Lot Control, Block 37-48, Registered Plan No. 62M-1295, municipally known as 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, and 113 Picardy Drive, Stoney Creek

PLC-24-003

Ward: 9

12.8 071

Respecting Removal of Part Lot Control, Lots 3 to 10, 12 to 14, 16, 19 to 21, and 30, Registered Plan No. 62M-1295, municipally known as 7, 12, 16, 20, 24, 28, 32, 36, 40, 43, 47, 51, 52, 56, 60 and 63 Shawbridge Court, Stoney Creek

PLC-24-004

Ward: 9

12.9 072

Being a By-law Respecting Development Charges on Lands Within the City of Hamilton

Ward: City Wide

12.10 073

To Confirm the Proceedings of City Council

### 13. ADJOURNMENT



## CITY COUNCIL MINUTES 24-009

9:30 a.m.  
April 24, 2024  
Council Chamber  
Hamilton City Hall  
71 Main Street West

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

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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.

<b>APPROVAL OF THE AGENDA</b>
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The Clerk advised Council of the following changes to the agenda:

### 5. COMMUNICATIONS

- 5.5 Correspondence from Watson & Associates Economists Ltd. respecting the Assessment of Bill 185, Cutting Red Tape to Build More Homes Act, 2024.

Recommendation: Be received and referred to the ***May 2, 2024 Audit, Finance and Administration Committee meeting for consideration.***

- 5.14 Correspondence from Joshua Weresch respecting keeping all of LRT public now.

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 24-007.

5.15 Correspondence from Viv Saunders respecting Restrictions on the Use of Veto Powers and New By-laws.

Recommendation: Be received.

5.16 Correspondence from Gabriel Nicholson respecting Words are what we deem them to be?

Recommendation: Be received.

## 7. MOTIONS

7.2 Hamilton-Oshawa Port Authority – City of Hamilton Liaison Committee – Resignation, Amendment to the Terms of Reference and Appointment - **REVISED**

### CHANGE TO THE ORDER OF ITEMS

Item 11.3, City Participation in a Coroner’s Inquest (LS24003(a)), is to be considered before Item 11.2, Verbal Update on a Cyber Security Incident (no copy) during the Closed Session portion of the meeting.

#### (Pauls/Nann)

That the agenda for the April 24, 2024 meeting of Council be approved, as amended.

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

<b>DECLARATIONS OF INTEREST</b>
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Mayor A. Horwath declared a disqualifying interest to Communication Items 5.6 and 5.6(a) respecting correspondence from Daniel P. Chin, President, Hamilton and District Apartment Association respecting Vacant Unit Tax and Bill 062, A By-law to Establish a Vacant Unit Tax, as she has a vacant property.

Deputy Mayor M. Wilson declared a disqualifying interest to Item 6 of the General Issues Committee Report 24-007 respecting the Revitalizing Hamilton Tax Increment Grant Application Criteria Exception for the Property Municipally Known as 75 James Street South, Hamilton, as her husband has a business relationship with Fengate Hamilton Lands GP Inc.

## CEREMONIAL ACTIVITIES

### 3.1 National Poetry Month

National Poetry Month takes place every April and brings together schools, publishers, booksellers, literary organizations, libraries, communities and poets from across the country to celebrate poetry and its vital place in Canada's culture.

To celebrate National Poetry Month, Mayor Horwath introduced Lishai Peel who was recently announced as Hamilton's first Poet in Place.

The Poet in Place program is a new and unique pilot program introduced by the City of Hamilton, which is more accessible and inclusive than a traditional Poet Laureate program, the Poet in Place program is rooted in creative placemaking and will create meaningful opportunities for Hamiltonians to engage with the poetic arts.

As the Poet in Place for 2024-2025, Lishai Peel will perform original works, enhance public spaces through poetry projects and deliver workshops in partnership with the Hamilton Public Library.

As we celebrate the power of poetry and its vital place in Canada's culture, Mayor Horwath welcomed Lishai Peel, Hamilton's first Poet in Place, and invited Lishai to recite her poem.

On behalf of Council, Mayor Horwath thanked and congratulated Lishai Peel for being chosen the Poet in Place for 2024-2025.

## APPROVAL OF MINUTES OF PREVIOUS MEETING

### 4.1 April 10, 2024

(Hwang/Kroetsch)

That the Minutes of the April 10, 2024 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 - Ward 6 Councillor Tom Jackson  
YES - Ward 2 Councillor Cameron Kroetsch

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

<b>COMMUNICATIONS</b>
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**(M. Wilson/Tadeson)**

That Council Communications 5.1 to 5.16 be approved, *as amended* as follows:

- 5.1 Correspondence from the Town of Goderich requesting support for their resolution respecting the Recommended Phase-Out of Free Well Water Testing in the 2023 Auditor General's Report.

Recommendation: Be endorsed.

- 5.2 Correspondence from the Honourable Arif Virani, Minister of Justice and Attorney General of Canada in response to Council's letter respecting the epidemic of gender based violence and femicide.

Recommendation: Be received.

- 5.3 Correspondence respecting the 2023 Auditor General Report - Proposed Phase Out of Free Well Water Testing:

- (a) Conservation Halton
- (b) Niagara Peninsula Conservation Authority
- (c) Halton-Hamilton Source Protection Committee

Recommendation: Be received.

- 5.4 Correspondence from Angela Pugliese, Advocate to Persons with Disabilities respecting affordable housing.

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

- 5.5 Correspondence from Watson & Associates Economists Ltd. respecting the Assessment of Bill 185, Cutting Red Tape to Build More Homes Act, 2024.

Recommendation: Be received and referred to the May 2, 2024 Audit, Finance and Administration Committee meeting for consideration.

5.6 Correspondence from Daniel P. Chin, President, Hamilton and District Apartment Association respecting Vacant Unit Tax.

(a) Additional Correspondence

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

5.7 Correspondence from Jordan Williams respecting Hamilton's Infrastructure.

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

5.8 Correspondence respecting 140 Glen Echo Drive, Losani Homes Proposal:

- (a) George & Donna Novkovic
- (b) Penny Kozoriz
- (c) Janet Saleh

Recommendation: Be received and referred to the consideration of Item 3 of Planning Committee Report 24-005.

5.9 Correspondence from the City of Peterborough requesting support for their resolution respecting the Jurisdiction of Ontario's Ombudsman.

Recommendation: Be received.

5.10 Correspondence from the Municipality of West Perth requesting support for their resolution respecting the Conservation Authorities Act.

Recommendation: Be received.

5.11 Correspondence from the Municipality of St. Charles requesting support for their resolution respecting Carbon Tax.

Recommendation: Be received and **referred to the Climate Change Office for review and report back to the General Issues Committee.**

5.12 Correspondence from the Municipality of Huron Shores requesting support for their resolution Urging the Government to Promptly Resume Assessment Cycle.

Recommendation: Be received.

5.13 Correspondence from Hastings County requesting support for their resolution calling on the Ontario and Federal Government to implement sustainable infrastructure funding for small rural municipalities.

Recommendation: Be received.

5.14 Correspondence from Joshua Weresch respecting keeping all of LRT public now.

Recommendation: Be received and referred to the consideration of Item 1 of General Issues Committee Report 24-007.

5.15 Correspondence from Viv Saunders respecting Restrictions on the Use of Veto Powers and New By-laws.

Recommendation: Be received.

5.16 Correspondence from Gabriel Nicholson respecting Words are what we deem them to be?

Recommendation: Be received.

Mayor Horwath relinquished the chair to Deputy Mayor M. Wilson during the consideration of Items 5.6 and 5.6(a).

Due to a declared conflict, Items 5.6 and 5.6(a), were voted on separately as follows:

5.6 Correspondence from Daniel P. Chin, President, Hamilton and District Apartment Association respecting Vacant Unit Tax.

(a) Additional Correspondence

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

**Result: Motion on Items 5.6 and 5.6(a) of the Communication Items, 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  
NOT PRESENT - Ward 5 Councillor Matt Francis  
CONFLICT - 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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

Mayor Horwath assumed the chair.

**Result: Motion on the balance of 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
- 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 - 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
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**(M. Wilson/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
- 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 - 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
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

<b>HAMILTON UTILITIES CORPORATION SHAREHOLDER REPORT 24-001</b>
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**(M. Wilson/Nann)**

That Hamilton Utilities Corporation Shareholder Report 24-001, being the meeting held on Monday, April 15, 2024, be received and the recommendations contained therein be approved.

**Result: Motion on the Hamilton Utilities Corporation Shareholder Report 24-001, 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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

<b>PLANNING COMMITTEE REPORT 24-005</b>
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**(Cassar/Kroetsch)**

That Planning Committee Report 24-005, being the meeting held on Tuesday, April 16, 2024, be received and the recommendations contained therein be approved.

**(Cassar/Kroetsch)**

That the consideration of Planning Committee Report 24-005, be deferred until after the closed session portion of the meeting.

**Result: Motion on the deferral of the Planning Committee Report 24-005, 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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

<b>GENERAL ISSUES COMMITTEE REPORT 24-007</b>
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**(M. Wilson/Hwang)**

That General Issues Committee Report 24-007, being the meeting held on Wednesday, April 18, 2024, be received and the recommendations contained therein, be approved.

Due to a declared conflict, Item 6, was voted on separately, as follows:

**6. Revitalizing Hamilton Tax Increment Grant Application Criteria Exception for the Property Municipally Known as 75 James Street South, Hamilton (Item 11.3)**

WHEREAS the Revitalizing Hamilton Tax Increment Grant Program (the Program) is intended to incentivize property owners within strategic commercial districts to develop, redevelop or otherwise improve properties and/or buildings in a manner that will support the broader revitalization of the commercial district as well as generate new municipal property tax revenue through increased property assessments;

WHEREAS Applicants must meet Council approved Program eligibility and grant criteria;

WHEREAS Program applications are subject to a comprehensive review by the City of Hamilton's Economic Development Division and approval of all Program applications are at the absolute discretion of City Council and subject to the availability of funds.

WHEREAS above grade improvements/developments commenced prior to submitting an application are ineligible under this Program.

WHEREAS the development at 75 James Street South, Hamilton received final Site Plan Approval making the development otherwise eligible under the Program; and,

WHEREAS Fengate Hamilton Lands GP Inc., the registered owner of 75 James Street South, proceeded with above grade development prior to formally submitting an application for the Program and would like to apply for the Program subsequent to the above-grade construction commencing on-site;

THEREFORE, BE IT RESOLVED:

- (a) That, on a one-time basis, staff be directed to accept the Program application submitted by Fengate Hamilton Lands GP Inc., the registered owner of 75 James Street South; and,
- (b) That staff be directed to review, process and bring a report back to the General Issues Committee for consideration with a recommendation on the application submitted by Fengate Hamilton Lands GP Inc., respecting 75 James Street South, in accordance with all other applicable Council approved Program terms.

**Result: Motion on Item 6 of the General Issues Committee Report 24-007, 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 - 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  
CONFLICT - Deputy Mayor - Ward 1 Councillor Maureen Wilson

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

**1. Light Rail Transit Operations Models (PED23166(b)) (City Wide) (Item 8.1)**

- (a) That the City endorse Operations Model 2 (Municipality performs passenger interface activities) to be selected as the City's preferred LRT operations model;
- (b) That within the first 5 years, staff begin the process of preparing the City to transition to Operations Model 4, where the Municipality assumes all aspects of operational activities from the third party, at the 10-year mark; and,
- (c) That staff seek approval from Council, at the appropriate time, to enter negotiations with Metrolinx and the Province of Ontario, to transition fully the operations of the LRT to the City of Hamilton.

**Result: Motion on Item 1 of the General Issues Committee Report 24-007, CARRIED by a vote of 9 to 7, as follows:**

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

- YES - Ward 7 Councillor Esther Pauls
- YES - Ward 14 Councillor Mike Spadafora
- YES - Ward 11 Councillor Mark Tadeson
- NO - Ward 13 Councillor Alex Wilson
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**Result: Motion on the balance of the General Issues Committee Report 24-007, CARRIED by a vote of 16 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 - 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
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 24-006**

**(Hwang/Spadafora)**

That Audit, Finance and Administration Committee Report 24-006, being the meeting held on Thursday, April 18, 2024, be received and the recommendations contained therein, be approved.

**Result: Motion on the balance of the Audit, Finance and Administration Committee Report 24-006, 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
- 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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**EMERGENCY AND COMMUNITY SERVICES COMMITTEE REPORT 24-003**

**(A. Wilson/Kroetsch)**

That Emergency and Community Services Committee Report 24-003, being the meeting held on Thursday, April 18, 2024, be received and the recommendations contained therein, be approved.

**Result: Motion on the balance of the Emergency and Community Services Committee Report 24-003, 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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**MOTIONS**

**7.1 Ward 13 Community Grants Q1 2024**

**(A. Wilson/Kroetsch)**

WHEREAS the Ward 13 Community Grants program closed for Q1 on March 29th, 2024, with a total of 19 applications;

WHEREAS a review of applications submitted during this time found that 14 applications were eligible and approved for Q1 as assessed by the Ward 13 Community Grants Team; and

WHEREAS the following \$56,325 constitutes the complete issuance of community grants for Q1, with 4 applications deferred for further rounds of community grants.

THEREFORE, BE IT RESOLVED:

- (a) That the Hamilton Naturalists Club Tews Park Barn Swallow Project, which provides a nesting site for at-risk barn swallows in Tews Park, Greenville be

- funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$4000;
- (b) That the Dundas Valley School of Arts Community Youth Art Exhibition, developed in collaboration with the Routes Youth Centre, be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$3288;
  - (c) That the Dundas Girls Softball League Equipment Fund and Affordable and Accessible Participation Initiatives be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$5000;
  - (d) That the Dundas Cactus Parade communications and website development project be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$2000;
  - (e) That the Hamilton Jewish Family Services Tackling Poverty Through Hygiene project be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$5000;
  - (f) That the Westover Women's Institute Hall Restoration Fund be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$5000;
  - (g) That the Dundas Community Services Dementia Friendly City Program be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$5000. In 2023, DCS received \$65,851 from the City Enrichment Fund to support multiple programs supporting seniors and community members. The funding received from the City of Hamilton is for established programs and services;
  - (h) That the Highland Park Faith Community and St Mark's United Church Community Café Project be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$4000;
  - (i) That Kids for Kaga's Youth Exchange Local Education Program be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$3000;
  - (j) That Flamborough Information and Community Services Community (Flamborough Connects) Events and Guide Project be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$4712;
  - (k) That Action 13's Repair Café; Mushroom Growing Workshops; Earth to Kitchen; and Greenblock Growing Initiative be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$5000;

- (l) That the Soil, Seed, & Sustainability project, with funds to be held by Action13, be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$325;
- (m) That the Downtown Dundas BIA’s Live and Local Open Streets Festival be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$5000;
- (n) That the Dundas Blues Hockey Program’s accessibility and affordability initiatives be funded from the Ward 13 Non-Property Tax Revenue Account [3301609613] at an upset limit, including contingency, not to exceed \$5000
- (n) That any funds allocated and distributed through the Ward 13 Community Grants Program be exempt on a one-time basis and not be counted toward any formula that restricts regular funding from the City including the City Enrichment Fund or the One-Time Enhancement Grant (e.g. the City's 30% formula); and
- (o) 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 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
- 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 - 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
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**7.2 Hamilton-Oshawa Port Authority – City of Hamilton Liaison Committee – Resignation, Amendment to the Terms of Reference and Appointment - REVISED**

**(Hwang/Jackson)**

- (a) That Council accept Mayor Horwath’s resignation from the Hamilton-Oshawa Port Authority – City of Hamilton Liaison Committee and Working Group, effective immediately;

- (b) That the Hamilton-Oshawa Port Authority – City of Hamilton Liaison Committee’s Terms of Reference be amended as follows:

**Composition:** *The Mayor and three Four* Members of City Council (4)  
Hamilton-Oshawa Port Authority Board Chair and three members from the Board or senior staff (4)

- (c) That Councillor T. McMeekin be appointed to the Hamilton-Oshawa Port Authority – City of Hamilton Liaison Committee, for the remainder of the 2022-2026 Term of Council, effective immediately.

**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
- 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 - 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
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**STATEMENTS BY MEMBERS**

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

**COUNCIL COMMUNICATION UPDATES**

**(M. Wilson/McMeekin)**

That the listing of Council Communication Updates from April 5, 2024 to April 18, 2024, be received.

**Result: Motion on the Council Communication Updates from April 5, 2024 to April 18, 2024 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
- 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 - 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  
YES - Deputy Mayor - 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 – April 10, 2024**

**(Hwang/Tadeson)**

That the Closed Session Minutes dated April 10, 2024 be approved, as presented, and remain confidential.

**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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**(Tadeson/Spadafora)**

That Andrea Montgomery and Bruce Malloch of Redbrick Communications, Brian Duxbury be permitted to attend the Closed Session portion of the Council Meeting.

**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  
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  
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 Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**(Spadafora/Tadeson)**

That Council move into Closed Session to discuss Items 11.2, 11.3 and Item 12 of Planning Committee Report 24-005 respecting a Verbal Update on a Cyber Security Incident; City Participation in a Coroner's Inquest (LS24003(a)) and Appeal to the Ontario Land Tribunal (OLT-22-004759) for Lands Located at 405 James Street North, for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) (LS23012(b)/PED24059) (Ward 2) pursuant to Section 9.3, Sub-sections (a), (e), (f) and (k) of the City's Procedural By-law 21-021, as amended; and, Section 239(2), Sub-sections (a), (e), (f) and (k) 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, litigation or potential litigation, including matters before administrative tribunals, affecting the City or a local board and 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 City or a local board.

**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  
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  
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 Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**11.3 City Participation in a Coroner's Inquest (LS24003(a))**

**(Kroetsch/Spadafora)**

That Report LS24003(a) respecting City Participation in a Coroner's Inquest, be received and remain confidential.

**Result: Motion CARRIED by a vote of 14 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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**11.2 Verbal Update on a Cyber Security Incident**

**(Hwang/Cassar)**

That the Verbal Update on a Cyber Security Incident, be received and remain confidential.

**Result: Motion CARRIED by a vote of 14 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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

## PLANNING COMMITTEE REPORT 24-005

**(Cassar/Kroetsch)**

That Planning Committee Report 24-005, being the meeting held on Tuesday, April 16, 2024, be received and the recommendations contained therein be approved.

**(Cassar/Kroetsch)**

That Item 12 of Planning Committee Report 24-005, *be amended*, as follows:

- 12. Appeal to the Ontario Land Tribunal (OLT-22-004759) for Lands Located at 405 James Street North, for Official Plan Amendment (UHOPA-21-014) and Zoning By-law Amendment Applications (ZAC-21-031) (LS23012(b)/PED24059) (Ward 2) (Item 15.4)**
- (a) That the directions to staff in Closed Session respecting Report LS23012(b)/PED24059 be approved;
  - (b) ***That Council endorse the Revised Plan, in principle, attached as Revised Appendix "A" to Report LS23012(b)/PED24059;***
  - (c) That closed session recommendations (a) and (b) and ***Revised*** Appendix "A" to Report LS23012(b)/PED24059, ***be released publicly***; and,
  - (d) That the balance of Report LS23012(b)/PED24059 remain confidential.

**Result: Amendment to Item 12 of Planning Committee Report 24-005, 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  
 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 - 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  
 YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**Result: Motion on the Planning Committee Report 24-005, As Amended, CARRIED, by a vote of 16 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 - 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
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**(M. Wilson/Hwang)**

That Council rise from Committee of the Whole.

**Result: Motion CARRIED by a vote of 16 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 - 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
- YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

<b>BY-LAWS AND CONFIRMING BY-LAW</b>
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**(M. Wilson/Jackson)**

That Bills No. 24-057 to No. 24-063 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:

- 057 To authorize the declaration of 5 Lake Avenue South, Stoney Creek as surplus to the requirements of the City of Hamilton and to authorize the disposition of 5 Lake Avenue South, Stoney Creek and 13 Lake Avenue South, Stoney Creek
- 058 To Amend By-law No. 23-162, a By-law to Prescribe Standards for the Maintenance and Occupancy of Property

Ward: City Wide

- 059 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)  
Ward: 1, 3, 13, 14
  
- 060 Respecting Removal of Part Lot Control, Block 49, Registered Plan of Subdivision No. 62M-1295, Municipally Known as 126 Picardy Drive and 132, 134, 136 and 138 Lormont Boulevard, Stoney Creek  
PLC-24-001  
Ward: 9
  
- 061 Respecting Removal of Part Lot Control, Blocks 33, 34, 35, and 36, Registered Plan of Subdivision No. 62M-1295, Municipally Known As 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237 and 239 Lormont Boulevard, Stoney Creek  
PLC-24-002  
Ward: 9
  
- 062 A By-law to Establish a Vacant Unit Tax
  
- 063 To Confirm the Proceedings of City Council

As Mayor Horwath exercised her authority pursuant to subsection 284.11.1 of the *Municipal Act, 2001*, Bill 057, was voted on separately as follows:

- 057 To authorize the declaration of 5 Lake Avenue South, Stoney Creek as surplus to the requirements of the City of Hamilton and to authorize the disposition of 5 Lake Avenue South, Stoney Creek and 13 Lake Avenue South, Stoney Creek

**Result: Motion CARRIED by more than one third of the members of Council, by a vote of 8 to 8, as follows:**

- NO - Ward 10 Councillor Jeff Beattie
- YES - Ward 12 Councillor Craig Cassar
- NO - 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
- NO - Ward 6 Councillor Tom Jackson
- YES - Ward 2 Councillor Cameron Kroetsch
- NO - Ward 15 Councillor Ted McMeekin
- YES - Ward 3 Councillor Nrinder Nann
- NO - Ward 7 Councillor Esther Pauls
- NO - Ward 14 Councillor Mike Spadafora
- NO - Ward 11 Councillor Mark Tadeson
- YES - Ward 13 Councillor Alex Wilson

YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

Mayor Horwath relinquished the chair to Deputy Mayor M. Wilson during the consideration of Bill 062.

Due to a declared conflict, Bill 062, was voted on separately as follows:

062 A By-law to Establish a Vacant Unit Tax

**Result: Motion on Bill 062, CARRIED by a vote of 9 to 6, as follows:**

NO - Ward 10 Councillor Jeff Beattie  
YES - Ward 12 Councillor Craig Cassar  
NO - Ward 9 Councillor Brad Clark  
YES - Ward 8 Councillor John-Paul Danko  
NO - Ward 5 Councillor Matt Francis  
CONFLICT - 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 - Ward 3 Councillor Nrinder Nann  
NO - Ward 7 Councillor Esther Pauls  
NO - Ward 14 Councillor Mike Spadafora  
YES - Ward 11 Councillor Mark Tadeson  
YES - Ward 13 Councillor Alex Wilson  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

Mayor Horwath assumed the chair.

**Result: Motion on the balance of the Bills, 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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

**(Kroetsch/Hwang)**

That, there being no further business, City Council be adjourned at 1:24 p.m.

**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  
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 - 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  
YES - Deputy Mayor - Ward 1 Councillor Maureen Wilson

Respectfully submitted,

Mayor Andrea Horwath

Janet Pilon  
Acting City Clerk

# 5.1

**Pilon, Janet**

---

**Subject:** Conservation Halton 2023 Audited Financial Statements

**From:** Adriana Ingrid Birza <abirza@hrca.on.ca>

**Sent:** April 19, 2024 11:06 AM

**To:** 'ca.office (MECP)' <ca.office@ontario.ca>

**Cc:** Hassaan Basit <hbasit@hrca.on.ca>; Burlington Clerk <clerks@burlington.ca>; 'ValerieP@haltonhills.ca' <ValerieP@haltonhills.ca>; 'Graham.Milne@halton.ca' <Graham.Milne@halton.ca>; clerk@hamilton.ca; Oakville Clerk <townclerk@oakville.ca>; Puslinch Clerk <choyfox@puslinch.ca>; 'kathryn.lockyer@peelregion.ca' <kathryn.lockyer@peelregion.ca>; Mayor Gordon Krantz <executiveservices@milton.ca>; Mississauga Clerk <city.clerk@mississauga.ca>

**Subject:** Conservation Halton 2023 Audited Financial Statements

Good Morning,

On behalf of Conservation Halton please find the Board-approved Conservation Halton 2023 Audited Financial Statements here: [AGM Conservation-Halton-Board-Meeting-Agenda-April-18-2024](#) (Item **6.3 Finance & Audit Committee Minutes**, page 32- 5.4. 2023 Audited Financial Statements, FA 01 24 04). The report is hosted and available to the public on: <https://www.conservationhalton.ca/governance> under the Accountability & Finance section ([Conservation-Halton-2023-Audited-Financial-Statements-Approved-April-18-2024.pdf \(conservationhalton.ca\)](#)).

The report is being shared as a requirement of Section 38 of CA Act, Auditor's report:

(3) An authority shall, upon receipt of the auditor's report of the examination of its accounts and transactions, forthwith forward a copy of the report to each participating municipality and to the Minister. R.S.O. 1990, c. C.27, s. 38 (3).

Report made publicly available

(4) Within 60 days of receiving the auditor's report, an authority shall make the report available to the public on its website and by any other means that the authority considers appropriate. 2020, c. 36, Sched. 6, s. 24 (2).

Please reach out if you have any questions.

Thank you,



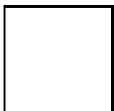
**Adriana Ingrid Birza**

Senior Advisor, Office of the President & CEO

2596 Britannia Road West, Burlington, ON L7P 0G3

905.336.1158 ext.2295 | cell: 905.805.2947 | [abirza@hrca.on.ca](mailto:abirza@hrca.on.ca)

[conservationhalton.ca](http://conservationhalton.ca)



RECOGNIZED AS ONE OF HAMILTON-NIAGARA'S TOP EMPLOYERS 2023

Find out more about our recent award [here!](#)

April 23, 2024

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

Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)

**Re: Provincial Regulations Needed to Restrict Keeping of Non-native ("exotic") Wild Animals  
Our File 35.11.2**

Dear Premier Ford,

At its meeting held on April 8, 2024, St. Catharines City Council approved the following motion:

WHEREAS Ontario has more private non-native ("exotic") wild animal keepers, roadside zoos, mobile zoos, wildlife exhibits and other captive wildlife operations than any other province; and

WHEREAS the Province of Ontario has of yet not developed regulations to prohibit or restrict animal possession, breeding, or use of non-native ("exotic") wild animals in captivity; and

WHEREAS non-native ("exotic") wild animals can pose very serious human health and safety risks, and attacks causing human injury and death have occurred in the province; and

WHEREAS the keeping of non-native ("exotic") wild animals can cause poor animal welfare and suffering, and poses risks to local environments and wildlife; and

WHEREAS owners of non-native ("exotic") wild animals can move from one community to another even after their operations have been shut down due to animal welfare or public health and safety concerns; and

WHEREAS municipalities have struggled, often for months or years, to deal with non-native ("exotic") wild animal issues and have experienced substantive regulatory, administrative, enforcement and financial challenges; and

WHEREAS the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) and the Municipal Law Enforcement Officers' Association (MLEOA) have indicated their support for World Animal Protection's campaign for provincial regulations of non-native ("exotic") wild animals and roadside zoos in letters to the Ontario Solicitor General and Ontario Minister for Natural Resources and Forestry;

THEREFORE BE IT RESOLVED that the City of St. Catharines hereby petitions the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native ("exotic") wild animals and license zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario's citizens and the non-native ("exotic") wild animal population; and

BE IT FURTHER RESOLVED that this resolution will be forwarded to all municipalities in Ontario for support, the Premier of Ontario, Ontario Solicitor General, Ontario Minister for Natural Resources and Forestry, MPP Jennie Stevens, MPP Sam Oosterhoff, MPP Jeff Burch, AMO, AMCTO, and MLEAO.

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Kristen Sullivan, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:av

cc: The Honourable Michael S. Kerzner, Solicitor General  
The Honourable Graydon Smith, Minister of Natural Resources and Forestry  
Local MPPs  
Association of Municipalities of Ontario (AMO)  
Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)  
Municipal Law Enforcement Officers' Association of Ontario (MLEAO)  
All Municipalities of Ontario

Hon. Filomena Tassi  
1686 Main St W, Hamilton, ON L8S 0A2

April 24, 2024

Dear Minister Tassi,

We are organizations and constituents in Hamilton West—Ancaster—Dundas. Yesterday, we delivered the names of **38,758 people** who have written to you in the last year asking that you support regularization for undocumented people and permanent resident status for all migrants. **We are here to support you in supporting regularization. Please remember and consider that Hamilton is a sanctuary city. It is wise PR to implement this program in alignment with promises previously made by the Liberal Party.**

Immigration Minister Marc Miller promised to bring a proposal on regularization to Cabinet in the Spring. It's Spring now. Soon you will get a vote on the future of half a million undocumented people in the country. With tens of thousands of others, we are calling on you to support a regularization program that guarantees permanent resident status to all undocumented people without exclusions and without delay.

The last major regularization program was in 1973 under then Prime Minister Trudeau. Migrant organizing resulted in Prime Minister Trudeau promising regularization in December 2021. It's been 27 months since that promise. Every day of delay means continued abuse, exploitation and deportation. **You have a historic opportunity to make a difference!**

Almost every major civil society, labour, health and environmental organization in Canada has joined the call for full and permanent immigration status for all migrants including undocumented people - nearly 500 organizations - including many in our riding. The Mayors of Montreal and Toronto have sent letters and thousands have sent you emails. **Your support of regularization will mean accolades and support for you in your riding in the next election.**

**Undocumented people already live here.** These are not new arrivals. They have jobs, families, and roots in our communities. But they are unable to get any social services, benefits or protections because they are denied permanent resident status. Undocumented migrants are exploited by bad bosses and landlords, and face discrimination, abuse and deportation. Regularizing them, that is granting them permanent resident status, is about including them in the family of rights. It just makes sense. A comprehensive and inclusive regularization program will:

- **Build your legacy:** There are at least half a million undocumented people in Canada who once regularized will become voting citizens and be able to participate in the democratic process.
- **Combat poverty and grow the economy:** Undocumented people work in cash-based jobs, or are under-employed. Regularized migrants will be able to work where they want and what they are skilled for and earn more income. A recent report about regularization in France, when applied to Canada, showed that regularization will increase economic activity by \$28 billion per year.
- **Fund public services while application costs will be cost neutral:** Most undocumented people pay taxes but their employers, many of whom operate very profitable businesses, do not pay remittances. Regularizing 500,000 undocumented people will increase employer CPP and EI contributions by at least \$5.6 billion, just in the first year. On the other hand, the cost of application processing will be met with existing funding and application fees.
- **Increase worker rights:** Employers of undocumented workers steal wages and threaten them with deportations to stop them from asserting their rights. This abuse results in overall worsening of working conditions in the labour market for migrants and citizens alike. Regularization will allow workers to leave bad jobs, and punish bad actors. This will improve working conditions for everyone.
- **Ensure public health:** Migrants do not access healthcare until it is absolutely necessary due to high fees. By the time they do, their health conditions are much worse, and the impact on the healthcare system is much higher. Regularization will improve all our health.
- **Counter racism and gender inequality:** Undocumented people are mostly racialized, low-waged people, often women. Regularization will give them the power to defend themselves against systemic exploitation. Women will be able to speak out against gender violence and leave conditions of domestic abuse.
- **Build on best practices around the world:** Regularization is a widely used policy tool - between 1996 and 2008, 24 of the 27 EU Member States implemented regularization programs, and some several times. An estimated 5.5 to 6 million people were regularized in that time.

The time for regularization is now. We urge you to get it done.

*Your constituents and thousands of people across the country.*

*Jelena Vermilion - Executive Director, SWAP Hamilton*

*Young Women's Christian Association Hamilton - Woman of Distinction Award Recipient – 2024*

*C/O Butterfly Asian and Migrant Sex Worker Support Network, Migrants Rights Network (Canada),*



**Pilon, Janet**

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**Subject:** Please don't eliminate Stoney Creek's Veteran's Lane and much of our downtown parking lot

**Importance:** High

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**From:** Dr Lozinski

**Sent:** Tuesday, April 23, 2024 7:45 PM

**To:** Davenport, Alicia <Alicia.Davenport@hamilton.ca>; Pilon, Janet <Janet.Pilon@hamilton.ca>

**Cc:** 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>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Tadeson, Mark <Mark.Tadeson@hamilton.ca>; Ward 12 Office <ward12@hamilton.ca>; Ward 13 <ward13@hamilton.ca>; Spadafora, Mike <Mike.Spadafora@hamilton.ca>; McMeekin, Ted <Ted.McMeekin@hamilton.ca>

**Subject:** Please don't eliminate Stoney Creek's Veteran's Lane and much of our downtown parking lot

**Importance:** High

Dear Mayor Horwath;

Although the effort to create new affordable housing is laudable, this goal can and should be achieved without destroying vital infrastructure.

Our town is well aware that there are numerous other nearby locations (i.e., Riverdale, Jamesville) which could have been chosen for the greater good and feel strongly that the present decision reflects a lack of due diligence and ignores the opinion of the people who live and work here.

Stoney Creek, deeply steeped in history, has a very proud heritage of honouring our military veterans and finds the proposed destruction of Veterans Lane disrespectful and offensive.

Our Royal Canadian Legion is a linchpin of community gatherings. The currently available adjacent parking is an integral part of that social dynamic.

By withdrawing the presently adequate parking you are compounding the difficulty our disabled and increasingly elderly population already grapple with to access health care. Please visualize the extra challenge created for mobility impaired patients accessing long established medical care facilities in downtown Stoney Creek when you minimize and move their parking potential further away.

The entire transportation and associated supportive infrastructure dilemma is compounded by city reduction of bus transportation to Stoney Creek.

Taking away our downtown parking lot is akin to shooting ourselves in the foot. Instead of supporting downtown Stoney Creek business, City Hall is callously choosing to cripple it.

The purpose of Strong Mayor powers is to cut red tape and speed up the delivery of shared municipal-provincial priorities, not to allow you to govern as an autocrat.

We respectfully request that you reconsider the negative ripple effect of undermining our downtown infrastructure.

Sincerely,

Ala Lozinski MD FRCPC FAAD

**Pilon, Janet**

---

**Subject:** Preserve downtown Stoney Creek

**Importance:** High

From: Wayne Newman

Sent: Wednesday, April 24, 2024 8:11 AM

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

Cc: uzma.quereshi@hamilton.ca; Davenport, Alicia <Alicia.Davenport@hamilton.ca>; Pilon, Janet <Janet.Pilon@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>; Jackson, Tom <Tom.Jackson@hamilton.ca>; Pauls, Esther <Esther.Pauls@hamilton.ca>; Ward 8 Office <ward8@hamilton.ca>; Tadeson, Mark <Mark.Tadeson@hamilton.ca>; Ward 12 Office <ward12@hamilton.ca>; Ward 13 <ward13@hamilton.ca>; Spadafora, Mike <Mike.Spadafora@hamilton.ca>; McMeekin, Ted <Ted.McMeekin@hamilton.ca>; Baker, Wynne <Wynne.Baker@hamilton.ca>; Clark, Brad <Brad.Clark@hamilton.ca>; Francis, Matt <Matt.Francis@hamilton.ca>; Beattie, Jeff <Jeff.Beattie@hamilton.ca>

Subject: Preserve downtown Stoney Creek

Importance: High

Dear Mayor Horwath;

Although the effort to create new affordable housing is commendable, this goal can and should be achieved without destroying vital infrastructure.

Our town is well aware that there are numerous other nearby locations (i.e., Riverdale, Jamesville) which could have been chosen for the greater good and feel strongly that the present decision reflects a lack of due diligence and ignores the opinion of the people who live and work here.

Stoney Creek, deeply steeped in history, has a very proud heritage of honouring our military veterans and finds the proposed destruction of Veterans Lane disrespectful and offensive.

Our Royal Canadian Legion is a linchpin of community gatherings. The currently available adjacent parking is an integral part of that social dynamic.

By withdrawing the presently adequate parking you are compounding the difficulty our disabled and increasingly elderly population already grapple with to access health care. Please visualize the extra challenge created for mobility impaired patients accessing long established medical care facilities in downtown Stoney Creek when you minimize and move their parking potential further away.

The entire transportation and associated supportive infrastructure dilemma is compounded by city reduction of bus transportation to Stoney Creek.

Taking away our downtown parking lot is akin to shooting ourselves in the foot. Instead of supporting downtown Stoney Creek business, City Hall is

callously choosing to cripple it.

The purpose of Strong Mayor powers is to cut red tape and speed up the delivery of shared municipal-provincial priorities, not to allow you to govern as an autocrat. It should be incumbent on you to "First, Do No Harm". To do otherwise is to abuse your privilege.

We respectfully request that you reconsider the negative ripple effect of undermining our downtown infrastructure.

Sincerely,  
Wayne Newman

If this information is required in an alternate format, please contact the Accessibility Co-ordinator at 905-623-3379 ext. 2131

April 25, 2024

The Honourable Doug Ford, M.P.P.  
Premier of Ontario  
Via Email: [premier@ontario.ca](mailto:premier@ontario.ca)

Dear Premier Ford:

**Re:** CAO-002-24 - The Perfect Storm - Impact of Provincial Changes on our Community

**File Number:** PG.25.06

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At a meeting held on April 22, 2024, the Council of the Municipality of Clarington approved the following Resolution #GG-067-24:

That Report [CAO-002-24](#), and any related delegations or communication items, be received;

That Council request the Province stop using CMHC data to validate housing starts, but as a starting point, and allow Municipalities to identify any inconsistencies with tangible evidence prior to making a funding decision;

That Fiscal Impact Assessments be undertaken for all Secondary Plans (inclusive of those completed) to understand the full impact of the legislative changes on each, in particular parkland and DC revenues, and report back to Council prior to any further approvals (inclusive of development application approvals);

That a communications campaign be undertaken to explain the impact of the changes that are beyond our control, and how they will impact our community – both now and into the future;

That this report be forwarded to all Ontario municipalities with housing targets, the Province of Ontario, and the Members of Provincial Parliament representing Clarington; and

That all interested parties listed in Report CAO-002-24, and any delegations be advised of Council's decision.

Yours truly,



---

John Paul Newman  
Deputy Clerk

JPN/lh

c:

The Honourable Paul Calandra, M.P.P., Minister of Municipal Affairs and Housing  
- [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)

The Honourable Philip Lawrence, P.C., M.P., Northumberland—Peterborough  
South - [Philip.Lawrence@parl.gc.ca](mailto:Philip.Lawrence@parl.gc.ca)

The Honourable Jamil Jivani, P.C., M.P., Durham – [Jamil.jivani@parl.gc.ca](mailto:Jamil.jivani@parl.gc.ca)

The Honourable Todd McCarthy, M.P.P., Durham - [Todd.McCarthy@pc.ola.org](mailto:Todd.McCarthy@pc.ola.org)

The Honourable David Piccini, M.P.P., Northumberland-Peterborough South -  
[david.piccini@pc.ola.org](mailto:david.piccini@pc.ola.org)

All Ontario Municipalities with housing targets

M. Dempster, Chief Administrative Officer

C. Salazar, Deputy CAO, Planning and Infrastructure

H. Anderson

C. MacDonald

J. O'Meara

Charles Brown, CPA, CA  
Auditor General

50 Main Street East, 3rd Floor  
Hamilton, Ontario  
L8N 1E9

### **Re: Request for a Value for Money Audit on the Airport Employment Growth District Development Plans**

Dear Mr. Brown:

The Hamilton Naturalists' Club is a non-profit organization with over 500 members dedicated to the study, appreciation, and conservation of our wild plants and animals. The Club traces its history to the founding of the Hamilton Bird Protection Society in 1919. Early achievements include the designation of Cootes Paradise as a nature reserve in 1927 and the organization of 34,000 children in Junior Audubon Clubs across Canada during the 1930s. The 100th anniversary was celebrated in 2019.

The City of Hamilton is currently planning for warehouse development on the Airport Employment Growth District (AEGD) lands south of Hamilton. This 1,300 acre parcel is important from a natural heritage point of view with locally and provincially significant wetlands, woodlots and wildlife habitat and headwaters of three creek systems. The AEGD also includes close to one thousand acres of active agricultural lands, much of it prime 1,2, and 3 soil types which have the ability to produce crops during the flood / drought conditions increasingly common with the worsening of climate change.

We request a value for money audit of the AEGD development plans.

We would like to respectfully suggest a methodology on which your audit may be based in adding up the perceived benefits and costs to the City of Hamilton, with an added consideration of alternative development locations and approaches.

#### Benefits:

- Property taxes and perceived economic spin-off effects
- Jobs

#### Costs:

- Infrastructure servicing - roads, water, sewer and stormwater (allowing for development charges, but also including lifetime repair, replacement and disposal costs).

- Assessment of the loss of the natural heritage system and a valuation of the natural capital, using ecosystem services accounting methodologies.
- Assessment of the loss of agricultural lands.

#### Evaluation of Alternative Development Locations and Approaches

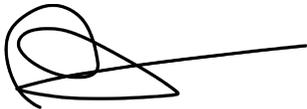
- Employment land redevelopment along the Bayfront including other brownfield sites that are already serviced by roads, water, sewers, and stormwater facilities (i.e., Steelport development on the former Stelco lands).
- Under-developed employment lands already serviced by roads, water, sewers and stormwater facilities (i.e. McMaster Innovation Park).

We are familiar with several ecosystem services studies that have been performed in and around Hamilton including: the Cootes to Escarpment EcoPark System, Grindstone Creek ecosystem, and the Region of Halton Natural Heritage System.

This methodology is becoming increasingly popular as more value is placed on wetlands, forests and riparian areas when considering climate change adaptation strategies (using terms such as natural capital and nature-based solutions), and the importance of natural heritage systems in stemming biodiversity loss.

We would be pleased to meet with you to discuss this value for money audit request in more detail.

Yours truly,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Rachel Jones, President

Hamilton Naturalists' Club

c.c. Hamilton Mayor and All Members of City Council

## **Background Case in Support of the Hamilton Naturalists' Club's Request for a Value for Money Audit on Hamilton's Proposed Investment in the Airport Employment Growth District**

Hamilton is poised to make a major investment in the Airport Employment Growth District (AEGD). This 1,300 acre parcel of farmland between the Mount Hope airport and Garner Road was rezoned in 2015 from agricultural use to employment use and labelled as an "Eco-industrial park" in a bid to attract high quality tech jobs, support the airport, and boost commercial / industrial property tax revenue for the city. However, attracting development to the AEGD will require millions of dollars in infrastructure to be built, including new roads, water, sewer, bike lanes, transit expansion and stops, snow clearing and salting, streetlights, and stormwater facilities to name a few. The project comes with a price tag in the billions of dollars in capital investments and ongoing operating costs as the infrastructure ages, requiring maintenance, repair, and replacement over its lifetime.

In November, 2023 Councillor Craig Cassar's motion for a cost benefit analysis of the proposed road network was narrowly defeated, and the AEGD transportation masterplan [was approved with a price tag of \\$500M](#). In May 2022, the cost of a very short stretch (10 km) of trunk sewer on Dickenson Road to service the AEGD spiked [from \\$73M to \\$108M](#). These two projects barely scratch the surface of the infrastructure investments still to be made by the City to service the AEGD in readiness for development. At the same time, Hamilton labours under an unprecedented infrastructure deficit.

4.0.1 of the 2021 [Tax Supported Capital Budget](#): "*Targeting capital investments in rehabilitation programs including roads, transit, social housing, corporate and recreation facilities, long-term care assets and cultural assets. The amount of capital funds available based on the current financing plan for rehabilitation is lower than what is needed to keep the City's assets in a sustainable condition. **The annual infrastructure deficit for the City is approximately \$195M with a cumulative infrastructure deficit approaching \$3.7B.***"

Note: this amount is increasing as new asset classes are assessed. The most recent update from Director - Corporate Asset Management Pat Leishman's team at the April 3, 2024 GIC meeting has identified an additional [\\$41.8 Million annual deficit](#) in five additional asset classes, with another 13 asset classes still to be assessed by the July 1, 2024 provincial deadline.

Pages 1 and 2 of Hamilton's own [Corporate Asset Management Plan](#) confirms the following:

*"It should be noted that this funding gap relates to core assets (water, wastewater, stormwater, roads and engineered structures) only and as additional asset classes are*

*added to the program and the City applies asset management practices more robustly, it is expected that this gap will increase.” And “Over the 10-year planning horizon Hamilton will acquire \$1.728 billion worth of core assets and is expecting to invest \$3.448 billion in operations and maintenance. Adding additional assets over time significantly impacts the operational and maintenance resources required to sustain the expected or mandatory level of service.”*

The City’s own reports repeatedly warn that Hamilton is significantly behind on infrastructure upkeep, falling further behind every year, and if we continue on this path the funding gap will increase, resulting in the potential for *“increased customer complaints, potential damage to the City’s reputation and risk of fines or legal costs.”*

[Page 14](#) recognizes the often-overlooked lifetime costs of new infrastructure: *“Assets may cost a significant amount of money throughout their lifecycle. This means that one generation may build an asset which does not require any substantial works in their lifetime but will lock in future generations with significant costs and risks.”*

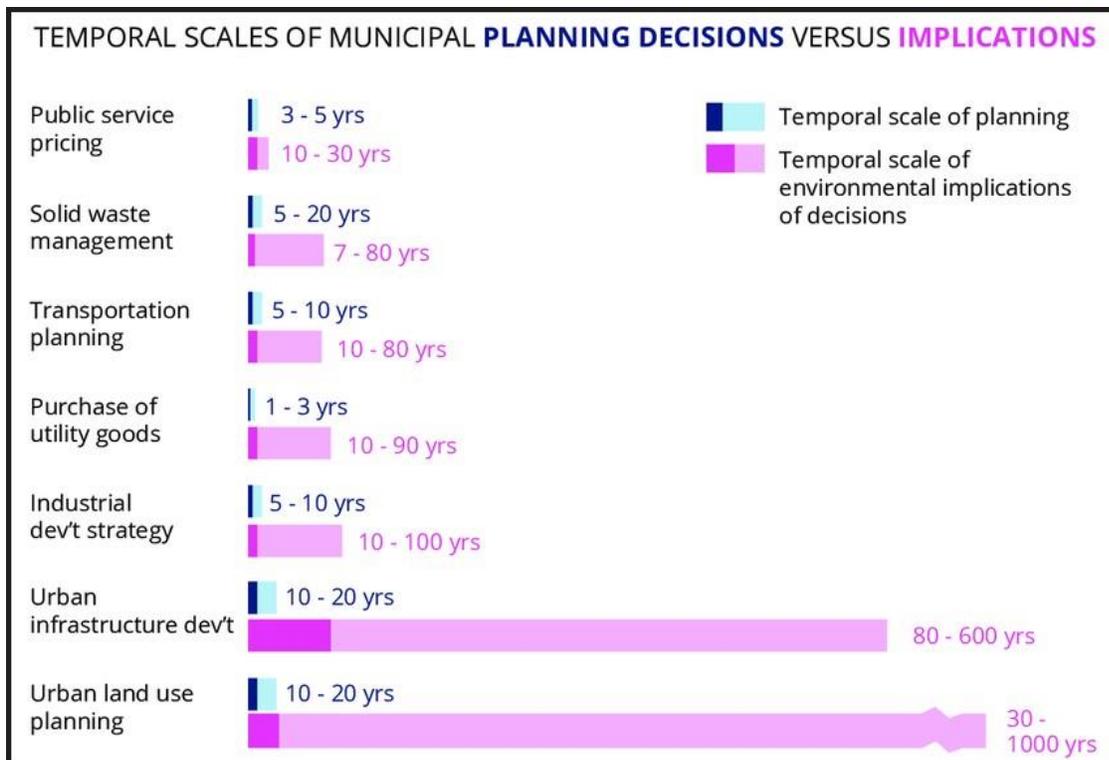
### **Why a Value for Money Audit?**

The Hamilton Naturalists’ Club (HNC) believes it is in the public interest to determine whether development of the AEGD is in the best interests of both nature and the citizens of Hamilton, or whether it would be more prudent to shift employment and industrial development to areas along existing rail, road, and marine transit corridors where infrastructure is already in place, where nature loss will be reduced, and where existing brownfields could be remediated through the development. Eg: Steelport - former Stelco Lands near the Hamilton Port, McMaster Innovation Park, Burlington Street, areas along the LRT line or existing business parks with vacancies such as Red Hill business park, Ancaster business park, Waterdown business park. A significant amount of employment can also be added in the city through recent city-wide zoning changes that now allow more businesses in neighbourhoods. On March 27, 2024, Council ratified Planning committee’s decision to approve new R3 zoning which will, for the first time in Hamilton, allow a [wide range of commercial businesses](#) on the ground floor of multi residential buildings along arterial roads.

**Ecosystem Services** To our knowledge the city has not assessed the dollar value of the ecological services provided by the land within the AEGD as it relates to stormwater management, water purification, air purification, carbon sequestration etc. Such a study was done for the [Grindstone Creek watershed](#) and it was found to provide \$2.3 Billion in stormwater management and other ecological services. We are familiar with other such

ecosystem services studies that have been performed in and around Hamilton including the Cootes to Escarpment EcoPark System and the [Region of Halton Natural Heritage System](#). This methodology is becoming increasingly popular as more value is placed on wetlands, forests and riparian areas when considering climate change adaptation strategies (using terms such as natural capital and nature-based solutions), and the importance of natural heritage systems in stemming biodiversity loss.

**Climate Change** Hamilton’s declaration of a climate emergency in 2019 has seen the creation of the Office of Climate Change Initiatives and a Climate Action Strategy which consists of two major streams: 1. **climate mitigation**: reduction of greenhouse gases and 2. **climate adaptation**: decreasing impacts and preparing for unavoidable impacts of a changing climate. The Province of Ontario’s own report: [Community Emissions Reduction Planning: A Guide for Municipalities](#) identifies urban infrastructure development and urban land use planning as the two municipal planning decisions with the greatest potential to lock in GHG emissions for centuries. *“In the case of infrastructure investments and land-use plans, the environmental consequences continue for centuries. This leads to “lock-in”: a situation where past decisions limit the options and increase the costs for future decisions. In the context of community energy and emissions planning, this makes the longest term decisions also among the most important.”*



**Biodiversity Action Plan** Partnered with the HNC, Hamilton has and will continue to invest considerable time and resources into developing a [Biodiversity Action Plan](#) (BAP) to map out a process by which we can hope to reverse the decades-old trend of declining biodiversity in our city. Habitat loss is one of the most significant factors in local biodiversity decline and the urbanization of the AEGD would further exacerbate this. *“At the local and global scale, biodiversity is in a state of decline. To protect and rehabilitate Hamilton’s unique biodiversity assets, a coordinated approach between the City of Hamilton and local community environmental partners has been adopted by the City of Hamilton.”*

**Kunming-Montreal Biodiversity Pledge** On June 15, 2023 the City of Hamilton [became a signatory](#) to The Kunming-Montreal Pledge – Cities United in Action for Biodiversity, which includes an action to *“conserve existing natural environments through protected areas and other effective and equitable measures”*.

**Municipal Protected Areas Project (MPAP)** In October, 2023 Hamilton [partnered with Ontario Nature](#) and the HNC on the MPAP with a goal to identify protected land within Hamilton that could contribute to Canada’s commitment to the Montreal Protocol of protecting 30% of Canada’s land and water by 2030. To date Hamilton is far behind the 30% local target and the urgency to increase protected areas is growing.

**Agriculture** The AEGD already has a thriving industry – agriculture. The gross output of agriculture in Hamilton [is valued at \\$1.3Billion](#) and supports 2207 jobs. Has the city assessed the financial loss to Hamilton of ceasing agricultural activities in the AEGD?

**Urban Forest Strategy** We all know the critical role trees play in mitigating the effects of climate change, cooling the city, sequestering carbon, providing habitat, and assisting with flood mitigation. Mature trees and hedgerows play an even greater role in this regard since their ability to perform these tasks is multiplied exponentially over that of a newly planted juvenile tree. The City has adopted a very ambitious plan to increase our urban forest canopy from the current [20% coverage to 40% coverage](#) and since Hamilton has approximately [5,212,000 trees](#), doubling the tree canopy by 2050 will mean doubling that number through planting trees and, crucially, [stopping tree loss](#). Does the City account for trees lost annually through development and other means?

To our knowledge the trees, hedgerows, wetlands, and other natural heritage features in the AEGD have not been fully inventoried. At full build-out however, we can assume that many tens of thousands of mature trees and hedgerows will be sacrificed for logistics warehouses. One single development proposal in the AEGD can account for the removal of one thousand or more mature trees which flies in the face of Hamilton's efforts to increase our tree canopy.

**Wetlands** The AEGD is the highest point of elevation between Lakes Erie and Ontario making it the headwaters of three separate creek systems: the Welland River, Twenty Mile Creek and Ancaster Creek. Wetlands are crucial in their ability to hold water and protect us from flooding and yet the vast majority of locally significant wetlands in the AEGD have not be fully mapped or accounted for. Data from the Hamilton Conservation Authority indicates that the Ancaster Creek subwatershed alone [\*“has lost 96.4% of its historical wetland cover.”\*](#) (page AN-3). We cannot afford to lose even one more wetland in Hamilton.

### **Elimination of ecological services provided by existing green infrastructure**

The [AEGD Secondary Plan](#) envisions this: *“Design with nature by protecting streams, mature trees, wetlands, significant habitat and integrating topography into developments.”*

In reality, each AEGD development application is coupled with the elimination of natural features on very large parcels (50-100 acres). Each plan calls for the removal of hedgerows, wetlands, small woodlots, wildlife habitat for recognized species at risk, hundreds of mature trees, meadows, headwaters, headwater drainage features (creeks and streams).

Since green infrastructure is not currently accounted for or assessed as part of Hamilton's Asset Management Plan, as a city we have no idea of the financial loss associated with the ecosystem services provided by these features when they are lost. We do not know their value if they were simply left alone to do their job. The Hamilton Conservation Authority is currently engaged in the [Saltfleet wetland restoration program](#), an engineered wetland in upper Stoney Creek, specifically built to protect the residents of lower Stoney Creek from flooding. The price tag is in the millions in both engineering and land purchase costs. The City funds the HCA. It appears that, with one hand the City approves development on and around wetlands and with the other it pays handsomely to buy land and construct wetlands to prevent flooding. These two actions appear contradictory.

**Flood risk** As more farmland and wetlands are converted to impervious surfaces, flood risks escalate leaving the city [vulnerable to litigation](#). The Intact Centre on Climate Adaptation and the [Insurance Bureau of Canada](#) both list flooding as the top risk to Canadian municipalities in the age of climate change. [The Intact Centre report](#) examines the preparedness of 16 major Canadian cities to minimize the negative consequences of current and future floods and gives an average national score of C+ in municipal flood preparedness. Despite being built with the latest in flood mitigation measures, Hamilton is already experiencing flooding [near Amazon](#), the one development currently completed in the AEGD.

**Questionable Tax uplift** Below is our approximation of a comparison of tax yield per acre for a warehouse vs a small business within urban Hamilton. Acre for acre it appears that the small business pays more than double the taxes of the warehouse, utilizes already-existing urban infrastructure, and is serviced by an existing bus route. Has the City analysed the cost of building the infrastructure to support AEGD development vs the income it will generate for the city, compared to the cost of building infill businesses within city boundaries vs the income those businesses will generate for the city?

Location	Use	Acres	Annual tax yield	Annual tax yield per acre
155 Aeropark	Amazon warehouse	52	\$3,799,286	\$73,063
231 Wilson St, Ancaster	Lawyer/boutique	0.4	\$67,804	\$161,349

To date, the majority of development plans already in progress for the AEGD are for industrial warehouses. Are we correct in our understanding that industrial warehouses in the AEGD are not taxed as “Hamilton industrial” class (5.1% x assessed value), but rather are taxed as “Ancaster or Glanbrook commercial” class (approx. 2.9% x assessed value)? If so, we believe this difference is not widely understood.

Acre for acre, small commercial businesses appear to beat Amazon-style warehouses in tax revenue, while saving considerable taxpayer money by virtue of being located in areas where infrastructure and services already exist, eliminating the need to build more. For an accurate understanding of the value of development to the city’s coffers, we should assess its value to the city per acre. Just as we compare prices in the grocery store per 100g etc, we must clearly understand the value to the city per acre of land use.

**Employment quality** Warehouse employment is characterized by city [consultant Watson \(slide 22\)](#) as “low yield, low quality employment”.

*“A large share of projects that have benefitted from D.C. exemptions have been warehousing-related projects – not providing high employment yields/quality of employment”.* We have been told that Amazon Hamilton’s starting salary is under \$20/hour and progresses very slowly up the scale.

**Employment endurance** Toyota notes [“dark warehouses”](#) which have high automation and very limited (if any) human presence, list among the benefits: *no shift changes, breaks or human error that need to be corrected. “Dark warehouses operate 24/7 without stopping”.* The expectation is that as automation improves, fewer jobs will be found in warehousing/logistics.

**Development charges** Industrial development currently enjoys a [37% discount](#) (page 4) in DCs as per Hamilton’s existing DC bylaw (currently under review), and the Ford government’s Bill 23 currently phases in additional provincial discounts starting at 20% in year one. These discounts, both municipal and provincial, amount to very substantial dollar amounts transferred squarely from developers to the shoulders of Hamilton taxpayers.

**Pilon, Janet**

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**Subject:** We support City-wide Green Building Standards

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**From:** Rose Janson

**Sent:** April 25, 2024 3:19 PM

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

**Subject:** We support City-wide Green Building Standards

To the City of Hamilton

We are very glad to hear that city-wide Green Building Standards are being introduced for new developments in the City of Hamilton. Super! Hurrah!

As we are experiencing the Climate Crisis, with extreme weather and other unjust consequences, we need sensible new regulations. We hope the new Building Standards will lead to more energy efficiency, bird friendly design, green spaces, electric vehicle charging infrastructure, parking spaces for bicycles, and requirements for the planting of native species.

Thank you for your responsible initiatives.

Rose Janson and Family

**Pilon, Janet**

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**Subject:** How much PFOS should Health Canada "advise" children and women of childbearing age to eat?

From: Joseph Minor [REDACTED]

Sent: April 29, 2024 12:45 PM

Subject: How much PFOS should Health Canada "advise" children and women of childbearing age to eat?

Regarding: 2017 Federal Environmental Quality Guidelines Perfluorooctane Sulfonate (PFOS) (Environment Canada)

2017 is an interesting year because it is the same year that Health Canada and Ontario MoECC worked together to develop the PFOS fish consumption guidelines in the Guide to Eating Ontario Fish that are still in effect today.

The Guide still (2024) advises children and women of childbearing age that it is "advisable" for them to consume 908g per month that is contaminated with ΣPFAS at levels ranging from 70,000 ppt to 140,000 ppt in the dorsal, skinless, boneless fillets (the part that we eat). Children and women of childbearing age should not consume fish contaminated with more than 140,000 ppt ΣPFAS.

Environment Canada's 2017 consumption guidelines (that came out the same year) are much more restrictive:

The Wildlife Diet Guideline:

"The wildlife diet guidelines are intended to protect either mammalian or avian species that consume aquatic biota. It is the concentration of PFOS in the aquatic biota food item, expressed on whole body, wet weight basis that could be eaten by terrestrial or semi-aquatic mammalian or avian wildlife"

To protect mammalian and bird species the concentration of PFOS in the aquatic food that they eat (e.g., fish) should be less than:

4,600 ppt PFOS for mammals

8,200 ppt PFOS for birds

Homo sapiens is a terrestrial mammal that consumes aquatic biota (e.g., fish).

So in 2017:

Health Canada said it is OK for children and women of childbearing age to eat fish that is contaminated with up to 140,000 ppt ΣPFAS.

Environment Canada said that to protect terrestrial mammalian species the aquatic food that they eat should not be more than 4,600 ppt PFOS.

In the waterways downstream of PFAS/PFOS toxic hotspots where AFFF was sprayed, the majority of the ΣPFAS in fish is PFOS.

So, in 2017 the PFAS consumption advice being given by two different departments of the same government (Canada) differ by about 30 times.

Or, put another way, in order to make the two guidelines consistent the consumption levels in the Guide to Eating Ontario Fish need to be reduced by about 97%.

Since 2017, we have learned much more about toxicity of PFAS, and in particular for PFOS.

Based on current scientific knowledge:

Humans are particularly sensitive to the effects of PFOS. This is due in part to the much longer PFOS half life in humans (years in humans as opposed to days in rats and monkeys). If anything, the guidelines should be lower for humans than they should be for the average "terrestrial mammal".

In 2023, the US EPA released a comprehensive Toxicity Review for PFOS. It was 500 pages long and considered thousands of papers containing data about PFOS. Based on this review, in 2024 the US EPA released the following "Final Rules" for PFOS in drinking water:

Maximum Contaminant Level: 4 ppt PFOS

Maximum Contaminant Level Goal: ZERO ppt PFOS

The much higher amounts of PFAS/PFOS that the Guide to Eating Ontario Fish advises children and women of childbearing age to consume are increasingly at odds with current scientific knowledge. They are in urgent need of revision.

While we wait, we need to do a much better job communicating with children and women of childbearing age about the highly PFOS contaminated "do not eat" fish that are swimming in the upper Welland River downstream of the PFAS/PFOS source at the Hamilton International Airport.

**Pilon, Janet**

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**Subject:** Proposed development at 560 Grays Road, Stoney Creek

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**From:** Dave Amos

**Sent:** April 29, 2024 3:16 PM

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

**Cc:** Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>

**Subject:** Proposed development at 560 Grays Road, Stoney Creek

To Planning Committee for City of Hamilton

We currently reside at 11 Lakegate Drive which is close to this proposed development. While we agree with the need for more housing we do have some concerns/questions.

There is already significant development in the area at Greens Rd with several high towers planned and currently one is under construction. Has all this been considered relative to overcrowding and traffic flow. Have studies been done to ensure we don't have excessive congestion? Where this development is proposed is already a very busy area as it is the one of the main routes that many use to access the QEW.

We have had stormwater sewer backups in the last few years at the end of Grays road where the sewer dumps into lake Ontario.resulting in some houses being flooded. Thus development will result in increased stormwater runoff. Has this impact been considered?

We have a similar concern with sanitary sewer flows as we have had significant sanitary sewer backups in 2009 resulting in significant damage to properties on Lakegate Dr including our property

Regards

Dave & Patricia Amos

# Dewitt Repavement

We are looking to bring attention to the proposed changes on Dewitt Road.

1. Removal of the proposed Bike Lanes
2. Maintaining Street parking for the residents of Dewitt Road and the schools
3. Looking to safely reduce the speed of drivers by adding speed bumps and stop signs
4. Keeping the left turn lanes on Barton and Queenston



Name	Signature	Address	Email
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This petition contains 51 signatures  
A copy of the petition is available  
for viewing in the Office of the City  
Clerk

**Pilon, Janet**

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**Subject:** Ward 10 Stoney Creek - Dewitt Road Bike Lanes and Traffic Calming Measures

**From:** Ryan Hook

**Sent:** April 30, 2024 11:07 AM

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

**Subject:** Ward 10 Stoney Creek - Dewitt Road Bike Lanes and Traffic Calming Measures

RE: Motion to modify plan for Dewitt Rd. bike lanes and introduce traffic calming measures

ATTN: City Clerk

To whom it may concern:

As a resident that has lived on Dewitt Road for the past 9 years (and grew up in lower Stoney Creek), I have seen firsthand evidence that safety and traffic calming measures are desperately needed on our street. Our street is primarily residential with two elementary schools and a high school along the stretch between Barton Street to the plateau. That alone should justify measures to control speeding cars on Dewitt. And yet, nothing has been done to date.

City of Hamilton representatives presented their plans to changes to Dewitt Road in the spring of 2023 to coincide with roadworks that were to begin in the summer of 2023. Despite pleas from residents for many years to introduce traffic calming measures, all that were included in the plan were signalled pedestrian crossovers (PXOs) and protected bike lanes.

It is possible that narrowing the vehicular lanes to accommodate the protected bike lanes may help with slowing traffic, but I suspect it will not. Dewitt is a very wide road and, even with protected bike lanes, it will still remain wide enough for reckless driving practices. I believe we are in need of more effective measures to make Dewitt Road a safer street for families, students and residents. We deserve to have proper traffic calming measures in place to keep our street safe.

There have not been any traffic incidents on Dewitt that I am aware of, but it is only a matter of time before it happens. In the past few weeks, right after children had been let out from Our Lady of Peace school and were crossing at Dupont and Dewitt, I witnessed a car speeding down the street at well above the 40km/h school hour limit. On another recent occasion, my 4 year old daughter and I were recently nearly run over by a speeding SUV coming northbound from Macintosh that was going well above the speed limit before slamming on the brakes right at the crosswalk we were attempting to cross at the corner of Dupont and Dewitt. I have 3 school age children and I continually worry for their safety on our street. I see many traffic violations on our street regularly—from cars travelling well above the posted speed limit to vehicles illegally passing school buses that are unloading/loading children.

Our councillor, Jeff Beattie, has been an advocate for the residents of Dewitt and has heard our disappointment and disapproval of the original plans proposed by the city. He has worked for the past year to bring safety to Dewitt and implement measures to slow down drivers.

On behalf of my fellow residents of Dewitt, parents and children of the 3 schools in the area, and other concerned neighbours, I implore you to approve the motion Mr. Beattie has presented to add speed cushions to the plan. If you want proof that there is a problem on our street, here is just a small example of the speeders we encounter: <https://youtu.be/t0gndseFaSo>

Throughout our city, school and residential areas have traffic calming measures in place to bring added safety to residents. Dewitt Road is overdue to receive these traffic calming measures. I ask that the amendments that Mr. Beattie has brought to the plan be approved and implemented as the first steps to make our street a safer place to live.

Thank you,

Ryan Hook

**Pilon, Janet**

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**Subject:** Completion of Dewitt Road - Ward 10

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**From:** Lois Tarbutt <

**Sent:** April 30, 2024 1:10 PM

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

**Subject:** Completion of Dewitt Road - Ward 10

Please be advised that my husband and I are long time residents of Ward 10, living very close to Dewitt Road. We are supportive of our Ward 10 Councillor Beattie's motion to downgrade bicycle lanes from protected (with curb) to buffered (with just paint and no curb), along with speed cushions / speed bumps, pedestrian crossings (PXO's), and a reduction of the speed limit on Dewitt Road between Barton Street and Highway #8.

We have seen first hand cars exceeding the speed limit racing up and down Dewitt Road, and on a regular basis cars ignoring the 4 way stop and driving right through the intersection. It is a dangerous strip of roadway, especially considering the regular flow of traffic (both pedestrian and cars) in front of Orchard Park HS and Our Lady of Peace PS.

Thank you for your consideration.

Sincerely,

Rick and Lois Tarbutt

**Pilon, Janet**

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**Subject:** DeWitt Rd bike lane

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**From:** Andrea Di Nicola

**Sent:** April 30, 2024 3:45 PM

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

**Subject:** DeWitt Rd bike lane

I am supportive of the motion to downgrade the cycle lanes from protected (with curb) to buffered (just paint, no curb), along with speed cushions/speed bumps, pedestrian crossings (PXO's) and a possible reduction of the speed limit. This is for the safety of our children, considering the two schools that are on DeWitt and our community.

Thank you  
Andrea DiNicola

## 5.11(d)

Written Delegation For Public Works Meeting #: 24-005 Date: April 29, 2024  
Time: 1:30 p.m.

I am writing you today to as Co-Chair of Cycle Hamilton, we are opposed to the Motion 12.1 regarding Dewitt Road and Vicinity.

A quick survey of the area shows there is a Elementary School and a Elementary School on the section of Dewitt Road in question. There is strong support of 92% of Ontarians in favour of walking and cycling to school (Share The Road News Release 2023). This can't be done with infrastructure that is nothing more than paint in school zones. A buffered cycling lane will still have motorists using the lane for parking and school drop offs.

I understand the concern of connecting infrastructure, in the Accelerated Active Transportation Plan (PED24023 PW24002) it shows 8 projects coming up in Ward 10. This is a first step and should proceed as recommended by the Hamilton Cycling Committee.

The City conducted a Secondary Plan and one of the concerns in the neighbourhood was traffic speed. separated bike lanes have been proven to increase road safety for Cyclists, Pedestrians and motorists. Looking at the Ontario Traffic Manual Book 18 the desired design for roads with 50 km/h speed is separated bike lanes\cycle tracks and I would add that with the schools in the area they should be protected.

Lastly the City of Hamilton has declared an affordability\climate crisis so why wouldn't we be doing everything possible to maximize safety for those that choose to commute by bike.

Mark Anderson  
Co-Chair Cycle Hamilton



**Pilon, Janet**

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**Subject:** Dewitt Road Motion by Jeff Beattie

From: SUSAN HOLOHAN  
Sent: April 30, 2024 3:50 PM  
To: clerk@hamilton.ca  
Subject: Dewitt Road Motion by Jeff Beattie

Dear Council,

The motion being brought by our councillor Jeff Beattie regarding bike lanes and traffic calming is very important and I urge council to approve it. We have two schools between Hwy 8 and Barton very close to each other. One a high school and the other elementary school. There is a third school ( elementary) on the escarpment side of Dewitt Road

At certain times Dewitt Road is jam packed with school buses and cars and a bike lane curb would take away so many parking spaces For picking up and dropping off school children. The car park within Orchard Park high school also holds many cars belonging to swimmers at the pool and is often very full. Approximately eighty to one hundred attend the pool in the morning hours.

Dewitt Road is a very high traffic thoroughfare and narrowing the available space with bike lanes would cause significant congestion for all involved.

I urge you to listen to Councillor Beattie's motion and if necessary come and see the situation for yourself especially around 2.10pm in the afternoon.

Thank you for your consideration.  
Susan Holohan

**Pilon, Janet**

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**Subject:** Dewitt Road

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**From:** Rise C

**Sent:** April 30, 2024 3:56 PM

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

**Subject:** Dewitt Road

Warren and Risé Conrad, [REDACTED] support this new motion for DeWitt Road.  
We support Jeff Beattie's motion.

Thank you,

**Pilon, Janet**

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**Subject:** Dewitt Road

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**From:** Rise C  
**Sent:** April 30, 2024 7:36 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Dewitt Road

Hi

Peg Harrington [REDACTED] supports Jeff Beattie as per attachment.

Thank you

**Pilon, Janet**

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**Subject:** Dewitt Road Motion

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**From:** Tonia Williams

**Sent:** May 1, 2024 10:43 AM

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

**Cc:** Matthew Ruberto; Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>

**Subject:** Dewitt Road Motion

To Whom It May Concern:

On behalf of our family residing at [REDACTED] in Stoney Creek [REDACTED] we would like to express our support for the motion being brought forward by Jeff Beattie regarding:

- Dewitt Road downgrade to buffered bike lanes (as opposed to curbed)
- Dewitt Road speed cushions (bumps)
- Dewitt Road pedestrian crossings
- Dewitt Road speed reductions

All of these items are extremely important for the safety of Dewitt road residents and travellers. If you have any questions or if anything is unclear, please do not hesitate to be in touch with us.

Thank you,  
Tonia Williams Ruberto

**Pilon, Janet**

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**Subject:** Dewitt road changes

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**From:** mark pecaric  
**Sent:** May 1, 2024 7:50 PM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Dewitt road changes

Hello,

I support the changes brought forward by Jeff beattie. My address is [REDACTED], Stoney Creek, ON [REDACTED]

Thanks

**Pilon, Janet**

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**Subject:** Bicycle lane

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**From:** alecia lewis

**Sent:** May 2, 2024 6:53 AM

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

**Subject:** Bicycle lane

I am writing to support the motion to downgrade the curb bicycle lane and support that it should be painted instead.

Alecia Lewis



## 5.12

April 29, 2024

Office of the Mayor & Council  
City of Hamilton

By email: [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

Dear Mayor/Chief and Council,

Re: Grand River Conservation Authority's Watershed-based Resource Management Strategy – Consultation Period

The Grand River Conservation Authority (GRCA) manages water and other natural resources on behalf of 38 municipalities and about one million residents of the Grand River watershed. The GRCA is a partnership of watershed municipalities and provides an avenue to work together, addressing environmental issues and opportunities that serve to benefit the entire Grand River watershed.

Under the *Conservation Authorities Act*, each Conservation Authority in Ontario is required to prepare a Watershed-based Resource Management Strategy (Strategy). The goal of the Strategy is to ensure that the GRCA's programs and services respond to watershed issues and reflect the organization's mandate under the *Conservation Authorities Act* and municipal Memorandums of Understanding for programs and services.

The GRCA has prepared a draft Strategy and is inviting municipalities, the Six Nations of the Grand River, the Mississaugas of the Credit First Nation, and the public to review and comment on the Strategy.

The draft Strategy is available on the GRCA's website ([www.grandriver.ca/resourcestrategy](http://www.grandriver.ca/resourcestrategy)) and comments may be submitted until June 7, 2024. A public information session on the draft Strategy will be held by webinar in May and will be advertised on the GRCA's website and social media. Presentations to councils or staff are available upon request.

Inquiries regarding the Strategy can be directed to Janet Ivey, Manager of Water Resources at Email: [jivey@grandriver.ca](mailto:jivey@grandriver.ca) or Tel: 519-621-2763 ext. 2128.

Yours very truly,

A handwritten signature in black ink, appearing to read "Chris White".

Chris White, Chair

**Pilon, Janet**

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**Subject:** Help us celebrate our faith!

**From:** Divan Meyer

**Sent:** Tuesday, April 30, 2024 6:38 PM

**To:** Office of the Mayor <[Officeofthe.Mayor@hamilton.ca](mailto:Officeofthe.Mayor@hamilton.ca)>

**Subject:** Help us celebrate our faith!

Your Worship,

Christianity is the most followed religion in our country, with more than half of the Canadian population identifying as members of the Christian faith. The Canadian Charter of Rights and Freedoms even mentions God in its very first sentence. However, despite months being dedicated to Sikh, Islamic, Jewish and Hindu heritages, among others, there is no such recognition for the Christian faith in Canada.

I write to you today to request that the month of December be recognized by your municipality as Christian Heritage Month. This designation would provide an opportunity for Canadians of all backgrounds to appreciate and celebrate the positive impact of Christianity on our shared history.

We hope to have your support in this matter.

Sincerely,

Divan Meyer

**Pilon, Janet**

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**Subject:** Affordable Housing Bulletin Release

From: Watson & Associates Economists Ltd. <mailto:info@watsonecon.ca>

Sent: May 2, 2024 10:58 AM

Subject: Affordable Housing Bulletin Release

To our Municipal Clients,

In our continued efforts to keep you informed of the ongoing legislative changes regarding Bill 23, More Homes Built Faster Act (2023), Bill 134, Affordable Homes and Good Jobs Act (2023), and Bill 185, Cutting Red Tape to Build More Homes Act (2024), we are writing you today to inform you that the Province has released the Affordable Housing Bulletin which provides the Affordable Unit Prices (ownership and rental) that will be used to determine eligibility for the affordable housing exemption. Please refer to the attached letter on Bill 134 for further details.

Note that the Affordable Housing Exemption applies to development charges, community benefits charges, and parkland dedication.

The bulletin has been posted on the provincial website here: <https://www.ontario.ca/page/municipal-development-and-community-benefits-charges-and-parklands#section-4>

As noted in previous correspondence, the Province is seeking to enact this exemption beginning on June 1, 2024.

Please let us know if you have any questions.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Daryl Abbs, MBE, PLE, Managing Partner  
Jamie Cook, MCIP, RPP, PLE, Managing Partner  
Andrew Grunda, MBA, CPA, CMA, Principal  
Peter Simcisko, BA (Hons), MBE, Managing Partner  
Sean-Michael Stephen, MBA, Managing Partner  
Jack Ammendolia, BES, PLE, Managing Partner

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Fax: 905-272-3602

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

October 23, 2023

To Our Municipal Clients:

Re: Assessment of Bill 134, *Affordable Homes and Good Jobs Act, 2023*

On behalf of our many municipal clients, we are writing to inform you of the Ontario Legislature's proposed changes to the *Development Charges Act* (D.C.A.) and the *Planning Act*, under Bill 134 (*Affordable Homes and Good Jobs Act*). These proposed changes are with respect to the definition of an "affordable residential unit" for the purpose of exempting such developments from the payment of development charges (D.C.), community benefits charges (C.B.C.) and parkland dedication. The following comments will be included in our formal response to the Province, which we also intend to present to the Standing Committee on Heritage, Infrastructure and Cultural Policy (Standing Committee) on November 15/16, 2023.

## 1. Introduction

The exemptions for affordable residential units were included in the *More Homes Built Faster Act* (Bill 23), enacted by the Province on November 28, 2022. Under this legislation, affordable residential units were defined within subsection 4.1 of the D.C.A. and exemptions for D.C., C.B.C. and parkland dedication were provided in respect of this definition. While the legislation was enacted in November 2022, the ability for municipalities to implement the exemptions required the Minister of Municipal Affairs and Housing to publish an "Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin." This bulletin would inform average market rent and purchase price to be used in determining which developments qualify as affordable residential units. At the time of writing, this bulletin had not been published by the Minister.

The proposed legislation was posted to the Environmental Registry of Ontario on September 28, 2023 (ERO 019-7669). The 30-day comment period closes on October 28, 2023. Bill 134 has received Second Reading in the legislature (October 4, 2023) and has been ordered referred to the Standing Committee.

## 2. Proposed Amendments to the D.C.A.

The definition proposed under Bill 134 modifies the affordable residential unit definition by:

- introducing an income-based test for affordable rent and purchase price; and
- increasing the threshold for the market test of affordable rent and purchase price.



The proposed amendment would provide the exemption based on the lesser of the two measures. Moreover, the rules in subsection 4.1 of the D.C.A. are unchanged with respect to:

- the tenant and purchaser transacting the affordable unit being at arm’s length;
- the intent of maintaining the affordable residential unit definition for a 25-year period, requiring an agreement with the municipality (which may be registered on title); and
- exemptions for attainable residential units and associated rules (requiring further regulations).

The following table provides a comparison of the current definitions within the D.C.A. and those being proposed in Bill 134 (underlining added for emphasis).

Item	D.C.A. Definition	Bill 134 Definition
Affordable residential unit rented (subsection 4.1 (2), para. 1)	The rent is no greater than <u>80 per cent of the average market rent</u> , as determined in accordance with subsection (5).	The rent is no greater than <u>the lesser of</u> , i. the <u>income-based affordable rent</u> for the residential unit set out in the Affordable Residential Units bulletin, as identified by the Minister of Municipal Affairs and Housing in accordance with subsection (5), and ii. the <u>average market rent</u> identified for the residential unit set out in the Affordable Residential Units bulletin.
Average market rent/rent based on income (subsection 4.1 (5)) for the purposes of subsection 4.1 (2), para. 1	the <u>average market rent for the year in which the residential unit is occupied by a tenant</u> , as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin.”	The Minister of Municipal Affairs and Housing shall, (a) determine the <u>income of a household</u> that, in the Minister’s opinion, is <u>at the 60<sup>th</sup> percentile of gross annual incomes for renter households in the applicable local municipality</u> ; and (b) identify the <u>rent</u> that, in the Minister’s opinion, is <u>equal to 30 per cent of the income of the household</u> referred to in clause (a).



Item	D.C.A. Definition	Bill 134 Definition
Affordable residential unit ownership (subsection 4.1 (3), para. 1)	The price of the residential unit is no greater than <u>80 per cent of the average purchase price</u> , as determined in accordance with subsection (6).	The price of the residential unit is no greater than <u>the lesser of</u> , i. the <u>income-based affordable purchase price</u> for the residential unit set out in the Affordable Residential Units bulletin, as identified by the Minister of Municipal Affairs and Housing in accordance with subsection (6), and ii. <u>90 per cent of the average purchase price</u> identified for the residential unit set out in the Affordable Residential Units bulletin.
Average market purchase price/purchase price based on income (subsection 4.1 (6)) for the purposes of subsection 4.1 (3), para. 1	the <u>average purchase price for the year in which the residential unit is sold</u> , as identified in the bulletin entitled the “Affordable Residential Units for the Purposes of the Development Charges Act, 1997 Bulletin,” as it is amended from time to time, that is published by the Minister of Municipal Affairs and Housing on a website of the Government of Ontario.	the Minister of Municipal Affairs and Housing shall, (a) determine the <u>income of a household</u> that, in the Minister’s opinion, is at the <u>60<sup>th</sup> percentile of gross annual incomes for households in the applicable local municipality</u> ; and (b) identify the <u>purchase price</u> that, in the Minister’s opinion, <u>would result in annual accommodation costs equal to 30 per cent of the income of the household</u> referred to in clause (a)

### 3. Illustration of the Proposed Amendment

The proposed definition of an affordable residential unit is generally consistent with the 2020 Provincial Policy Statement (P.P.S.) and considers both income-based and market-price approaches to derive an affordable housing definition for both rental and ownership housing units. This is in contrast to the current D.C.A. definition implemented through Bill 23, which is solely based on the market-price approach.



The following provides an illustrative example of the two approaches and how the application of the affordable residential unit definitions would differ for rental and ownership housing. This example uses 2022 data for the Kingston regional market area. Note, this example is meant to be illustrative and uses data from the P.P.S. Housing Tables. The source of data to be used by the Province for the Affordable Residential Units bulletin, and the level of data disaggregation (by geography and unit type) has not yet been specified.

We have also provided, in an appendix, the P.P.S. Housing Tables for 2022 that may be of assistance to you in undertaking a similar analysis. The information in the appendix includes household income data for all households and renter households, as well as average resale house prices and rents.

### 3.1 Rental Housing Example

Applying the proposed affordable residential unit definition under Bill 134 for the Kingston regional market area:

- The average annual household income for renter households in the 60<sup>th</sup> percentile in 2022 was \$68,900.
- 30% of this annual household income is \$20,670 or \$1,720 per month.
- The average market rent is \$1,390 per month.
- 80% of the average market rent is \$1,120 per month.
- Under the proposed definition, affordable residential units with a rental rate of \$1,390 per month or less would be exempt from D.C.s. This rental threshold is 25% (or \$278/month) higher than the current D.C.A. definition, which would establish this rental threshold at \$1,112 per month.

#### Proposed Bill 134 D.C.A. Definition (October 2023)

##### Lesser of a) or b) of the following

a) the income-based affordable rent based on 60 <sup>th</sup> percentile average household income \$68,900.	\$1,720 (1)
b) average market rent identified for the residential unit.	\$1,390 (2)
<b>Affordable Rental Unit (max. rent)</b>	<b>\$1,390</b>

#### Current D.C.A. Definition (More Homes Built Faster Act)

Where rent is no more than 80% of the average market rent	\$1,112 (2)
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<b>Affordable Rental Unit (max. rent)</b>	<b>\$1,112</b>
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Notes:

(1) Provincial Policy Statement Housing Table - Table 3: Renter Household Incomes and Affordable Rents, 2022

(2) Provincial Policy Statement Housing Table - Table 4. Average Rent by Bedroom Count



### 3.2 Ownership Housing Example

Applying the proposed affordable residential unit definition under Bill 134 for the Kingston regional market area:

- The average annual household income for all households in the 60<sup>th</sup> percentile in 2022 was \$108,300.
- Annual accommodation costs equal to 30% of this annual household income (\$108,300 x 0.3 /12 = \$2,708) represent the carrying cost per month derived from typical monthly mortgage costs, property taxes, and mortgage insurance costs.<sup>[1]</sup> This calculation equates to a purchase price of \$372,500.
- 90% of the average purchase price is \$523,500 (based on an average resale house price of \$581,700).
- 80% of the average purchase price is \$465,360.
- Under the proposed definition, affordable residential units purchased at \$372,500 or less would be exempt from D.C.s. This purchase price threshold is approximately 20% (or \$92,860) lower than under the current D.C.A. definition, which would establish the purchase price at \$465,360.

#### Proposed Bill 134 D.C.A. Definition (October 2023)

##### Lesser of a) or b) of the following

a) the income-based affordable purchase price based on 60 <sup>th</sup> income percentile household income of \$108,300.	\$372,500 (1)
b) 90% of the average purchase price.	\$523,500 (2)
<b>Affordable Ownership Unit (max. purchase price)</b>	<b>\$372,500</b>

#### Current D.C.A. Definition (More Homes Built Faster Act)

Where the price of the unit is no more than 80% of the average purchase price.	\$465,360 (2)
<b>Affordable Ownership Unit (max. purchase price)</b>	<b>\$465,360</b>

Notes:

(1) Provincial Policy Statement Housing Table - Table 1: All Households Incomes and Affordable House Prices, 2022

(2) Provincial Policy Statement Housing Table - Table 2: Average Resale House Price and 10% Below Average Resale Price, 2022

## 4. Comments on the Proposed Amendment

In comparison to the current D.C.A. definition of affordable residential units, the following observations are provided:

<sup>[1]</sup> Mortgage payments based on a 25-year mortgage at 4.79% interest rate and 5% down payment. Estimated monthly property taxes = 0.125% of house value. Canada Mortgage and Housing Corporation mortgage loan insurance premium = 4.0% of loan amount. It is not yet clear if/to what extent these align with “accommodation costs” to be considered for the purposes of the income-based test proposed in Bill 134.



- The refined definition of affordable residential units presented in Bill 134 aligns with the income-based approach utilized in the 2020 P.P.S. This, in contrast to the current market-based approach, better aligns with how a number of municipalities define affordable developments in their housing strategies. However, as provided in our comments on Bill 23, while it is an admirable goal to create additional affordable housing units, further D.C., C.B.C., and parkland exemptions will continue to provide further financial burdens on municipalities to fund these exemptions.
- Based on the P.P.S. Housing Tables provided in the appendix:
  - The rent at which a residential unit would be considered affordable is higher under the Bill 134 proposal, compared to the current D.C.A. definition. This would imply that more rental units would receive the exemption relative to the wording provided in Bill 23, providing a greater incentive for affordable rental units.
  - Based on the information contained in this data source, the income test appears to be irrelevant for rental units, as market rent is consistently lower than the affordable rent (based on 60<sup>th</sup> percentile average household income) across all regional market areas.
  - Conversely, the affordability threshold for ownership housing units, exhibited in this data source, would generally appear to be lower when applying the income-based approach. As a result, Bill 134 is anticipated to incentivize purpose-built rental units over ownership housing.
  - Moreover, this would appear to provide exemptions for ownership affordable residential units that are more aligned with household income than market value.
  - It should also be noted that, based on the provincial average in the data tables, average market purchase prices are approximately double the affordable purchase prices. Based on this observation, only very small residential units, such as studio-type condominium units, may be priced at a point where they would qualify for the affordable residential units exemption. This would mean that establishing affordability using averages across all unit types may not help address the problem of “missing middle”<sup>[1]</sup> housing, which would typically be geared towards families.

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[1] The “missing middle” describes a range of medium-density housing types between single-detached houses and apartment buildings. This includes a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable urban living, such as duplexes, triplexes, fourplexes, rowhouses, and townhouses. Source: [https://www.evergreen.ca/downloads/pdfs/2018/What is the Missing Middle Evergreen CUI s2.pdf](https://www.evergreen.ca/downloads/pdfs/2018/What%20is%20the%20Missing%20Middle%20Evergreen%20CUI%20s2.pdf)



- The proposed definition considers local income in addition to market prices. While the definition clearly identifies that annual incomes for households within the “applicable local municipality” will be used in the income-based test, the local municipality does not appear in the average market rent/purchase price definition. Concerns about the geographic scope of the bulletin and potential implications across local municipalities due to variations in income levels still remain.
- The income level is set at the 60<sup>th</sup> percentile of gross annual income in the applicable local municipality, distinguishing between renter households and all other households. The basis for determination of gross annual income is not provided in the legislation and will be informed by the Minister’s bulletin.
- For affordable households, the rent would be established at 30% of income, and purchase price at accommodation costs equal to 30% of income. A definition of accommodation costs is not provided in the legislation and will be informed by the Minister’s bulletin. The basis for calculating accommodation costs is unclear, and carrying costs need to reflect representative costs of home ownership, including typical mortgage costs, property taxes, and property insurance, as well as condominium fees, where applicable.
- The basis for market rents and purchase prices will be required. Many municipalities utilize Canada Mortgage and Housing Corporation data for establishing average market rents in affordable housing strategies. As noted earlier, it is unclear from the legislation how the average market rents and purchase prices will be determined.
- As currently written, the legislation is unclear if market rent and purchase price will be determined using overall averages or averages disaggregated by dwelling unit type or size. Establishing average rents and purchase prices using overall averages across all dwelling unit types will provide higher average values than those established by dwelling unit type and size, which would have greater exemption implications for municipalities with a larger amount of high-density development. As noted earlier, this approach would also tend to favour smaller condominium units, which would more likely meet the affordability threshold, in contrast to larger family sized units, which would likely not qualify for D.C. exemptions.
- Subsections 4.1 (5) and (6) of the D.C.A. currently identify the market rent/purchase price in the year the unit is occupied/sold as identified in the bulletin. This would appear to indicate an annual publication of the bulletin. The proposed definition of the “affordable residential units bulletin” does not imply an annual publication. The timing for publishing the bulletin should be clarified.
- The market test proposed in the definition is increased from 80% of average market rent/purchase price under the D.C.A. currently, to average market rent and 90% of the average market purchase price.



- The D.C.A. defines “rental housing development” for the purposes of the mandatory instalment payments in section 26.1 of the D.C.A. and the discounts for rental housing development in section 26.2. Affordable residential rental units within subsection 4.1 (2) are not specifically defined as rental housing development and, therefore, it does not appear that there is a requirement for those units to be in a building or structure with four or more units.
- The introduction of the income test for affordable residential units will increase municipal administration costs of agreements and the requirement to ensure these units remain affordable over a 25-year period. These administrative burdens will be cumbersome and will need to be monitored and coordinated by both upper-tier and lower-tier municipalities. Further clarification is required with respect to:
  - The parties to the agreement (e.g., developer vs. builder vs. owner);
  - The Minister of Municipal Affairs and Housing establishing standard forms of agreement, as provided under subsection 4.1 (12); and
  - Reporting requirements and onus (i.e., should the municipality reach out to the parties of each agreement or should the parties to the agreement be required to report to the municipality?).

As summarized above, there are several concerns and areas of clarification that Watson will be advancing in our submission through the Environmental Registry of Ontario. Watson will also be seeking an opportunity to speak as a delegation to the Standing Committee to provide our concerns on behalf of our municipal clients.

We will continue to monitor the progress of Bill 134 through the legislature and will continue to keep our clients informed of any changes. If you have any questions, please do not hesitate to contact us.

Yours very truly,

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# Appendix

Provincial Policy Statement – Housing Table

Table 1: All Households Incomes and Affordable House Prices, 2022

Regional Market Area	10th Income Percentile	10th Percentile Affordable House Price	20th Income Percentile	20th Percentile Affordable House Price	30th Income Percentile	30th Percentile Affordable House Price	40th Income Percentile	40th Percentile Affordable House Price	50th Income Percentile	50th Percentile Affordable House Price	60th Income Percentile	60th Percentile Affordable House Price	70th Income Percentile	70th Percentile Affordable House Price	80th Income Percentile	80th Percentile Affordable House Price	90th Income Percentile	90th Percentile Affordable House Price
<b>Ontario</b>	\$31,200	\$107,200	\$49,100	\$168,800	\$65,400	\$225,000	\$82,300	\$283,200	\$100,500	\$345,900	\$120,400	\$414,300	\$145,800	\$501,700	\$179,000	\$615,800	\$236,400	\$813,400
City of Toronto	\$26,300	\$90,500	\$42,400	\$146,000	\$58,800	\$202,200	\$75,100	\$258,500	\$92,800	\$319,300	\$112,700	\$387,700	\$138,100	\$475,100	\$176,800	\$608,200	\$247,500	\$851,400
<b>Central</b>	\$36,700	\$126,200	\$56,100	\$193,100	\$74,600	\$256,600	\$92,800	\$319,300	\$112,700	\$387,700	\$134,800	\$463,700	\$160,200	\$551,200	\$196,600	\$676,600	\$254,100	\$874,300
Regional Municipality of Durham	\$40,700	\$139,900	\$61,400	\$211,300	\$80,100	\$275,600	\$99,400	\$342,100	\$118,200	\$406,700	\$140,300	\$482,700	\$165,700	\$570,200	\$198,900	\$684,200	\$251,900	\$866,600
Regional Municipality of Halton	\$42,400	\$146,000	\$66,300	\$228,100	\$87,800	\$302,200	\$110,500	\$380,100	\$133,700	\$459,900	\$160,200	\$551,200	\$192,200	\$661,400	\$234,200	\$805,800	\$309,300	\$1,064,300
City of Hamilton	\$29,600	\$101,900	\$46,000	\$156,100	\$61,400	\$211,300	\$77,300	\$266,100	\$93,900	\$323,100	\$113,800	\$391,500	\$137,000	\$471,300	\$160,000	\$581,600	\$221,000	\$760,200
District Municipality of Muskoka	\$29,400	\$101,100	\$46,400	\$159,600	\$61,000	\$209,800	\$75,100	\$258,500	\$91,700	\$315,500	\$108,300	\$372,500	\$129,300	\$444,700	\$159,100	\$547,400	\$209,900	\$722,200
Regional Municipality of Niagara	\$30,000	\$103,400	\$45,100	\$155,100	\$58,300	\$200,700	\$72,400	\$249,000	\$92,500	\$302,200	\$105,000	\$361,100	\$124,800	\$429,500	\$152,500	\$524,600	\$198,900	\$684,200
Regional Municipality of Peel	\$40,200	\$138,400	\$61,900	\$212,900	\$81,200	\$279,400	\$99,400	\$342,100	\$118,200	\$406,700	\$139,200	\$478,900	\$164,600	\$566,400	\$196,600	\$676,600	\$251,900	\$866,600
County of Simcoe	\$35,100	\$120,900	\$52,600	\$180,900	\$69,400	\$238,700	\$85,600	\$294,600	\$102,700	\$353,500	\$121,500	\$418,100	\$143,600	\$494,100	\$173,400	\$596,800	\$223,200	\$767,800
Regional Municipality of York	\$38,000	\$130,800	\$59,700	\$205,300	\$80,600	\$277,500	\$100,500	\$345,900	\$123,700	\$425,700	\$149,100	\$513,100	\$179,000	\$615,800	\$218,700	\$752,600	\$282,800	\$973,100
<b>Eastern</b>	\$31,400	\$108,000	\$49,100	\$168,800	\$65,400	\$225,000	\$81,800	\$281,300	\$99,400	\$342,100	\$118,200	\$406,700	\$142,500	\$490,300	\$174,600	\$600,600	\$227,600	\$783,000
City of Cornwall	\$27,000	\$92,700	\$40,700	\$139,900	\$55,000	\$182,500	\$66,700	\$229,600	\$80,600	\$277,500	\$97,200	\$334,500	\$116,000	\$399,100	\$141,400	\$486,500	\$183,400	\$631,000
County of Hastings	\$28,900	\$99,600	\$43,300	\$148,000	\$55,700	\$191,600	\$68,900	\$237,200	\$82,900	\$285,100	\$99,400	\$342,100	\$118,200	\$406,700	\$142,500	\$490,300	\$183,400	\$631,000
Kawartha Lakes Division	\$29,600	\$101,900	\$45,500	\$156,600	\$60,100	\$206,800	\$74,000	\$254,700	\$90,600	\$311,700	\$107,200	\$368,700	\$129,300	\$444,700	\$154,700	\$532,200	\$203,300	\$699,400
Haliburton County	\$27,800	\$95,800	\$41,500	\$142,900	\$54,400	\$187,000	\$66,700	\$229,600	\$81,200	\$279,400	\$97,200	\$334,500	\$116,000	\$399,100	\$140,300	\$482,700	\$182,200	\$661,400
City of Kawartha Lakes + Haliburton	\$29,200	\$100,300	\$44,600	\$153,600	\$58,800	\$202,200	\$72,900	\$260,900	\$87,800	\$302,200	\$105,000	\$361,100	\$125,900	\$433,300	\$152,500	\$524,600	\$201,100	\$691,800
City of Kingston	\$28,700	\$98,800	\$45,100	\$155,100	\$59,200	\$203,700	\$74,000	\$254,700	\$88,500	\$307,900	\$108,300	\$372,500	\$130,400	\$448,500	\$160,200	\$551,200	\$209,900	\$722,200
County of Lanark	\$32,500	\$111,800	\$49,900	\$171,800	\$65,400	\$225,000	\$80,100	\$275,600	\$97,200	\$334,500	\$114,900	\$395,300	\$135,900	\$467,500	\$163,500	\$562,600	\$212,100	\$729,800
UC of Leeds and Grenville	\$30,500	\$104,900	\$46,000	\$158,100	\$60,100	\$206,800	\$75,100	\$258,500	\$90,600	\$311,700	\$107,200	\$368,700	\$128,200	\$440,900	\$155,800	\$536,000	\$201,100	\$691,800
County of Lennox and Addington	\$32,300	\$111,000	\$48,600	\$161,200	\$64,500	\$222,000	\$79,000	\$271,800	\$93,900	\$323,100	\$110,500	\$380,100	\$129,300	\$444,700	\$158,000	\$543,600	\$214,400	\$669,000
Prince Edward Division	\$32,000	\$110,200	\$46,800	\$161,200	\$60,500	\$208,300	\$74,600	\$256,600	\$90,600	\$311,700	\$107,200	\$368,700	\$127,000	\$437,100	\$156,900	\$539,800	\$212,100	\$729,800
County of Lennox + Addington + Prince Edward Division	\$32,000	\$110,200	\$47,700	\$164,200	\$62,800	\$215,900	\$77,300	\$266,100	\$92,800	\$319,300	\$109,400	\$376,300	\$128,200	\$440,900	\$156,900	\$539,800	\$210,100	\$691,800
County of Northumberland	\$32,900	\$113,300	\$48,600	\$167,200	\$63,200	\$217,400	\$77,300	\$266,100	\$92,800	\$319,300	\$110,500	\$380,100	\$131,500	\$452,300	\$160,200	\$551,200	\$207,700	\$714,600
City of Ottawa	\$35,100	\$120,900	\$56,100	\$193,100	\$75,100	\$258,500	\$93,900	\$323,100	\$112,700	\$387,700	\$134,800	\$463,700	\$162,400	\$538,700	\$198,900	\$684,200	\$258,500	\$889,500
City of Peterborough	\$29,400	\$101,100	\$44,200	\$152,000	\$58,300	\$200,700	\$72,400	\$249,000	\$87,300	\$300,300	\$105,000	\$361,100	\$125,900	\$433,300	\$154,700	\$532,200	\$203,300	\$699,400
UC of Prescott and Russell	\$33,100	\$114,000	\$51,300	\$176,400	\$69,800	\$240,200	\$87,300	\$300,300	\$105,000	\$342,100	\$124,800	\$429,500	\$146,900	\$505,500	\$175,700	\$604,400	\$218,700	\$752,600
County of Renfrew	\$29,400	\$101,100	\$44,600	\$153,600	\$59,700	\$205,300	\$74,000	\$254,700	\$89,500	\$307,900	\$105,000	\$361,100	\$125,900	\$433,300	\$151,400	\$520,700	\$192,200	\$661,400
<b>Southwestern</b>	\$31,400	\$108,000	\$47,700	\$164,200	\$62,300	\$214,400	\$77,900	\$268,000	\$93,900	\$323,100	\$112,700	\$387,700	\$134,800	\$463,700	\$164,600	\$566,400	\$214,300	\$737,400
City of Brantford	\$31,200	\$107,200	\$47,700	\$164,200	\$62,300	\$214,400	\$77,900	\$268,000	\$93,900	\$323,100	\$112,700	\$387,700	\$133,700	\$459,900	\$161,300	\$555,000	\$205,500	\$707,000
County of Bruce	\$31,600	\$108,700	\$48,200	\$165,700	\$62,800	\$215,900	\$79,000	\$271,800	\$96,100	\$330,700	\$116,000	\$399,100	\$143,600	\$494,100	\$176,800	\$608,200	\$240,800	\$828,600
Municipality of Chatham-Kent	\$28,300	\$97,300	\$41,100	\$141,400	\$53,000	\$182,500	\$65,000	\$223,500	\$79,500	\$273,700	\$95,000	\$326,900	\$114,900	\$395,300	\$139,200	\$478,900	\$183,400	\$641,000
County of Dufferin	\$38,900	\$133,800	\$61,000	\$209,800	\$82,300	\$283,200	\$100,500	\$345,900	\$119,300	\$410,500	\$141,400	\$486,500	\$164,600	\$566,400	\$196,600	\$676,600	\$245,300	\$833,800
County of Grey	\$28,700	\$98,800	\$43,300	\$149,000	\$56,600	\$194,600	\$70,700	\$243,300	\$86,200	\$296,500	\$103,800	\$357,300	\$124,800	\$429,500	\$153,600	\$528,400	\$205,500	\$707,000
County of Huron	\$29,400	\$101,100	\$44,200	\$152,000	\$57,400	\$197,700	\$72,400	\$249,000	\$86,700	\$298,400	\$102,700	\$353,500	\$123,700	\$437,100	\$151,400	\$520,700	\$198,900	\$684,200
County of Lambton	\$30,900	\$106,400	\$46,400	\$159,600	\$61,000	\$209,800	\$76,200	\$262,300	\$91,700	\$315,500	\$109,400	\$376,300	\$132,600	\$456,100	\$162,400	\$558,800	\$214,300	\$737,400
City of London	\$28,900	\$99,600	\$44,200	\$152,000	\$58,300	\$200,700	\$72,400	\$249,000	\$87,800	\$302,200	\$105,000	\$361,100	\$127,000	\$437,100	\$155,800	\$536,000	\$205,500	\$707,000
County of Norfolk	\$32,000	\$110,200	\$48,600	\$161,200	\$63,200	\$217,400	\$78,400	\$269,900	\$95,000	\$326,900	\$111,600	\$383,900	\$132,600	\$456,100	\$158,000	\$543,600	\$201,100	\$691,800
County of Oxford	\$33,800	\$115,600	\$50,800	\$174,900	\$65,000	\$223,500	\$79,500	\$273,700	\$98,100	\$330,700	\$112,700	\$387,700	\$132,600	\$456,100	\$159,100	\$547,400	\$203,300	\$699,400
City of St. Thomas	\$31,800	\$109,500	\$47,300	\$162,700	\$61,400	\$211,300	\$76,200	\$262,300	\$91,700	\$315,500	\$107,200	\$368,700	\$127,000	\$437,100	\$152,500	\$524,600	\$192,200	\$661,400
City of Stratford	\$32,500	\$111,800	\$48,600	\$167,200	\$62,300	\$214,400	\$77,300	\$266,100	\$82,800	\$319,300	\$110,500	\$380,100	\$130,400	\$448,500	\$156,900	\$539,800	\$201,100	\$691,800
Regional Municipality of Waterloo	\$34,000	\$117,100	\$51,700	\$177,900	\$68,100	\$234,100	\$84,500	\$290,800	\$101,600	\$349,700	\$121,500	\$418,100	\$144,700	\$497,900	\$175,700	\$604,400	\$227,600	\$783,000
County of Wellington	\$35,400	\$121,600	\$54,400	\$187,000	\$71,300	\$245,200	\$88,400	\$304,100	\$107,200	\$368,700	\$128,200	\$440,900	\$151,400	\$520,700	\$183,400	\$631,000	\$238,600	\$821,000
City of Windsor	\$30,500	\$104,900	\$46,400	\$159,600	\$60,100	\$206,800	\$74,600	\$256,600	\$90,600	\$311,700	\$108,300	\$372,500	\$130,400	\$448,500	\$162,400	\$558,800	\$212,100	\$729,800
<b>Northeastern</b>	\$27,400	\$94,300	\$41,500	\$142,900	\$54,400	\$187,000	\$68,500	\$235,700	\$84,500	\$290,800	\$102,700	\$353,500	\$124,800	\$429,500	\$153,600	\$528,400	\$198,900	\$684,200
Algoma District	\$26,500	\$91,200	\$38,400	\$132,300	\$50,400	\$173,300	\$62,800	\$215,900	\$77,300	\$266,100	\$95,000	\$326,900	\$116,000	\$399,100	\$142,500	\$490,300	\$185,600	\$638,600
Algoma DSSAB	\$26,100	\$89,700	\$36,700	\$126,200	\$47,700	\$164,200	\$58,800	\$202,200	\$72,400	\$249,000	\$89,500	\$307,900	\$109,400	\$376,300	\$135,900	\$467,500	\$176,800	\$608,200
Cochrane DSSAB	\$27,200	\$93,500	\$41,500	\$142,900	\$55,200	\$190,100	\$70,700	\$243,300	\$86,700	\$298,400	\$107,200	\$368,700	\$130,400	\$448,500	\$162,400	\$558,800	\$205,500	\$707,000
City of Greater Sudbury	\$29,800	\$102,600	\$46,000	\$158,100	\$61,000	\$209,800	\$75,700	\$260,400	\$92,800	\$319,300	\$112,700</							

**Table 2: 10% Below Average Resale Price, 2022**

Regional Market Area	Average Resale Price 2022	10% Below Average Resale Price 2022
<b>Ontario</b>	\$813,000	\$731,700
City of Toronto	\$1,146,500	\$1,031,800
<b>Central</b>	\$1,030,100	\$927,100
Regional Municipality of Durham	\$893,000	\$803,700
Regional Municipality of Halton	\$1,206,300	\$1,085,700
City of Hamilton	\$805,100	\$724,600
District Municipality of Muskoka	\$920,800	\$828,700
Regional Municipality of Niagara	\$667,700	\$601,000
Regional Municipality of Peel	\$1,052,500	\$947,300
County of Simcoe	\$791,500	\$712,300
Regional Municipality of York	\$1,271,000	\$1,143,900
<b>Eastern</b>	\$536,800	\$483,100
City of Cornwall	\$384,400	\$345,900
County of Hastings	\$495,000	\$445,500
City of Kawartha Lakes	\$671,100	\$604,000
City of Kingston	\$581,700	\$523,500
County of Lanark	\$520,300	\$468,200
UC of Leeds and Grenville	\$470,000	\$423,000
County of Lennox and Addington	\$638,700	\$574,800
County of Northumberland	\$673,300	\$606,000
City of Ottawa	\$670,900	\$603,800
City of Peterborough	\$675,200	\$607,700
UC of Prescott and Russell	\$462,400	\$416,200
County of Renfrew	\$399,600	\$359,700
<b>Southwestern</b>	\$650,900	\$585,800
City of Brantford	\$672,400	\$605,200
County of Bruce	\$589,500	\$530,500
Municipality of Chatham-Kent	\$410,900	\$369,800
County of Dufferin	\$923,900	\$831,500
County of Grey	\$712,200	\$641,000
County of Huron	\$569,700	\$512,700
County of Lambton	\$527,000	\$474,300
City of London	\$621,600	\$559,400
County of Norfolk	\$626,900	\$564,200
County of Oxford	\$639,000	\$575,100
City of St. Thomas	\$558,400	\$502,600
City of Stratford	\$609,000	\$548,100
Regional Municipality of Waterloo	\$754,800	\$679,300
County of Wellington	\$830,400	\$747,400
City of Windsor	\$523,400	\$471,000
<b>Northeastern</b>	\$375,800	\$338,200
Algoma DSAB	\$256,700	\$231,000
Cochrane DSSAB	\$254,400	\$229,000
City of Greater Sudbury	\$414,600	\$373,100
Manitoulin-Sudbury DSSAB	\$332,800	\$299,500
Nipissing DSSAB	\$393,800	\$354,400
Parry Sound DSSAB	\$692,300	\$623,100
Sault Ste. Marie DSSAB	\$312,600	\$281,300
Timiskaming DSSAB	\$246,300	\$221,700
<b>Northwestern</b>	\$322,500	\$290,300
Kenora DSSAB	\$356,400	\$320,800
Rainy River DSSAB	\$247,800	\$223,000
Thunder Bay DSSAB	\$320,400	\$288,300

Source: Real Property Solutions House Price Index

Note: The average resale price may be influenced, particularly in smaller areas, by the number and type of house resales.

Contact: Stewart Houghton | Community and Supportive Housing Division | [Housing.Research@ontario.ca](mailto:Housing.Research@ontario.ca)

Provincial Policy Statement – Housing Table

Table 3: Renter Household Incomes and Affordable Rents, 2022

Regional Market Area	10th Income Percentile	10th Percentile Affordable Rent	20th Income Percentile	20th Percentile Affordable Rent	30th Income Percentile	30th Percentile Affordable Rent	40th Income Percentile	40th Percentile Affordable Rent	50th Income Percentile	50th Percentile Affordable Rent	60th Income Percentile	60th Percentile Affordable Rent	70th Income Percentile	70th Percentile Affordable Rent	80th Income Percentile	80th Percentile Affordable Rent	90th Income Percentile	90th Percentile Affordable Rent
<b>Ontario</b>	\$23,000	\$570	\$30,700	\$770	\$41,500	\$1,040	\$52,600	\$1,310	\$64,500	\$1,610	\$77,900	\$1,950	\$93,900	\$2,350	\$113,800	\$2,840	\$149,100	\$3,730
City of Toronto	\$22,500	\$560	\$31,400	\$780	\$43,700	\$1,090	\$56,600	\$1,410	\$69,800	\$1,750	\$84,500	\$2,110	\$101,600	\$2,540	\$123,700	\$3,090	\$163,500	\$4,090
<b>Central</b>	\$24,500	\$610	\$33,400	\$830	\$44,600	\$1,120	\$56,100	\$1,400	\$68,500	\$1,710	\$82,300	\$2,060	\$98,300	\$2,460	\$120,400	\$3,010	\$155,800	\$3,890
Regional Municipality of Durham	\$25,000	\$620	\$34,000	\$850	\$45,100	\$1,130	\$55,700	\$1,390	\$68,100	\$1,700	\$81,800	\$2,040	\$97,200	\$2,430	\$118,200	\$2,960	\$152,500	\$3,810
Regional Municipality of Halton	\$25,600	\$640	\$38,000	\$950	\$51,300	\$1,280	\$65,000	\$1,620	\$79,500	\$1,990	\$95,000	\$2,380	\$114,900	\$2,870	\$140,300	\$3,510	\$187,800	\$4,700
City of Hamilton	\$20,800	\$520	\$28,900	\$720	\$38,900	\$970	\$47,700	\$1,190	\$57,900	\$1,450	\$69,800	\$1,750	\$83,400	\$2,090	\$100,500	\$2,510	\$129,300	\$3,230
District Municipality of Muskoka	\$21,400	\$540	\$27,600	\$690	\$35,400	\$880	\$45,500	\$1,140	\$53,900	\$1,350	\$65,400	\$1,640	\$77,900	\$1,950	\$93,900	\$2,350	\$124,800	\$3,120
Regional Municipality of Niagara	\$21,700	\$540	\$28,300	\$710	\$36,700	\$920	\$44,600	\$1,120	\$53,900	\$1,350	\$65,400	\$1,640	\$77,900	\$1,920	\$95,000	\$2,380	\$122,600	\$3,070
Regional Municipality of Peel	\$25,200	\$630	\$38,400	\$960	\$52,100	\$1,300	\$65,000	\$1,620	\$78,400	\$1,960	\$92,800	\$2,320	\$109,400	\$2,730	\$130,400	\$3,260	\$166,800	\$4,170
County of Simcoe	\$25,000	\$620	\$32,900	\$820	\$43,700	\$1,090	\$53,900	\$1,350	\$65,800	\$1,650	\$79,000	\$1,970	\$93,900	\$2,350	\$113,800	\$2,840	\$146,900	\$3,670
Regional Municipality of York	\$24,500	\$610	\$35,400	\$880	\$47,700	\$1,190	\$61,400	\$1,540	\$75,700	\$1,890	\$90,600	\$2,260	\$109,400	\$2,730	\$133,700	\$3,340	\$176,800	\$4,420
<b>Eastern</b>	\$22,800	\$570	\$30,300	\$760	\$40,700	\$1,020	\$50,800	\$1,270	\$62,300	\$1,560	\$75,100	\$1,880	\$90,600	\$2,260	\$109,400	\$2,730	\$141,400	\$3,540
City of Cornwall	\$21,400	\$540	\$26,700	\$670	\$32,500	\$810	\$41,100	\$1,030	\$49,500	\$1,240	\$58,800	\$1,470	\$71,300	\$1,780	\$86,700	\$2,170	\$111,600	\$2,790
County of Hastings	\$22,500	\$560	\$28,100	\$700	\$35,400	\$880	\$44,600	\$1,120	\$53,000	\$1,330	\$63,600	\$1,580	\$76,800	\$1,920	\$92,800	\$2,320	\$118,200	\$2,960
Kawartha Lakes Division	\$19,400	\$490	\$26,100	\$650	\$31,800	\$800	\$41,100	\$1,030	\$49,900	\$1,250	\$61,900	\$1,550	\$74,600	\$1,860	\$95,000	\$2,380	\$124,800	\$3,120
Haliburton County	\$20,100	\$500	\$27,000	\$670	\$32,300	\$810	\$40,700	\$1,020	\$48,200	\$1,200	\$58,300	\$1,460	\$74,000	\$1,850	\$93,900	\$2,350	\$119,300	\$2,980
City of Kawartha Lakes + Haliburton	\$19,400	\$490	\$26,100	\$650	\$31,800	\$800	\$41,100	\$1,030	\$49,500	\$1,240	\$61,400	\$1,540	\$74,600	\$1,860	\$93,900	\$2,350	\$122,600	\$3,070
City of Kingston	\$21,000	\$520	\$29,200	\$730	\$38,400	\$960	\$47,300	\$1,180	\$57,400	\$1,440	\$68,900	\$1,720	\$82,900	\$2,070	\$100,500	\$2,510	\$132,600	\$3,310
County of Lanark	\$21,200	\$530	\$27,800	\$700	\$37,100	\$930	\$45,500	\$1,140	\$54,400	\$1,360	\$65,000	\$1,620	\$75,700	\$1,890	\$93,900	\$2,350	\$122,600	\$3,070
UC of Leeds and Grenville	\$21,700	\$540	\$27,400	\$680	\$35,100	\$880	\$42,900	\$1,070	\$51,300	\$1,280	\$61,900	\$1,550	\$75,700	\$1,890	\$90,600	\$2,260	\$116,000	\$2,900
County of Lennox and Addington	\$22,500	\$560	\$28,500	\$710	\$35,100	\$880	\$45,100	\$1,130	\$55,700	\$1,390	\$65,800	\$1,650	\$79,000	\$1,970	\$100,500	\$2,510	\$123,700	\$3,090
Prince Edward Division	\$24,100	\$600	\$28,900	\$720	\$38,000	\$950	\$46,400	\$1,160	\$57,400	\$1,440	\$66,300	\$1,660	\$77,900	\$1,950	\$98,300	\$2,460	\$127,000	\$3,180
County of Lennox & Addington + Prince Edward Division	\$23,000	\$570	\$28,700	\$720	\$36,200	\$910	\$46,000	\$1,150	\$56,600	\$1,410	\$66,300	\$1,660	\$77,900	\$1,960	\$100,500	\$2,510	\$125,900	\$3,150
County of Northumberland	\$23,200	\$580	\$28,900	\$720	\$37,600	\$940	\$45,500	\$1,140	\$54,800	\$1,370	\$66,300	\$1,660	\$81,200	\$2,030	\$98,300	\$2,460	\$125,900	\$3,150
City of Ottawa	\$23,600	\$590	\$34,200	\$860	\$46,000	\$1,150	\$58,300	\$1,460	\$70,700	\$1,770	\$85,100	\$2,130	\$100,500	\$2,510	\$121,500	\$3,040	\$156,900	\$3,920
City of Peterborough	\$21,700	\$540	\$27,800	\$700	\$35,400	\$880	\$43,700	\$1,090	\$53,000	\$1,330	\$63,600	\$1,590	\$76,200	\$1,910	\$91,700	\$2,290	\$117,100	\$2,930
UC of Prescott and Russell	\$23,200	\$580	\$28,100	\$700	\$35,800	\$890	\$44,200	\$1,100	\$53,000	\$1,300	\$66,300	\$1,660	\$80,100	\$2,000	\$97,200	\$2,430	\$124,800	\$3,120
County of Renfrew	\$21,000	\$520	\$27,400	\$680	\$37,100	\$930	\$46,800	\$1,170	\$57,900	\$1,450	\$71,300	\$1,780	\$85,100	\$2,130	\$101,600	\$2,540	\$129,300	\$3,230
<b>Southwestern</b>	\$22,100	\$550	\$29,800	\$750	\$39,300	\$980	\$48,600	\$1,220	\$58,300	\$1,460	\$69,400	\$1,730	\$83,400	\$2,090	\$100,500	\$2,510	\$129,300	\$3,230
City of Brantford	\$23,200	\$580	\$29,800	\$750	\$38,900	\$970	\$47,700	\$1,190	\$57,400	\$1,440	\$69,400	\$1,730	\$82,300	\$2,060	\$101,600	\$2,540	\$129,300	\$3,230
County of Bruce	\$21,900	\$550	\$27,400	\$680	\$35,800	\$890	\$44,200	\$1,100	\$53,500	\$1,340	\$63,600	\$1,580	\$78,400	\$1,960	\$98,300	\$2,460	\$134,800	\$3,370
Municipality of Chatham-Kent	\$19,400	\$490	\$27,000	\$670	\$33,600	\$840	\$41,500	\$1,040	\$49,500	\$1,240	\$58,300	\$1,460	\$70,300	\$1,760	\$85,100	\$2,130	\$108,300	\$2,710
County of Dufferin	\$25,000	\$620	\$31,800	\$800	\$40,200	\$1,010	\$51,300	\$1,280	\$63,600	\$1,590	\$82,800	\$2,320	\$113,800	\$2,840	\$145,800	\$3,650		
County of Grey	\$18,800	\$470	\$26,300	\$660	\$32,300	\$810	\$40,700	\$1,020	\$49,100	\$1,230	\$58,300	\$1,460	\$71,300	\$1,780	\$87,800	\$2,200	\$116,000	\$2,900
County of Huron	\$20,500	\$510	\$26,700	\$670	\$34,200	\$860	\$43,300	\$1,080	\$52,100	\$1,300	\$61,900	\$1,550	\$75,100	\$1,880	\$92,800	\$2,320	\$125,900	\$3,150
County of Lambton	\$20,100	\$500	\$27,800	\$700	\$35,100	\$880	\$43,700	\$1,090	\$53,900	\$1,350	\$64,100	\$1,600	\$76,800	\$1,920	\$93,900	\$2,350	\$123,700	\$3,090
City of London	\$20,800	\$520	\$29,400	\$730	\$38,400	\$960	\$47,300	\$1,180	\$57,000	\$1,430	\$67,600	\$1,690	\$80,600	\$2,020	\$97,200	\$2,430	\$122,600	\$3,070
County of Norfolk	\$21,400	\$540	\$27,800	\$700	\$35,800	\$890	\$44,200	\$1,100	\$54,400	\$1,360	\$64,500	\$1,610	\$80,100	\$2,000	\$100,500	\$2,510	\$134,800	\$3,370
County of Oxford	\$24,500	\$610	\$30,700	\$770	\$40,700	\$1,020	\$50,800	\$1,510	\$72,400	\$1,810	\$85,100	\$2,130	\$102,700	\$2,570	\$128,200	\$3,200		
City of St. Thomas	\$23,200	\$580	\$28,300	\$710	\$35,400	\$880	\$43,700	\$1,090	\$52,100	\$1,300	\$62,300	\$1,560	\$74,600	\$1,860	\$90,600	\$2,260	\$113,800	\$2,840
City of Stratford	\$24,100	\$600	\$31,400	\$780	\$40,700	\$1,020	\$49,100	\$1,230	\$57,900	\$1,450	\$68,900	\$1,720	\$82,900	\$2,070	\$101,600	\$2,540	\$129,300	\$3,230
Regional Municipality of Waterloo	\$24,500	\$610	\$34,000	\$850	\$45,100	\$1,130	\$55,200	\$1,380	\$66,300	\$1,660	\$78,400	\$1,960	\$92,800	\$2,320	\$111,600	\$2,790	\$142,500	\$3,560
County of Wellington	\$24,700	\$620	\$33,400	\$830	\$44,200	\$1,100	\$55,200	\$1,100	\$65,800	\$1,650	\$78,400	\$1,960	\$92,800	\$2,320	\$110,500	\$2,760	\$140,300	\$3,510
City of Windsor	\$19,700	\$490	\$27,600	\$690	\$36,200	\$910	\$44,600	\$1,120	\$53,500	\$1,340	\$63,200	\$1,580	\$75,700	\$1,890	\$92,800	\$2,320	\$120,400	\$3,010
<b>Northeastern</b>	\$19,700	\$490	\$26,500	\$660	\$32,900	\$820	\$41,500	\$1,040	\$49,900	\$1,250	\$60,100	\$1,500	\$72,900	\$1,820	\$88,400	\$2,210	\$117,100	\$2,930
Algonia District	\$18,300	\$460	\$25,900	\$650	\$30,700	\$770	\$38,000	\$950	\$45,500	\$1,140	\$53,900	\$1,350	\$65,000	\$1,620	\$80,100	\$2,000	\$105,000	\$2,620
Algoma DSSAB	\$18,300	\$460	\$25,400	\$640	\$28,900	\$720	\$35,400	\$880	\$42,900	\$1,070	\$50,800	\$1,270	\$61,000	\$1,520	\$75,100	\$1,880	\$90,600	\$2,510
Cochrane DSSAB	\$19,000	\$480	\$26,500	\$660	\$31,400	\$780	\$40,200	\$1,010	\$48,600	\$1,220	\$59,200	\$1,480	\$75,100	\$1,880	\$92,800	\$2,320	\$121,500	\$3,040
City of Greater Sudbury	\$21,400	\$540	\$28,700	\$720	\$37,600	\$940	\$46,000	\$1,150	\$55,700	\$1,390	\$66,700	\$1,670	\$79,000	\$1,970	\$97,200	\$2,430	\$123,700	\$3,090
Manitoulin District	\$23,600	\$590	\$26,300	\$660	\$32,700	\$820	\$42,900	\$1,070	\$52,100	\$1,300	\$65,000	\$1,620	\$76,200	\$1,910	\$90,600	\$2,260	\$112,700	\$2,820
Sudbury District	\$17,700	\$440	\$25,400	\$640	\$29,200	\$730	\$39,300	\$980	\$49,900	\$1,250	\$59,700	\$1,490	\$71,800	\$1,800	\$92,800	\$2,320	\$119,300	\$2,980
Manitoulin - Sudbury DSSAB	\$18,300	\$460	\$25,900	\$650	\$30,500	\$760	\$40,700	\$1,020	\$50,800	\$1,270	\$60,500	\$1,510	\$73,500	\$1,840	\$90,600	\$2,260	\$116,000	\$2,900
Nipissing DSSAB	\$20,800	\$520	\$26,700	\$670	\$32,900	\$820	\$41,100	\$1,030	\$48,600	\$1,220	\$57,900	\$1,450	\$69,400	\$1,730	\$84,500	\$2,110	\$108,300	\$2,710
Parry Sound DSSAB	\$19,900	\$500	\$26,100	\$650	\$30,900	\$770	\$38,900	\$970	\$48,200	\$1,200	\$58,300	\$1,440	\$68,900	\$1,720	\$84,500	\$2,110	\$112,700	\$2,820
City of Sault Ste. Marie	\$18,600	\$460	\$26,100	\$650	\$31,800	\$8												

## Average Apartment Rents, Ontario, 2022

Table 4. Average Rent by Bedroom Count

Regional Market Area	Bachelor Rent	1 Bedroom Rent	2 Bedroom Rent	3 Bedroom Rent	4+ Bedroom Rent	Total Bedroom Rent
<b>Ontario</b>	\$1,179	\$1,350	\$1,555	\$1,835	\$2,549	\$1,470
City of Toronto	\$1,316	\$1,537	\$1,811	\$2,083	\$2,633	\$1,673
<b>Central</b>	\$1,297	\$1,514	\$1,754	\$2,014	\$2,425	\$1,644
Regional Municipality of Durham	\$1,074	\$1,284	\$1,460	\$1,662	**	\$1,425
Regional Municipality of Halton	\$1,145	\$1,510	\$1,784	\$1,910	**	\$1,696
City of Hamilton	\$919	\$1,142	\$1,334	\$1,486	**	\$1,238
District Municipality of Muskoka	\$814	\$965	\$1,203	\$1,281	**	\$1,143
Regional Municipality of Niagara	\$858	\$1,071	\$1,260	\$1,389	**	\$1,199
Regional Municipality of Peel	\$1,148	\$1,484	\$1,666	\$1,849	\$1,768	\$1,601
County of Simcoe	\$985	\$1,226	\$1,430	\$1,572	**	\$1,338
Regional Municipality of York	\$1,048	\$1,383	\$1,539	\$1,881	**	\$1,489
<b>Eastern</b>	\$1,078	\$1,273	\$1,485	\$1,694	\$2,773	\$1,381
City of Cornwall	\$780	\$825	\$1,003	\$1,035	**	\$941
County of Hastings	\$913	\$1,109	\$1,295	\$1,579	**	\$1,245
City of Kawartha Lakes	\$777	\$1,070	\$1,292	\$1,294	**	\$1,169
Haliburton County	**	**	**	**	**	**
City of Kawartha Lakes + Haliburton County	\$777	\$1,070	\$1,292	\$1,294	**	\$1,169
City of Kingston	\$975	\$1,211	\$1,472	\$1,624	**	\$1,390
County of Lanark	**	\$900	\$1,119	**	**	\$982
UC of Leeds and Grenville	\$767	\$912	\$1,141	\$1,161	**	\$1,066
County of Lennox and Addington	**	\$913	\$989	**	**	\$955
Prince Edward Division	**	\$1,024	\$1,124	**	**	\$1,089
County of Lennox & Addington + Prince Edward Division	**	\$943	\$1,042	**	**	\$1,002
County of Northumberland	**	\$1,231	\$1,650	\$1,756	**	\$1,544
City of Ottawa	\$1,122	\$1,348	\$1,633	\$1,865	**	\$1,462
City of Peterborough	\$873	\$1,090	\$1,339	\$1,517	**	\$1,244
UC of Prescott and Russell	\$501	\$680	\$1,131	**	**	\$1,014
County of Renfrew	\$508	\$879	\$1,066	**	**	\$1,028
<b>Southwestern</b>	\$888	\$1,132	\$1,354	\$1,472	**	\$1,261
City of Brantford	\$885	\$1,165	\$1,259	\$1,326	**	\$1,233
County of Bruce	**	\$1,054	\$1,409	\$1,488	**	\$1,324
Municipality of Chatham-Kent	\$867	\$954	\$1,088	\$1,058	**	\$1,036
County of Dufferin	**	\$1,269	\$1,455	\$1,588	**	\$1,372
County of Grey	\$742	\$931	\$1,069	\$1,145	**	\$1,019
County of Huron	**	\$787	\$948	**	**	\$877
County of Lambton	\$873	\$1,011	\$1,221	\$1,554	**	\$1,142
City of London	\$863	\$1,127	\$1,400	\$1,617	**	\$1,291
County of Norfolk	\$610	\$882	\$1,021	**	**	\$979
County of Oxford	\$886	\$1,161	\$1,384	\$1,468	**	\$1,311
City of St. Thomas	\$790	\$1,042	\$1,292	**	**	\$1,208
City of Stratford	\$743	\$1,257	\$1,350	\$1,434	**	\$1,310
Regional Municipality of Waterloo	\$1,075	\$1,245	\$1,469	\$1,631	**	\$1,398
County of Wellington	\$989	\$1,324	\$1,490	\$1,504	**	\$1,424
City of Windsor	\$791	\$1,010	\$1,174	\$1,316	**	\$1,065
<b>Northeastern</b>	\$751	\$914	\$1,151	\$1,281	**	\$1,064
Algoma District	\$741	\$880	\$1,009	\$964	**	\$958
Algoma DSSAB	\$741	\$880	\$1,009	\$964	**	\$958
Cochrane DSSAB	\$570	\$944	\$1,062	\$1,120	**	\$1,004
City of Greater Sudbury	\$796	\$930	\$1,254	\$1,472	**	\$1,135
Manitoulin District	**	**	**	**	**	**
Sudbury District	**	**	**	**	**	**
Manitoulin - Sudbury DSSAB	**	**	**	**	**	**
Nipissing DSSAB	\$674	\$905	\$1,116	\$1,311	**	\$1,040
Parry Sound DSSAB	**	**	**	**	**	**
City of Sault Ste. Marie	\$746	\$917	\$1,087	\$1,005	**	\$1,015
Timiskaming DSSAB	**	**	**	**	**	**
<b>Northwestern</b>	\$751	\$956	\$1,168	\$1,446	**	\$1,084
Kenora DSSAB	**	\$836	\$1,008	**	**	\$911
Rainy River DSSAB	**	**	**	**	**	**
Thunder Bay DSSAB	\$757	\$964	\$1,175	\$1,457	**	\$1,094

Source: CMHC, Rental Market Survey, October 2022

\*\* Data suppressed to protect confidentiality, not statistically reliable or not available

Contact: Stewart Houghton | Community and Supportive Housing Division | Housing.Research@ontario.ca

Dear Mayor Horwath and members of City Council,

My name is James Kemp and I would like to speak to you regarding Extreme Heat and the Response Plan BOH 24010 put before you as it affects people with disabilities. I apologize for not speaking before the Public Health Committee, but the agenda item was added too late for me to delegate.

I would like to take a moment and state that less than forty-eight hours to put in a delegation request is not adequate response time. We are supposed to have five days to review and respond, not less than two days and a weekend.

I came before Public Health last year and raised concerns that not enough was being done regarding people with disabilities during heat events and I must still raise that concern with you today. I have been a member of the Extreme Heat Working Group over the past year and have worked to raise our concerns in the creation of this document. We are more vulnerable to the effects of extreme heat than more able or healthier individuals and this has to be understood.

Over the past year, I have tried to add DARTS to the emergency response, as you cannot plan a week in advance of a heat emergency. There needs to be a flying squad that can be activated when needed to pick up and drop off individuals in need of cooling on an as needed basis. Furthermore, they are mobile cooling centres in their own right and can be utilized as such. If HSR riders will be permitted to ride free during heat events, the same should hold true for paratransit.

Another item I have been pushing for is a voluntary vulnerable persons list. The only thing worse than people with disabilities dying alone from extreme heat in their homes is them dying unnoticed, because we couldn't organize a system to check on them periodically. While I understand this is a complex issue that has several moving parts, it is something we should be working on now while we can. Having a maximum heat bylaw is an excellent start, but it will take many years for this to take effect and become enforceable.

The Air Conditioner Program with Special Supports (OW/ODSP/Low Income) has come up during the delegations last week and I would like to speak to that for a moment. This program is so strict in its requirements; very few people qualify across the City of Hamilton. At the Public Health meeting, Staff stated it was around 58 units. The reason so few are approved is that

you require a life threatening breathing problem like COPD to qualify. I myself have applied and though I have several comorbidity factors that are exasperated by extreme heat(including early signs of COPD), I was denied. I will be bringing a letter forward in the near future asking the province to increase the funding to this program as well as loosening the requirements to qualify so more people can receive some relief.

Another problem with the AC program is that it only allows for \$350 as a one-time payment. Air conditioners don't last more than five years without replacement or serious maintenance. Furthermore, this doesn't take into account installation fees as even CityHousing is requiring professional installation or requiring removal. A Councillor raised concerns about having to uninstall and reinstall the AC units every year and to that I will say that if it has been professionally installed, it should only require winterizing, i.e.: Wrapping in plastic wrap, creating a Styrofoam lid for the front, etc. Another item not included in that \$350 dollars is any operation fees; it is far more expensive in electricity than to purchase initially.

I would like to speak about Residential Care Facilities (RCFs) for a moment. This is referring to approximately 0.2% of the population of the City of Hamilton, a little less than a thousand people. While I am preparing a more detailed report on this issue that will be presented later this year, I want to talk to you about how they are particularly affected by the effects of extreme heat. It has already been explained how debilitating extreme heat can be on the body and mind, especially affecting cognition, mood and behavioural control. The individuals living in RCFs have those issues before extreme heat becomes a factor. Under extremes, it must be all but impossible to deal with. Now let's add their medications to the problem; the drugs they need to manage their conditions are heat sensitive; meaning, under extreme heat conditions, the drugs react badly and it has been reported to feel like your skin is literally burning from the inside. I have petitioned the extreme heat working group to give particular attention to this group and find ways to mitigate the effects. So far my only success is having public health add air conditioning questions to the annual review process, but much more needs to be done. They are fellow citizens suffering through no fault of their own and have no voice to speak for them.

I want to take a moment and ask this group to also consider your own employees. There are departments that only issue winter ready uniforms; to

give an example: Crossing Guards. Historically, crossing guards dealt with heat for only a short time in June and September, but were heavily protected from the cold. That is no longer the case. They are now outside in the heat and without shade on black tarmac wearing only the polyester uniforms they were issued. Even the raincoats are heavy and not acceptable for light conditions. We have to rethink how we do everything, given this new reality, including equipping our own people to face the elements.

I thank you for your time and am at your disposal should you need anything further from me.

Sincerely,

James Kemp

**Pilon, Janet**

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**Subject:** Regarding Durand Hall at St. Marks

From: Teresa Reid

Sent: Monday, May 6, 2024 9:43 PM

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

Subject: Regarding Durand Hall at St. Marks

As a resident of the Durand neighbourhood, I would like to thank the City of Hamilton and the Councillors for this wonderful reimagined neighbourhood space.

I would also like to thank the Durand Neighbourhood Association for over 50 years of tireless effort and passionate stewardship, which includes their decades long struggle to save and restore St. Marks.

We have precedents with Durand Park and Durand Heritage District and I would respectively submit that the new space have "Durand" in the name as well.

We think of the name not as an individual but as a place, a neighbourhood.

Just as Hess Street was named after Peter Hess, we know Hess Village as a place, not as an individual.

Please consider keeping "Durand" and/or "St. Marks" in the name of this historic, neighbourhood property.

Thank you for your consideration.

Sincerely,  
Teresa Reid

**Pilon, Janet**

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**Subject:** Council Meeting May 8, 2024; NO to MAGNOLIA HALL; YES to DURAND HALL at St. Marks

**From:** DNA President <[president@durandna.com](mailto:president@durandna.com)>

**Sent:** Monday, May 6, 2024 4:32 PM

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

**Subject:** Council Meeting May 8, 2024; NO to MAGNOLIA HALL; YES to DURAND HALL at St. Marks

**RE: Council Meeting May 8, 2024**

**General Issues Committee May 1, 2024 Meeting**

**Agenda Item 10.3 Facility Naming**

The Durand Neighbourhood Association Board are in receipt of a flurry of comments from the membership relating to the decision to rename the St. Mark's facility to Magnolia Hall. The board submitted an alternative name to the membership which for practical purposes established our position. The letter to our membership is attached.

Feedback from our membership has stated that they are not opposed to **the use of the Durand name** as it **"pays homage to the community that has advocated for over three decades to safeguard this area for the neighbourhood"** but are opposed to the word Common and are also opposed to losing the historical reference to St. Mark's.

We would like to also point out that the word Magnolia has no historical, architectural or cultural connection to this property or connection to the City.

Feedback we have received favours using **"Durand Hall at St. Mark's"**.

Roberta Harman, President,  
Durand Neighbourhood Association



## Reminder: St. Mark's Church Renaming



Dear Duranders,

We hope this message finds you well. We wanted to share an important update from the DNA Board of Directors regarding the renaming of St. Mark's Church.

During our recent meeting on Wednesday, February 21, we discussed the renaming of this historical site, considering its significance to our community. As many of you know, the DNA has played a pivotal role in preserving this property as a valuable community space.

After thoughtful deliberation, one name that resonated strongly with us is "**Durand Common**." The term "Common," defined as "a piece of open land for public use," reflects our vision for this space as a shared resource for everyone. Additionally, "Durand" pays homage to the community that has advocated for over three decades to safeguard this area for the neighbourhood.

We understand that while some may always refer to it as St. Mark's, it's essential that the name reflects the collective identity of our community. Your voice matters in this decision-making process.

If you support the name "Durand Common," we encourage you to participate in the survey. The deadline for voting is March 1, so there's still time to make your voice heard. [Simply click here to access the survey.](#)

If you wish to suggest another name, please select the "suggest a name" tab within the survey tool.

We appreciate your participation, together let's shape the future of our community spaces.

Warm Regards,

**Roberta Harman, President**

On behalf of the Durand Neighbourhood Association

*For more information on the history of St. Mark's Church and the efforts to preserve it, [please refer to the document linked here.](#)*

**Pilon, Janet**

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**Subject:** Renaming St. Marks

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**From:** Janice Brown  
**Sent:** May 7, 2024 9:22 AM  
**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
**Subject:** Renaming St. Marks

Dear Members of Council,

Please vote NO to Magnolia Hall.

My letters to both Facility Naming Sub Committee and GIC state my reasons to not accept Engage Hamilton's result.

Janice Brown

**Pilon, Janet**

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**Subject:** NO TO MAGOLIA renaming

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**From:** Diane Dent

**Sent:** Tuesday, May 7, 2024 9:52 AM

**To:** McRae, Angela <[Angela.McRae@hamilton.ca](mailto:Angela.McRae@hamilton.ca)>; Gauthier, Matt <[Matt.Gauthier@hamilton.ca](mailto:Matt.Gauthier@hamilton.ca)>

**Cc:** Ward 8 Office <[ward8@hamilton.ca](mailto:ward8@hamilton.ca)>; Jackson, Tom <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>; Wilson, Maureen <[Maureen.Wilson@hamilton.ca](mailto:Maureen.Wilson@hamilton.ca)>; Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>; Ward 4 <[ward4@hamilton.ca](mailto:ward4@hamilton.ca)>; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@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:** NO TO MAGOLIA renaming

Good Morning,

I asked that my name be added to the list of citizens of Hamilton who say **NO to Magnolia** as for the renaming of St Marks.

I vote for **Durand Hall at St Marks** -a renaming that does not erase our history.

Thank you..

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Diane Gower Dent PhD

**Pilon, Janet**

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**Subject:** NO TO MAGNOLIA renaming

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**From:** Bob Maton

**Sent:** Tuesday, May 7, 2024 11:20 AM

**To:** Gauthier, Matt <[Matt.Gauthier@hamilton.ca](mailto:Matt.Gauthier@hamilton.ca)>; McRae, Angela <[Angela.McRae@hamilton.ca](mailto:Angela.McRae@hamilton.ca)>

**Cc:** Ward 8 Office <[ward8@hamilton.ca](mailto:ward8@hamilton.ca)>; Jackson, Tom <[Tom.Jackson@hamilton.ca](mailto:Tom.Jackson@hamilton.ca)>; Wilson, Maureen <[Maureen.Wilson@hamilton.ca](mailto:Maureen.Wilson@hamilton.ca)>; Beattie, Jeff <[Jeff.Beattie@hamilton.ca](mailto:Jeff.Beattie@hamilton.ca)>; Ward 4 <[ward4@hamilton.ca](mailto:ward4@hamilton.ca)>; Clark, Brad <[Brad.Clark@hamilton.ca](mailto:Brad.Clark@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:** NO TO MAGNOLIA renaming

Good morning Mayor Horvath, Councillors and City Staff:

**I write in support of the renaming of St Mark's to "Durand Hall at St Mark's". A definite NO to "Magnolia Hall".**

James Durand, interred in St. John's Churchyard in Ancaster Village and remembered in the name of the neighbourhood where St Mark's is preserved, was a great reformer, friend and supporter of William Lyon Mackenzie, William Notman, and Roger Gurlay, reformers all. He was a member of the Upper Canada Legislature in the early 1800s where he brought in **The Common Schools Act**, legislation extending publicly funded education to people in poverty, providing them an opportunity to improve not only their own lives but their communities as well. He was a powerful promoter of civil liberties in opposition to the authoritarian Family Compact. He owned the land between Main and King Streets extending east of John Street. When he sold that land to George Hamilton, he worked successfully as Hamilton's agent to promote these lands as the civic centre of the entire Region. His reform work was carried on by his sons Charles and James, Jr.

**Let us not forget those who fought for progress and the benefits that we now enjoy as a society!**

Thank you and best wishes,

Bob Maton, PhD

**West End Home Builders' Association**

1112 Rymal Road East, Hamilton

Serving members in Hamilton, Burlington, and Grimsby

**5.17 (a)**

May 8, 2024

TO: Mayor and Members of Hamilton City Council

## WE HBA Letter: 2024 Hamilton Development Charges

WE HBA would like to thank the Audit, Finance & Administration Committee (AF&A) for attending to our delegation, and for the commitment of Committee to working with the industry to understand the relationship between the Development Charge (DC) rate and our members' ability to deliver housing. WE HBA appreciates the work City staff and Watson & Associates have done to balance the City's challenging fiscal environment with our housing crisis, and we are in full support of the City's proposal to slowly transition out the existing DC Exemptions.

**We are requesting that the recommendations passed 7-1 at the Thursday, May 2<sup>nd</sup> AF&A Committee meeting be approved as it relates to the continuation and phase out of the DC Exemptions.** We request Council ensure Hamilton maintains the Downtown CIPA DC Exemptions for 2024 into 2025, as we believe this Exemption is critical to the City reaching its housing targets and therefore attaining both Housing Accelerator Funding and Building Faster Funding. The industry requires stability and predictability in today's difficult economic environment. Maintaining the current Exemptions for 2024/2025 and providing a slow transition out is imperative.

WE HBA appreciates discussions amongst members of Council about moving towards a granting or incentive program. **WE HBA can support such a discussion about bringing forward a more robust incentive program in future, provided the proposal adopted by AF&A to slowly transition out the existing Exemptions is fully approved.**

Over the past 10 years, Hamilton has been doing well to reach our growth targets. Both 2021 and 2023 saw large numbers of housing starts and permits issued. This has been in large part due to a coordinated set of development incentives the City has put in place including pre-zoning land for development, ERASE, streamlining development approvals processes, and especially DC Exemptions. However, WE HBA would like to draw Council's attention to how the leading indicators show that the City should not rely on the past to predict our future. 2023 was the worst year for new home sales in Hamilton in the last decade, with sales falling from 2738 in 2020 to 939 in 2023, as shown below.



Figure 1: Cumulative New Home Sales in Hamilton, 2014-2023

The first quarter of 2024 has been the worst quarter for new home sales that has been seen since the Global Financial Crisis in 2009. And before Council today is a significant increase to DCs. The value of the proposed increase ranges from \$13,367 to \$17,718 per unit on a single detached basis and increases for two-bedroom apartments ranging from \$9,791 to \$12,701. The impact on housing affordability cannot be ignored.

### Single Detached Proposed Increase

With Transition under Bill 23	Without Transition and subject to Bill 185
Combined Sewer System <ul style="list-style-type: none"> <li>• + \$0 (year one no increase, \$ 57,195 /SFD)</li> </ul> Separated Sewer System <ul style="list-style-type: none"> <li>• +\$782 (1.2% increase, \$ 67,746 /SDF)</li> </ul>	Combined Sewer System <ul style="list-style-type: none"> <li>• <b>+\$ 13,367 (23.0% increase, \$ 71,494 /SFD)</b></li> </ul> Separated Sewer System <ul style="list-style-type: none"> <li>• <b>+\$ 17,718 (26.5% increase, \$ 84,682 /SFD)</b></li> </ul>

Figure 2: Proposed increase for a Single Detached Unit ranging from \$13,367 to \$17,716 per unit to a total Development Charge of between \$71,494 to \$84,682 per unit.

### Two Bedroom Proposed Increase

With Transition under Bill 23	Without Transition and subject to Bill 185
Combined Sewer System <ul style="list-style-type: none"> <li>• + \$ 1,024 (3% increase, \$ 35,066 /2 Bedroom Condo)</li> </ul> Separated Sewer System <ul style="list-style-type: none"> <li>• +\$ 2,317 (5.9% increase, \$ 41,534 /2 Bedroom Condo)</li> </ul>	Combined Sewer System <ul style="list-style-type: none"> <li>• <b>+\$ 9,791 (28.8% increase, \$ 43,833 /2 Bedroom Condo)</b></li> </ul> Separated Sewer System <ul style="list-style-type: none"> <li>• <b>+\$ 12,701 (32.4% increase, \$ 51,918 /2 Bedroom Condo)</b></li> </ul>

Figure 3: Proposed increase for a Two Bedroom Unit ranging from \$9,791 to \$12,701 per unit to a total Development Charge of between \$43,833 to \$51,918 per unit.

Transitioning in the increased rates is crucial and will remain a core component of WE HBA's provincial advocacy. Through Bill 185, the province is considering removing the existing transition framework that was brought in through Bill 23. Without the transition policies that were in place, builders and developers will encounter an overnight increase to the DC rate of 28% to 32.4%, and not the proposed rates that were consulted on for 2024 through the City's detailed consultation on the Background Study which began in 2022.

Not only will this impact builders and developers, but it will also significantly impact new home buyers who will likely be unable to close on the homes they have purchased. The Planning Act authorizes the sale of homes upon the issuance of Draft Plan Approval by the municipality. In practice, homes are generally sold following the receipt of first engineering comments after the 'Draft Plan Approval' date. There are several subdivisions in Hamilton that were Draft Approved after the effective date of Bill 23, and subsequently sold based on the provincial transition policies and the ongoing municipal consultation. Standard form of purchase agreements provide that all DCs and levies are included in the purchase price, and any increases after that agreement date are to be paid by the buyer on closing.

Many sale agreements have been completed during the time frame when the Bill 23 transition policies were in effect. The applicable DCs in Hamilton for new homes sold and to be constructed are 80% of the base rate to be approved by Council. The difference will be an adjustment to the purchase price of every new home sold in Hamilton. There are many Hamilton families that will be immediately impacted by this. Both the price of the home and the buyer's mortgage

commitment had been fixed in accordance with the applicable taxes in place at the time of the purchase contract. Buyers are currently awaiting construction of their homes, and in many cases have 'maxed out' their available funds. Put bluntly, the decision to eliminate phasing of the DC By-law's effect at this time will either force many families out of their homes or result in significant hardship to the Hamiltonians who purchased pre-construction homes.

Finally, WE HBA wishes to draw Council's attention to the impact of taxes on new home construction (through DCs) as compared with impacts to the rate of inflation, property tax increases, and home prices.

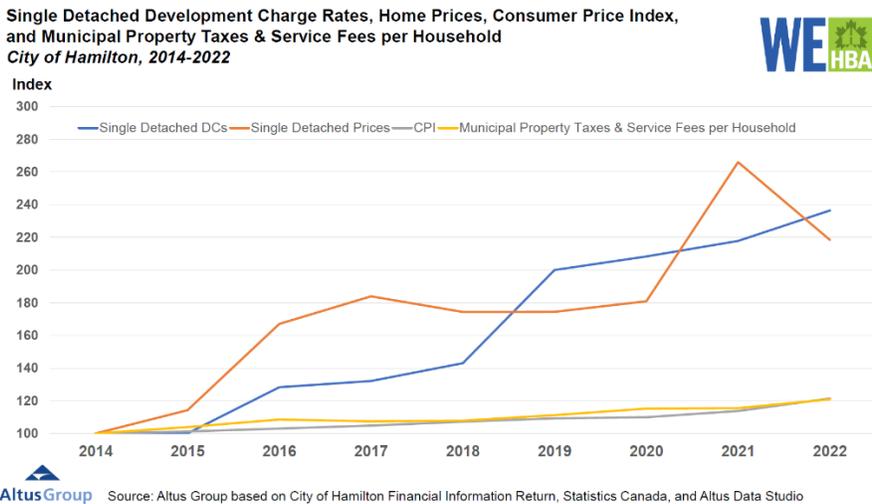


Figure 4: Chart identifying how Development Charges and housing prices significantly outpace the Consumer Price Index and Property Tax Increases for single detached homes in Hamilton, Ontario.

Over the past 10 years, property tax increases (yellow line) in Hamilton have charted right alongside inflation and the Consumer Price Index (CPI) (grey line). However, DCs or municipal taxes on building a new home track beyond inflation and the CPI.. We have record levels of population growth - and to solve it, governments have been adding taxes upon taxes to build new homes under the assumption "the market can bear it". For a long time, the market was bearing it. But the market is new home buyers, young families, and newcomers, and the situation has become untenable. Even as single detached prices came down (orange line) - municipal DCs (about 10% of the cost of a new home) continued to go up. The chart below demonstrates the DC on building new townhomes continues to drive up the cost of housing.

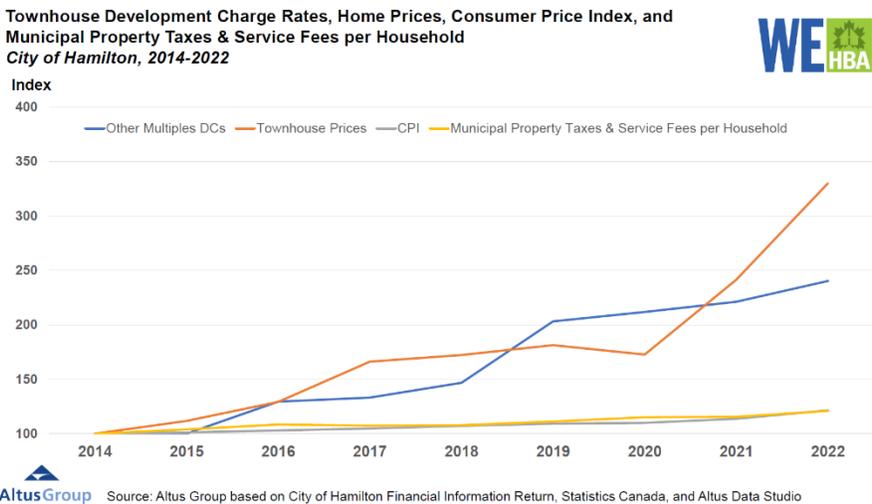


Figure 5: Chart identifying how Development Charges and housing prices significantly outpace the Consumer Price Index and Property Tax Increases for townhomes in Hamilton, Ontario.

And finally - apartments. Hamilton Council has committed to 80% of all new homes for new Hamiltonians being apartment units. This should mean lowering the costs, taxes and fees to build them. Unfortunately, within the last decade the opposite has been true. In fact, the rate of DC increases to new apartments in Hamilton out paces the increase of new apartment prices by a significant amount.

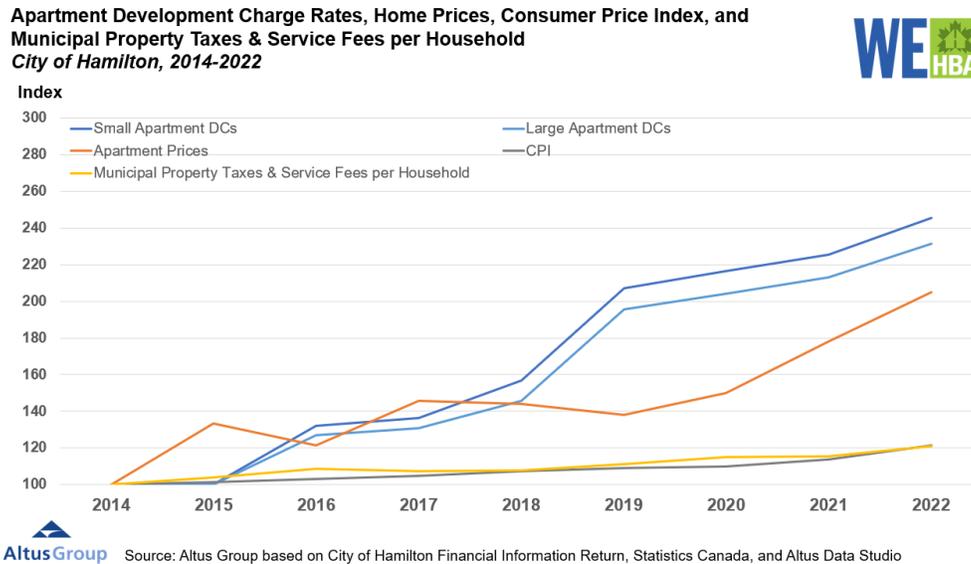


Figure 6: Chart identifying how Development Charges and housing prices significantly outpace the Consumer Price Index and Property Tax Increases for Apartments in Hamilton, Ontario.

At the May 2<sup>nd</sup> AF&A Committee, Councillor Clark asked “Who pays for growth?”, and the answer is, we all do. But when we focus on the mantra “Growth pays for growth”, we all pay for growth in lost opportunities for our children, newcomers and workforce as we keep municipal property taxes low and load on costs to the construction of new housing in a housing crisis through DCs.

This is not equitable. WE HBA appreciates the time and efforts put forward by City staff, Members of Council and Watson & Associates to bring forward a balanced approach to phasing out DC Exemptions. Should there be direction to implement a more robust granting program in addition to maintaining the DC Exemptions WE HBA would appreciate being involved in the process.

Sincerely,

**Michelle Diplock, RPP, MCIP, MPI**  
Manager of Planning and Government Relations,  
West End Home Builders' Association

Tuesday May 7, 2024

Dear Mayor and Councillors,

The City's **2024 Development Charge Policy and By-law** will be coming before Council for a final vote this Wednesday, May 8<sup>th</sup>. The setting of the new development charges will significantly define the strategic direction of growth in our city.

The City of Hamilton has historically used this important policy tool to strategically enhance our city's competitiveness and to encourage investment. The 2024 Development Policy and By-law coming before you will phase out and remove the incentives that have stimulated new investment in Hamilton, diversified our economy, created employment and built housing in the downtown.

I can't stress enough our concern during this period of stagnant economic growth that this change will negatively impact Hamilton's future competitiveness and livability. Hamilton's business community has identified the ability to keep and attract talent as their main concern. This is why it is critical that we continue to use every instrument in the toolbox to encourage the building of more housing across the spectrum. At a time when Council has declared a housing crisis and Hamilton needs to be building more homes, making the use of existing infrastructure and services through intensification remains the most efficient and cost-effective form of urban development.

The second concerning recommendation in the proposed DC By-law is ending the strategic use of the industrial rate reduction program that has encouraged and attracted significant industrial development and grown our industrial property base. While we applaud the effort to target businesses that will maximize the benefits to our community, the extremely narrow definition of manufacturing contained in the DC By-Law will negatively limit the employment opportunities in our community. We urge Council to carefully review this section before finalizing the by-law.

The other consequence of narrowing the definition of industrial development is the impact it will have on our ability to attract new investment and jobs in the strategic logistics and goods movement sector. In today's click economy, logistics and distribution centers play a pivotal role in enabling global commerce. Our two international ports of entry, the airport and port, not to mention the development opportunity at Steelpoint are major opportunities to create jobs and drive economic activity.

There has been some discussion at committee to replace development charge exemptions with more targeted grants, administered through community improvement plans. While industrial CIP grant programs are an emerging trend worth exploring, there are also large economic drawbacks on how they will impact future development opportunities. Before moving to a CIP grant program, Council should be provided with an analysis of how Hamilton's competitiveness will be maintained.

On Wednesday, we urge Council to align the 2024 Development Charges Policy and By-Laws to the long-term prosperity and well-being of our city. Ensuring that Hamilton remains an attractive destination for developers and investors while also facilitating sustainable development that benefits both current and future generations of Hamiltonians.

Thank you for your consideration,

Sincerely,

A handwritten signature in black ink, appearing to read 'G.D.', with a stylized flourish extending from the end.

Greg Dunnett  
President & CEO  
Hamilton Chamber of Commerce

**Pilon, Janet**

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**Subject:** Little Free Library Week May 12th to May 18th

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**From:** Donna Shebib

**Sent:** Monday, May 6, 2024 2:28 PM

**To:** Horwath, Andrea <[Andrea.Horwath@hamilton.ca](mailto:Andrea.Horwath@hamilton.ca)>

**Cc:** Cluckie, Marnie <[Marnie.Cluckie@hamilton.ca](mailto:Marnie.Cluckie@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)>; Scally, Maureen <[Maureen.Scally@hamilton.ca](mailto:Maureen.Scally@hamilton.ca)>; Wooder, Michael <[Michael.Wooder@hamilton.ca](mailto:Michael.Wooder@hamilton.ca)>

**Subject:** Re: Little Free Library Week May 12th to May 18th

Good afternoon Your Worship,

Thank you so much for your kind reply. We are very appreciative of your commitment to build community, inspire readers, and expand book access in Hamilton!

Best Regards,

Donna Tiqui-Shebib

Steward of Little Free Library #139424



**PUBLIC HEALTH COMMITTEE  
(Formerly the Board of Health)  
REPORT 24-004**

**9:30 a.m.**

**Monday April 29, 2024**

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

<b>Present:</b>	Councillor C. Kroetsch (Acting-Chair) Councillors J. Beattie, C. Cassar, B. Clark, J.P. Danko, M. Francis, T. Hwang, T. Jackson, T. McMeekin, E. Pauls, M. Spadafora, M. Tadeson and A. Wilson
<b>Absent with Regrets:</b>	Mayor A. Horwath (Chair) and Councillor N. Nann – Personal and Councillor M. Wilson (Vice-Chair) – City Business

**THE PUBLIC HEALTH COMMITTEE PRESENTS REPORT 24-004 AND  
RESPECTFULLY RECOMMENDS:**

1. **Heat Response Strategy (BOH24010) (City Wide) (Item 8.1)**
  - (a) That the Heat Response Strategy attached as Appendix “A” to Report BOH24010, with the exception of Action Numbers 6, 7, 9 and 10 be approved;
  - (b) That the Hamilton Paramedic Service report to the General Issues Committee regarding the operational feasibility of having the Mobile Integrated Health program increase outreach and wellness checks to clients during periods of extreme heat (Action Number 6);
  - (c) That the Director of Environmental Services, Public Works report to the General Issues Committee regarding the feasibility of installing shade structures in areas identified using heat and equity mapping, and the installation of misting stations in priority locations (Action Numbers 7 and 9); and,
  - (d) That the Director of Transit, Public Works report to the General Issues Committee regarding the operational feasibility of offering free or discounted transportation during heat warnings and extended heat warnings to act as cooling places (Action Number 10).

**2. Third-Party Air Monitoring for Green for Life Stoney Creek Landfill (BOH24008) (Ward 5 and 9) (Outstanding Business List Item) (Item 9.1)**

- (a) That Report BOH24008, respecting Third-Party Air Monitoring for Green for Life Stoney Creek Landfill (Wards 5 and 9), be received;
- (b) That AtkinsRéalis be contracted to implement a short-term fixed location cannister sampling survey, as referenced as item 4.2.2. in Appendix “A” of report BOH24008, and that the cost be funded by the Stoney Creek Compensation Royalties (Green For Life Landfill) Reserve 117036, and that Public Health Services staff report back to Public Health Committee in Q3, 2024; and
- (c) That the timing of the sampling be restricted to 7 days in the late evening and early morning hours in late spring or early summer and that the implementation start date be random without notice to GFL.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**4. APPROVAL OF MINUTES OF PREVIOUS MEETING**

4.1 April 2, 2024 - REVISED

**5. COMMUNICATIONS**

Deferred to the June 3, 2024, Public Health Committee meeting:

5.3 Correspondence from Angela Diano, Executive Director, ALPHA-1 Canada, respecting Item 11.1, Resolution to declare the City of Hamilton a “No Paid Plasma Zone”

Recommendation: Be received and referred to the consideration of Item 11.1.

5.8 Correspondence from Christine Duncan-Wilson, Chair, Immunity Canada, respecting Item 11.1, Resolution to declare the City of Hamilton a “No Paid Plasma Zone”

Recommendation: Be received and referred to the consideration of Item 11.1.

## 6. DELEGATION REQUESTS

Deferred to the June 3, 2024, Public Health Committee meeting:

6.1 Delegation Requests respecting Item 11.1, Resolution to Declare the City of Hamilton a "No Paid Plasma Zone", for today's meeting, from the following individuals:

- (a) Kat Lanteigne, Executive Director, BloodWatch.org
- (b) Christine Duncan-Wilson, Immunity Canada
- (c) Jennifer van Gennip, Network of Rare Blood Disorder Organizations (NRBDO)
- (d) Anthony Marco, Hamilton and District Labour Council
- (e) Donna Hartlen, GBS/CIDP Foundation of Canada

Added:

6.2 Delegation Requests respecting 10.1, Heat Response Strategy (BOH23010) (City Wide), for today's meeting, from the following individuals:

- (b) Jacqueline Wilson, Canadian Environmental Law Association
- (c) Don McLean, Hamilton 350 Committee
- (d) Ian Borsuk, Environment Hamilton
- (e) Clare Freeman, Hamilton Community Legal Clinic

## 8. STAFF PRESENTATIONS

8.1 Heat Response Strategies (BOH24010) (City Wide)

- (a) Heat Response Strategies (BOH24010) (City Wide) – Revised Report and Appendices
- (b) Heat Response Strategies (BOH24010) (City Wide) – Staff Presentation

## 11. MOTIONS

Deferred to the June 3, 2024, Public Health Committee meeting:

11.1 Resolution to Declare the City of Hamilton a "No Paid Plasma Zone", for today's meeting, from the following individuals:

**CHANGE TO THE ORDER OF ITEMS:**

Item 10.1 respecting Heat Response Strategy (BOH24010) (City Wide) has been moved under Staff presentations (Item 8) as a presentation has been added to the Item.

The agenda for the April 29, 2024, Public Health Committee 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) April 2, 2024 REVISED (Item 4.1)**

The REVISED Minutes of the April 2, 2024, meeting of the Public Health Committee were approved, as presented.

**(d) COMMUNICATIONS (Item 5)**

**(i)** The following Communication items were approved, as presented:

**(a)** Correspondence from Felicia Radassao, respecting Health Connections Lactation Consultants (Item 5.1)

Recommendation: Be received.

**(b)** Correspondence from the Municipality of St. Charles respecting Support for the Resolution Passed by Public Health Sudbury & Districts on January 18, 2024, regarding Household Food Insecurity (Item 5.2)

Recommendation: Be received and referred to the Emergency & Community Services Committee.

**(c)** Correspondence from Haliburton, Kawartha, Pine Ridge District Health Unit respecting *Smoke-Free Ontario Amendment Act* (Vaping is not for Kids), 2023 (Item 5.4)

Recommendation: Be received.

- (d) Correspondence from Middlesex-London Health Unit respecting Recommendation for Provincial and Federal Restrictions on Nicotine Pouches (Item 5.5)

Recommendation: Be received.

- (e) Correspondence from Association of Local Public Health Agencies (alPHa) respecting 2023 Chief Medical Officer of Health (CMOH) Annual Report: An All-of-Society Approach to Substance Use and Harms (Item 5.6)

Recommendation: That the Public Health Committee congratulate Dr. Kieran Moore, Chief Medical Officer of Health (Ontario) and that staff be directed to report back in a series of reports on issues raised in the 2023 CMOH Report as it relates to Hamilton.

- (f) Correspondence from the Honourable Sylvia Jones, Deputy Premier and Minister of Health, respecting Additional Base and One-Time Funding for Public Health Programs (Item 5.7)

Recommendation: Be received and the Medical Officer of Health, or designate, be authorized and directed to execute all agreements, contracts, extensions, and documents, including submission of budgets and reports required to give effect to the Public Health Additional Base and One-Time Funding for Public Health Programs.

**(e) DELEGATION REQUESTS (Item 6)**

The following delegation requests were approved, as follows:

**(i) Delegation Requests respecting 10.1, Heat Response Strategy (BOH23010) (City Wide), for today's meeting, from the following individuals (Item 6.2):**

- (a) Stewart Klazinga, ACORN Hamilton (Item 6.2(a))
- (b) Jacqueline Wilson, Canadian Environmental Law Association (Added Item 6.2(b))
- (c) Don McLean, Hamilton 350 Committee (Added Item 6.2(c))
- (d) Ian Borsuk, Environment Hamilton (Added Item 6.2(d))
- (e) Clare Freeman, Hamilton Community Legal Clinic (Added Item 6.2(e))

**(f) DELEGATIONS (Item 7)**

**(i) Kathleen Zavarise, Trillium Gift of Life, respecting Spreading Awareness about Organ and Tissue Donation (Approved April 2, 2024) (Item 7.1)**

Kathleen Zavarise, Trillium Gift of Life, was granted an additional 5 minutes, beyond the 5-minute time limit, to complete their delegation respecting Spreading Awareness about Organ and Tissue Donation.

Kathleen Zavarise, Trillium Gift of Life, addressed the Committee respecting Spreading Awareness about Organ and Tissue Donation.

The Delegation from Kathleen Zavarise, Trillium Gift of Life, respecting Spreading Awareness about Organ and Tissue Donation, was received.

**(ii) Delegations respecting Item 10.1, Heat Response Strategy (BOH23010) (City Wide) (Item 7.3)**

**(1)** The following delegates addressed the Committee respecting Item 10.1, Heat Response Strategy (BOH23010):

- (a) Stewart Klazinga, ACORN Hamilton (Item 7.3(a))
- (b) Jacqueline Wilson, Canadian Environmental Law Association (Added Item 7.3(b))
- (c) Don McLean, Hamilton 350 Committee (Added Item 7.3(c))
- (d) Ian Borsuk, Environment Hamilton (Added Item 7.3(d))
- (e) Clare Freeman, Hamilton Community Legal Clinic (Added Item 7.3(e))

**(2)** The following delegations respecting Item 10.1, Heat Response Strategy (BOH23010), were received and referred to the consideration of Item 10.1:

- (a) Stewart Klazinga, ACORN Hamilton (Item 7.3(a))
- (b) Jacqueline Wilson, Canadian Environmental Law Association (Added Item 7.3(b))
- (c) Don McLean, Hamilton 350 Committee (Added Item 7.3(c))
- (d) Ian Borsuk, Environment Hamilton (Added Item 7.3(d))
- (e) Clare Freeman, Hamilton Community Legal Clinic (Added Item 7.3(e))

For further disposition of this matter, please refer to Item 1.

**(g) STAFF PRESENTATIONS**

**(i) Heat Response Strategy (BOH24010) (City Wide) (Item 8.1)**

Matt Lawson, Manager, Health Hazards and Vector Borne Diseases Program, Healthy Environments Division, Public Health Services, provided the Committee with a presentation respecting Report BOH24010, Heat Response Strategy, with the aid of a PowerPoint presentation.

The Staff Presentation respecting Report BOH24010, Heat Response Strategy, was received.

**(h) CONSENT ITEMS (Item 9)**

**(i) Third-Party Air Monitoring for Green for Life Stoney Creek Landfill (BOH24008) (Ward 5 and 9) (Outstanding Business List Item) (Item 9.1)**

Report BOH24008, respecting Third-Party Air Monitoring for Green for Life Stoney Creek Landfill (Wards 5 and 9), was received.

For further disposition of this matter, refer to Item 2.

**(i) GENERAL INFORMATION / OTHER BUSINESS (Item 13)**

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

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

**(1) Items Considered Complete and to be Removed (Item 13.1(a)):**

- (i) Independent Third-Party Air Monitoring for GFL Stoney Creek Landfill**  
Added: December 4, 2023 (PHC Report 23-012, Item 2(a))  
Addressed as Item 9.1 on today's agenda.

(j) **ADJOURNMENT (Item 15)**

There being no further business, the Public Health Committee adjourned at 11:48 a.m.

Respectfully submitted,

Councillor Cameron Kroetsch  
Acting-Chair, Public Health  
Committee

Matt Gauthier  
Legislative Coordinator  
Office of the City Clerk



**CITY OF HAMILTON**  
**COMMUNITY HEAT RESPONSE STRATEGY**  
**2024**

DRAFT

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## 1.0 INTRODUCTION

### EXECUTIVE SUMMARY

In May 2023, Public Health Services informed the Public Health Committee it would prepare a Heat Response Strategy recommendation report to go forward in the first quarter of 2024. The Heat Response Strategy includes extreme heat-related actions that were included in the City of Hamilton’s Climate Change Impact Adaptation Plan (2022)<sup>1</sup> and recommended updates to the Community Heat Response Plan<sup>2</sup>. The Climate Change Impact Adaptation Plan was approved by Council in 2022 and includes actions to adapt to the impacts of climate change on a local level. The City’s Community Heat Response Plan outlines actions that are implemented by the Community Heat Response Committee during Heat Warnings and Extended Heat Warnings. Both plans work in conjunction to address extreme heat in Hamilton.

Preparation of this Strategy was led by Public Health Services in consultation with the Extreme Heat Working Group and other City of Hamilton staff who provide direct services to higher risk demographics and equity deserving groups. This Strategy should be reviewed annually and updated as required.

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<sup>1</sup> City of Hamilton Climate Change Impact Adaptation Plan: <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=335322>

<sup>2</sup> City of Hamilton Community Heat Response Plan: <https://pub-hamilton.escribemeetings.com/filestream.ashx?DocumentId=363334>

## EXTREME HEAT WORKING GROUP

The Extreme Heat Working Group originated as part of the Advancing Adaptation Pilot Project<sup>3</sup>. The project was conducted by Public Health Services in collaboration with City Housing Hamilton and in consultation with the Extreme Heat Working Group. In 2023, the group expanded to include members of the Community Heat Response Committee, additional community groups, individuals representing equity deserving groups, environmental groups, and other entities with interest in this work. Members include:

Association of Community Organizations for Reform Now (ACORN)	Hamilton 350
Accessibility Committee for Persons with Disabilities	Hamilton and District Apartment Association
Canadian Health Association for Sustainability and Equity	Hamilton Community Legal Clinic
City Housing Hamilton	Hamilton Public Library
City of Hamilton, Housing Services	Hamilton Roundtable for Poverty Reduction
City of Hamilton, Office of Climate Change Initiatives	Hamilton Street Railway (HSR)
City of Hamilton, Parks and Cemeteries	Native Women's Centre
City of Hamilton, Public Health Services	Salvation Army
City of Hamilton, Recreation	Seniors Advisory Committee
Environment Hamilton	Victorian Order of Nurses (VON)
	Wesley
	YWCA Hamilton

The group met monthly from June 2023 through December 2023 to discuss the expansion of the City’s prior Community Heat Response Plan and extreme heat items identified in the City’s Climate Change Impact Adaptation Plan.

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<sup>3</sup> Advancing Adaptation Implementation through Collaboration:  
<https://icleicanada.org/wp-content/uploads/2023/01/2022-Hamilton-Case-Study-Advancing-Adpatation-Project-Implementation-Cohort.pdf>

## SCOPE

The Heat Response Strategy includes City of Hamilton’s Corporate Actions only. This Strategy does not give specific direction to external partners. Instead, City Staff are committed to engaging and supporting external partners to implement actions that align with the Heat Response Strategy. Items covered in the Heat Response Strategy will be limited to the expansion of the City’s Community Heat Response Plan and the following actions included in the City’s Climate Change Impact Adaptation Plan (2022):

- Develop and implement a response program for vulnerable populations to protect residents from extreme heat
- Consolidate existing vulnerable persons’ contact lists and update/expand them to guide emergency response and/or other assistance programs
- Coordinate local efforts to address excessive indoor temperatures in rental housing
- Establish buddy systems/help-your-neighbour programs to implement during extreme heat events
- Explore opportunities to expand current cooling centre programming and interventions
- Improve monitoring, data collection, and notification surrounding extreme heat

## NOT IN SCOPE

The Heat Response Strategy does not include response actions for Air Quality or Cold Alerts. This Strategy does not include Emergency procedures when the Emergency Operations Centre is activated. Actions and initiatives of Community Partners are not within the scope of this Strategy; however, City Staff will engage and support Community Partners to implement the Heat Response Plan and Heat Response Strategy. Greenhouse gas emissions mitigation is not included in the scope of this Strategy.

## AUTHORITY

This Strategy includes heat-related items from the Climate Change Impact Adaptation Plan as well as updates to Hamilton’s Community Heat Response Plan. The City of Hamilton’s Climate Change Impact Adaptation Plan was approved by City Council in 2022. Hamilton’s Community Heat Response Committee was formed in 2002. The Community Heat Response Plan was introduced in 2008.

Approval and authorization of the Heat Response Strategy will be at the discretion of City of Hamilton Public Health Committee, Board of Health and Council.

## EVALUATION

The Community Heat Response Plan and Heat Response Strategy will be reviewed annually for operational effectiveness. Progress of strategic actions will be reviewed by the Office of Climate Change Initiatives.

## 2.0 HEAT WARNING INFORMATION SYSTEM

### HEAT WARNINGS AND EXTENDED HEAT WARNINGS

Public Health Services monitors weather forecasts and communications issued by Environment Canada regarding initiated Heat Warnings. Environment Canada issues Heat Warnings when there are **two or more consecutive days** forecasted with daytime highs greater than or equal to 31°C and nighttime lows greater than or equal to 20°C **or two or more consecutive days** with a humidex of 40°C or greater.

Extended Heat Warnings are issued locally by the Medical Officer of Health when there are **three or more consecutive days** observed with daytime highs greater than or equal to 31°C and nighttime lows greater than or equal to 20°C **or three or more consecutive days** with a humidex of 40°C or greater.

When a Heat Warning or Extended Heat Warning is issued, Public Health Services amplifies the warning by providing communication internally, to community partners, local media outlets and updates the City of Hamilton website for public information. The partnering agencies and service providers of the Community Heat Response Committee then implement the Community Heat Response Plan according to their defined roles and responsibilities.

### ESCALATION OF EMERGENCY

If the Emergency Operations Centre is activated due to an extreme heat event, City of Hamilton staff will follow the City of Hamilton Emergency Plan.<sup>4</sup>

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<sup>4</sup> City of Hamilton Emergency Plan: <https://www.hamilton.ca/home-neighbourhood/emergency-services/emergency-preparedness>

### 3.0 ROLES AND RESPONSIBILITIES

#### INTERNAL CITY RESPONSE

The City of Hamilton will perform the Roles and Responsibilities outlined in the Community Heat Response Plan during Heat Warnings and Extreme Heat Warnings. Actions included in the Heat Response Strategy will be conducted by the assigned lead division/section teams.

#### COMMUNITY PARTNER RESPONSE

City of Hamilton staff will work with and support Community Partners participating in the City’s Heat Response.

### 4.0 OCCUPATIONAL HEALTH AND SAFETY

#### CITY OF HAMILTON WORKING IN HOT WEATHER PROCEDURE

The City of Hamilton has Hot Weather Safety Guidelines<sup>5</sup> that apply to City of Hamilton employees.

### 5.0 HEAT RESPONSE STRATEGY RECOMMENDATIONS

#### EVIDENCE AND LITERATURE REVIEW

Recommendations within the Heat Response Strategy have been identified using a variety of methods including “Adaptation Strategies for Reducing Extreme Heat Health Impacts: A Rapid Review”<sup>6</sup>, consultation with the Extreme Heat Working Group and actions previously identified from the Climate Change Impact Adaptation Plan.

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<sup>5</sup> Hot Weather Safety Guidelines: <http://www2.hamilton.ca//NR/HRFormsDocs/HEAT-STRESS-GUIDELINE.pdf>

<sup>6</sup> The Institute of Health Economics, Albert Canada, *Adaptation Strategies for Reducing Extreme Heat Health Impacts: A Rapid Review*, <https://www.ihe.ca/advanced-search/adaptation-strategies-for-reducing-extreme-heat-health-impacts-a-rapid-review>

HEAT RESPONSE STRATEGY ACTIONS

Action Number	Strategy	Description	Status	Lead	Partners
1	Education and Outreach	Distribution of cooling items to educate and encourage individual heat adaptive behaviours. Engage public about risks of extreme heat and preventative measures. Distribution of educational materials. Education on how to prepare for extreme heat events. Information line provides resources available through telephone to general regarding risk and safety information. Distribution of water bottles and access to drinking water.	Already in Practice	Public Health Services	City Housing Hamilton, Public Works, Recreation, Hamilton Public Library, Various City Departments
2	Heat Warning Notification	Alerts issued to public to advise of heat warnings and extended heat warnings with heat safety tips.	Already in Practice	Public Health Services	Communications
3	Cool Places	Air-conditioned public spaces as well as public swims and spray pads to provide respite during heat warnings. Expansion of services to highest-risk population during heat warnings.	Already in Practice	Recreation, Hamilton Public Library	Public Works

Action Number	Strategy	Description	Status	Lead	Partners
4	Cooling and Energy Efficiency Support	<p>Subsidies and/or rebates for improving energy efficiency in homes or buildings. (i.e. Better Homes Hamilton Project Supports this).</p> <p>Advocacy to other levels of government to provide affordable and accessible cooling (e.g. application for an air conditioner) for at-risk people who qualify (e.g., based on income status and/or a prescribed medical need).</p> <p>Development of draft “Adequate Temperature By-Law”</p>	<p>Piloting</p> <p>Already in Practice</p>	<p>Planning and Economic Development (Office of Climate Change Initiatives)</p> <p>Ontario Works</p> <p>Licensing and By-Law Services</p>	Public Health Services
5	Vegetation Cover Expansion and Maintenance	Reducing artificial surfaces, through increasing vegetation in parking areas, alleyways, streets, and other infrastructure.	Already in Practice	Public Works, Planning and Economic Development	Public Health Services
*6	Wellness Check-Ins	Leveraging emergency and community services to assist at risk populations during heat events to provide welfare calls/check-ins.	New	Paramedics	Public Health Services

Action Number	Strategy	Description	Status	Lead	Partners
*7	Shade Structures	Installation of shade structures in areas identified using heat and equity mapping.	New	Public Works (Environmental Services)	Planning and Economic Development (Office of Climate Change Initiatives) Public Health Services
8	Heat-Related Illness Population Health Surveillance	Real-time surveillance of local population health data during the extreme heat season (i.e. Acute Care Enhanced Surveillance, Paramedic Data).	New	Public Health Services (Epidemiology and Evaluation)	Paramedics
*9	Misting stations	Installation of misting stations in identified priority locations.	New	Public Works (Environmental Services)	Planning and Economic Development (Office of Climate Change Initiatives), Public Health Services
*10	Transportation	Free or discounted transportation during heat warnings and extended heat warnings to cool places.	New	Public Works (Transit)	Public Health Services

\*Pending Deliberations by General Issues Committee



## **PUBLIC WORKS COMMITTEE REPORT 24-005**

1:30 p.m.  
Monday, April 29, 2024  
Council Chambers  
Hamilton City Hall  
71 Main Street West

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**Present:** Councillors M. Spadafora (Chair), A. Wilson (Vice-Chair) J. Beattie, C. Cassar, J. P. Danko, M. Francis, T. Jackson, C. Kroetsch, T. McMeekin, N. Nann, E. Pauls and M. Tadeson

**Absent with  
Regrets:** Councillors T. Hwang and M. Wilson – City Business

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### **THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 24-005 AND RESPECTFULLY RECOMMENDS:**

**1. Transit Ridership on the HSR (PW24024) (City Wide) (Outstanding Business List Item) (Item 9.1)**

That Report PW24024, respecting Transit Ridership on the HSR, be received.

**2. Annual Watermain Break Report (City Wide) (PW24013) (Item 9.2)**

That Report PW24013, respecting Annual Watermain Break Report, be received.

**3. Accessible Transportation Services Performance Report (PW22079(f)) (City Wide) (Item 9.3)**

That Report PW22079(f), respecting Accessible Transportation Services Performance Report, be received.

**4. Telecommunications Industry Investments in the City (PW20003(a)) (City Wide) (Item 11.1)**

- (a) That the General Manager, Public Works or designate be authorized to extend, on behalf of the City, an agreement with Bell Canada ("Bell") to facilitate Bell's expansion of their fibre optic network throughout the City of Hamilton (the "Project"), in a form acceptable to the City Solicitor; and
- (b) That, in accordance with the City's Budgeted Complement Control Policy, the extension of additional temporary Full-Time Employees (FTEs) to the complement of the Engineering Services Division, for up to an additional 24 months, all at Bell's cost, be approved to facilitate the completion of the Bell's Project such that there is no impact on the tax levy.

**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 Mark Anderson, Co-Chair Cycle Hamilton, respecting Item 12.1, Dewitt Road and Vicinity Cycling Infrastructure (Ward 10) - WITHDRAWN

Recommendation: Be received and referred to the consideration of Item 12.1

**6. DELEGATION REQUESTS**

- 6.1 Chris Ritsma respecting Item 12.1, Dewitt Road and Vicinity Cycling Infrastructure (Ward 10) (for today's meeting) - WITHDRAWN

**12. MOTIONS**

- 12.1 Dewitt Road and Vicinity Cycling Infrastructure (Ward 10) - WITHDRAWN

The Agenda for the April 29, 2024, 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) April 2, 2024 (Item 4.1)**

The Minutes of the April 2, 2024, meeting of the Public Works Committee were approved, as presented.

**(d) 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 Ridership Recovery (Item 14.1(a)(a))  
Addressed as Item 9.1 on today's agenda - Report PW24024 (City Wide)
  - (ii) Increased Service Levels for Litter Collection (City Wide) (Item 14.1(a)(b))  
Completed December 4, 2023 - Report PW23076 (City Wide)
- (2) Items Requiring a New Due Date (Item 14.1(b))
  - (i) Environmentally Sustainable Solutions for Food Trucks in Bayfront (and other Park(s))  
Current Due Date: Q4 2024  
Proposed New Due Date: Q4 2025

**(h) ADJOURNMENT (Item 16)**

There being no further business, the Public Works Committee meeting adjourned at 2:05 p.m.

Respectfully submitted,

Councillor M. Spadafora, Chair,  
Public Works Committee

Carrie McIntosh  
Legislative Coordinator  
Office of the City Clerk



**PLANNING COMMITTEE  
REPORT  
24-006**

**April 30, 2024  
9:30 a.m.**

**Council Chambers, Hamilton City Hall  
71 Main Street West**

**Present:** Councillor C. Cassar (Chair)  
Councillor M. Wilson (1<sup>st</sup> Vice Chair)  
Councillor T. Hwang (2nd Vice Chair)  
Councillors J. Beattie, J.P. Danko, M. Francis, C. Kroetsch,  
T. McMeekin, N. Nann, M. Tadeson, A. Wilson, E. Pauls

**THE PLANNING COMMITTEE PRESENTS REPORT 24-006 AND RESPECTFULLY  
RECOMMENDS:**

- 1. Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-23-008 and Zoning By-law Amendment Application ZAC-23-020 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 17 Ewen Road, Hamilton (PED24065) (Ward 1) (Item 9.1)**

That report PED24065 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-23-008 and Zoning By-law Amendment Application ZAC-23-020 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 17 Ewen Road, Hamilton, be received.

- 2. Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-20-027 and Zoning By-law Amendment Application ZAC-20-042 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1629, 1635, 1637 and 1655 Main Street West, Hamilton (PED24066) (Ward 1) (Item 9.2)**

That report PED24066 respecting Appeal of Urban Hamilton Official Plan Amendment Application UHOPA-20-027 and Zoning By-law Amendment Application ZAC-20-042 to the Ontario Land Tribunal for Lack of Decision for Lands Located at 1629, 1635, 1637 and 1655 Main Street West, Hamilton, be received.

**3. Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications (PED24079) (City Wide) (Item 9.3)**

That report PED24079 respecting Active Official Plan Amendment, Zoning By-law Amendment, and Plan of Subdivision Applications, be received.

**4. Application for a Zoning By-law Amendment for Lands Located at 560 Grays Road, Stoney Creek (PED24085) (Ward 10) (Item 10.1)**

(a) That Amended Zoning By-law Amendment Application ZAC-24-005, by Arcadis (c/o Jared Marcus) on behalf of Rose (Grays) Inc., Owners, for a further modification to the Multiple Residential “RM3-58” Zone, Modified, to permit four blocks of four storey multiple dwellings with a total of 94 dwelling units, including 110 surface parking spaces inclusive of 16 visitor parking spaces, for lands located at 560 Grays Road, Stoney Creek, as shown on Appendix “A” attached to Report PED24085, be APPROVED on the following basis:

- (i) That the draft By-law attached as Appendix “B” to Report PED24085, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) 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.

**5. Demolition Process respecting Reports to Planning Committee (Item 12.1)**

WHEREAS a qualified and professional opinion on demolition permit decisions would assist Council in assessing demolition applications.

THEREFORE, BE IT RESOLVED:

- (a) That staff be directed to implement the requirement for the preparation of a staff report with recommendations for the issuance of demolition permits in the City of Hamilton; and,
- (b) That staff review the demolition permitting by-law for options to allow for staff to approve demolition of vacant structures under their existing delegated authority, where the structure is vacant and development is pending but prior to the issuance of a building permit.

**6. Demolition of 361 Rymal Road West (Item 12.2)**

WHEREAS, the existing dwelling has been unoccupied for over twelve (12) years and is in a state of disrepair and in a condition that is no longer habitable;

WHEREAS, the owner wishes to demolish the dwelling unit to mitigate future safety concerns and liability with the aging structure;

WHEREAS, the owner of the above-mentioned property would like to demolish the existing dwelling without having to obtain a Building Permit;

THEREFORE, BE IT RESOLVED:

That the Chief Building Official be authorized and directed to issue a demolition permit for 361 Rymal Road West, Hamilton, pursuant to Section 33 of the Planning Act as amended, without having to comply with the conditions in Sub-Section 6(a) of Demolition Control Area By-law 22-101.

**FOR INFORMATION:**

**(a) APPROVAL OF AGENDA (Item 2)**

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

**10. PUBLIC HEARINGS**

**10.1 Application for a Zoning By-law Amendment for Lands Located at 560 Grays Road, Stoney Creek (PED24085) (Ward 10)**

(a) Added Written Submission:

(i) Viv Saunders

(b) Staff Presentation

The agenda for the April 30, 2024, 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) April 16, 2024 (Item 4.1)**

The Minutes of the April 16, 2024 meeting were approved, as presented.

**(d) PUBLIC HEARINGS (Item 10)**

In accordance with the *Planning Act*, Chair C. Cassar 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 C. Cassar 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 560 Grays Road, Stoney Creek (PED24085) (Ward 10) (Item 10.1)**

- (a)** Michael Fiorino, Planner II, addressed the Committee with the aid of a PowerPoint presentation.

The staff presentation was received.

- (b)** Jared Marcus with Arcadis Planning was in attendance and indicated support for the staff report.

The presentation from Jared Marcus with Arcadis Planning, was received.

- (c)** Chair Cassar called three times for public delegations and no one came forward.

- (d) (a)** The following public submissions regarding this matter were received and considered by the Committee:

- (i)** Added Written Submissions:

- (1)** Viv Saunders (Added Item 10.1 (a) (i)) –  
Concerns with proposal

- (b) The public meeting was closed.

For disposition of this matter, refer to Item 4.

(e) **MOTIONS (Item 12)**

(i) **Demolition Process respecting Reports to Planning Committee (Item 12.1)**

WHEREAS, a qualified and professional opinion on demolition permit decisions would assist Council in assessing demolition applications.

THEREFORE, BE IT RESOLVED:

That staff be directed to implement the requirement for the preparation of a staff report with recommendations for the issuance of demolition permits in the City of Hamilton.

The Motion was **amended** by adding sub-section (b) as follows:

- (b) ***That staff review the demolition permitting by-law for options to allow for staff to approve demolition of vacant structures under their existing delegated authority, where the structure is vacant and development is pending but prior to the issuance of a building permit.***

For disposition of this matter, refer to Item 5.

(f) **PRIVATE & CONFIDENTIAL (Item 15)**

(i) **Closed Session Minutes – April 16, 2024 (Item 15.1)**

- (a) The Closed Session Minutes dated April 16, 2024, were approved as presented; and,
- (b) The Closed Session Minutes dated April 16, 2024, are to remain confidential.

**(g) ADJOURNMENT (Item 16)**

There being no further business, the Planning Committee adjourned at 11:03 a.m.

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Councillor C. Cassar, Chair  
Planning Committee

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Lisa Kelsey  
Legislative Coordinator



## GENERAL ISSUES COMMITTEE REPORT 24-008

9:30 a.m.

May 1, 2024

Council Chambers, City Hall, 2<sup>nd</sup> Floor  
71 Main Street West, Hamilton, Ontario

**Present:** Deputy Mayor N. 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, M. Wilson and A. Wilson

**Absent:** Mayor A. Horwath – City Business

### THE GENERAL ISSUES COMMITTEE PRESENTS REPORT 24-008 AND RESPECTFULLY RECOMMENDS:

1. **City of Hamilton / Ministry of Transportation 2023-24 Dedicated Gas Tax Funding Agreement (FCS24032) (City Wide) (Item 10.1)**
  - (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 "A" to General Issues Committee Report 24-008;
  - (c) That the By-law attached as Appendix "C" to Report FCS24032 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.

**2. Transit Area Rating Review Sub-Committee Report 24-001 - April 11, 2024 (Item 10.2)**

**(a) Transit Area Rating Review Sub-Committee Terms of Reference (Item 11.1)**

That the Terms of Reference for the Transit Area Rating Review Sub-Committee, be received.

**(b) HSR's (re)Designed Network (Added Item 12.1)**

That Finance and Public Works staff be directed to report back to the Transit Area Rating Review Sub-Committee in Q4 2024 with preliminary estimates based on the four scenarios outlined in the HSR's (re)Design the HSR presentation respecting Urban, Rural and Area Rating Tax impact as part of the 2025 tax policy.

**3. Open for Business Sub-Committee Report 24-002 - April 8, 2024 (Item 10.4)**

**(a) Construction Management Plan Guidelines (PED24070) (Item 8.2)**

That Report PED24070, respecting Construction Management Plan Guidelines, be received.

**(b) Light Rail Transit Corridor Business Update (PED24074) (City Wide) (Outstanding Business List Item) (Item 9.1)**

That Report PED24074, respecting Light Rail Transit Corridor Business Update, be received.

**4. Next Generation 911 Service Delivery - 2023-2024 Provincial Funding (FCS20082(d) / HSC20045(d)) (City Wide) (Item 10.5)**

(a) That the \$4,106,751 in Ministry of the Solicitor General transitional support funding be applied to the Next Generation 9-1-1 technology component (project #3502157101); and,

(b) That the budget of project 3502157101 - Next Generation 9-1-1 be increased by \$2,181,751.

**5. Second floor addition to new Waterdown Station for 911 Call Centre (FCS20082(e) / HSC20045(e) / PW22087(b)) (City Wide) (Item 10.6)**

- (a) That the second-floor addition onto new Waterdown Station for a 911 Call Centre be approved with a budget totalling \$22,551,445, including new construction, dispatcher consoles, furniture, UPS, design fees, permits, tax, fees, infrastructure fit-up, per Appendix "A" to Report (FCS20082(e) / HSC20045(e) / PW22087(b)) and to be funded from tax supported debt;
- (b) That the estimated annual debt repayment of \$2.2M be referred to the 2025 budget process for consideration;
- (c) That the General Manager, Public Works Department 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;
- (d) That the incremental Operating Impact of Capital cost of \$300,000 for operating the larger facility footprint be referred to the 2026 capital budget process;
- (e) That the additional 1.0 temporary full-time equivalent (FTE), be approved for the duration of the project (up to 48 months), in Corporate Facilities and Energy Management, required to provide oversight to deliver the overall increase in large capital project delivery volume, be approved, with no impact to the tax levy;
- (f) That the General Manager, Finance and Corporate Services, be authorized and directed to negotiate and confirm the terms for the placement and issuance of all debenture issue(s), in either a public or private market and / or bank loan agreements and debenture issue(s), in and / or variable interest rate bank loan agreement and debenture issue(s), in an amount not to exceed \$22,551,445 Canadian currency;
- (g) That the General Manager, Finance and Corporate Services, be authorized to engage the services of all required professionals to secure the terms and issuance of the debenture issue(s) described in recommendation (f) including, but not limited to, external legal counsel and fiscal agents; and,
- (h) That the General Manager, Finance and Corporate Services, be authorized and directed, on behalf of the City of Hamilton, to enter into and / or execute, all agreements and necessary ancillary documents to secure the terms and issuance of the debenture issue(s) described in recommendation (f), on terms satisfactory to the General Manager, Finance and Corporate Services and in a form satisfactory to the City Solicitor.

**6. Councillor Ward Office Budgets 2023 Operating Surplus (Item 11.1)**

WHEREAS, at its meeting on February 15, 2024, Council approved a total ward office budget of \$6,246,535, which includes both employee-related and discretionary funds;

WHEREAS, employee-related funds may be utilized for general ward office expenses at the discretion of the ward Councillor.

THEREFORE, LET IT BE RESOLVED:

- (a) That any surplus operating funds at 2023 year-end in the ward office budgets be transferred to the corresponding ward minor maintenance account; and,
- (b) That, for 2024 and future years, any surplus operating funds remaining from both the employee-related and discretionary budgets for ward offices be allocated to the respective ward minor maintenance account.

**7. Lease Agreement – Pier 7, 121 Haida Drive (formerly 47 Discovery Drive) (PED24078) (Ward 2) (Item 14.4)**

- (a) That the directions provided to staff in Closed Session, respecting Report PED24078, Lease Agreement – Pier 7, 121 Haida Drive (formerly 47 Discovery Drive) be approved and remain confidential; and,
- (b) That Report PED24078 and the appendices, respecting the Lease Agreement – Pier 7, 121 Haida Drive (formerly 47 Discovery Drive), be REFERRED to the May 8, 2024 meeting of Council.

**FOR INFORMATION:**

**(a) CEREMONIAL ACTIVITY (Item 1)**

Deputy Mayor Nann advised the Committee that in recognition of the National Day of Awareness for Missing and Murdered Indigenous Women and Girls and Two-Spirit People (MMIWG2S+) on May 5, the City's Indigenous Relations team has partnered with the Hamilton Public Library to install a red dress exhibit entitled "Missing," at the Hamilton Public Library – Central Branch.

The opening ceremony for the exhibit takes place today and should Committee still be in session – we will be observing a Moment of Silence for MMIWG2S at 12:30pm, in tandem with the moment of silence that will be observed at the opening event taking place at library.

**(b) APPROVAL OF AGENDA (Item 2)**

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

**5. COMMUNICATIONS**

5.1(a) Additional Correspondence from Diane Gower Dent respecting Item 10.3 - Facility Naming Sub-Committee Report 24-001.

Recommendation: Be received and referred to consideration of Item 1 of Facility Naming Sub-Committee Report 24-001 (Item 10.3).

5.2 Correspondence from Roberta Harman, President, Durand Neighbourhood Association respecting agenda Item 10.3 - Facility Naming.

Recommendation: Be received and referred to consideration of Item 1 of Facility Naming Sub-Committee Report 24-001 (Item 10.3).

5.3 Correspondence from Janice Brown, DNA Board Member 1995-2023, Durand Honorary Member 2024, respecting the Proposal to Rename the former St Marks Church.

Recommendation: Be received and referred to consideration of Item 1 of Facility Naming Sub-Committee Report 24-001 (Item 10.3).

**6. DELEGATION REQUESTS**

6.1 Shelby Alicia, respecting homelessness and the correlation to REITs in Hamilton (In Person) (For a future meeting)

The agenda for the May 1, 2024 General Issues Committee meeting, was approved, as amended.

**(c) DECLARATIONS OF INTEREST (Item 3)**

There were no declarations of interest.

**(d) APPROVAL OF MINUTES OF PREVIOUS MEETINGS (Item 4)**

The following minutes of the General Issues Committee meetings, were approved, as presented:

**(i) April 17, 2024 (Item 4.1)**

(e) **COMMUNICATIONS (Item 5)**

Communication Items 5.1 through 5.3, were approved, as follows:

- (i) **Correspondence from Diane Gower Dent PhD, Founder Durand Neighbourhood Association 1972, Vice Chair Heritage Hamilton Foundation, Chair Friends of Auchmar, respecting the proposed new name Magnolia Hall for the former St Mark's Church (Item 5.1)**

Recommendation: Be received and referred to consideration of Item 1 of Facility Naming Sub-Committee Report 24-001 (Item 10.3).

- (ii) **Additional Correspondence from Diane Gower Dent respecting Item 10.3 - Facility Naming Sub-Committee Report 24-001 (Added Item 5.1(a))**

Recommendation: Be received and referred to consideration of Item 1 of Facility Naming Sub-Committee Report 24-001 (Item 10.3).

- (iii) **Correspondence from Roberta Harman, President, Durand Neighbourhood Association respecting agenda Item 10.3 - Facility Naming (Added Item 5.2)**

Recommendation: Be received and referred to consideration of Item 1 of Facility Naming Sub-Committee Report 24-001 (Item 10.3).

- (iv) **Correspondence from Janice Brown, DNA Board Member 1995-2023, Durand Honorary Member 2024, respecting the Proposal to Rename the former St Marks Church (Added Item 5.3)**

Recommendation: Be received and referred to consideration of Item 1 of Facility Naming Sub-Committee Report 24-001 (Item 10.3).

(f) **DELEGATION REQUESTS (Item 6)**

The following Delegation Request, were approved, as follows:

- (i) **Shelby Alicia, respecting homelessness and the correlation to REITs in Hamilton (In Person) (For a future meeting) (Added Item 6.1)**

(g) **DELEGATIONS (Item 7)**

- (i) **Jeffrey McCabe, All Hands on Deck, respecting homeless and addiction issues (Approved April 17, 2024) (Item 7.1)**

Jeffrey McCabe, All Hands on Deck, addressed the Committee respecting homeless and addiction issues.

The Delegation from Jeffrey McCabe, All Hands on Deck, respecting homeless and addiction issues, was received.

**(h) DISCUSSION ITEMS (Item 10)**

The following Motion was DEFEATED:

**(i) Facility Naming Sub-Committee Report 24-001 - April 19, 2024 (Item 10.3)**

**(1) Re-Naming of the Former St. Mark's Church (PED24076) (Ward 2) (Item 10.1)**

That the St. Mark's Church located at 115 Hunter Street West, Hamilton, be renamed Magnolia Hall.

**(i) PRIVATE & CONFIDENTIAL (Item 14)**

Committee determined that discussion of Items 14.1 and 14.2 was not required in Closed Session; therefore, the matters were addressed in Open Session, as follows:

The following Closed Session minutes were approved and remain confidential:

**(i) Closed Session Minutes – February 21, 2024 (Item 14.1)**

**(ii) Closed Session Minutes – April 17, 2024 (Item 14.2)**

**(iii)** Committee moved into Closed Session Pursuant to Section 9.3, Sub-Section (c) of the City's Procedural By-law 21-021, as amended, and Section 239(2) sub-section (c) of the *Ontario Municipal Act, 2001*, as amended, as the subject matter pertains to a proposed or pending acquisition or disposition of land for City or a local board purpose.

**(iv) Lease Agreement – Pier 7, 121 Haida Drive (formerly 47 Discovery Drive) (PED24078) (Ward 2) (Item 14.4)**

For disposition of this matter, refer to Item 7.

**(j) ADJOURNMENT (Item 15)**

There being no further business, the General Issues Committee adjourned at 12:27 p.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

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](http://www.ontario.ca/transportation)

Ministère des  
Transports

Bureau du ministre

777, rue Bay, 5<sup>e</sup> étage  
Toronto ON M7A 1Z8  
416 327-9200

[www.ontario.ca/transports](http://www.ontario.ca/transports)



March 15, 2024

Mayor Andrea Horwath  
City of Hamilton  
City Hall, 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 2023-24 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 **\$12,389,845** ("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 **\$9,292,384**; 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 2023-24 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 return 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,



Prabmeet Singh Sarkaria  
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: Andrea Horwath  
Title: Mayor

I have authority to bind the Municipality.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Name (print): Mike Zegarac  
Title: General Manager, Finance &  
Corporate Services

I have authority to bind the Municipality.



## AUDIT, FINANCE AND ADMINISTRATION COMMITTEE REPORT 24-009

9:30 a.m.  
May 2, 2024  
Council Chambers  
Hamilton City Hall

**Present:** Councillors T. Hwang (Chair), J. Beattie, B. Clark C. Kroetsch, M. Spadafora, M. Tadeson, A. Wilson and M. Wilson

**Also**

**Present:** Councillors C. Cassar, J.P. Danko, and N. Nann

### THE AUDIT, FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 24-009 AND RESPECTFULLY RECOMMENDS:

1. **2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) - REVISED (Added Item 8.1(a))**
  - (a) That the 2024 City of Hamilton Development Charges Study, as amended, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved;
  - (b) That, whenever appropriate, the City of Hamilton requests that grants, subsidies and other contributions be clearly designated by the provider as being to the benefit of existing development (or new development, as applicable);
  - (c) That all the growth capital projects listed in the City of Hamilton Development Charges Background Study, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved, in principle, subject to annual capital budget approvals;
  - (d) That, having considered the matters in Report FCS23103(b) including the changes incorporated into the 2024 Development Charges By-law, attached hereto as Appendix "A" of Report FCS23103(b), no further meeting under s.12 of the Development Charges Act, 1997 is required;

- (e) That Appendix "A" as amended, by adding a new Section 34 and amending all references in Sections 1(iii) and 35 from "Previous Use" to "Current Use" attached to Report FCS23103(b) respecting a single 2024 Development Charges By-law, prepared in a form satisfactory to the City Solicitor and including the following discretionary exemption policies, be passed and enacted:
- (i) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for residential development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40% in year one (June 1, 2024 to May 31, 2025); 35% in year two (June 1, 2025 to May 31, 2026); 30% in year three (June 1, 2026 to May 31, 2027); 20% in year four (June 1, 2027 to May 31, 2028); 10% in year five (June 1, 2028 to May 31, 2029); and 0% thereafter;
  - (ii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for non-industrial development (other than Class A Office) industrial development and the non-residential component of mixed use development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40%;
  - (iii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for Class A Office, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 70%;
  - (iv) A reduced rate discretionary exemption be provided for manufacturing (Employment North American Industry Classification System (code 31-33), as well as, for production and artists' studios at a 37% discount;
  - (v) A reduced rate discretionary exemption be provided for industrial development (other than manufacturing) at a 37% discount in Year 1 (June 1, 2024 to May 31, 2025) with a reduction in the exemption of 5% per year until completely phased out;
  - (vi) An industrial expansion (detached building), 50% expansion of existing gross floor area exemption, be applied only to industrial businesses with primary economic activity identified as manufacturing (employment North American Industry Classification System (N.A.I.C.S.) code 31 33);
  - (vii) A 100% Development Charge discretionary exemption for adaptive re-use of a protected heritage property;

- (viii) A 50% Development Charge discretionary exemption for redevelopment of an existing residential development for the purpose of creating residential facilities within an existing building and that the credit applicable, when the original building was a Residential Facility or Lodging house, be 100% of the applicable Residential Facility Rate or Lodging House Rate;
- (ix) A discretionary exemption for non-industrial developments included within a Community Improvement Project Area (CIPA) or Business Improvement Area (BIA) and for office developments (excluding medical clinics) as follows:
  - (i) 1st 5,000 square feet at 50% of the non-industrial charge;
  - (ii) 2nd 5,000 square feet at 75% of the non-industrial charge;  
and
  - (iii) 10,000 square feet or larger at 100% of the non-industrial charge;
- (x) A 100% discretionary Development Charge exemption for bona fide farming / agricultural use;
- (xi) A 100% discretionary Development Charge exemption for places of worship exempt from property taxes;
- (xii) A discretionary transition policy in which the Development Charge Rate at the time of a complete building permit application apply if the building permit is issued within six months of the next rate increase;
- (xiii) A 100% discretionary Development Charge exemption for Farm Labour Residences;
- (xiv) A 100% discretionary Development Charge Exemption for City Housing Hamilton;
- (xv) A 100% discretionary Development Charge Exemption for Parking, other than Commercial Parking;
- (xvi) A Temporary Building or Structure Exemption;
- (xvii) A discretionary Deferral Policy for Non-residential Development, a Mixed Use Development, a Residential Facility, a Lodging House or an Apartment Dwelling only;
- (xviii) A discretionary Environmental Remediation and Site Enhancement (ERASE) Deferral Agreement Policy;
- (xix) A discretionary Public Hospitals Deferral Policy;
- (xx) A discretionary Post-Secondary Deferral Policy;

- (f) That the Local Service Policy, as included in the 2024 City of Hamilton Development Charges Background Study, as amended, be approved, adopted and implemented effective June 1, 2024;
  - (g) That revisions to Section L.2.4 of the Comprehensive Development Guidelines and Financial Policies, to align with the Local Service Policy, attached as Appendix A to Audit, Finance and Administration Committee Report 24-009 be adopted and approved; and
  - (h) That, where public stormwater management facilities have been provided at the cost of a developer, as a condition of development approval and the said facilities are deemed to be permanent and part of an ultimate solution, “credits for services in-lieu” for the related stormwater component of the Development Charge will be applied for any unbuilt units upon the said facilities being included in the Development Charge Background Study and any applicable addendum(s).
- 2. Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* as it Relates to the *Development Charges Act, 1997 (FCS24034) (City Wide) (Item 10.1)***
- (a) That Council endorse the proposed submissions and recommendations as provided in Appendix B to Audit, Finance and Administration Committee Report 24-009 regarding Schedule 6 to proposed Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*; and
  - (b) That the General Manager, Finance and Corporate Services, be authorized to make further submissions on Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* and any associated regulations consistent with the comments and concerns raised in Report FCS24034, as opportunities are provided for comments.
- 3. Capital Project Closing Report as of September 30, 2023 (FCS23095(a)) (City Wide) (Item 10.3)**
- (a) That the General Manager, Finance and Corporate Services, be authorized to fund a net amount of \$80,805.96 from the Unallocated Capital Levy Reserve (108020) and transfer a net amount of \$2,795,802.34 to other reserves as outlined in Appendix C to Audit, Finance and Administration Committee Report 24-009;
  - (b) That the General Manager, Finance and Corporate Services, be directed to close the completed and / or cancelled capital projects listed in Appendix D to Audit, Finance and Administration Committee Report 24-009 in accordance with the Capital Projects Closing and Monitoring Policy;
  - (c) That Appendix E to Audit, Finance and Administration Committee Report 24-009, Capital Projects Budget Appropriations for the period covering July 1, 2023 through September 30, 2023, be received as information; and

- (d) That Appendix F to Audit, Finance and Administration Committee Report 24-009, Capital Projects Budget Appropriations of \$250,000 or greater and Capital Project Reserve Funding Requiring Council Approval, be approved.

**FOR INFORMATION:**

**(a) CHANGES TO THE AGENDA (Item 2)**

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

**5. COMMUNICATIONS**

5.1 Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*

5.1(a) Watson & Associates Economists Ltd. respecting the Assessment of Bill 185, *Cutting Red Tape to Build More Homes Act, 2024*.

Referred from Council, April 24, 2024

5.1(b) Watson & Associates Economists Ltd. respecting the Assessment of Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* and the Proposed Provincial Planning Statement, 2024

Recommendation: Be received and referred to the consideration of Item 10.1, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* as it relates to the *Development Charges Act, 1997* (FCS24034) (City Wide)

5.2 Development Charges By-Law

- 5.2(a) Colleen Wicken
- 5.2(b) Christiane de Savigny
- 5.2(c) Rose Janson and Family
- 5.2(d) Marie Covert
- 5.2(e) Elizabeth Watson-Morlog
- 5.2(f) Mary Love
- 5.2(g) Heather Vaughan
- 5.2(h) J. Williams
- 5.2(i) Catherine Thomas
- 5.2(j) Verena Walter
- 5.2(k) Lyn Folkes
- 5.2(l) Steve Chalastra
- 5.2(m) Jan W. Jansen
- 5.2(n) Don Brown
- 5.2(o) Candy Venning
- 5.2(p) Monica McCrory
- 5.2(q) Jane Wright

**Council – May 8, 2024**

- 5.2(r) Bernice McRae
- 5.2(s) Patricia (Pat) Wilson, The Wilson Financial Group
- 5.2(t) Karijn de Jong
- 5.2(u) Luigia DeDivitiis and Allan Buck
- 5.2(v) Wendy Leigh-Bell and E. Robert Ross
- 5.2(w) Nonni Iler
- 5.2(x) Theresa McQuaig
- 5.2(y) Teresa Gregorio
- 5.2(z) Erica Hall
- 5.2(aa) Elizabeth Knight
- 5.2(ab) Steven Dejonckheere, Slate Asset Management
- 5.2(ac) Toni Wodzicki, Broccolini
- 5.2(ad) Robert Howe, Goodmans LLP

Recommendation: Be received and referred to consideration of Item 8.1, Development Charges Background Study, Policies and By-Laws

## 6. DELEGATION REQUESTS

- 6.1 2024 Development Charges Background Study, Policies and By-laws - Final Report (for today's meeting):
  - 6.1(a) Michelle Diplock, West End Home Builders' Association
  - 6.1(b) Amanda C. Stringer, Realtors Association of Hamilton Burlington
  - 6.1(c) Greg Dunnett, Hamilton Chamber of Commerce
  - 6.1(d) Veronica Green, Slate Asset Management
  - 6.1(e) Steven Dejonckheere, Slate Asset Management

## 8. STAFF PRESENTATIONS

- 8.1 2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) - *WITHDRAWN*
  - 8.1(a) 2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) – *REVISED*

## CHANGE TO THE ORDER OF THE AGENDA

Consideration of Report FCS23103(b), respecting 2024 Development Charges Background Study, Policies and By-laws - Final Report (City Wide) (Item 8.1(a) to be considered immediately following the consideration of Item 10.1, Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* as it Relates to the *Development Charges Act, 1997* (FCS24034) (City Wide)

The agenda for the May 2, 2024 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) April 18, 2024 (Item 4.1)**

The following Minutes of April 18, 2024 were approved, as presented:

**(d) COMMUNICATIONS (Item 5)**

**(i) Various Communications (Added Items 5.1 (a)-(b) and 5.2 (a)-(ad))**

The following Communications Items, were approved, as presented:

**(1) Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* (Added Item 5.1)**

- (i) Watson & Associates Economists Ltd. respecting the Assessment of *Bill 185, Cutting Red Tape to Build More Homes Act, 2024*. (Added Item 5.1(a))

Referred from Council - April 24, 2024

- (ii) Watson & Associates Economists Ltd. respecting the Assessment of *Bill 185, Cutting Red Tape to Build More Homes Act, 2024* and the Proposed Provincial Planning Statement, 2024 (Added Item 5.1(b))

Recommendation: Be received and referred to the consideration of Item 10.1, *Bill 185, Cutting Red Tape to Build More Homes Act, 2024* as it relates to the *Development Charges Act, 1997* (FCS24034) (City Wide)

**(2) Development Charges By-Law (Added Item 5.2)**

- (i) Colleen Wicken (Added Item 5.2(a))
- (ii) Christiane de Savigny (Added Item 5.2(b))
- (iii) Rose Janson and Family (Added Item 5.2(c))
- (iv) Marie Covert (Added Item 5.2(d))
- (v) Elizabeth Watson-Morlog (Added Item 5.2(e))
- (vi) Mary Love (Added Item 5.2(f))
- (vii) Heather Vaughan (Added Item 5.2(g))
- (viii) J. Williams (Added Item 5.2(h))
- (ix) Catherine Thomas (Added Item 5.2(i))

- (x) Verena Walter (Added Item 5.2(j))
- (xi) Lyn Folkes (Added Item 5.2(k))
- (xii) Steve Chalastra (Added Item 5.2(l))
- (xiii) Jan W. Jansen (Added Item 5.2(m))
- (xiv) Don Brown (Added Item 5.2(n))
- (xv) Candy Venning (Added Item 5.2(o))
- (xvi) Monica McCrory (Added Item 5.2(p))
- (xvii) Jane Wright (Added Item 5.2(q))
- (xviii) Bernice McRae (Added Item 5.2(r))
- (xix) Patricia (Pat) Wilson, The Wilson Financial Group (Added Item 5.2(s))
- (xx) Karijn de Jong (Added Item 5.2(t))
- (xxi) Luigia DeDivitiis and Allan Buck (Added Item 5.2(u))
- (xxii) Wendy Leigh-Bell and E. Robert Ross (Added Item 5.2(v))
- (xxiii) Nonni Iler (Added Item 5.2(w))
- (xxiv) Theresa McQuaig (Added Item 5.2(x))
- (xxv) Teresa Gregorio (Added Item 5.2(y))
- (xxvi) Erica Hall (Added Item 5.2(z))
- (xxvii) Elizabeth Knight (Added Item 5.2(aa))
- (xxviii) Steven Dejonckheere, Slate Asset Management (Added Item 5.2(ab))
- (xxix) Toni Wodzicki, Broccolini (Added Item 5.2(ac))
- (xxx) Robert Howe, Goodmans LLP (Added Item 5.2(ad))

Recommendation: Be received and referred to consideration of Item 8.1, Development Charges Background Study, Policies and By-Laws

**(e) DELEGATION REQUESTS (Item 6)**

**(i) 2024 Development Charges Background Study, Policies and By-laws - Final Report (for today's meeting) (Added Items 6.1 (a)-(e))**

The following Delegation Requests, were approved, for today's meeting.

- (1) Michelle Diplock, West End Home Builders' Association (Added Item 6.1(a))
- (2) Amanda C. Stringer, Realtors Association of Hamilton Burlington (Added Item 6.1(b))
- (3) Greg Dunnett, Hamilton Chamber of Commerce (Added Item 6.1(c))
- (4) Veronica Green, Slate Asset Management (Added Item 6.1(d))
- (5) Steven Dejonckheere, Slate Asset Management (Added Item 6.1(e))

**(f) DELEGATIONS (Item 7)**

**(i) 2024 Development Charges Background Study, Policies and By-laws - Final Report (for today's meeting) (Added Items 7.1 (a)-(e))**

The following Delegations addressed the Committee respecting the 2024 Development Charges Background Study, Policies and By-laws - Final Report - REVISED:

- (1) Michelle Diplock, West End Home Builders' Association (Added Item 7.1(a))
- (2) Amanda C. Stringer, Realtors Association of Hamilton Burlington (Added Item 7.1(b))
- (3) Greg Dunnett, Hamilton Chamber of Commerce (Added Item 7.1(c))
- (4) Veronica Green, Slate Asset Management (Added Item 7.1(d))
- (5) Steven Dejonckheere, Slate Asset Management (Added Item 7.1(e))

The following Delegations, were received and referred to the consideration of Report FCS23103(b), respecting 2024 Development Charges Background Study, Policies and By-laws - Final Report – REVISED:

- (1) Michelle Diplock, West End Home Builders' Association (Added Item 7.1(a))
- (2) Amanda C. Stringer, Realtors Association of Hamilton Burlington (Added Item 7.1(b))
- (3) Greg Dunnett, Hamilton Chamber of Commerce (Added Item 7.1(c))
- (4) Veronica Green, Slate Asset Management (Added Item 7.1(d))
- (5) Steven Dejonckheere, Slate Asset Management (Added Item 7.1(e))

For further disposition of this matter, refer to Item 1.

**(g) STAFF PRESENTATIONS (Item 8)**

**(i) 2024 Development Charges Background Study, Policies and By-laws - Final Report (FCS23103(b)) (City Wide) - REVISED (Added Item 8.1 (a))**

- (a) Gary Scandlan and Erik Karvinen, Watson and Associates, provided the Committee with an overview of the 2024 Development Charges Background Study, Policies and By-laws - Final Report – REVISED.

The presentation from Gary Scandlan and Erik Karvinen, Watson and Associates, respecting the 2024 Development Charges Background Study, Policies and By-laws - Final Report– REVISED, was received.

The Audit, Finance and Administration Committee recessed from 12:55 p.m. to 1:30 p.m.

The Audit, Finance and Administration Committee recessed at 3:03 p.m. due to a fire alarm.

The meeting resumed at 3:26 p.m.

- (b) (a) That the 2024 City of Hamilton Development Charges Study, as amended, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved;
- (b) (b) That, whenever appropriate, the City of Hamilton requests that grants, subsidies and other contributions be clearly designated by the provider as being to the benefit of existing development (or new development, as applicable);
- (c) (c) That all the growth capital projects listed in the City of Hamilton Development Charges Background Study, prepared by Watson & Associates Economists Ltd., and dated December 21, 2023, amended March 28, 2024, be approved, in principle, subject to annual capital budget approvals;
- (d) (d) That, having considered the matters in Report FCS23103(b) including the changes incorporated into the 2024 Development Charges By-law, attached hereto as Appendix "A" of Report FCS23103(b), no further meeting under s.12 of the Development Charges Act, 1997 is required;
- (e) (e) That Appendix "A" attached to Report FCS23103(b) respecting a single 2024 Development Charges By-law, prepared in a form satisfactory to the City Solicitor and including the following discretionary exemption policies, be passed and enacted:
  - (i) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for residential development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40% in year one (June 1, 2024 to May 31, 2025); 35% in year two (June 1, 2025 to May 31, 2026); 30% in year three (June 1, 2026 to May 31, 2027); 20% in year four (June 1, 2027 to May 31, 2028); 10% in year five (June 1, 2028 to May 31, 2029); and 0% thereafter;

- (ii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for non-industrial development (other than Class A Office) industrial development and the non-residential component of mixed-use development, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 40%;
- (iii) A Downtown Hamilton Community Improvement Project Area (CIPA) discretionary exemption for Class A Office, limited to the height restrictions Council approved through the Downtown Secondary Plan, be 70%;
- (iv) A reduced rate discretionary exemption be provided for manufacturing (Employment North American Industry Classification System (code 31-33), as well as, for production and artists' studios at a 37% discount;
- (v) A reduced rate discretionary exemption be provided for industrial development (other than manufacturing) at a 37% discount in Year 1 (June 1, 2024 to May 31, 2025) with a reduction in the exemption of 5% per year until completely phased out;
- (vi) An industrial expansion (detached building), 50% expansion of existing gross floor area exemption, be applied only to industrial businesses with primary economic activity identified as manufacturing (employment North American Industry Classification System (N.A.I.C.S.) code 31-33);
- (vii) A 100% Development Charge discretionary exemption for adaptive re-use of a protected heritage property;
- (viii) A 50% Development Charge discretionary exemption for redevelopment of an existing residential development for the purpose of creating residential facilities within an existing building and that the credit applicable, when the original building was a Residential Facility or Lodging house, be 100% of the applicable Residential Facility Rate or Lodging House Rate;
- (ix) A discretionary exemption for non-industrial developments included within a Community Improvement Project Area (CIPA) or Business Improvement Area (BIA) and for office developments (excluding medical clinics) as follows:

- (i) 1st 5,000 square feet at 50% of the non-industrial charge;
  - (ii) 2nd 5,000 square feet at 75% of the non-industrial charge; and
  - (iii) 10,000 square feet or larger at 100% of the non-industrial charge;
- (x) A 100% discretionary Development Charge exemption for bona fide farming / agricultural use;
  - (xi) A 100% discretionary Development Charge exemption for places of worship exempt from property taxes;
  - (xii) A discretionary transition policy in which the Development Charge Rate at the time of a complete building permit application apply if the building permit is issued within six months of the next rate increase;
  - (xiii) A 100% discretionary Development Charge exemption for Farm Labour Residences;
  - (xiv) A 100% discretionary Development Charge Exemption for City Housing Hamilton;
  - (xv) A 100% discretionary Development Charge Exemption for Parking, other than Commercial Parking;
  - (xvi) A Temporary Building or Structure Exemption;
  - (xvii) A discretionary Deferral Policy for Non-residential Development, a Mixed Use Development, a Residential Facility, a Lodging House or an Apartment Dwelling only;
  - (xviii) A discretionary Environmental Remediation and Site Enhancement (ERASE) Deferral Agreement Policy;
  - (xix) A discretionary Public Hospitals Deferral Policy;
  - (xx) A discretionary Post-Secondary Deferral Policy;
- (f) That the Local Service Policy, as included in the 2024 City of Hamilton Development Charges Background Study, as amended, be approved, adopted and implemented effective June 1, 2024;
  - (g) That revisions to Section L.2.4 of the Comprehensive Development Guidelines and Financial Policies, to align with

the Local Service Policy, attached as Appendix "C" be adopted and approved; and

- (h) That, where public stormwater management facilities have been provided at the cost of a developer, as a condition of development approval and the said facilities are deemed to be permanent and part of an ultimate solution, "credits for services in-lieu" for the related stormwater component of the Development Charge will be applied for any unbuilt units upon the said facilities being included in the Development Charge Background Study and any applicable addendum(s).
- (c) (a) That staff be directed to **amend** Appendix 'A' to Report FCS23103(b), respecting 2024 Development Charges Background Study, Policies and By-laws - Final Report being the proposed By-Law Respecting Development Charges on Lands within the City of Hamilton, as follows:
  - (i) To **amend** Section 1(iii) to **delete the term "Previous Use"** and replace it with **"Current Use"** as follows:
    - (iii) **"~~Previous Use~~ Current Use"** has the meaning ascribed to it in section 34.
  - (ii) To add the following, as Section 34, and renumber the existing Section 34 as Section 35:

**34. When Redevelopment involves the conversion of the use of an existing Building from one use to another use the existing use of the Building preceding the conversion (the "Current Use") shall be determined as follows:**

    - (a) **If the existing use is subject to the payment of Development Charges under this By-law it shall be deemed to be the Current Use;**
    - (b) **If the existing use is a use fully exempt from the payment of Development Charges but was preceded by a use of the existing Building that is subject to the payment of Development Charges under this By-law the preceding use of the Building shall be deemed to be the Current Use of the Building and any additions to the Building during its**

*time of use as a use fully exempt from Development Charges under this By-law shall not be considered to be part of the Current Use of the Building; or,*

- (c) *If the existing use is a use fully exempt from the payment of Development Charges and there was no preceding use of the existing Building it shall be deemed to be the Current Use.*

(iii) To **amend** Section 35 as follows:

35. Where an existing Building is converted in whole or in part from one ~~use (hereinafter referred to in this section as the "Previous Use") its Current Use~~ to **another a different** use,

- (a) the amount of Development Charges payable shall be reduced by the amount, calculated pursuant to this By-law at the current Development Charges rates in respect of the ~~Previous Use Current Use~~;
- (b) the ~~Previous Use Current Use~~ shall be the use as confirmed through the City's Building Division and related permit records. If such records are not available, the ~~Previous Use Current Use~~ shall be determined using property tax records or such other City records as may be available;
- (c) for greater certainty, and without limiting the generality of the foregoing, the credit for the converted building shall be reduced or eliminated by the amount of any exemption, partial exemption or other reduction provided under this By-law applicable to the ~~Previous Use Current Use~~ as if the converted Building were being assessed as new development under this By-law; and
- (d) the amount of any credit pursuant to this section shall not exceed, in total, the amount of the Development Charges

otherwise payable pursuant to this By-law with respect to the Redevelopment.

- (iv) To renumber the remaining Sections, accordingly.

For further disposition of this matter, refer to Item 1.

**(h) DISCUSSION ITEMS (Item 10)**

**(i) Proposed Amendments to Fair Wage Policy and Fair Wage Schedule (FCS24008/HUR24002) (City Wide) (Outstanding Business List Item) (Item 10.2)**

- (1) (a) That the Fair Wage Policy and Fair Wage Schedule, attached as Appendix "A" and Appendix "C" to Report FCS24008/HUR24002, be approved;
- (b) That staff be directed to automatically update the Fair Wage Schedule every two years, in a manner consistent with Report FCS24008/HUR24002; and
- (c) That staff be directed to report back any updates to the Fair Wage Policy every four years to the Audit, Finance and Administration Committee for consideration.
- (2) (a) Consideration of the following items was DEFERRED until the end of Q3 2024 to allow the stakeholders the opportunity to review the Proposed Amendments to Fair Wage Policy and Fair Wage Schedule (FCS24008/HUR24002) (City Wide) and provide comment:
- (i) Proposed Amendments to Fair Wage Policy and Fair Wage Schedule (FCS24008/HUR24002) (City Wide) (Outstanding Business List Item) (Item 10.2)
- (ii) Amendments to the Outstanding Business List (Item 13.1)
- (1) Items Considered Completed and To Be Removed (Item 13.1(a))
- (a) Fair Wage Policy Review (Item 13.1(a)(i))

**(i) PRIVATE AND CONFIDENTIAL (Item 14)**

**(i) Closed Minutes – April 18, 2024**

- (a) The Closed Minutes of the April 18, 2024 meeting were approved, as presented; and

- (b) The Closed Minutes of the April 18, 2024 meeting shall remain confidential.

**(j) ADJOURNMENT (Item 15)**

There being no further business, the Audit, Finance and Administration Committee, was adjourned at 3:46 p.m.

Respectfully submitted,

Councillor Tammy Hwang, Chair  
Audit, Finance and Administration  
Committee

Tamara Bates  
Legislative Coordinator  
Office of the City Clerk



Hamilton

Comprehensive  
Development Guidelines  
and Financial Policies  
Manual  
2019



## Comprehensive Development Guidelines and Financial Policies Manual

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## L FINANCIAL POLICIES

### L1. Cost Sharing for Over-sizing of Infrastructures

The term 'over-sizing' in the context of this policy refers to sewers, watermains and road works whose size has been increased (over-sized) to service multiple upstream or downstream lands and therefore the size is no longer local to the development in which the works are constructed. The term 'over-sizing', the over-sizing limits and over-sizing rates within this policy do not apply to municipal capital improvement projects within the City's Development Charge Background Study.

Contribution by the City towards the cost of over-sized services constructed under Subdivision Agreements within this policy is funded from revenues collected by the City through its Development Charge. Payment by the City for over-sizing shall be determined based on the over-sizing rates within the cost estimate schedules approved by the City for the constructed works. Temporary works are not eligible for over-sizing contribution by the City.

#### L1.1. Sanitary Sewers, Storm Sewers and Watermains

##### Residential Development

A Proponent is required to pay the full cost for construction of storm and sanitary sewers, maintenance holes and watermains in residential developments up to and including the following sizes:

SANITARY SEWER	450mm Ø
STORM SEWER	1200mm Ø
WATERMAIN	300mm Ø

For pipes the sizes listed above, the Proponent shall pay the local component of the service cost and the City shall pay the over-size component on a "Flat Rate" basis in accordance with the City's table of rates for over-sized works constructed under Subdivision Agreements, plus applicable overhead fees and HST.

##### Stipulation

The City's contribution for storm sewer over-sizing shall be applied only to storm sewer systems that provide for drainage and conveyance of runoff arising from storm event designs having a five (5) year return period (minor system). Storm sewers conveying 100 year storm event designs (major system) are not eligible for cost contribution by the City.

Where a Proponent proposes a storm sewer system based on a five (5) year return period (minor system) incorporating large diameter pipes at a shallow depth and grade, where smaller diameter pipes can be utilized at lower depth and steeper grades, then the sewer is not considered over-sized by definition under this policy and therefore is not eligible for cost contribution by the City.

## Non-Residential Development

In non-residential development a Proponent is required to pay the full cost for installation of sanitary sewers, maintenance holes and watermains up to and including the following sizes:

SANITARY SEWER	450mm Ø
WATERMAIN	300mm Ø

### Note

Over-sizing rates shall be adjusted annually by the City at the time of adjustment of the City's Development Charge By-law using the Non-residential Building Construction Price Index for Toronto.

## L12 Roadworks

### Residential Development

A Proponent is required to pay the full cost for installation of an 8.0 metre wide (local) residential roadway and minimum 1.50 metre wide concrete sidewalk.

The City of Hamilton shall pay for:

1. The portion of a residential road beyond 8.0 metres in width.

#### Exceptions

- Where an existing local residential road is wider than 8.0 metre and must be extended by development, the Proponent shall pay the full cost for the road extension due to its local road classification; and,
  - Where a turning circle is constructed at the intersection of two local roads, there shall be no cost sharing by the City for any portion of the turning circle or land due to the local road classification;
2. The portion of base course asphalt which is beyond 80mm in depth and/or Granular "A" base beyond 150mm in depth, and/or Granular "B" base beyond 300mm in depth;
  3. Lay-bys within or abutting residential subdivision plans, provided the lay-by is mandated by the City for the purpose of servicing a public or community facility. This does not include lay-bys required for private multiple residential sites;
  4. The portion of the cost for roundabouts constructed on collector roads, which is over and above the cost of a turning circle for local and collector roads; and,
  5. The full cost of splitter islands required for roundabouts, where the City has paid a portion of the round-about cost.

## Non-Residential Development

A Proponent is required to pay the full cost for installation of up to an eleven (11) metre wide non-residential road. The City of Hamilton shall contribute towards the portion of non-residential roads, which is determined to be beyond a local width and/or depth of base course asphalt and/or granular bases.

### Notes

Where widening of a road surface is necessary to accommodate traffic requirements specific to a development site, there shall be no contribution by the City toward the additional road cost as the widening is local to the development site only.

For both residential and non-residential roads:

- Contribution by the City toward the cost of newly constructed over-sized roads shall be on a "Flat Rate" basis in accordance with the rates shown in the table of rates for over-sized works constructed under Subdivision Agreements;
- The City shall not contribute toward the cost of extra depth asphalt or granular bases required to compensate for sub-soil conditions and/or method of construction; and,
- Contribution by the City toward the cost of upgrading existing roads shall be in accordance with the City's Development Charges Background study and Local Service Policy

## L2 Cost Sharing for Street Frontage

In this policy, aboveground works refers to and includes all of the following:

- Base and surface course asphalt pavement on a granular base;
- Concrete curb and gutter, including sub-drain;
- Sidewalk;
- Catch basins and connections;
- Street lighting; and,
- Utility trenching.

Underground works refers to and includes all of the following:

- Storm and sanitary sewers, including maintenance holes;
- Storm and sanitary private drain connections;
- Watermains, valves and chambers; and,
- Water service connections and hydrants.

## L21. New Roads Servicing Rate

The New Roads Servicing Rate is a flat rate representing the average cost of local roads constructed under residential Subdivision Agreements and includes all applicable overheads.

All cost sharing for street frontage by the City for the local component of aboveground works shall be based on the New Roads Servicing Rate. The length of street property frontage and/or flankage, which abut the works, shall be multiplied by the New Roads Servicing Rate and the sum shall be the contribution to be paid by the City as cost sharing for above ground works. This rate shall be adjusted annually by the City at the time of adjustment to the City's Development Charge.

In the case of a cost recovery, where a property owner can demonstrate to the satisfaction of the Senior Director of Growth Management that payment has been previously made to the City for existing road works or part thereof, the New Roads Servicing Rate shall be adjusted accordingly.

## L22 City Lands

The City shall contribute toward the cost of aboveground and underground works adjacent to the street property frontage of City land:

- i) That has been or will be transferred to the City to satisfy the requirement for parkland dedication under the *Planning Act*. The City's share of servicing cost for aboveground and underground works shall be paid at the time construction of above and underground works is accepted as complete by the City.

### Stipulation

Where a Proponent has initiated a neighbourhood and/or draft plan amendment which results in an increase in park street property frontage, the City's contribution toward above and underground works shall be based on the length of park street property frontage before the amendment;

- ii) That has been or will be transferred to the City for storm water management ponds, for the portion of street pond frontage beyond the first 8.0 metres in length, where the City has mandated storm pond land with street property frontage.

### Stipulation

Where open space lands have been incorporated into the lands of a storm water management pond, the City will not contribute to the underground or aboveground works abutting the street property frontage of the open space portion of the storm pond lands;

- iii) Which is vacant and can be developed through a *Planning Act* application. In this particular case, the Proponent shall pay the initial upfront servicing cost adjacent to the vacant City land and this cost shall be identified under a 'Cost Recovery' schedule of the City's Subdivision Agreement for the front-ending

Proponent. Payment for the works which relate to the City land shall be made at the time of final release of a development or subdivision application on the vacant land or, in the case of underground works, when an application is made for a service connection to the underground works; and,

- iv) That is currently used for the operation of the City such as fire halls, public works yards, arenas or community centres. The City's share of underground works shall be paid at the time when an application is made for a service connection to the underground works. The Proponent shall pay the initial upfront servicing cost adjacent to the City land and this cost shall be identified under a 'Cost Recovery' schedule of the City's Subdivision Agreement for the front-ending Proponent.

#### **Stipulation**

There shall be no contribution by the City toward the cost of aboveground works as the City facility is considered existing development benefiting from previous road access.

#### **Note**

The City's contribution towards the cost of underground works shall be calculated by taking the street property frontage of City land as a percent of the total street property frontage abutting the limits of the underground works for the street abutting the City land and applying that percentage to the total cost of the underground works, including all applicable overhead.

Contribution toward the cost of aboveground works by the City on new roads within development plans shall be based on the New Roads Servicing Rate multiplied by the street property frontage of the City land.

### **L23. Fencing Adjacent to City Lands**

Where a development abuts City land or land to be transferred to the City as a condition of development approval and a Proponent is required to install a fence to separate the developed lands from City lands, the Proponent shall pay the full cost of the fence installation. For lands transferred to the City to fulfil the requirement for parkland dedication under the *Planning Act*, the cost to install a fence separating parkland from development land shall be shared equally between a Proponent and the City based on the cost to install a 1.50 metre high chain link fence.

**Delete L.2.4 as written:**

### **~~L24. Value of Land for Road Allowances~~**

~~Where a Proponent is required to dedicate more than thirteen (13) metres of land to establish a new road allowance width, measured from the centerline of the road allowance to one side to its ultimate width, the City shall compensate the Proponent~~

~~for the value of dedicated land beyond 13 metres in width on that side of the road allowance, for the length of the conveyance.~~

~~Daylight triangles and daylight radius curves are not included in the calculation to determine over-dedication of land to establish or widen road allowance.~~

~~Land value shall be determined by the City's Real Estate Section and shall be funded from the Development Charge Reserve.~~

**And replace with:**

#### **L.2.4. Value of Land for Road Allowances**

Where a Proponent is required to dedicate more than thirteen (13) metres of land to establish a new road allowance width for a residential road, and more than 16m for a non-residential road, measured from the centerline of the road allowance to one side to its ultimate width, the City shall compensate the Proponent for the value of dedicated land beyond 13 metres in width on that side of the road allowance for a residential road, and 16m for a non-residential road, respectively, for the length of the conveyance. For clarity, non-residential roads include those roads that are meant to carry mixed traffic and not solely residential traffic.

Daylight triangles and daylight radius curves are not included in the calculation to determine over-dedication of land to establish or widen road allowance.

Land value shall be determined by the City's Real Estate Section and shall be funded from the Development Charge Reserve.

**....Revision complete**

#### **L25. Storm Water Management Facilities**

- Contribution by the City toward the cost of storm water management facilities will be limited to the 'growth related' component of the capital project cost as outlined in the Development Charges Background Study which includes construction, land and applicable overhead.
- Piping and headwalls for the conveyance system to a storm water management facility are not included in the 'growth related' component of the capital project cost and shall be constructed at the expense of the Proponent unless otherwise stipulated by the City's storm water master plan, master drainage plan or watershed/sub-watershed study and development charge background study.
- Storm water management facilities and on-site open watercourse improvements for non-residential development shall be constructed at the expense of the Proponent unless otherwise stipulated by the City's storm water master plan, master drainage plan or watershed/sub-watershed study and

development charge background study.

#### **L26. Availability and Timing of Funding by the City**

- Timing of payment for the City's share of servicing costs in any year for works constructed under is subject to availability of funding in the capital budget as approved by the City for that year. [Appendix K - Protocol for City Share](#) further outlines the Protocol for Repayment of City Share.
- Any Proponent requesting allocation of funding for the City's share of servicing costs under Development Applications shall do so, in writing to the City's Senior Director of Growth Management, prior to August 1<sup>st</sup> of previous calendar year. Such requests can apply to completed works or imminently proposed works.
- Any development requiring the City's share of works to be paid beyond the approved Capital Budget amount for that year shall require the approval of City Council. The Senior Director of Growth Management Division may authorize funding to be paid during the year for completed eligible projects not initially allocated funding during the Capital Budget process, subject to the availability of reserved monies funded that year.
- Where the total City's share of servicing cost, before overhead, under the Schedule of Works approved by the City is greater than fifty thousand dollars (\$ 50,000) a public tender process must be carried out by the Proponent to award the contract.

#### **Note**

- For all works constructed under development applications where a Proponent increases the size and/or length or alters the routing and/or configuration of works in their own interest, then contribution by the City toward the cost of such works, if applicable, shall apply to only the portion of works required by the City's policies, design criteria standards and specifications.

### **L3. Cost Recovery Policies**

#### **L3.1. Cost Recovery in favour of Proponent**

A Proponent is required to pay the initial up-front cost, less City contribution, of all works required to service land to be developed, including the cost of works which may be required through or adjacent to lands of others, except City owned land as described under this policy.

For further clarity, the Proponent is required to install services at their cost up to the limit of the property.

#### **Works Identified for Cost Recovery**

A front-ending Proponent's consulting Engineer shall calculate the estimated cost of works which will benefit the lands of others, identify the benefiting lands and the portion of the cost attributable to the benefiting lands. This information shall be included in the City's 'Cost Recovery' schedule for the purpose of recording future cost recovery obligations of the City in favour of a front-ending Proponent against the benefiting lands.

Temporary works are not eligible for inclusion under the City's 'Cost Recovery' obligation and are described as works which will be removed at the time when the benefiting lands or surrounding lands develop or when the ultimate plan is implemented such as the urbanization of a road. In addition, the City reserves the right to disallow any works from inclusion in the City's 'Cost Recovery' schedule which, in the opinion of the City using reasonable judgment, do not benefit the abutting or surrounding lands.

Where a benefiting land owner is required to resurface or reconstruct a road or remove and replace services identified for recovery under the City's 'Cost Recovery' obligation as a result of development of the benefiting lands, then the cost of the removed item shall be excluded from the City's cost recovery calculation against the benefiting lands.

#### **Determination of Cost Recovery Rates**

Upon completion of works identified in the City's 'Cost Recovery' schedule, the front-ending Proponent's consulting Engineer shall provide the City with a certified progress payment certificate detailing the actual cost of the completed works. The City shall use the costs within the payment certificate to calculate the total cost of the constructed works, less any City share of the construction cost, and determine a rate to be applied to the benefiting lands.

Where the actual cost of the works exceeds the estimated cost as approved by the City, by more than ten percent (10%) then, the rate to be applied to the benefiting lands for the purpose of cost recovery shall be based on the approved estimated cost, plus ten percent (10%).

A copy of the City's calculations shall be provided to the front-ending Proponent's consulting Engineer for review. Upon Agreement by the consulting Engineer and City to the actual costs and recovery rate for the works, the rate for the 'Cost Recovery' shall

be set by the City and applied to the frontage and/or flankage of the benefiting lands. The cost of individual sewer and water service connections shall be based on the actual cost of each connection.

In the instance where development of a benefiting property takes place prior to completion of the works, then the cost calculation to determine a recovery rate shall be based on the unit cost of the incomplete item within the signed tender document for the works.

### **Cost Recovery for New Development**

Where the City receives an application under the Planning Act to subdivide or develop land, which has been identified in the City's 'Cost Recovery' schedule of an existing Subdivision/External Works Agreement as benefiting from previously constructed works, the City shall impose a condition requiring the benefiting land owner to pay their proportionate share of the servicing cost for the works, prior to final release of the Planning Act application.

New development refers to land, or the portion of land, that when subdivided is vacant. Cost recoveries for new development shall apply to the vacant portion of subdivided land only.

### **Cost Recovery for Existing Development**

Where a Proponent is required to construct sewers and/or watermains within roads or easements that are adjacent to existing development, the City will pass a Fees and Charges By-law in accordance with the provisions under the Municipal Act, for the purpose of assessing and charging existing property owners for their share of the cost of services to an existing dwelling or building in fulfillment of its 'Cost Recovery' obligation to a front-ending Proponent. The City will recover the assessed cost, prior to issuance of a sewer and/or water service permit to connect an existing building or dwelling to the sewer and/or watermain.

There shall be no cost recovery imposed on existing development for enhancements to or urbanization of existing roads carried out by Proponents as these lands have already derived benefit of road access prior to the road improvement.

Existing development refers to land, or the portion of land as determined by the City, exercising reasonable judgment, where a building or dwelling exists prior to construction of municipal works by a front-ending Proponent which services the existing dwelling or building.

All monies collected by the City from existing and new development in fulfillment of its 'Cost Recovery' obligation under the Subdivision/External Works Agreement shall be forwarded to the Proponent named in the Agreement for the works to which the cost recoveries relate.

**Exceptions Include:**

- Where an existing dwelling or building is located within a lot or block of a plan of subdivision, then for the purposes of cost recoveries, the frontage/flankage of the lot or block upon which the existing dwelling or building is located shall be included in all cost recovery calculations by the City;
- Where an application to develop or subdivide land requires or results in the demolition of an existing building/dwelling then, for the purposes of cost recoveries, the whole of the land subject to the development application shall be considered vacant and referred to as new development;
- The City reserves the option to limit recovery costs for mainline sewers and watermains abutting existing houses or buildings to the equivalent of a minimum sized pipe;
- Where the lands of an existing house have the potential to be subdivided in the future and where a connection to sewers or a watermain is made to the house only, the City reserves the option to apply a flat rate recovery charge for the existing house based on the total recovery amount owed against the lands divided by the potential number of lots that could be created by subdivision of the lands. The flat rate charge shall be paid to the City prior to issuance of a sewer and/or water service permit. The balance of the outstanding cost shall be recovered by the City as a condition of a Planning Act application to subdivide the lands;
- Recovery costs for sewers and watermains identified as municipal capital improvement projects funded partly or wholly by Development Charges abutting existing dwellings or buildings shall be limited to the lesser of either the actual non-growth related portion of the project cost or the sewer/watermain extension flat fee under the City’s Tariff of Planning and Growth Management Fees By-law; and,
- There shall be no recovery by the City for the cost of storm sewers installed as part of urbanization of an existing rural road which results in removal of the abutting property’s overland storm outlet (ditch).

**Limit of ‘Cost Recovery’ Obligation**

The City’s obligation to recover servicing costs under the ‘Cost Recovery’ provision of its Subdivision/External Works Agreements shall be limited to no more than ten (10) years from the date of registration of the subdivision plan which relates to the ‘Cost Recovery’ works, or in the case of site plan and consent applications, ten (10) years from the date of final release of the application.

**L32 Cost Recoveries in favour of the City**

**Aboveground Works**

Where the City has previously paid for construction of aboveground works along 0.30 metre reserves under previous Subdivision Agreements, the City shall recover the cost, less the portion identified as over-sizing, from an abutting landowner prior to removal of the reserve. The City shall multiply the ‘New Roads Servicing Rate’ in effect at the time of payment by the length of the property frontage/flankage of the lands abutting the 0.30

metre reserve. The sum shall be collected by the City as a recovery for the aboveground works.

### **Underground Works**

In the past where the City has previously paid for construction of underground works (sewers and/or watermains) along 0.30 metre reserves under previous Subdivision Agreements, the City shall recover the cost from an abutting land owner prior to removal of the reserve. The cost to be recovered shall be determined based on the as-constructed cost of the works, less the portion of the cost identified as over-sizing, plus applicable overhead. The as-constructed cost shall be divided by the total frontage of the lands abutting the limits of the underground works in order to determine a recovery rate to be applied to the abutting lands. Cost recoveries along 0.30 metre reserves shall be determined by multiplying the recovery rate of the works by the property frontage/flankage of the lands abutting the reserve and the sum shall be adjusted by the Canada Construction Cost Index (Ontario Series) from the month when the works were accepted by the City as complete to the month when a recovery is made by the City.

### **L3.3. Cost Recovery on Corner Lots with Daylight Triangle/Radius**

Where a corner lot has a daylight triangle or daylight radius thereby reducing the overall length of street property frontage of the lot, then for the purposes of cost recoveries, the length of the frontage and flankage shall be based on the full width (frontage) or depth (flankage) of the lot as if the daylight triangle or daylight radius did not exist.

### **Municipal Infrastructure**

Where it is known that land under a development application is adjacent to works that will be constructed in the future by the City or other Proponents, the City shall collect a security deposit under its Subdivision or Consent Agreement, as the case may be, to secure payment of the Proponent's share of future aboveground and underground works. Security for future aboveground works shall be based on the New Roads Servicing Rate applied to the frontage and/or flankage of the Proponent's lands adjacent to the future works. Security for underground works shall be estimated based on the pipe size of the future underground services.

Following construction of the future works, the City shall invoice the Proponent for the Proponent's share of the actual cost of the works. Upon receipt of payment from the Proponent the City shall release the Proponent's security deposit held under the Subdivision or Consent Agreement.

### **Street Tree Planting**

Where land is subdivided to create single, semi-detached or street town house development, the City shall collect a cash payment from the Proponent for street treeplanting to be carried out by the City at a rate of one tree for the front yard of each lot and unit created and two additional trees along the side yard of each corner lot. The cash payment shall be collected by the City prior to registration of a subdivision plan or prior to execution of a consent agreement by the city.

### **L34. Payment for Future Urbanization of Existing Rural Roads**

Where land is subdivided, adjacent to an existing road of rural cross section which is located within the Urban Area Boundary as defined by the City's Official Plan, the City shall collect a cash payment representing the Proponent's contribution toward the cost to urbanize existing rural roads including local size storm sewer. The requirement to pay toward future road urbanization shall be imposed by the City as a condition of an application to subdivide land. Payment shall be determined by multiplying the New Roads Servicing Rate in effect at the time of payment by the property frontage of the subdivided land which represents new development as defined under this policy and the sum shall be collected by the City prior to final release of the Planning Act application. Development fee tables can be obtained from Planning and Economic Development Department, Growth Management Division.



City of Hamilton  
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General Manager, Finance and Corporate Services  
Corporate Services Department  
1<sup>st</sup> Floor, 71 Main Street West

## DRAFT FOR CONSIDERATION OF CITY COUNCIL

May 8, 2024

ERO Number: 019-8371

Minister Paul Calandra  
Ministry of Municipal Affairs and Housing  
17<sup>th</sup> Floor, 777 Bay Street  
Toronto, Ontario  
M7A 2J3

Dear Minister Calandra:

**Subject: City of Hamilton Submission on Proposed *Development Charges Act, 1997* Changes through Bill 185, *Cutting Red Tape to Build More Homes Act, 2024***

Thank you for the opportunity to provide comments on Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* ("Bill 185"). The City of Hamilton is submitting the following comments as endorsed by City Council on May 8, 2024 in relation to Schedule 6 to Bill 185 which proposes amendments to the *Development Charges Act, 1997* ("DC Act") through ERO 019-8371. Comments pertaining to the remaining Schedules to Bill 185 will be submitted under separate letters to the appropriate EROs.

The City is working alongside the Province to increase housing and infrastructure development with the intent of facilitating the construction of 1.5 million new homes in Ontario by 2031. Council has echoed the importance of responsible development and growth through the [City of Hamilton's 2022-2026 Council Priorities](#). Council Priority 1 promotes "Sustainable Economic and Ecological Development" and aims to reduce the burden on residential taxpayers, while Council Priority 2 is to create "Safe and Thriving Neighbourhoods" as measured by increasing the supply of affordable and supportive housing.

The Province has recognized the struggles faced by municipalities following enactment of the *More Homes, Built Faster Act, 2022* and is commended for recognizing the municipalities are in need of funding tools to support growing infrastructure and service needs of growing communities. The reversals of components of the *More Homes, Built Faster Act, 2022* proposed through Bill 185 represent a substantial advancement in improving the City's capacity to finance growth-related costs without imposing an undue burden on rate and taxpayers. Further amendments aligned with the objectives of

Bill 185 would enhance the City's ability to responsibly meet the infrastructure and service needs of the growth and housing objectives set by the Province. The City's comments have been grouped into six categories:

1. Capital costs definition
2. DC rate phase-in
3. DC by-law amendments
4. Rate lock-in
5. Affordable housing exemption
6. Concluding comments

### **Capital Costs Definition**

Bill 185 proposes the definition of eligible capital costs be amended to allow for the inclusion of studies in the DC calculation. This would represent a reversal of the previous legislative decision through Bill 23 which removed the ability for municipalities to include the cost of studies in the DC Calculation. The City provided feedback to the Province through ERO 019-6172 in relation to *More Homes, Built Faster Act, 2022* which requested that studies remain as an eligible capital cost to avoid the transfer of the financial burden of funding the required studies to property tax and rate payers. Studies are essential to ensure that growth can occur and that sufficient infrastructure and services are available to support that growth. **The City is supportive of the proposed amendment to allow for the inclusion of studies as an eligible capital cost.**

The City's 2024 DC Background Study and by-law are currently being reviewed by Council with the DC Background Study having been prepared in 2023 during the 18-month period where studies were ineligible. Following passage of the by-law, additional analysis and efforts will be required to determine the studies eligible for collection and to amend the DC by-law. **The City urges the Province to consider the need for stability in the eligible services and broader DC framework** to support municipalities' ability to plan and developers to have clarity on the required DCs.

### **DC Rate Phase-In**

Bill 185 proposes the removal of the mandatory phase-in of DC rates over five years. This would represent a reversal of the previous legislative decision through Bill 23 which enacted the phase-in for DC by-laws passed after January 1, 2022 and required the DCs be discounted by 20% in Year 1, 15% in Year 2, 10% in Year 3 and 5% in Year 4 with the full DC rate applying in Year 5. The City provided feedback to the Province through ERO 019-6172 in relation to *More Homes, Built Faster Act, 2022* which requested that the phase-in be eliminated as it discounted DCs such that the City would have insufficient DC funding to support growth-related costs. The removal of the five-year phase-in would initiate a significant shift in the City's forecasted DC collections versus exemptions and better enable the City to support the costs of growth with less reliance on the property tax levy. **The City is in support of the removal of the phase-in.**

## DC By-Law Amendments

Bill 185 proposes a simplified process to amend DC by-laws passed in the period between the enactment of the *More Homes, Built Faster Act, 2022* (November 28, 2022), which removed studies as an eligible capital cost and the date Bill 185 receives Royal Assent. This will allow for the re-inclusion of studies as an eligible capital cost and the removal of references to DC rate phase-in. **The City is supportive of the proposed amendment to provide for a simplified process to amend DC by-laws.**

The simplified amendment process would be provided to by-laws passed between Royal Assent of the *More Homes, Built Faster Act, 2022* and Royal Assent of Bill 185. **The City recommends the addition of a grace period to allow for by-laws passed within three months of Bill 185 receiving Royal Assent to be permitted to benefit from the simplified amendment process.**

## DC Rate Lock-In

Bill 185 proposes the reduction of the site plan/ zoning by-law amendment rate lock-in period from two years to 18 months from the date of approval. The Province has indicated that the intent of this proposal would be to expedite building processes and incentivize developers to obtain building permits promptly following approval of a site plan or zoning by-law amendment application. The City does not anticipate significant impacts to DC collections and is supportive **towards the proposed amendment to reduce the site-plan / zoning by-law amendment rate lock-in period.**

## Affordable Housing Exemption

The Province has announced that the DC exemption of affordable housing, introduced through the *More Homes, Built Faster Act, 2022* and amended through the *Affordable Homes and Good Jobs Act, 2023*, will come into force on June 1, 2024. Further to the feedback provided to the Province through ERO 019-6172 in relation to *More Homes, Built Faster Act, 2022* and ERO 019-7669 for the *Affordable Homes Good Jobs Act, 2023*, the City is interested in the opportunity to review and consult on the affordable housing bulletins prior to this section of the DC Act coming into force. **The City is interested in evaluating the degree of specificity and localization of the Bulletins and recommends that affordable housing Bulletins are segmented by unit type and that affordable housing thresholds are provided at a highly localized level. The City is also recommending a standardized agreement be developed by the Province to administer the affordable housing exemption.**

## Concluding Comments

The City continues to support the Province's goal of building 1.5 million homes by 2031 and tackling the affordability crisis affecting Ontarians. Bill 185 marks a significant amendment to the DC Act, positively shifting the legislative framework to better equip municipalities to manage and provide for the needs of growing communities. Bill 185 introduces several beneficial reversals of previous legislation including the re-inclusion of the studies in the definition of capital costs and removal of the mandatory phase-in and the associated simplified by-law amendment process to adjust for each of these reversals. The proposed amendments introduced by Bill 185 represent a substantial advancement in improving the City's capacity to finance growth-related needs without relying as heavily on rate and taxpayers. Further amendments aligned with the objectives of Bill 185 would enhance the City's ability to responsibly meet the infrastructure and service needs of the growth and housing objectives set by the Province.

Yours truly,

*To be signed pending endorsement by City Council.*

Andrea Horwath  
Mayor, City of Hamilton

CITY OF HAMILTON					
CAPITAL PROJECT CLOSING					
AS OF SEPTEMBER 30, 2023					
Projects impacting the Unallocated Capital Levy Reserve and Other Sources					
Year	ProjectID	Description	Surplus/ (Deficit) (\$)	Reserve	Description
Approved					
<b><u>Projects Impacting the Unallocated Capital Levy Reserve</u></b>					
<b>Projects Requiring Funds</b>					
2017	5301785708	Customer Service Software	(85,244.87)	108020	Unallocated Capital Levy
2016	5301784710	Automated Passenger Counters	(44,276.44)	108020	Unallocated Capital Levy
2016	5301785700	Bus Wash Rack Replacement	(35,848.14)	108020	Unallocated Capital Levy
2011	2051255204	Neighbourhood Strategy	(23,682.94)	108020	Unallocated Capital Levy
2022	4662220541	Traffic Signal Modernization - Queenston & Kenora & Greenford	(8,453.99)	108020	Unallocated Capital Levy
2022	4662220211	Wilson & Shaver - Pedestrian Crossovers (4 x Type C and 4 x Type D)	(3,661.82)	108020	Unallocated Capital Levy
			<b>(201,168.20)</b>		
<b>Projects Returning Funds</b>					
2017	4031755333	Butternuts on Beckett	30,317.57	108020	Unallocated Capital Levy
2018	3501957906	IT Strategy - Strategic Theme IT Optimization	22,572.63	108020	Unallocated Capital Levy
2018	3501857806	Data Centre HVAC	21,573.79	108020	Unallocated Capital Levy
2016	3541941013	Program - Firestations Facility Upgrade	20,066.85	108020	Unallocated Capital Levy
2011	3381857501	Capital Budget System Upgrade	9,850.00	108020	Unallocated Capital Levy
2018	4031818444	Bridge 444 - Guyatt Rd - 200m w.o. Hendershot Rd	6,295.46	108020	Unallocated Capital Levy
2021	3502157210	PeopleSoft Finance Tools Upgrade	4,713.01	108020	Unallocated Capital Levy
2019	4661920001	ATMS – Advanced Traffic Management System	2,538.70	108020	Unallocated Capital Levy
2020	4032049040	District South - Outside Yard Electrical Upgrades	2,273.67	108020	Unallocated Capital Levy
2020	4042010017	Street Lighting Capital Program	160.56	108020	Unallocated Capital Levy
			<b>120,362.24</b>		
<b>Net Impact to the Unallocated Capital Levy Reserve</b>			<b>(80,805.96)</b>		

CITY OF HAMILTON						
CAPITAL PROJECT CLOSING						
AS OF SEPTEMBER 30, 2023						
Projects impacting the Unallocated Capital Levy Reserve and Other Sources						
Year	ProjectID	Description	Surplus/ (Deficit) (\$)	Reserve	Description	
Approved						
<b>Projects impacting Other Reserves</b>						
<u>Projects requiring funds</u>						
2008	5160867751	Annual Wastewater Outstation - Asset Management	(30,056.33)	108015	Waterworks Capital Reserve	
2014	7901448406	Ice Plant Optimization Arenas	(62,498.63)	112272	Energy Conservation Initiative Reserve	
2020	7902049002	2020 Hamilton City Hall Lighting Upgrade to LEDs	(20,999.50)	112272	Energy Conservation Initiative Reserve	
			<b>(113,554.46)</b>			
<u>Projects returning funds</u>						
2017	5141767420	Carlisle Well Stations System Enhancements	813,310.97	108015	Waterworks Capital Reserve	
2020	5142061310	Woodward Greenhill Transmission Main Pipeline repair on Summercrest	454,540.68	108015	Waterworks Capital Reserve	
2015	5181510501	Mathers Drive Bank Erosion Control and Slope Stabilization	330,343.91	108015	Waterworks Capital Reserve	
2021	7402151100	Annual Equipment Replacement	252,805.95	100031	Hamilton Fire Department - Equipment Replacement Reserve	
2020	7902049001	2020 Lighting Upgrade to LEDs at Various Recreation Facilities	227,758.92	112272	Energy Conservation Initiative Reserve	
2020	7402051100	Annual Equipment Replacement	118,996.45	100031	Hamilton Fire Department - Equipment Replacement Reserve	
2016	5141667420	Ben Nevis & Dewitt (HD08A) Water Pumping Station Upgrades	118,602.13	108015	Waterworks Capital Reserve	
2012	3302009300	Ward 3 Capital Reinvestment	100,000.00	108053	Ward 3 Special Capital Re-investment	
2012	3302009200	Ward 2 Capital Reinvestment	96,771.45	108052	Ward 2 Special Capital Re-investment	
2021	4242109806	Buchanan Pathway Lighting	70,534.56	108058	Ward 8 Special Capital Re-investment	
2021	4242009407	McQuesten Farm Walkway	67,448.26	108054	Ward 4 Special Capital Re-investment	
2015	4241509209	Durand Traffic Calming	60,000.00	108052	Ward 2 Special Capital Re-investment	
2015	4241509210	Bike Rack Sculptures	55,000.00	108052	Ward 2 Special Capital Re-investment	
2016	7901641609	Macassa BAS Upgrade	54,413.37	112272	Energy Conservation Initiative Reserve	
2021	5142171074	Contingency for Unscheduled Works Program	35,625.57	108015	Waterworks Capital Reserve	
2019	4942051001	Shop Equipment Replacement	23,253.36	110025	Vehicle Replacement - Central Garage	
2021	4402156002	Ryckman's Park Pathway	17,502.55	108058	Ward 8 Special Capital Re-investment	
2018	4241809205	George St Pedestrian Proj	6,484.87	108052	Ward 2 Special Capital Re-investment	
2023	4242309804	Ward 8 William Bethune Park	3,764.64	108058	Ward 8 Special Capital Re-investment	
2018	5161966612	Woodward WWTP - South Secondary Clarifiers	2,199.16	108015 (11%) 108005 (89%)	Waterworks Capital Reserve Sanitary Sewer Capital Reserve	
			<b>2,909,356.80</b>			
<b>Net impact to Other Reserves</b>			<b>2,795,802.34</b>			
<b>Total Net impact to the Unallocated Capital Levy Reserve &amp; Other Reserves</b>			<b>2,714,996.38</b>			

**Appendix D to Audit, Finance and Administration Committee Report 24-009**

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF SEPTEMBER 30, 2023								
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a	
<b>DELAYED/CANCELLED PROJECTS</b>								
2016	3542141648	Program - Parking Lot Rehabilitation	0.00	0.00	0.00	0.00	0.0%	
2016	7102141701	Program - Community Halls Retrofits	0.00	0.00	0.00	0.00	0.0%	
2019	6302151002	ML & WL - Annual Resident Care Equipment Replacement	0.00	0.00	0.00	0.00	0.0%	
2023	3622380001	CBC Bylaw Appeal to Ontario Land Tribunal (OLT)	50,000.00	0.00	0.00	0.00	0.0%	
<b>TOTAL DELAYED/CANCELLED PROJECTS (4)</b>			<b>50,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	
<b>COMPLETED PROJECTS</b>								
<b>CORPORATE SERVICES DEPARTMENT (Tax Budget)</b>								
<b>Customer Service POA and Final Integration</b>								
2014	2051357320	Call Handling Review Project - Implementation	2,753,000.00	2,753,000.00	2,753,000.00	0.00	100.0%	
<b>Financial Planning, Administration and Policy</b>								
2011	3381857501	Capital Budget System Upgrade	60,227.66	60,227.66	50,377.66	9,850.00	83.6%	
<b>Information Technology</b>								
2018	3501957906	IT Strategy - Strategic Theme IT Optimization	250,540.36	250,540.36	227,967.73	22,572.63	91.0%	
2018	3501857806	Data Centre HVAC	475,000.00	475,000.00	453,426.21	21,573.79	95.5%	
2021	3502157210	PeopleSoft Finance Tools Upgrade	100,000.00	100,000.00	95,286.99	4,713.01	95.3%	
<b>HEALTHY &amp; SAFE COMMUNITIES DEPARTMENT (Tax Budget)</b>								
<b>Hamilton Fire Department</b>								
2021	7402151100	Annual Equipment Replacement	1,199,000.00	1,200,237.00	947,431.05	252,805.95	79.0%	
2020	7402051100	Annual Equipment Replacement	592,000.00	599,499.99	480,503.54	118,996.45	81.2%	
<b>Housing Secretariat</b>								
2019	6501941100	Human Services Integration	160,000.00	160,000.00	160,000.00	0.00	100.0%	
<b>Housing Services</b>								
2011	2051255204	Neighbourhood Strategy	3,537,187.93	3,475,987.93	3,499,670.87	(23,682.94)	98.9%	
2014	6732041302	Social Housing Capital Repairs and Regeneration	476,920.98	476,920.98	476,920.98	0.00	100.0%	
2021	6731941011	COCHI Repairs YR2	1,048,922.00	1,048,922.00	1,048,922.00	0.00	100.0%	
2021	6732041202	CMHC-Rapid Housing Initiative2	12,945,935.00	12,945,935.00	12,945,935.00	0.00	100.0%	
2022	6732241213	COCHI - Transitional Ops Yr 4	200,000.00	200,000.00	200,000.00	0.00	100.0%	
<b>Long Term Care</b>								
2019	6301941002	WL - Dish Room/Physio & Salon Exhaust & Supply	216,057.38	216,057.38	216,057.38	0.00	100.0%	
2019	6301941003	WL - Radiant Heating Panel/Thermostat Controls	164,549.77	164,549.77	164,549.77	0.00	100.0%	
<b>Public Health Services</b>								
2020	6772051101	Community Dental Bus Replacement	577,300.00	550,000.00	550,000.00	0.00	95.3%	
<b>LEGISLATIVE DEPARTMENT (Tax Budget)</b>								
<b>Ward Budgets</b>								
2012	3302009300	Ward 3 Capital Reinvestment	100,000.00	100,000.00	0.00	100,000.00	0.0%	
2012	3302009200	Ward 2 Capital Reinvestment	100,000.00	100,000.00	3,228.55	96,771.45	3.2%	
2012	3302009100	Ward 1 Capital Reinvestment	48,604.01	48,604.01	48,604.01	0.00	100.0%	
<b>PLANNING &amp; ECONOMIC DEVELOPMENT DEPARTMENT (Tax Budget)</b>								
<b>Economic Development</b>								
2005	9000546102	Marshall Estates	0.00	240,550.17	240,550.17	0.00	0.0%	
<b>Licensing &amp; By-Law Services</b>								
2018	4501955900	Digital Signage Strategy	90,000.00	90,000.00	90,000.00	0.00	100.0%	
<b>Tourism &amp; Culture</b>								
2021	7202058203	Hamilton 175	200,000.00	200,000.00	200,000.00	0.00	100.0%	

**Appendix D to Audit, Finance and Administration Committee Report 24-009**

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF SEPTEMBER 30, 2023								
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$) a	REVENUES (\$) b	EXPENDITURES (\$) c	PROJECT SURPLUS/ (DEFICIT) (\$) d = b - c	% SPENT e=c/a	
<b>PUBLIC WORKS DEPARTMENT (Tax Budget)</b>								
<b>Corporate Asset Management</b>								
2019	4942051001	Shop Equipment Replacement	168,000.00	168,000.00	144,746.64	23,253.36	86.2%	
<b>Corporate Facilities &amp; Energy Management</b>								
2014	7901448406	Ice Plant Optimization Arenas	425,000.00	340,599.40	403,098.03	(62,498.63)	94.8%	
2020	7902049002	2020 Hamilton City Hall Lighting Upgrade to LEDs	427,878.40	427,878.40	448,877.90	(20,999.50)	104.9%	
2020	7902049001	2020 Lighting Upgrade to LEDs at Various Recreation Facilities	633,000.00	633,000.00	405,241.08	227,758.92	64.0%	
2016	7901641609	Macassa BAS Upgrade	60,000.00	60,000.00	5,586.63	54,413.37	9.3%	
2016	3541941013	Program - Firestations Facility Upgrade	85,000.00	85,000.00	64,933.15	20,066.85	76.4%	
<b>Engineering Services</b>								
2017	4031755333	Butternuts on Beckett	50,000.00	50,000.00	19,682.43	30,317.57	39.4%	
2018	4031818444	Bridge 444 - Guyatt Rd - 200m w.o. Hendershot Rd	31,500.00	31,500.00	25,204.54	6,295.46	80.0%	
2020	4032018217	Bridge and Culvert Major Maintenance - Engineering Services	1,445,000.00	1,445,000.00	1,445,000.00	0.00	100.0%	
<b>Environmental Services</b>								
2021	4242009407	McQuesten Farm Walkway	230,000.00	230,000.00	162,551.74	67,448.26	70.7%	
2015	4241509210	Bike Rack Sculptures	55,000.00	55,000.00	0.00	55,000.00	0.0%	
2021	4402156002	Ryckman's Park Pathway	102,000.00	102,000.00	84,497.45	17,502.55	82.8%	
2023	4242309804	Ward 8 William Bethune Park	10,000.00	10,000.00	6,235.36	3,764.64	62.4%	
2015	4402149007	Cemetery Columbarium	141,650.20	141,650.20	141,650.20	0.00	100.0%	
2017	4401756701	North Wentworth Park Lands Expansion June 20, 2017	350,000.00	350,000.00	350,000.00	0.00	100.0%	
2019	4401955800	QC/CA - Parks and Cemeteries Material Testing	17,414.96	17,414.96	17,414.96	0.00	100.0%	
2022	4242209501	Veevers Park Fencing	42,739.28	42,739.28	42,739.28	0.00	100.0%	
<b>Transit</b>								
2017	5301785708	Customer Service Software	2,400,000.00	2,160,175.21	2,245,420.08	(85,244.87)	93.6%	
2016	5301784710	Automated Passenger Counters	2,200,000.00	2,200,000.00	2,244,276.44	(44,276.44)	102.0%	
2016	5301785700	Bus Wash Rack Replacement	880,000.00	834,848.08	870,696.22	(35,848.14)	98.9%	
2016	5301983100	HSR Bus Replacement Program	15,250,000.00	15,061,994.16	15,061,994.16	0.00	98.8%	
2017	5301749700	Garage Door Replacement at 2200 Upper James (MTC)	1,320,000.00	921,872.40	921,872.40	0.00	69.8%	
2017	5301783701	Nonrevenue Vehicle Expansion to Accommodate Growth	400,000.00	198,678.84	198,678.84	0.00	49.7%	
2017	5301784700	Radio Equipment Replacement	3,000,000.00	2,055,346.44	2,055,346.44	0.00	68.5%	
2017	5301785704	Sustainable Network Connections	3,025,000.00	2,375,964.10	2,375,964.10	0.00	78.5%	
2018	5301884801	Transit Network Review	800,000.00	616,528.60	616,528.60	0.00	77.1%	
2018	5301885801	Exterior Upgrades to MTC	3,900,000.00	2,996,506.09	2,996,506.09	0.00	76.8%	
2018	5301885802	Upgrade Operator Seats	455,000.00	249,308.93	249,308.93	0.00	54.8%	
<b>Transportation</b>								
2022	4662220541	Traffic Signal Modernization - Queenston & Kenora & Greenford	275,000.00	275,000.00	283,453.99	(8,453.99)	103.1%	
2022	4662220211	Wilson & Shaver - Pedestrian Crossovers (4 x Type C and 4 x Type D)	220,000.00	220,000.00	223,661.82	(3,661.82)	101.7%	
2021	4242109806	Buchanan Pathway Lighting	180,000.00	180,000.00	109,465.44	70,534.56	60.8%	
2015	4241509209	Durand Traffic Calming	60,000.00	60,000.00	0.00	60,000.00	0.0%	
2018	4241809205	George St Pedestrian Proj	27,000.00	27,000.00	20,515.13	6,484.87	76.0%	
2019	4661920001	ATMS - Advanced Traffic Management System	950,000.00	950,000.00	947,461.30	2,538.70	99.7%	
2020	4032049040	District South - Outside Yard Electrical Upgrades	175,000.00	175,000.00	172,726.33	2,273.67	98.7%	
2020	4042010017	Street Lighting Capital Program	400,000.00	400,000.00	399,839.44	160.56	100.0%	
2021	4032110005	Major Road Mill & Pave Program	1,500,000.00	1,500,000.00	1,500,000.00	0.00	100.0%	
2021	4242109105	Bumpouts Sanders & Hollywood	40,000.00	40,000.00	40,000.00	0.00	100.0%	
2021	4242109204	Curb Extension - MacNab & Barton	154,666.23	154,666.23	154,666.23	0.00	100.0%	
2021	4662120525	Pedestrian Crossovers (Type B & C)	200,000.00	200,000.00	200,000.00	0.00	100.0%	

**Appendix D to Audit, Finance and Administration Committee Report 24-009**

CITY OF HAMILTON CAPITAL PROJECTS' CLOSING SCHEDULE AS OF SEPTEMBER 30, 2023								
YEAR APPROVED	PROJECT ID	DESCRIPTION	APPROVED BUDGET (\$)	REVENUES (\$)	EXPENDITURES (\$)	PROJECT SURPLUS/ (DEFICIT) (\$)	% SPENT	
			a	b	c	d = b - c	e=c/a	
<b>PUBLIC WORKS DEPARTMENT (Rate Budget)</b>								
<b>Waterworks Regular Program</b>								
2017	5141767420	Carlisle Well Stations System Enhancements	940,000.00	940,000.00	126,689.03	813,310.97	13.5%	
2020	5142061310	Woodward Greenhill Transmission Main Pipeline repair on Summercrest	500,000.00	456,587.72	2,047.04	454,540.68	0.4%	
2016	5141667420	Ben Nevis & Dewitt (HD08A) Water Pumping Station Upgrades	3,030,000.00	3,030,000.04	2,911,397.91	118,602.13	96.1%	
2021	5142171074	Contingency for Unscheduled Works Program	299,995.62	299,995.62	264,370.05	35,625.57	88.1%	
2020	5142061502	Water Meter - Installation/Replacement/Repair - General Maintenance	2,920,000.00	2,920,000.00	2,920,000.00	0.00	100.0%	
2021	5142161502	Water Meter - Installation/Replacement/Repair - General Maintenance	7,670,000.00	7,670,000.00	7,670,000.00	0.00	100.0%	
<b>Wastewater Regular Program</b>								
2008	5160867751	Annual Wastewater Outstation - Asset Management	2,655,000.00	1,010,000.00	2,685,056.33	(1,675,056.33)	101.1%	
2018	5161966612	Woodward WWTP - South Secondary Clarifiers	4,500,000.00	4,500,000.00	4,497,800.84	2,199.16	100.0%	
2020	5162060522	Sewer Regulator Rehabilitation/Replacement	4,216,839.00	4,216,839.00	4,216,839.00	0.00	100.0%	
2021	5162160390	Wastewater System Lining Program	8,300,000.00	8,300,000.00	8,300,000.00	0.00	100.0%	
2021	5162161444	Sewer Lateral Replace/Rehab Program	7,220,000.00	7,220,000.00	7,220,000.00	0.00	100.0%	
<b>Storm Sewers Regular Program</b>								
2015	5181510501	Mathers Drive Bank Erosion Control and Slope Stabilization	1,100,000.00	1,100,000.00	769,656.09	330,343.91	70.0%	
<b>TOTAL COMPLETED PROJECTS (74)</b>			<b>110,732,928.78</b>	<b>105,162,125.95</b>	<b>104,092,129.57</b>	<b>1,069,996.38</b>	<b>94.0%</b>	
<b>GRAND TOTAL (78)</b>			<b>110,782,928.78</b>	<b>105,162,125.95</b>	<b>104,092,129.57</b>	<b>1,069,996.38</b>	<b>94.0%</b>	

CITY OF HAMILTON CAPITAL PROJECTS BUDGET APPROPRIATION SCHEDULE FOR THE PERIOD COVERING JULY 1, 2023 THROUGH SEPTEMBER 30, 2023				
Appropriated From	Description	Appropriated To	Description	Amount(\$)
<b>PLANNING &amp; ECONOMIC DEVELOPMENT</b>				
<u>Economic Development</u>				
8201703703	Annual Commercial District Revitalization Grant Program (as per PED23076)	3621755102	BrownField Pilot Project (as per PED23076)	500,000.00
8201703704	Commercial Property Improvement Grant Program (as per PED23076)	3621755102	BrownField Pilot Project (as per PED23076)	500,000.00
				<b>1,000,000.00</b>
<b>Planning &amp; Economic Development (2)</b>				<b>1,000,000.00</b>
<b>PUBLIC WORKS - TAX BUDGET</b>				
<u>Engineering Services</u>				
4032114405	Contaminated Soil & Rock Disposal Program	5142371311	CCBF - Morden - Locke To Pearl	59,000.00
5142161307	Mulberry - Bay to James	5142371311	CCBF - Morden - Locke To Pearl	40,000.00
4032111022	Kenilworth - Barton to Roxborough	4031818159	Bridge 159 - Regional Rd 56 to 615m s/o Hall Rd	225,000.00
				<b>324,000.00</b>
<u>Environmental Services</u>				
4400049007	Cemetery Columbarium	4402149007	Cemetery Columbarium	1,650.20
4401955800	QC/CA - Parks and Cemeteries Material Testing	4400055800	QC/CA - Parks and Cemeteries Material Testing	1,351.09
4402049107	Park Fencing Program	4242209501	Veevers Park Fencing	739.28
				<b>3,740.57</b>
<u>Waste Management</u>				
5122190200	Diversion Container Replacement Program	5120055137	Waste Management R & D Program	90,000.00
				<b>90,000.00</b>
<b>Public Works - Tax Budget (7)</b>				<b>417,740.57</b>
<b>BUDGET APPROPRIATION (9)</b>				<b>1,417,740.57</b>

CITY OF HAMILTON CAPITAL PROJECTS BUDGET APPROPRIATIONS OF \$250,000 OR GREATER AND CAPITAL PROJECT RESERVE FUNDING REQUIRING COUNCIL APPROVAL FOR THE PERIOD COVERING JULY 1, 2023 THROUGH SEPTEMBER 30, 2023					
Appropriated/ Transferred From	Description	Appropriated/ Transferred To	Description	Amount (\$)	Council Approval / Comments
<b>Healthy &amp; Safe Communities (Tax Budget)</b>					
Reserve#108020 Acct#49412	Unallocated Capital Levy	Project#7642341102 Acct#49412	Station 30 Renovations	<b>812,000.00</b>	Station 30 Renovations - Project #7642341102 was approved in the 2023 Capital Budget for a total of \$688,000, funded from the discretionary block funding shared equally between Fire and Paramedics. The initial Class D estimate for exterior wall cladding and overhead door frame repairs was completed in early 2023 and was estimated at a cost of \$691,700. The Class A estimate completed later in 2023 was estimated at \$1,500,000. This is a request to increase the budget for this project to fund the difference in estimated costs.
Project#7402251100 Acct#49412	Annual Equipment Replacement	Project#7402351100 Acct#49412	Annual Equipment Replacement	<b>412,221.19</b>	Transfer of funds from 2022 to 2023 to consolidate the procurement of the volunteer pager system as well as other pieces of equipment including bunker gear, saws, and hazmat equipment. These items are currently budgeted under both years.
<b>Healthy &amp; Safe Communities (Tax Budget) Total</b>				<b>\$ 1,224,221.19</b>	
<b>Public Works (Tax Budget)</b>					
Reserve#108020 Acct#49412	Unallocated Capital Levy	Project#4032319109 Acct#49412	Wilson - Victoria to Sherman - CASH FLOW	<b>1,572,000.00</b>	Through the Budget Process, Council has approved \$6,550,000 (\$2.8M of which is Cash Flowed in 2025) for this project. However, in the process of detailed design for Wilson St., scope was added for the resurfacing of a portion of Ashley St. (\$100K) and the addition of a pedestrian crossing at the intersection of Wilson St. and Emerald St. N. (\$200K) as a request by the Council/residents at the PIC, including the addition of traffic signal infrastructure. It was also determined that additional funds would be required in the roads budget to account for excess soils costs (roughly \$1.1M). In addition, \$172K is required to offset inflation and increased labour costs. These works are LRT related so there is a risk to LRT schedule should we delay the tendering of this contract.

CITY OF HAMILTON CAPITAL PROJECTS BUDGET APPROPRIATIONS OF \$250,000 OR GREATER AND CAPITAL PROJECT RESERVE FUNDING REQUIRING COUNCIL APPROVAL FOR THE PERIOD COVERING JULY 1, 2023 THROUGH SEPTEMBER 30, 2023					
Appropriated/ Transferred From	Description	Appropriated/ Transferred To	Description	Amount (\$)	Council Approval / Comments
Reserve#108020 Acct#49412	Unallocated Capital Levy	Project#4032111103 Acct#49412	CP Minor Mtnc Ward 3 CCBF	<b>482,000.00</b>	Council has previously approved \$2M for this project. However, in the process of detailed design for Sherman Ave. N., scope was added for the full reconstruction of the portion of the road between Wilson Street and Cannon St. E., and the addition of complete streets elements (\$300K). It was also determined that additional funds would be required in the roads budget to account for excess soils costs (roughly \$130K) and the reconfiguration of the intersection of Wilson St. and Cannon St. E. In addition, \$52K is required to offset inflation and increased labour costs. These works are LRT related so there is a risk to LRT schedule should we delay the tendering of this contract.
Project#7102054003 Acct#49412	Alexander Park Community Hub Feasib	Project#4241609110 Acct#49412	Recreation & Community Hub	<b>273,416.95</b>	Alexander Park Community Hub Feasibility was created for the Feasibility phase of the Alexander Park field house project. This appropriation consolidates the balance to Project#4241609110 for design & construction.
<b>Public Works (Tax Budget) Total</b>				<b>\$ 2,327,416.95</b>	
<b>Public Works (Rate Budget)</b>					
Reserve#108015 Acct#49412	Waterworks Capital	Project#5142371309 Acct#49412	Wilson - Victoria to Sherman	<b>2,729,000.00</b>	Through the Budget Process, Council has approved \$5,000,000 for this project. However, in the process of detailed design for the watermain on Wilson St., scope was added for an additional valve chamber and associated works (\$600K) for operational purposes. It was also determined that additional funds would be required in the watermain budget to account for excess soils costs (roughly \$1.1M), and the replacement of sanitary laterals (\$750K) that will be directly impacted by the watermain construction. In addition, \$279K is required to offset inflation and increased labour costs. These works are LRT related so there is a risk to LRT schedule should we delay the tendering of this contract.
<b>Public Works (Rate Budget) Total</b>				<b>\$ 2,729,000.00</b>	
<b>Project Totals</b>				<b>\$ 6,280,638.14</b>	

# CITY OF HAMILTON

## MOTION

Council Date: May 8, 2024

**MOVED BY COUNCILLOR M. FRANCIS.....**

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

**Amendment to Item 5 of the General Issues Committee Report 24-004, respecting Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (PED23099(a) / HSC23028(a)) (City Wide), which was approved by Council on March 27, 2024**

WHEREAS, Council on March 27, 2024, referred the direction to staff to reconvene meetings with the Hamilton is Home Coalition, Childcare staff and Housing Services staff, Hamilton Wentworth District School Board Chair and Hamilton Wentworth District School Board Ward 5 Trustee regarding the proposed construction of new affordable housing units for seniors, as part of the Dominic Agostino Riverdale Recreation Centre and Community Hub expansion project to the Hamilton-Wentworth District School Board Liaison Committee for consideration;

WHEREAS, the City of Hamilton has tentatively scheduled the expansion of the Dominic Agostino Riverdale Recreation Centre in 2026;

WHEREAS, the City of Hamilton requires additional sites to accommodate the construction of new affordable housing builds;

WHEREAS, the Hamilton Wentworth District School Board previously agreed to permit the construction of a seniors affordable housing building above or adjacent to an expanded Dominic Agostino Riverdale Recreation Centre on property owned by the school board;

WHEREAS, the agreement between the Board and City was premised on the public use of the property at a cost of \$1; and

WHEREAS, the Board of Education received notice from the Province of Ontario that a publicly funded affordable housing project for seniors could not be constructed on publicly owned school board lands;

THEREFORE, BE IT RESOLVED:

That Item 5 of the General Issues Committee Report 24-004, respecting Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (PED23099(a) / HSC23028(a)) (City Wide), be **amended**, as follows:

**5. Housing Sustainability and Investment Roadmap Work Program: City Property Review and Property Disposition Strategies (PED23099(a) / HSC23028(a)) (City Wide) (Item 10.1)**

That the following Motion, as **amended**, be REFERRED to the Hamilton-Wentworth District School Board Liaison Committee for consideration:

THEREFORE, BE IT RESOLVED:

- (a) That City of Hamilton Recreation and Facilities staff be directed to reconvene meetings with the Hamilton is Home Coalition, Childcare staff and Housing Services staff, Hamilton Wentworth District School Board Chair and Hamilton Wentworth District School Board Ward 5 Trustee to discuss the challenges faced regarding the proposed construction of new affordable housing units for seniors, as part of the Dominic Agostino Riverdale Recreation Centre and Community Hub expansion project;
- (b) ***That City of Hamilton Recreation and Facilities staff be directed to develop a plan to work in partnership with the Hamilton Wentworth School Board, to convince the Province of Ontario to reverse their decision that denied a plan to build affordable housing for seniors on public property around the existing Dominic Agostino Riverdale Recreation Centre;***
- (c) That an information report identifying the opportunities, alternatives, dependencies, ***the steps taken to convince the Province of Ontario to reverse their decision with the outcome*** and proposed next steps required to construct a Community Hub with a social housing component at the Dominic Agostino Riverdale Recreation Centre site be brought to the General Issues Committee by Q3 of 2024;
- (d) ***That the motion be forwarded to the Hamilton Wentworth School Board for their consideration; and***
- (e) ***That the motion be forwarded to the local Hamilton MPPs for a response.***

# CITY OF HAMILTON

## MOTION

Council Date: May 8, 2024

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

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

**Nomination for the Association of Municipalities Ontario (AMO) 2024-2026 Board of Directors**

WHEREAS, the Association of Municipalities Ontario (AMO) is soliciting applications from qualified candidates for the 2024-2026 AMO Board of Directors;

THEREFORE, BE IT RESOLVED:

That Councillor T. Hwang be nominated for a position on the Association of Municipalities Ontario (AMO) 2024-2026 Board of Directors.

# CITY OF HAMILTON MOTION

Council: May 8, 2024

**MOVED BY COUNCILLOR N. NANN.....**

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

**Additional City of Hamilton Advocacy at the Federation of Canadian Municipalities  
Annual Conference and Trade Show in Calgary, Alberta in June 2024**

WHEREAS, Council on April 10, 2024, selected Mayor Horwath and Councillor Nann as the City of Hamilton’s representatives at the Federation of Canadian Municipalities Conference and Trade Show in Calgary, Alberta from June 6-9, 2024; and

WHEREAS, the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

THEREFORE, BE IT RESOLVED:

- (a) That Councillor C. Kroetsch be selected as a City of Hamilton representative at the Federation of Canadian Municipalities Conference and Trade Show in Calgary, Alberta from June 6-9, 2024; and,
- (b) That Council assumes all costs associated with Councillor C. Kroetsch’s attendance at the Federation of Canadian Municipalities Annual Conference and Trade Show in Calgary, Alberta from the General Legislative Budget (300100).

# CITY OF HAMILTON

## MOTION

Council Date: May 8, 2024

**MOVED BY COUNCILLOR J.P. DANKO.....**

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

### **2024 International Children’s Games**

WHEREAS, Mexico will host the 56th International Children’s Games in July 2024, with over 1500 youth athletes aged 12-15 years old from cities around the world competing in the games, including Team Hamilton; and

WHEREAS, Councillor Pauls was appointed to the International Children’s Games Committee on November 16 2022;

THEREFORE, BE IT RESOLVED:

That Council assumes all costs associated with Councillor E. Pauls’ attendance at the 2024 International Children’s Games in the City of Leon, Mexico from July 15 to 20, 2024 from the General Legislative Budget (300100).

# CITY OF HAMILTON MOTION

Council: May 8, 2024

**MOVED BY COUNCILLOR T. HWANG.....**

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

**Federation of Canadian Municipalities - Election to the 2024-2025 Board of Directors**

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM’s Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

WHEREAS FCM’s Annual Conference and Trade Show will take place from June 6 to 9, 2024 in Calgary, Alberta, during which time the Annual General Meeting will be held and followed by the election of FCM’s 2024-2025 Board of Directors;

THEREFORE BE IT RESOLVED:

- (a) That Council of the City of Hamilton endorse Councillor Nrinder Nann to stand for election on FCM’s 2024-2025 Board of Directors; and
- (b) That Council assumes all costs associated with Councillor Nrinder Nann attending FCM’s Board of Directors meetings.

# CITY OF HAMILTON MOTION

Council: May 8, 2024

**MOVED BY COUNCILLOR J. BEATTIE.....**

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

**Amendment to Item 11 of the Public Works Committee Report 22-012, respecting Dewitt Road Reconstruction and Cycling Infrastructure (Hamilton Cycling Committee – Citizen Committee Report), which was approved by Council on August 12, 2022**

WHEREAS, the reconstruction of Dewitt Road between Barton Street and Highway 8 commenced in 2023 and is scheduled to be completed in 2024 with the installation of pavement markings and bike lanes as outstanding;

WHEREAS, the scope of the project included sanitary sewer upgrades, road reconstruction, road resurfacing, curb & sidewalk replacement, and installation of painted buffered bicycle lanes;

WHEREAS, at the August 12, 2022, meeting of Council, Item 11 of Public Works Committee Report 22-012 approved a motion to revise the design of the bike lanes to include physical protection using precast or poured concrete curbs as recommended by a Citizen Committee Report received from the Hamilton Cycling Advisory Committee;

WHEREAS, during project specific consultations subsequent to the August 2022 design change a number of concerns were raised by residents and other stakeholders with respect to the revised bike lane design, including but not limited to a lack of connectivity to other cycling facilities in the area;

WHEREAS, approximately 10 percent of the cycling network in Ward 10 as approved in the Cycling Master Plan has been completed to date and specifically within the vicinity of Dewitt Road there are network gaps, including on Highway 8 and Barton Street that are limiting the creation of an all ages and abilities cycling network;

WHEREAS, a buffered bike lane on Dewitt Road could be enhanced to include physical protection in the future without roadway reconstruction, similar to a staged approach used for cycling facilities in other areas of the City; and

WHEREAS, the Dewitt Road Community has requested enhancements including but not limited to speed cushions, pedestrian crossovers and speed limit reductions.

THEREFORE, BE IT RESOLVED:

That Item 11 of the Public Works Committee Report 22-012, **be amended**, by deleting recommendation (a) and adding the following:

**11. Dewitt Road Reconstruction and Cycling Infrastructure (Hamilton Cycling Committee – Citizen Committee Report) (Item 10.4)**

- ~~(a) *That cycling lanes on Dewitt Road be physically protected, especially in front of the schools with precast or poured concrete curbs;*~~
- (a) *That the Dewitt Road project design be reverted back to buffered bike lanes;***
- (b) *That the Engineering Services Division be directed to make any required project design changes to the pavement marking plans for Dewitt Road to reflect a buffered cycling lane facility in order to finalize the construction project to be completed in 2024;***
- (c) *That the Transportation Division be directed to identify speed cushion locations on Dewitt Road between Barton Street and Highway 8 to promote safety and appropriate vehicle speeds in consultation with the Ward 10 Councillor's office; and***
- (d) *That upon the identification of speed cushion locations that the Engineering Services Division be directed to implement the installation of the speed cushions as part of the Dewitt Road reconstruction project, inclusive of funding.***

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

**11. Dewitt Road Reconstruction and Cycling Infrastructure (Hamilton Cycling Committee – Citizen Committee Report) (Item 10.4)**

- (a) *That the Dewitt Road project design be reverted back to buffered bike lanes;***
- (b) *That the Engineering Services Division be directed to make any required project design changes to the pavement marking plans for Dewitt Road to reflect a buffered cycling lane facility in order to finalize the construction project to be completed in 2024;***
- (c) *That the Transportation Division be directed to identify speed cushion locations on Dewitt Road between Barton Street and Highway 8 to promote safety and appropriate vehicle speeds in consultation with the Ward 10 Councillor's office; and***
- (d) *That upon the identification of speed cushion locations that the Engineering Services Division be directed to implement the installation of the speed cushions as part of the Dewitt Road reconstruction project, inclusive of funding.***

- (e)** That cycling lanes be continued through intersections rather than end and restart before and after the roadway intersections;
- (f)** That cycling lanes be continued past Hwy 8 to at least Midway Street;
- (g)** That a pedestrian and cycling activated crosswalk be added to the Dewitt Road and Glenashton Crescent intersection nearest to St. Clare School;
- (h)** That cycling lanes be connected to existing Hwy 8 lanes, and intersection be improved to provide space to cyclists; and
- (f)** That the Hamilton Cycling Advisory Committee will draft a report to Public Works Committee regarding recommendations on Dewitt Road as it relates to cycling and active transportation that connects to cycling.

# CITY OF HAMILTON MOTION

Council: May 8, 2024

**MOVED BY COUNCILLOR C. CASSAR.....**

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

**Regulatory Changes Relating to the *Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)***

WHEREAS, the regulatory changes relating to the *Cutting Red Tape to Build More Homes Act, 2024 (Bill 185)*, were posted on April 10, 2024 with a comment period to end on May 10, 2024;

WHEREAS, the City of Hamilton has historically provided written comments to the province on regulatory, policy and legislative changes;

WHEREAS, in response to regulatory, policy and legislative changes the City of Hamilton has revised processes, policies and procedures to implement these changes enacted by the Province;

WHEREAS, the proposed regulatory changes relating to Bill 185 are important matters that will significantly impact the City of Hamilton;

WHEREAS, the Standing Committee on Finance and Economic Affairs will meet to consider Bill 185, An Act to amend various Acts, and intends to hold public hearings in Toronto on Tuesday, May 7, 2024, Tuesday, May 14, 2024 and Wednesday, May 15, 2024; and

WHEREAS, the submission of an application to appear in front of a committee at the Legislative Assembly of Ontario to make an oral presentation on Bill 185 was required by 12:00 p.m. on Tuesday, April 30, 2024, and staff have submitted the application to make an oral presentation to the Standing Committee on Finance and Economic Affairs.

**THEREFORE, BE IT RESOLVED:**

That staff be directed to proceed with the request to the Legislative Assembly of Ontario to make an oral presentation on Bill 185, in order for the concerns of the City of Hamilton, relating to the proposed regulatory changes through Bill 185 be heard by the Standing Committee of Finance and Economic Affairs.

# CITY OF HAMILTON MOTION

Council: May 8, 2024

**MOVED BY COUNCILLOR N. NANN.....**

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

**Keith Neighbourhood Community Events - REVISED**

WHEREAS, the North Central Community Association was established to improve the quality of life of residents, raise the profile of the Keith neighbourhood, and increase investment and services;

WHEREAS, the North Central Community Association has established a calendar of community access events for 2024.

WHEREAS, to support community building and resilience, the North Central Community Association is seeking assistance to cover insurance costs to assure the safety of their community during their North Central Park barbeques and events, their meetings at the Eva Rothwell Centre, the retention of their equipment storage at St. Davis Church;

WHEREAS, the meetings and events are led by diverse residents, including: seniors, new neighbours, parents, and their children, empowering all to participate in initiatives with the aim to ensure they feel supported, safe, educated and informed about their immediate neighbourhood and local initiatives; and

WHEREAS, the allocation of Ward 3 Non-Property Tax Revenue Account previously known as the “Bell Tower Funds” have been allocated to enable resident leadership, participation, and resilience in initiatives that foster a sense of belonging in our communities.

THEREFORE, BE IT RESOLVED:

- (a) That \$1,700 be allocated from the Ward 3 Non-Property Tax Revenue Account 3301609603 to the North Central Community Association; 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.

# CITY OF HAMILTON MOTION

Council: May 8, 2024

**MOVED BY COUNCILLOR M. WILSON.....**

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

**Victoria Park Fieldhouse Furnishing (Ward 1)**

WHEREAS, Victoria Park Fieldhouse (500 King Street West, Hamilton), can be enhanced with additional furniture, including foldable tables, chairs and dollies;

WHEREAS, there is a Council approved project to renovate the existing fieldhouse at Victoria Park funded through the Ward 1 area rated reserve;

WHEREAS these amenities are valuable to the community within the Strathcona neighborhood; and

WHEREAS the facility provides programming for recreation, multi-purpose, seniors groups and outdoor events.

THEREFORE, BE IT RESOLVED:

- (a) That furnishings at Victoria Park Fieldhouse be funded from the Ward 1 Capital Discretionary Account#3302309100 at an upset limit, including contingency, not to exceed \$6,050, be approved; and
- (b) That the General Manager of Public Works, or their designate, be authorized and directed to execute any required agreement(s) and ancillary documents, with such terms and conditions in a form satisfactory to the City Solicitor.

# CITY OF HAMILTON MOTION

Council: May 8, 2024

MOVED BY COUNCILLOR N. NANN.....

SECONDED BY COUNCILLOR.....

**Amendment to Item 8 of the Audit, Finance & Administration Committee Report 23-010, respecting the Grants Sub-Committee Report 23-003, which was approved by Council on June 21, 2023**

WHEREAS, in November 2022 the Catholic Family Services of Hamilton organization submitted a grant application through the City Enrichment Fund in support of the 2023 Individual and Family Counselling program;

WHEREAS, in February 2023 the Catholic Family Services of Hamilton informed City of Hamilton staff that the organization was closing and ceasing operations. As a result, the submitted City Enrichment Fund application was no longer viable for funding and noted as N/A, Not Applicable;

WHEREAS, on May 15, 2023 the City of Hamilton received a letter from Catholic Family Services and Banyan Community Services outlining the transfer of the Individual and Family Counselling program with a request to transfer any funds that may have been recommended to this program through the City Enrichment Fund;

WHEREAS, knowledge of the program transfer and continuation of services occurred after the City Enrichment Fund adjudication and recommendation period. The application had been noted as Not Applicable with no 2023 funding recommended;

WHEREAS, in June 2023 Banyan Community Services submitted an appeal under application CS-G3 Catholic Family Services of Hamilton, Individual and Family Counselling \$43,046 (Report GRA23003(a)).

WHEREAS, on June 21, 2023 Council ratified the Grants Sub-Committee Report 23-003, wherein all appeal requests from applicants in all categories, were approved; and,

WHEREAS, Banyan Community Services does not have the legal authority to receive and deposit funds under the Catholic Family Services name;

THEREFORE, BE IT RESOLVED:

That Category CS-G3, shown in Appendix “A” (attached hereto) to Item 8 of the Audit, Finance & Administration Committee Report 23-010, respecting the Grants Sub-Committee Report 23-003 – Report GRA23-003(a), City Enrichment Fund – Appeal Process Update, be **amended** by replacing “~~Catholic Family Services of Hamilton~~” with “**Banyan Community Services**” under the heading Organization and/or Community Group, to read as follows:

CS-G3	<del>Catholic Family Services of Hamilton</del> <b>Banyan Community Services</b>
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Motion, as **Amended**, to read as follows:

**8. Grants Sub-Committee Report 23-003 – June 15, 2022 (Item 10.4)**

**(a) City Enrichment Fund – Appeal Process Update (GRA23003(a)) (City Wide) (Item 9.1)**

- (i) That Report GRA23003(a), respecting City Enrichment Fund – Appeal Process Update, be received.
- (ii) WHEREAS, as an annual funding program, City Enrichment Fund (CEF) staff were directed to bring forward a funding formula and rationale that does not exceed the approved and allocated overall budget amount;

WHEREAS, during the 2023 budget process Council approved of \$6,575,410 (8% enhancement included which was approved through the 2023 budget deliberations);

WHEREAS, at the May 16, Grants Sub-Committee, staff recommended that all City Enrichment Fund applicants who received a passing score be recommended for funding;

WHEREAS, at the May 24, 2023 Council meeting, Council approved a one-time appeal process for all applicants of the 2023 City Enrichment Fund;

WHEREAS, the appeal process was open to all 2023 CEF grant applicants; applicants must demonstrate need and clearly articulate the adverse impacts hindering operational capacity with the original recommended amount;

WHEREAS, the Grants Sub-Committee will review the list of appeals and identify additional funding amounts;

THEREFORE, BE IT RESOLVED:

1. That the appeal requests from applicants in all categories in the amount of \$673,742 be approved, and funded from the City Enrichment Fund Reserve # 112230; **as per Amended Appendix “A”**;
2. That the Sexual Assault Center (Hamilton and Area) funding request for CS-B5 for \$26,000, CS-B7 for \$25,000, and CSB8 for \$16,000, be topped up to the full amount by further funding \$6,500 to CS-B5, \$2,000 to CS-B7, and \$4,000 to CS-B8, to be funded from the City Enrichment Fund Reserve # 112230;
3. That the Binbrook Santa Clause Parade funding request be topped up by \$1,250 to be funded from the City Enrichment Fund Reserve # 112230;
4. That any funds allocated and distributed through the City Enrichment Fund appeal process be exempt on a one-time basis and not be counted toward any formula that restricts regular funding from the City, based on the 30% guideline and threshold; and,
5. That staff be directed to consult with community organizations in order to develop a further equitable City Enrichment Fund process and report back to the Grants Sub-Committee.

### 2023 City Enrichment Fund Appeals

	Reference Number to GRA23003	Organization and/or Community Group	Program Name	Amount Requested by Appeal	Previously Approved Amount	Appeal Amount	Percentage Increase Funding Request	City of Hamilton Sole Funding Source	Financial Impact on Programming Demonstrated	Category
1	AGR-A13	Ancaster Horticultural Society	To beautify Ancaster and to educate on horticultural topics	\$ 3,093	\$ 2,440	\$ 653	21%		✓	B
2	AGR-A14	Ottawa Street	Education	\$ 2,040	\$ 1,244	\$ 796	39%	✓	✓	B
3	ART-A11	Hamilton Artists Inc.	Arts Operating	\$ 61,200	\$ 51,000	\$ 10,200	17%		✓	A
4	ART-A12	Hamilton Children's Choir	Hamilton Children's Choir	\$ 52,265	\$ 41,250	\$ 11,015	21%		✓	A
5	ART-A13	Hamilton Festival Theatre Company (HFTco)	Hamilton Fringe Festival; Frost Bites; Artist Development Programs (ALERT/Spark/Kids Club); Equity Initiatives	\$ 60,000	\$ 45,000	\$ 15,000	25%		✓	A
6	ART-A14	Hamilton Literary Festival Association (gritLIT)	Arts Operating	\$ 17,000	\$ 12,750	\$ 4,250	25%		✓	A
7	ART-A22	Theatre Aquarius	Annual Operations	\$ 350,000	\$ 262,500	\$ 87,500	25%		✓	A
8	ART-A23	Tune In Foundation	Annual operations	\$ 21,503	\$ 17,919	\$ 3,584	17%	✓	✓	A
9	ART-A25	Workers Arts & Heritage Centre	Annual Operating	\$ 36,414	\$ 27,311	\$ 9,103	25%		✓	A
10	ART-A28	Culture for Kids in the Arts	Annual Operations/Programming	\$ 35,000	\$ 21,350	\$ 13,650	39%		✓	B
11	ART-A30	Hamilton Academy of Performing Arts	Hamilton Academy of Performing Arts	\$ 30,000	\$ 18,300	\$ 11,700	39%		✓	B
12	ART-A31	HCA Dance Theatre	Arts Operating	\$ 30,000	\$ 18,300	\$ 11,700	39%		✓	B
13	ART-A32	Immigrant Culture and Art Association (ICAA)	Newcomer Artists Mentorship Program	\$ 19,000	\$ 12,810	\$ 6,190	33%		✓	B
14	ART-A4	Brott Music Festival	Arts Operating	\$ 200,000	\$ 150,000	\$ 50,000	25%		✓	A
15	ART-B2	Festival of Friends	Festival of Friends	\$ 90,000	\$ 75,000	\$ 15,000	17%		✓	A
16	ART-C2	Culture for Kids in the Arts	Social Media Strategy	\$ 10,500	\$ 7,875	\$ 2,625	25%		✓	A

	Reference Number to GRA23003	Organization and/or Community Group	Program Name	Amount Requested by Appeal	Previously Approved Amount	Appeal Amount	Percentage Increase Funding Request	City of Hamilton Sole Funding Source	Financial Impact on Programming Demonstrated	Category
17	ART-C3	Hamilton Arts Council (& Region)	Hamilton Arts Council - Capacity	\$ 8,272	\$ 6,204	\$ 2,068	25%		✓	A
18	ART-D11	Gritty City Theatre Company	To Serve, Protect and Understand	\$ 10,000	\$ 7,500	\$ 2,500	25%		✓	a
19	ART-D2	Afterlife Theatre	Hamlet	\$ 5,000	\$ 3,750	\$ 1,250	25%		✓	A
20	ART-D29	Samuray Rose Diler	Arts, Creation and presentation (emerging)	\$ 4,998	\$ -	\$ 4,998	100%	✓	✓	C
21	ART-D4	Benjamin Robinson	Why Not Give In and Call it Lovely?	\$ 9,500	\$ 7,500	\$ 2,000	21%		✓	A
22	CCH-A1	Ancaster Heritage Days	Winter Event	\$ 2,250	\$ 1,688	\$ 562	25%		✓	A
23	CCH-A18	Ancaster Heritage Days	Summer Event	\$ 20,820	\$ 12,700	\$ 8,120	39%		✓	B
24	CCH-A26	Dundas Cactus Parade Inc.	2023 Cactus Parade	\$ 11,850	\$ 7,229	\$ 4,621	39%		✓	B
25	CCH-A27	Dundas Museum & Archives	Discover Your Historical Dundas	\$ 5,000	\$ 3,050	\$ 1,950	39%		✓	B
26	CCH-A28	Dundas Museum & Archives (Dundas Historical Society Museum)	Dundas Historical Society Museum - Exhibitions Program	\$ 10,200	\$ 6,710	\$ 3,490	34%		✓	B
27	CCH-A29	Festitalia Corporation	Festitalia 2023	\$ 18,725	\$ 13,725	\$ 5,000	27%		✓	B
28	CCH-A31	Hamilton Arts & Letters	HAL Presents	\$ 6,880	\$ 4,880	\$ 2,000	29%		✓	B
29	CCH-A37	Pride Hamilton	2023 Pride Celebrations	\$ 29,999	\$ 18,299	\$ 11,700	39%	✓	✓	B
30	CCH-A40	Stoney Creek Santa Claus parade	Stoney Creek Santa Claus parade	\$ 3,500	\$ 2,135	\$ 1,365	39%		✓	B
31	CCH-A42	Winona Peach Festival	Community, Culture & Heritage	\$ 99,500	\$ 60,695	\$ 38,805	39%	✓	✓	B
32	CCH-A44	Barton Village BIA	Barton Village Festival (Open Streets on Barton)	\$ 9,000	\$ -	\$ 9,000	100%		✓	C
33	CCH-A47	Flamborough Santa Claus Parade	FSCP	\$ 15,000	\$ -	\$ 15,000	100%	✓	✓	C
34	CCH-A48	Hamilton Santa Claus Parade Committee	The Hamilton Santa Claus Parade	\$ 46,000	\$ -	\$ 46,000	100%	✓	✓	C
35	CCH-B6	Association de la Communauté Ivoirienne de Hamilton(ACIH)	Francolympiade – Hamilton	\$ 1,350	\$ 824	\$ 526	39%		✓	B
36	CS-A2	Neighbour to Neighbour	Food Bank	\$ 28,492	\$ 23,744	\$ 4,748	17%		✓	A
37	CS-A3	Good Shepherd Centres	Community Hot Meals	\$ 33,000	\$ 22,431	\$ 10,569	32%		✓	B

	Reference Number to GRA23003	Organization and/or Community Group	Program Name	Amount Requested by Appeal	Previously Approved Amount	Appeal Amount	Percentage Increase Funding Request	City of Hamilton Sole Funding Source	Financial Impact on Programming Demonstrated	Category
38	CS-A4	Good Shepherd Centres	Marketplace	\$ 71,000	\$ 48,479	\$ 22,521	32%		✓	B
39	CS-A6	Neighbour to Neighbour	Home Delivery Program	\$ 16,696	\$ 11,317	\$ 5,379	32%		✓	B
40	CS-A8	The Salvation Army HHB Housing and Support Services	Community Soup Van Program	\$ 28,381	\$ 19,013	\$ 9,368	33%		✓	B
41	CS-B6	Sexual Assault Centre (Hamilton and Area)	Crisis Support Program	\$ 20,000	\$ 15,000	\$ 5,000	25%		✓	A
42	CS-B7	Sexual Assault Centre (Hamilton and Area)	Counselling and Advocacy Program	\$ 23,000	\$ 18,750	\$ 4,250	18%		✓	A
43	CS-C5	Immigrants Working Centre (Hamilton)	IWC Childcare Program	\$ 25,147	\$ 18,881	\$ 6,266	25%		✓	A
44	CS-D1	AY Alternatives for Youth Hamilton	AY Outreach	\$ 26,347	\$ 20,748	\$ 5,599	21%		✓	A
45	CS-D2	AY Alternatives for Youth Hamilton	Street Involved Outreach	\$ 40,625	\$ 31,992	\$ 8,633	21%		✓	A
46	CS-E1	Ancaster Community Services	Meals on Wheels	\$ 5,571	\$ 4,178	\$ 1,393	25%		✓	A
47	CS-E12	St. Joseph's Villa	Adult Day Program at St Joseph's Villa	\$ 18,000	\$ 15,000	\$ 3,000	17%		✓	A
48	CS-E2	Ancaster Community Services	Assisted Volunteer Driving Program	\$ 9,887	\$ 7,415	\$ 2,472	25%		✓	A
49	CS-E3	Ancaster Community Services	Frozen Meals	\$ 7,460	\$ 5,595	\$ 1,865	25%		✓	A
50	CS-E5	Dundas Community Services	Services for Seniors	\$ 47,000	\$ 35,450	\$ 11,550	25%		✓	A
51	CS-E6	Flamborough Information and Community services	Seniors Support	\$ 3,690	\$ 2,768	\$ 922	25%		✓	A
52	CS-F1	Adult Basic Education Association of Hamilton-Wentworth	Lifelong Learning Opportunities and Pathways	\$ 9,000	\$ 6,750	\$ 2,250	25%		✓	A
53	CS-F2	Ancaster Community Services	Youth Engagement Program	\$ 15,500	\$ 11,625	\$ 3,875	25%		✓	A
54	CS-F3	Ancaster Community Services	Community Outreach	\$ 37,790	\$ 28,343	\$ 9,447	25%		✓	A
55	CS-F4	Dundas Community Services	Community Outreach	\$ 11,099	\$ 8,741	\$ 2,358	21%		✓	A
56	CS-F5	Flamborough Information and Community Services	Community Outreach Services	\$ 42,767	\$ 32,075	\$ 10,692	25%		✓	A
57	CS-F7	Social Planning and Research Council of Hamilton	Community Social Research and Planning	\$ 45,420	\$ 34,065	\$ 11,355	25%		✓	A
58	CS-G1	Canadian Mental Health Association, Hamilton Branch	Evening Social Recreation Rehabilitation Program	\$ 26,681	\$ 20,011	\$ 6,670	25%		✓	A

	Reference Number to GRA23003	Organization and/or Community Group	Program Name	Amount Requested by Appeal	Previously Approved Amount	Appeal Amount	Percentage Increase Funding Request	City of Hamilton Sole Funding Source	Financial Impact on Programming Demonstrated	Category
59	CS-G2	Dundas Community Services	Counselling and Referral	\$ 7,752	\$ 5,814	\$ 1,938	25%		✓	A
60	CS-G3	<b>Banyan Community Services</b>	Individual and Family Counselling	\$ 43,046	\$ -	\$ 43,046	100%			N/A
61	CS-H1	AY Alternatives for Youth Hamilton	Parent Education, Support and Skills Development	\$ 14,303	\$ 11,264	\$ 3,039	21%		✓	A
62	CS-H27	St. Matthew's House	Seniors in Kitchens	\$ 25,875	\$ 22,500	\$ 3,375	13%		✓	A
63	CS-H43	Sisters in Sync	BecomingHER	\$ 11,250	\$ 6,863	\$ 4,387	39%		✓	B
64	CS-H47	YWCA Hamilton (original application submitted by Elizabeth Fry Society Southern Ontario Region)	STARS Program	\$ 12,500	\$ -	\$ 12,500	100%			N/A
65	CS-H49	Survivors of Hamilton Outreach (SOHO)	SOHO - Writing in Community and Expanding Programming	\$ 3,000	\$ -	\$ 3,000	100%	✓		DNQ
66	CS-H9	Immigrants Working Centre	IWC Employment Services Program	\$ 45,475	\$ 34,106	\$ 11,369	25%		✓	A
67	ENV-A1	Hamilton-Wentworth Green Venture	Accelerating Deep Energy Retrofits in Hamilton	\$ 24,444	\$ 18,333	\$ 6,111	25%		✓	A
68	ENV-A2	Hamilton-Wentworth Green Venture	Building Greenspace Stewardship Capacity	\$ 17,250	\$ 12,938	\$ 4,312	25%		✓	A
69	ENV-C4	Hamilton-Wentworth Green Venture	NATURhoods: Helping Hamiltonians naturally adapt to urban runoff	\$ 25,000	\$ 18,750	\$ 6,250	25%		✓	A
70	ENV-C5	Hamilton-Wentworth Green Venture	Experiential Environmental Learning	\$ 18,750	\$ 14,063	\$ 4,687	25%		✓	A
71	SAL-C2	Golden Horseshoe Track & Field Council	Golden Horseshoe Track & Field Council - Capacity Growth Project	\$ 7,500	\$ 5,625	\$ 1,875	25%	✓	✓	A
72	SAL-D2	Hamilton Aquatic Club	Jimmy Thompson Swimmer Participation Program	\$ 7,500	\$ 5,625	\$ 1,875	25%		✓	A
73	SAL-D4	Knot A Breast Cancer Support Services	Dragon Boat Sport Development and Wellness Program	\$ 7,500	\$ 5,625	\$ 1,875	25%	✓	✓	A
				<b>\$ 2,199,557</b>	<b>\$ 1,525,815</b>	<b>\$ 673,742</b>				

# COUNCIL COMMUNICATION UPDATES

## April 19, 2024 to May 2, 2024

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	April 19, 2024	Public Works	Playground, Spray Pads and Play Court Facilities - Maintenance Service Levels Update (ES2403) (City Wide)
2	April 19, 2024	Public Works	HSR 150 (HSR2402) (City Wide)
3	April 19, 2024	Planning and Economic Development	Proposed Regulation Detailing New Minister's Permit and Review Powers under the Conservation Authorities Act (Ontario Registry of Ontario 019-8320) (City Wide)
4	April 18, 2024	Public Works	2024 Construction and Preventative Maintenance Projects in the Right-of-Way (ENG24002) (City Wide)
5	April 23, 2024	Planning and Economic Development	Green Building Standards (Wards 1-12 and the Urban Area of Ward 14)
6	April 24, 2024	Healthy and Safe Communities	Ontario's Child Care Workforce Strategy and Canada-Wide Early Learning and Child Care Funding
7	April 24, 2024	Corporate Services	Vacant Unit Tax – 2024 Update
8	April 25, 2024	Healthy and Safe Communities	Community Safety and Well-Being Plan: Legislated Revision
9	April 26, 2024	Planning and Economic Development	Convention Centre Parking Garage Structural Repairs (Ward 2)
10	May 1, 2024	Public Works	HSR 150 Celebration Activities and Events
11	May 2, 2024	Planning and Economic Development	Open Streets Hamilton Information (City Wide)



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 19, 2024
<b>SUBJECT:</b>	Playground, Spray Pads and Play Court Facilities - Maintenance Service Levels Update (ES2403) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Cynthia Graham Director, Environmental Services Public Works Department
<b>SIGNATURE:</b>	

This Communication Update confirms the Parks & Cemeteries Section's operating season maintenance service levels and 2024 capital program activities respecting City of Hamilton's (City) playgrounds, spray pads and play court facilities.

### Playground Maintenance Program

Hamilton has 290 play structures that receive regular (monthly) inspections and maintenance services as required, in accordance with CSA guidelines, through certified staff. Inspection reports identify equipment condition and remedial repair requirements for follow up. Regular maintenance activities such as ground litter, debris, and garbage collection, safety surface maintenance and graffiti removal are performed regularly and on an accelerated frequency from May to September to meet increased seasonal demand.

### Spray Pad Maintenance Program

The City's inventory of 71 spray pad sites receive pre/post and regular "in season" inspection and maintenance services. Pre/post season works include inspection, repair, activation/winterization which is performed by staff or contractor as required. "In season" inspection and regular maintenance activities such as ground litter, debris, and garbage collection, graffiti removal and system monitoring are performed in accordance with the operating season.

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**SUBJECT: Playground, Spray Pads and Play Court Facilities – Maintenance Service Levels Update (ES2403) (City Wide) - Page 2 of 2**

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At the General Issues Committee meeting May 31, 2018, Council directed staff to open spray pads starting on the May long weekend and continue the operating season until the end of September. Community residents can follow the opening of the spray pads on the City of Hamilton website:

<https://www.hamilton.ca/things-do/recreation/locations/spray-pads>

All water systems are controlled by a timer set for standard hours of operation (10:00 a.m. to 8:00 p.m.); systems are also equipped with activation sensors limiting operation to real time demand thus enhancing water conservation. During a heat warning, the following community level pads noted below will be open from 9:00 a.m. to 9:00 p.m.:

Waterdown Memorial Park	Gage Park
Dundas Driving Park	Winona Park
Village Green Park	Binbrook Fairground Community Park
William Connell Park	Pier 4 Park
Gord Oaks (Mount Hope) Park	Heritage Green

#### Play Court Maintenance Program

The City's inventory of approximately 165 play courts, which includes, public tennis courts, multi-purpose/basketball courts and pickleball courts, receive pre/post and regular "in season" inspection and maintenance services. Pre/post season works include inspection, repair, and asset condition reporting by staff. "In season" inspection and regular maintenance activities such as ground litter, debris, and garbage collection and graffiti removal are performed in accordance with the operating season noted below:

Court Facility Type	Season of Operation
Tennis	Late April - Last Week of October
Multi-Purpose	Year-round weather permitting
Basketball	Year-round weather permitting
Pickleball	Early May - Last Week of October

An initial/annual detailed inspection of all these assets is undertaken in early spring by maintenance inspection staff. The reports generated from these inspections identify and determine priorities such as remedial repairs, and/or major court improvement requirements.

Should you require further information, please contact Adriana Byrne, Senior Project Manager, Parks and Cemeteries at extension 2156.

#### **APPENDICES AND SCHEDULES ATTACHED - N/A**



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>COMMITTEE DATE:</b>	April 19, 2024
<b>SUBJECT/REPORT NO:</b>	HSR 150 (HSR2402) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Maureen Cosyn Heath Director, Transit Public Works Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to advise Council that the Hamilton Street Railway (HSR) will be celebrating 150 years of service in May 2024.

A preliminary announcement of the anniversary and upcoming celebrations will be shared with HSR customers this afternoon in the Spring Edition of Bus News. The announcement will point to a dedicated web page that has been developed and will be live starting today: [www.hamilton.ca/HSR150](http://www.hamilton.ca/HSR150).

HSR staff have been planning a number of memorable activities and events that will celebrate the history and community significance of the HSR for this occasion. This includes a free exhibit commemorating this milestone that will open on May 21 at the Visitor Experience Centre at the Lister Block (28 James St. N.) and will remain open until the end of 2024.

Various customer appreciation events will be held throughout the year. Further details on celebration activities and events will be shared with Council in the coming weeks.

For further information, please contact Maureen Cosyn Heath, Director, Transit, at [Maureen.CosynHeath@hamilton.ca](mailto:Maureen.CosynHeath@hamilton.ca).

### APPENDICES AND SCHEDULES ATTACHED

N/A



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 19, 2024
<b>SUBJECT:</b>	Proposed Regulation Detailing New Minister's Permit and Review Powers under the <i>Conservation Authorities Act</i> (Ontario Registry of Ontario 019-8320) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to provide Council with a summary of the Ministry of Natural Resources and Forestry proposed regulation under the *Conservation Authorities Act*, and how the changes impact the development review processes within the City of Hamilton.

The province's efforts to increase the housing supply and streamline development approvals processes began in 2017 and included the proclamation of legislation such as Bill 23, *More Homes Built Faster Act*, which resulted in changes to the *Conservation Authorities Act*. Staff presented a detailed summary of comments on Bill 23 through Report PED22207 to Planning Committee on November 29, 2022. On April 1, 2024, provisions in the *Conservation Authorities Act* came into effect and were detailed in a Communication Update to the Mayor and Members of Council dated April 2, 2024.

The intent of Ontario Regulation 41/24 is to streamline regulatory requirements to focus on natural hazards and public safety, and as it relates to the newly proposed regulation discussed in this memo it includes new regulation making authority with respect to an updated permitting framework and powers for the Minister to 1) issue an order to prevent a Conservation Authority from issuing a permit and take over the permitting process, and 2) review a Conservation Authority permit decision at the request of the applicant.

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**1. Existing Permitting Provisions for Issuing Permits under the *Conservation Authorities Act*:**

- The Minister may issue an order directing a Conservation Authority not to issue a permit for development activity that would be prohibited under Section 28 without a permit.
- The Minister's decision to issue an order is discretionary, and it may be issued either before or after an application for a permit has been submitted to the relevant Conservation Authority.
- Notice of any order must be provided to affected Conservation Authorities, the applicant of the permit and be posted on the Environmental Registry of Ontario within 30-days.
- If an order is made, the Minister has the power to issue a permit in place of the Conservation Authority. When making a permitting decision, the Minister is required to satisfy the same criteria concerning natural hazards and public safety that are considered by Conservation Authorities.
- The Minister may refuse the permit or issue a permit subject to such conditions as the Minister determines are appropriate.

**Proposed Additional Requirements for Issuing Permits:**

- The Minister may make an order to prevent a Conservation Authority from making a permitting decision and take over the permitting process only if the development activity or type or class of permits pertains to or supports a specified provincial interest, including:
  - Housing (community, affordable and market-based);
  - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment);
  - Transportation infrastructure;
  - Buildings that facilitate economic development or employment; and,
  - Mixed use developments.
- If a proponent wishes to petition the Minister to issue an order, the proponent must submit a request to the Minister that would include:
  - An overview of the proposed development.
  - Why the Minister's involvement is requested (e.g., development of provincial interest, timing/urgency; permitting process to date if applicable; other barriers) and preferable to the standard process in the *Conservation Authorities Act*.

- Indication of whether the local municipality has endorsed the project and the request for Minister's involvement (e.g., by municipal letter or resolution).
- Status of other required project approvals including the extent of any engagement with the Conservation Authority in the permitting process that the applicant has had to date.

**2. Existing Permitting Provisions for Reviewing Permits under the *Conservation Authorities Act*:**

- An applicant who has been refused a permit or had conditions attached to a permit by a Conservation Authority to which the applicant objects can submit a request to the Minister for the Minister to review the authority's decision. Alternatively, an applicant also has the option to appeal the authority's decision to the Ontario Land Tribunal.
- After receiving a request, the Minister has 30-days in which to decide whether or not they intend to conduct a review.
- After conducting a review, the Minister may confirm or vary the authority's decision or make any decision that the Minister considers appropriate, including issuing the permit subject to conditions.
- The Minister is required to base the decision on the same criteria concerning natural hazards and public safety that are considered by Conservation Authorities.

**Proposed Additional Requirements for Reviewing Permits:**

- The Minister may conduct a review of a Conservation Authority permit decision only if the development activity pertains to or supports a development of specified provincial interest, including:
  - Housing (community, affordable and market-based);
  - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment);
  - Transportation infrastructure;
  - Buildings that facilitate economic development or employment; and,
  - Mixed use developments.

Note: These criteria would not apply to permit reviews under Section 28.1.2 regarding permits where there is an order made by the Minister of Municipal Affairs and Housing under Section 34.1 or 47 of the *Planning Act*.

**SUBJECT: Proposed Regulation Detailing New Minister's Permit and Review Powers Under the *Conservation Authorities Act* (Ontario Registry of Ontario 019-8320) (City Wide) - Page 4 of 4**

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The proposed regulation is now available at the Environmental Registry of Ontario, posting #019-8320: [Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act. | Environmental Registry of Ontario.](#)

**Impacts to the City of Hamilton**

While the changes primarily affect if a permit is, or is not, issued and/or reviewed by the applicable Conservation Authority, the City's Official Plan policies and zoning remain in force and effect. The primary impact to the City from the proposed regulation may result in increased delays within the development approval processes as well as uncertainty around appealing the permitting decision by a Conservation Authority (either to the Minister or the Ontario Land Tribunal) and impacts to an appeal of a *Planning Act* application.

Please contact Anita Fabac, Acting Director, Planning and Chief Planner with any questions or comments or to set up a meeting to discuss the proposed regulation at [Anita.Fabac@hamilton.ca](mailto:Anita.Fabac@hamilton.ca) or by phone at (905) 546-2424 Ext. 1258.

**APPENDICES AND SCHEDULES ATTACHED**

Not applicable.



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 18, 2024
<b>SUBJECT:</b>	2024 Construction and Preventative Maintenance Projects in the Right-of-Way (ENG24002) (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Jackie Kennedy Director – Engineering Services Public Works Department
<b>SIGNATURE:</b>	
<b>SUBMITTED BY:</b>	Carolyn Ryall Director – Transportation Services Public Works Department
<b>SIGNATURE:</b>	
<b>SUBMITTED BY:</b>	Abdul Shaikh Director – Hamilton LRT Project Office Planning and Economic Development Department
<b>SIGNATURE:</b>	

It is that time of year again when construction and preventative maintenance projects commence. This Communication Update is to provide Council with an update on 2024 construction and preventative maintenance projects within the road right-of-way and to summarize the anticipated impacts on traffic. Typically, this information is available on the Hamilton.ca website, however the Cybersecurity Incident has temporarily impacted the ability to share through that medium. The current list of projects with approximate timing can be found in Appendix “A” to Communication Update ENG24002.

Standard Construction and Project Notices are provided directly to the Ward Councillors’ offices, stakeholders, residents, and local businesses prior to construction start or

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**SUBJECT: 2024 Construction and Preventative Maintenance Projects in the Right-of-Way (ENG24002) (City Wide) - Page 2 of 2**

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maintenance work, and at times when changes in construction activities may impact traffic and/or local business access. The City's Project Manager's contact information is included on the notice to help support direct dialogue with stakeholders throughout the construction. Additionally, the City has a Contract Inspector on site every day during active construction. The Contract Inspector is available to discuss business access and other construction related issues.

Where required, detour signs are installed prior to the work; signs indicating lane restrictions or lane closures are also installed as required, including directional indicators to steer traffic to the correct lanes.

If you require further information, please contact:

Jackie Kennedy, Director, Engineering Services at (905) 546-2424 Extension 1611

- Capital Construction

Carolyn Ryall, Director, Transportation Services at (905) 546-2424 Extension 2832

- Roadway Maintenance and Roadway Safety

Abdul Shaikh, Director, LRT Project Office at (905) 546-2424 Extension 6559

- LRT Projects

Carlo Ammendolia, Manager, Development Engineering (905) 546-2424 Extension 2155

- Development Construction

**APPENDICES AND SCHEDULES ATTACHED**

Appendix "A to Communication Update ENG24002: 2024 Active Construction Project Summary

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# 2024 Active Construction Project Summary

Project Name	Contract Number	Type Of Work	Limits	Anticipated Construction Timing	Traffic Impacts
Lincoln M. Alexander Parkway (LINC)	C15-35-24	Routine preventative maintenance work	Upper RHVP to Hwy 403	May 2024 (4 day closure to be confirmed)	Full lane closures
Red Hill Valley Parkway	N/A	Routine preventative maintenance work	Dartnall Road ramp to QEW ramp	Aug-24	TBD
Barton Street Reconstruction	C15-02-22 (HSW)	Road Sewer Water	Parkdale Ave. to Talbot St.	August 2022 to October 2024	Lane Closures
AEGD Dickenson Trunk Sanitary Sewer	C15-11-22 (HSW)	Road Sewer Water	Dickenson Rd, Trinity Church Rd, Golf Club Rd.	April 2022 to November 2026	Partial Closures/Full Closure/Lane Closure
Garner Road Sanitary Sewer Extension	C15-42-24 (HS)	Sanitary Sewer	Kitty Murray Lane to 380m West of Raymond Road	May 2024 to Dec 2024	Partial Lane Closures/Lane Closures
Garner Road Watermain Trunk Installation	C15-01-23 (HW)	Trunk Watermain	Wilson Street West to Southcote Road	March 2024 to December 2025	Lane Closure/Westbound only
Sherman Avenue LRT Enabling Works	C15-32-23 (HW) LRT	Road Water	Wilson Street to South end	June 2023 to November 2024	Partial Lane Closures/Lane Closure
Highway 56 Bridges 189	C15-07-23 (BR)	Bridge Rehabilitation	600m south of Kirk Road	April 2024 to Nov 2024	Lane Closures
Highway 56 Bridge 159	C15-07-23 (BR)	Culvert replacement	600m south of Hall road	July 2024 to August 2024	Full Closure
Aberdeen Avenue	C15-23-23 (H)	Retaining Wall Repair	70m west of Hawthorne Avenue	April 2024 to July 2024	Partial Lane Closures
Lower Lions Club Road	C15-23-23 (H)	Retaining Wall Repair	40m east of Louise Drive	April 2024 to July 2024	Partial Lane Closures
Weirs Lane	C15-49-23(H)	Slope Stabilization	Johnston Avenue to Highway 8	April 2024 to July 2024	Full Closure
Bridge #296	C15-20-23 (BRHW)	Bridge, Road, Watermain	From Main St to 100m West of Ogilvie St	May 2024 to Dec 2024	Partial and lane closures
Bridge 113 Sulphur Springs	C15-08-24 (BR)	Structure (Bridge)	Sulphur Springs Rd from Governor's Rd to Mineral Springs Rd	July 2 to Sept 30 , 2024	Lane Closure
Bridge 126 - RR65, 506m N or Guyatt Road Bridge 464 - RR56, 790m S of Golf Club Rd - Rehab	C15-15-24 (BR)	Bridge Rehabilitation	Regional Road 56, from Guyatt Road to Golf Club Road	May 2024 to Nov 2024	Full Closure Lane Closure
Large Valve - Forest @ James	C15-29-24 (W)	Water	Forest Avenue, James St S. to Hughson St. S  James St S at Forest Avenue	May 2024 to June 2024	Partial Closure Lane Closure
York and Cannon	C15-28-24 (HW)	Road/Water	York From Dundurn to Caroline  Cannon Street from Queen to James	June 2024 - December 2024	Partial Closure/Lane Closure
Concession/Mountain Brow	C15-51-24(HW)	Water/Road (Road, Water, MUP, Traffic Circle Signalization)	Concession/Mountain Brow, From Upper Gage to Oakcrest	June 2024 to November 2024	Lane Closure
BRIDGE 108 - INDIAN TRAIL, 1025 METRES WEST OF LYNDEN RD	C15-59-24 (BR)	Structure (Bridge)	Indian Trail, From Misener Road to Lynden Road	July 2024 to August 2024	Full Closure
Wilson St. - Victoria Ave. N. to Sherman Ave. N.	C15-16-24 (HSW)	Water/Road/Sewer. (Two-way conversion, Road Resurfacing/Reconstruction, sewer and watermain replacement, Traffic improvements)	Wentworth St. N. to Sanford Ave. N.	September to December 2024	Full Closure
Wentworth St. N. - King St. E. to Wilson St.	C15-16-24 (HSW)	Water/Road/Sewer (Road resurfacing, watermain replacement, traffic improvements)	King St. E. to Wilson St.	August to October 2024	Full Closure

## 2024 Active Construction Project Summary

Project Name	Contract Number	Type Of Work	Limits	Anticipated Construction Timing	Traffic Impacts
Sherman Ave. N. - Wilson to Burlington St. E.	C15-16-24 (HSW)	Water/Road/Sewer (Two-way conversion, Road Resurfacing/Reconstruction, watermain replacement, Traffic improvements)	Wilson to Burlington St. E.	Works Mostly in 2025	Lane Closure
Corktown Neighbourhood(SOUTH)	C15-50-24 (HSW)	Water/Road/Sewer.	John St S – From Louisa Ave to Arkledun Ave Louisa Ave – From Mountwood Ave to John St	July 2024 to October 2024	Full Closure & Lane Closures on John St S/St. Joseph's Dr intersection
Westdale South Neighbourhood (CENTRAL) (PHASE 02) Resurfacing	C15-41-24(H)	Road	Sterling - From Forsyth to King	June 2024 to November 2024	Partial Closure/Lane Closure
LARGE VALVE REPLACEMENTS (HA06V007): BURLINGTON e/o WENTWORTH	C15-01-24 (W)	Water	Burlington St E, from Niagara St to Wentworth St N	September 2024	Westbound Lane Closure
RETAINING WALLS RW0551, RW0552 - GOLFVIEW CRESCENT	C15-21-24 (H)	Structure (Replacement of 2 retaining wall, within walkway between Golfview Cr. and Ann St.)	No Road Work Anticipated	N/A	N/A
UPPER WENTWORTH ST- LINC TO MOHAWK RD E	C15-64-24 (H)	Road	From KingFisher Drive to TB McQuesten Park entrance	July 2024 to October 2024	Partial closure
Bridge 089 - Creighton Road, 30 Meters South of Mills Street	C15-57-24 (BR)	Structure (Bridge rehabilitation, storm outlet and short storm pipe replacement)	Within bridge limit and approaches.	Approximately from July, 2024 to November, 2024	Lane Closure (One lane both directions with temporary signal)
Grays Road	C15-02-24 (H)	Road (Road Resurfacing and sidewalk construction)	Barton St. to Community Ave	August to December 2024	Lane Closures
Grieshome Neighbourhood	C15-11-24 (H)	Road	Marcella/Tara/Summer Crest/ St. Stevens	June 2024 - Sep 2024	Partial and lane closures
Culvert-LINC-Golfinks	C15-10-24 (S)	Culvert Replacement/Repair	Mohawk Rd & Lincoln Alexander Parkway On/Off Ramp	Sep 2024 - Nov 2024	N/A
Highway 8	TBD	Road	Middletown to 100m w of Rosebough	August to December 2024	Partial and lane closures
Garner Road	Development Project	Road widening/Water	90 Garner Road West to Anson Drive	April to June 2024	Lane reduction
Anson Drive at Garner Road	Development Project	Water	Anson Drive north of Garner Road	April 30th to May 7th	Closure
Pritchard Road	Development Project	Storm	Pritchard Road from Harlowe to Rymal Road	March 2024 for 3 weeks	Closure



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 23, 2024
<b>SUBJECT:</b>	Green Building Standards (Wards 1-12 and the Urban Area of Ward 14)
<b>WARD(S) AFFECTED:</b>	Wards 1-12 and the Urban Area of Ward 14
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to provide Council with an update on the next round of engagement on the Green Building Standards project. The Green Building Standards, once implemented, will be applied to all applicable residential, commercial, industrial, and institutional development applications within the urban area which will include an assessment tool (Guidebook and checklist tool) to form part of the submission requirements for planning applications.

The proposed Bill 185 currently proposes making pre-application consultation voluntary at the discretion of the applicant and allows an applicant to challenge complete application requirements to the Ontario Land Tribunal at any time. Planning staff will continue to monitor the status of Bill 185 and the effects on implementation of the Green Building Standards.

The Green Building Standards will aid in evaluating development applications through the lens of sustainability, energy and climate resilience by providing performance requirements across a range of Impact Categories. The development of the building standards was influenced by City of Hamilton's current sustainability initiatives and priorities, engagement with interested parties, and provincial policies and regulations.

The Green Building Standards are entering the final phase of engagement. The purpose of the upcoming engagement is to inform the public of the work done to date, while collecting valuable feedback on the draft Green Building Standards, Impact Categories and Performance Requirements.

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## **Summary of Community Outreach and Engagement**

The following engagement has been completed for the Green Building Standards project:

### **Focus Group #1 (October 18, 2023)**

Twenty City staff from a range of departments across the city, including Planning, Building, Climate Change, and Public Works participated in Focus Group #1. The purpose of Focus Group #1 was to engage City staff on the project and obtain feedback on the preliminary topic areas for the Green Building Standards.

### **Focus Group #2 (December 12, 2023)**

The following participated in Focus Group #2:

- Staff from Zoning, Development Planning, Development Engineering, Site Plan, Policy Planning, Heritage, Building, Water and Wastewater Systems, Urban Design, Public Health, and the Office of Climate Change;
- External parties such as representatives from Birdsong Hamilton, the West End Home Builders' Association, and Environment Hamilton; and,
- Other interested parties, such as staff from McMaster University and Indwell.

Over 20 participants attended Focus Group #2. Additional interested parties who were invited but unable to attend provided written feedback to the Project Team via email. The purpose of Focus Group #2 was to receive feedback from interested parties on the preliminary performance requirements for the Green Building Standards. Input and feedback received during and after Focus Group #2 was used by the Project Team to inform Performance Requirements and Metrics in the Green Building Standards. Input received also identified the need for subsequent follow-up discussions with City staff to further refine Performance Requirements and Metrics.

### **Implementation Workshop (February 15, 2024)**

The purpose of the Implementation Workshop was to facilitate a discussion with staff to understand opportunities, challenges and gaps that may result from implementation of the Green Building Standards. The approximately 20 participants included City staff who had previously been invited to and participated in Focus Group #1 and Focus Group #2. Additional City staff members were invited to participate based on their area of expertise. The Implementation Workshop was an important opportunity to discuss with staff the Green Building Standards including areas such as updating and reviewing

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**SUBJECT: Green Building Standards (Wards 1-12 and the Urban Area of Ward 14) - Page 3 of 4**

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internal planning processes, communicating the Green Building Standards to interested parties, training staff and applicants, and/or resourcing third-party review.  
One on One meetings with City Staff (December 2023 – March 2024)

Focused meetings with various internal departments and with different subject matter expertise, including staff from Planning, Economic Development, Sustainable Mobility Planning, Water Resources, Infrastructure Planning, and Office of Climate Change Initiatives were held throughout the drafting of the Green Building Standards to ensure alignment with other City initiatives and policies.

### **Future Engagement Opportunities**

Upcoming engagement events include:

Development Industry Workshop (April 24, 2024)

The purpose of this Workshop is to receive feedback on the Performance Requirements and Metrics. Members from various groups within the Development Industry have been invited including but not limited to the Development Industry Liaison Group, Hamilton is Home, and Indigenous non-profit housing providers.

Public Open House (Virtual) (April 25, 2024)

The purpose of the public open house is to inform residents of the work done to date and engage on the Performance Requirements and Impact Categories within the draft Green Building Standards. Residents will be asked for their opinions on what is important to prioritize in addressing climate change and the ways we get there.  
Project and Engage Hamilton Webpage and Survey

The City of Hamilton launched the Engage Green Building Standards webpage on April 10, 2024. The Green Building Standards Engage page contains important project related information, including the project phases, timing, important contact information to ask questions and submit comments, and a public survey. The page includes a project timeline and information about past and upcoming consultation and engagement events.

### **Social Media**

The city will be launching the Green Building Standards project to the City's various social media platforms in April 2024. These social media posts will promote and inform the public about the Green Building Standards project and communication and engagement activities. The posts will provide a link to the Green Building Standards Engage page and invite the public to complete the survey.

## **Next Steps**

City staff continue to be available to meet one-on-one with Councillors to review details of the proposed Draft Green Building Standards. A full summary of all engagement carried out for the Green Building Standards project will be incorporated into and appended to a report to Council presenting the proposed Green Building Standards targeted for Q3 2024. An implementation report is targeted for Q4 2024.

Please contact Emily Coe, Acting Manager of Zoning & Committee of Adjustment with any questions or comments or to set up a meeting to discuss the Green Building Standards project at [Emily.Coe@hamilton.ca](mailto:Emily.Coe@hamilton.ca) or (905) 546-2424 Ext. 2575.

## **SCHEDULES AND APPENDICES ATTACHED**

Not applicable.



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 24, 2024
<b>SUBJECT:</b>	Ontario's Child Care Workforce Strategy and Canada-Wide Early Learning and Child Care Funding
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Brenda Bax Acting Director, Children's and Community Services Healthy and Safe Communities Department
<b>SIGNATURE:</b>	<i>BBax</i>

On March 28, 2024, the Ministry of Education announced that Hamilton will receive a further investment of \$5,584,149 in 2024 to support the third year of implementation of the Canada-Wide Early Learning and Child Care plan. Staff are anticipating this increase will continue in future years as the Ministry introduces a new funding model for the system in 2025. The purpose of this communication update is to make Council aware of this funding in advance of staff providing a similar overview to participating Canada-Wide Early Learning child care licensees and Hamilton's early years system on Thursday April 25.

This funding investment will support Ontario's Child Care workforce strategy by:

- increasing the base wages of eligible Early Childhood Educators with incremental increases annually
- investments in professional development to support recruitment and retention of Early Childhood Educators

This funding investment will support participating Licensees by:

- Increased funding for emerging issues to address Licensees non-discretionary cost pressures
- Increased funding to support new child care spaces approved through the directed growth application process

The directed growth application for the creation of 265 new child care spaces in wards 5, 6, 11 and 2 are currently under review by staff and approved Licensees are eligible for startup grants.

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**SUBJECT: Canada-Wide Early Learning and Child Care - Directed Growth  
Application to Create New Child Care Spaces (City Wide) - Page 2 of 2**

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Staff are preparing a Recommendation Report to accept this funding for the May 16, 2024 Emergency and Community Services Committee. Once ratified by Council, staff will provide more details and implement a plan for distributing this funding to child care licensees participating in the Canada-Wide Early Learning and Child Care system.

Should you require further information on the Canada-Wide Early Learning and Childcare, please contact Brenda Bax, Acting Director Children's and Community Services via email at [brenda.bax@hamilton.ca](mailto:brenda.bax@hamilton.ca) or cellular 905-973-4463.

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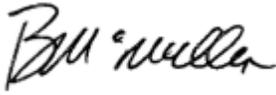
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## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 24, 2024
<b>SUBJECT:</b>	Vacant Unit Tax – 2024 Update
<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>	

### Background

On January 24, 2024, City Council approved the following Motion:

- (a) That the City Solicitor be authorized and directed to prepare the necessary Bylaw for the purposes of levying and collecting the Residential Vacant Unit Tax for the vacancy year 2024, and that the same be put before Council for consideration in the first quarter of 2024; and
- (b) That the City Solicitor be authorized and directed to include language within the By-law that provides an exemption from the Residential Vacant Unit Tax for owners of non-profit housing and designated housing projects under the Housing Services Act.

Staff had prepared a By-law to be brought to Council on the first quarter of 2024 but due to delays related to the cybersecurity incident occurred in February, the By-law will be presented for Council's consideration on April 24, 2024. This By-law includes an exemption from the Residential Vacant Unit Tax for non-profit housing units.

Other edits to reflect updated legislation and for consistency and clarity have also been included.

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## **Provincial Framework**

The 2024 Budget: Building a Better Ontario released by the Province on March 26, 2024 announced two important steps to further advance municipal Vacant Home Taxes (called the Vacant Unit Tax (VUT) in Hamilton):

- (a) The authority to introduce Vacant Home Taxes was extended to all single and upper-tier municipalities.
- (b) A Provincial Policy Framework for municipal Vacant Home Taxes which contain guidelines and recommendations to implement the tax.

This Framework provides guidelines and recommendations for municipalities who wish to introduce a Vacant Home Tax but does not introduce any new requirements related to municipal Vacant Home Taxes.

The following are the distinctions between the Provincial Policy Framework and Hamilton's proposed by-law:

- (a) Provincial framework recommends that only units that are "suitable for residential habitation" be subject to the VHT. Hamilton's proposed by-law applies to all vacant residential units;
- (b) Recommended exemption if the property is owned by a registered property owner who is in care. Unlike the Provincial guideline, Hamilton's proposed by-law exempts the principal residence only if the owner is in care;
- (c) Recommended exemption for seasonal properties. This is not included in Hamilton's proposed By-law;
- (d) Recommended exemption if property is uninhabitable (see (a) above).

The Province will also work with municipalities to explore ways of identifying foreign-owned vacant homes and to encourage imposing a higher VHT rate on such properties. This is not anticipated to apply for a VHT levied based on 2024 occupancy.

In addition, the Provincial Policy Framework introduced annual reporting in which a municipality imposing the VHT should include data related to its Vacant Home Tax in its annual Financial Information Return, according to the fields provided for relevant data (for example, total number of properties impacted, total revenues, etc.).

**2024 City of Hamilton Vacant Unit Tax (VUT) Communications Plan**

- April 2024: By-law approval, website update, media release, social media messaging
- June 2024: Flyer included with the property tax bill, communication update to Council, continued social media messaging
- September 2024: Flyer mail out, communication update to Council, continued social media messaging
- December 2024: Notice to declare to be sent to property owners, communication update to Council, continued social media messaging
- January–April 2025: Call to action campaign

**Other Municipalities**

Toronto’s declaration period for the 2023 vacancy year closed on March 15, 2024. Toronto received approximately 650,000 declarations from a base of more than 800,000 residential units, which represents a compliance rate of approximately 80%. About 150,000 notices of assessment were mailed to property owners to inform them that their property was subject to the vacant home tax, either because it was deemed vacant, given that a declaration of occupancy status was not received before the deadline, or because they declared it as such in 2023.

The lower compliance rate compared to last year’s (95% compliance rate) may be due in part to the fact that the reminder of the annual requirement to declare was included with property tax bills and, therefore, it was missed by a large number of property owners. In addition, there was an error in the system that caused the billing of some properties that had been declared on time.

Toronto staff has already reversed 62,500 vacant home tax charges and is putting measures in place to support affected property owners such as doubling the number of staff available to support in-person inquiries and extending in-person support at City Hall and Civic Centres until at least April 12. Toronto is also expediting mailouts to impacted property owners to inform them of how to appeal the charge, as well as, updating the Vacant Home Tax website to include information in multiple languages.

Ottawa’s declaration period closes on April 30, 2024 and at this time, there is no information as to the number of declarations received for the 2023 vacancy year.

**APPENDICES AND SCHEDULES ATTACHED**

N/A

GR/dt



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 25, 2024
<b>SUBJECT:</b>	Community Safety and Well-Being Plan: Legislated Revision
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Brenda Bax Acting Director, Children's and Community Services Healthy and Safe Communities Department
<b>SIGNATURE:</b>	<i>B Bax</i>

This communication update is being sent to advise Council of a new provincial regulation that requires municipalities to review and revise their Community Safety and Well-Being plans every four years.

In 2019, the Ministry of Solicitor General mandated community safety and well-being planning under the Police Services Act. As part of this legislation, municipalities were required to develop and adopt community safety and well-being plans working in partnership with a multi-sectoral advisory committee comprised of representation from the police service board, and other local service providers in health/mental health, education, community/social services and children/youth services.

In June 2021, Hamilton City Council unanimously adopted Hamilton's Community Safety and Well-Being Plan. The plan identifies six priorities focused on addressing local risk factors by: reducing hate incidents, lowering violent crime rates, improving mental health and reducing stigma, mitigating substance use, addressing housing and homelessness, and enhancing access to income.

Effective April 1, 2024, the Community Safety and Well-Being Planning – Review and Revision regulation was enacted under the [Community Safety and Policing Act](#), 2019. This regulation mandates that municipalities review and, if necessary, revise its respective plan every four years from the date of adoption. The revised plan for Hamilton must be submitted to the Ministry of Solicitor General by July 1, 2025.

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**SUBJECT: Community Safety and Well-Being Plan: Legislated Revision (City Wide) - Page 2 of 2**

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Planning for this new requirement, and the review and revision of the plan, will be undertaken by Hamilton's Community Safety and Well-Being Plan's system leadership table comprised of senior leaders from more than 20 organizations across the community, including active participation by City Directors in the Children's and Community Services Division, Public Health and Housing Services Division.

Staff will begin work on developing a robust community engagement strategy to ensure community partners and residents inform the review and development of the revised Community Safety and Well-Being Plan, with a focus on underserved equity deserving populations. The annual progress report on the plan will go forward at Emergency and Community Services Committee on May 16, 2024, highlighting key accomplishments of the Hamilton's Community Safety and Well-Being Plan in 2023 and next steps for the upcoming year.

If you have any questions or require additional information, please contact Brenda Bax, Acting Director, Children's and Community Services Division, at [Brenda.Bax@hamilton.ca](mailto:Brenda.Bax@hamilton.ca) or by telephone at 905-973-4463.



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	April 26, 2024
<b>SUBJECT:</b>	Convention Centre Parking Garage Structural Repairs (Ward 2)
<b>WARD(S) AFFECTED:</b>	Ward 2
<b>SUBMITTED BY:</b>	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
<b>SIGNATURE:</b>	
<b>SUBMITTED BY:</b>	Indra Maharjan Director, Corporate Facilities and Energy Management Public Works Department
<b>SIGNATURE:</b>	

This Communication Update is to provide members of Council with information on a recent Structural Risk Assessment of the Convention Centre Parking Garage at 80 Main Street West and required mitigation measures. A comprehensive plan for required structural repairs including scope, phasing and costing is under development and will be brought forward through a subsequent report to Council. Additionally, staff have identified the need for a holistic plan to guide short, medium and long-term asset management decisions on the Parking Garage, Summers Lane, and Commonwealth Square, as well as alternatives for consideration.

Constructed between 1973 and 1976, the Convention Centre Garage is part of a complex that includes the Hamilton Convention Centre, the Ellen Fairclough Building, Commonwealth Square, the Hamilton Art Gallery, and the Hamilton Municipal Parking System offices. Each of the buildings and facilities are controlled independently but the below grade parking structure is a shared component and ultimately a City asset. Hamilton Municipal Parking System (HMPS) is responsible for operation of the parking

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garage. A unique feature of the complex is Summers Lane, which is an integral element of the structure of the parking garage, while also functioning as a road. Appendix “A” attached to this communication update provides a site context.

Given the age of the Convention Centre Parking Garage, and consistent with best practices, staff have regularly commissioned condition assessments of the structural components of the parking garage and Summers Lane. Assessments were completed in December 2015, April 2020, October 2023, and March 2024. Each of these assessments identified an increasing rate of degradation consistent with an aging structure. A common concern was the deteriorating condition of the expansion joints on Summers Lane and below, which is allowing for water-infiltration and, in turn, degradation of columns and slabs within the parking garage structure due to freeze thaw cycles and de-icing salts.

Since 2020, a phased series of rehabilitation projects have been completed and planned. This includes for 2023 (Project ID 4901945900) the replacement of waterproofing membranes and concrete repairs in certain parts of the garage. A detailed design and tender for the replacement of the waterproofing membrane below Summers Lane was also advanced in 2019 (Project ID 3721949901) but was put on hold to ensure coordination with other major projects such as the Downtown Entertainment Precinct Initiative, and Hamilton LRT.

In 2023, staff observed an increasing level of degradation of the structural columns and slabs and requested EXP, the consultant overseeing the 2023 repairs, to provide a risk assessment. This risk assessment, completed in October 2023, identified a number of issues with the structure and recommended that repair work should be carried out as soon as possible to avoid further deterioration and potential failure of the suspended slab beneath Summers Lane. The report also recommended that the installation of temporary shoring and monthly inspections by a structural engineer until repairs are able to be carried out. Installations of temporary shoring was initiated in November 2023 through an emergency procurement process and installations were completed in January 2024. Monthly inspections are on-going.

To further ensure protection of the health and safety of those who access the parking lot and are users of Summers Lane, along with the protection of personal property, staff initiated a more detailed assessment involving concrete sounding tests (to identify delamination within concrete). This assessment was completed in March 2024 by J.P. Samuel and Associates Inc. and this detailed inspection “unveiled significant deterioration”, especially around expansion joints and beneath Summers Lane, where columns, soffits, and walls show clear signs of compromise. Visible damage includes cracking, spalling, and corrosion of embedded metal components. The extensive use of de-icing salts, such as sodium chloride and calcium chloride, alongside environmental factors (e.g. rain and snow events) and freeze-thaw cycles, has significantly accelerated

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the corrosion of metal and the breakdown of concrete, threatening the structural integrity of the facility”.

J.P. Samuel and Associates Inc. recommended a phased approach to repairs. Phase 1 prioritizes urgent interventions where deterioration is extensively visible and most severe, while Phase 2 would involve a more comprehensive scope of repairs. Staff are in the process of developing a scope of work and cost estimate for both Phases under a Policy 10 Emergency procurement with funding through the previously approved Summers Lane Structural Rehabilitation and Pedestrianization Project (Project ID 3721949901).

As a result of the temporary shoring, there have been some changes to the garage operations and some loss of parking supply. Impacts include closing the east vehicle access and re-routing of vehicles around temporary shoring. Staff have communicated these changes to monthly permit holders and are in regular communication with the main users of the garage including the Art Gallery, Convention Centre, FirstOntario Concert Hall, and Ellen Fairclough Building manager. It is expected that these temporary measures will be in place for at least a year, with further operational impacts as the repair project commences.

This Communication Update is also intended to fulfil staff’s obligations under the Code of Conduct for Employees, Schedule G: Sharing of Consultant Reports with Identified Imminent Risks to Human Health or Safety.

Staff will provide further updates to Council as work progresses.

If you have any questions regarding this communication, please contact Joanne Starr, Manager, Parking Operations by email at [Joanne.Starr@hamilton.ca](mailto:Joanne.Starr@hamilton.ca) or by phone at (905) 546-2424 Ext. 5441.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” – Structural Assessment Report Site Context

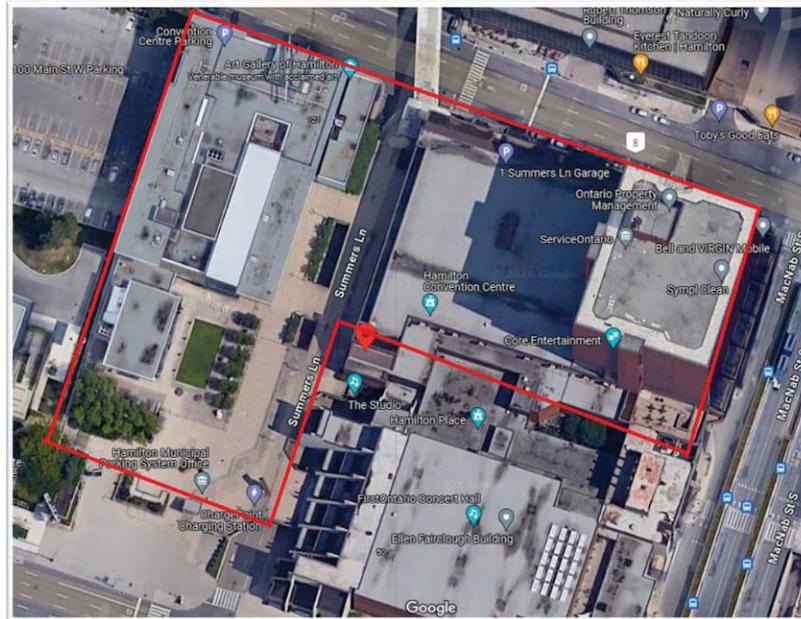


Figure 1: Site Key Plan

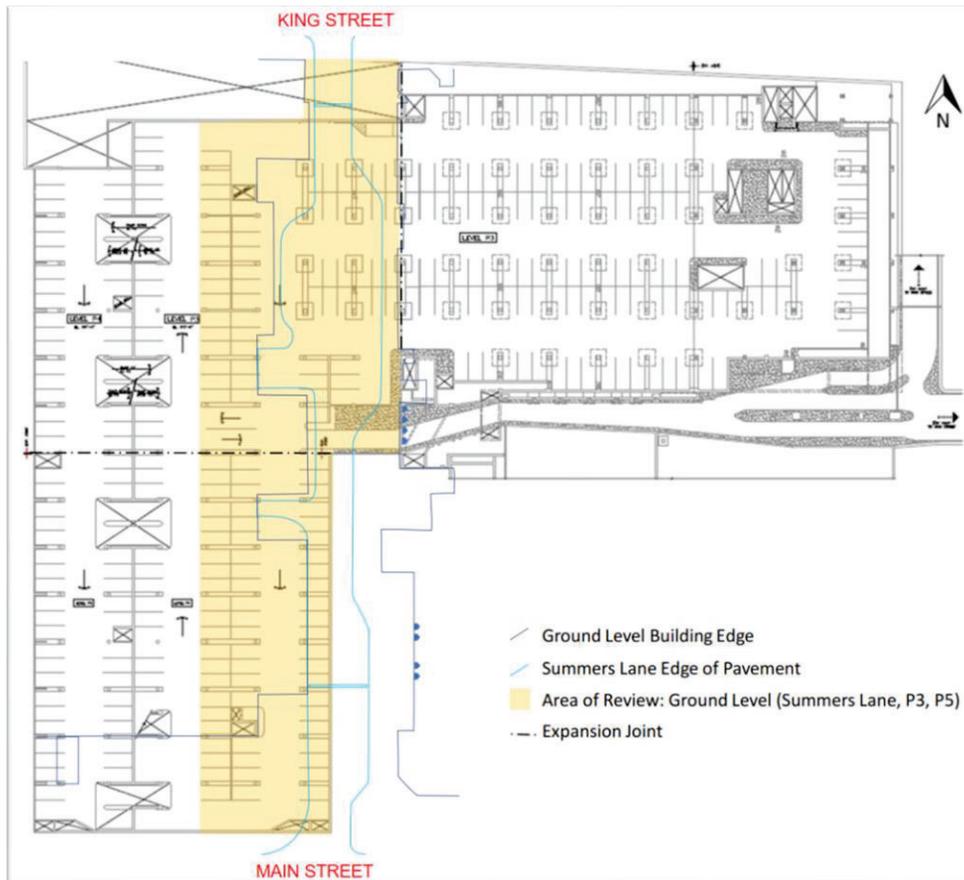


Figure 2: Area under review in Level 3 & 5



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>COMMITTEE DATE:</b>	May 1, 2024
<b>SUBJECT/REPORT NO:</b>	HSR 150 Celebration Activities and Events
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Maureen Cosyn Heath Director, Transit Public Works Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to advise Council of the upcoming celebration activities and events that will take place to commemorate Hamilton Street Railway's (HSR) 150 years of service.

Planned anniversary activities and events will include the following:

- Tourism Hamilton's latest exhibit, *Take a Ride with HSR: Celebrating 150 Years of Connections*, will open on May 21 at the Visitor Experience Centre (VEC) at Lister Block (28 James St. N.). This free exhibit will be open Tuesdays through Saturdays, from 10 a.m. to 4 p.m., until December 21, 2024.
  - Limited edition commemorative HSR 150 merchandise will also be for sale at the VEC until the end of the year.
- To honour existing customers and attract new customers, HSR will offer \$1.50 fares on all buses, including DARTS, on select dates until the end of 2024 to commemorate HSR's 150<sup>th</sup> year of service. The first \$1.50 fare day will take place on Monday, May 20, 2024. More \$1.50 days are in the works, and news of these events will be shared on HSR social channels.
- HSR will host a Customer Appreciation Week from May 19 to 25, 2024. During this week, fares will be free on two retro wrapped HSR buses. These specially wrapped buses will be done in HSR historical colours (one red and one yellow)

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as a callback to former bus designs. The buses will be in service on a variety of routes throughout the city, providing complimentary fares to those who climb aboard.

- HSR staff will host pop-up customer appreciation events throughout the week, handing out HSR 150 goodies to customers. Locations will be posted on HSR social channels.
- Starting May 21, HSR customers will be able to tap on the bus with a commemorative HSR 150 PRESTO card. These cards will be available for purchase at HSR Customer Service, 36 Hunter St. E., while supplies last. The commemorative card features horse and buggy imagery to acknowledge HSR's history. The commemorative PRESTO card is the same price (\$4) as a regular PRESTO card.

HSR 150 celebrations are sponsored by Vontas.

HSR will launch a public engagement campaign on Engage Hamilton in May, welcoming the community to share their high-resolution photos and HSR stories to celebrate HSR's 150<sup>th</sup> anniversary. While these stories and photos collected may be used to support HSR's promotional and marketing materials, importantly, it provides the story tellers and transit enthusiasts a chance to share their favourite HSR memories with us. Details on this engagement will be shared with Council in the coming days.

Should you have any additional questions regarding HSR 150, please contact Maureen Cosyn Heath at [maureen.cosynheath@hamilton.ca](mailto:maureen.cosynheath@hamilton.ca).



## COMMUNICATION UPDATE

<b>TO:</b>	Mayor and Members City Council
<b>DATE:</b>	May 2, 2024
<b>SUBJECT:</b>	Open Streets Hamilton Information (City Wide)
<b>WARD(S) AFFECTED:</b>	City Wide
<b>SUBMITTED BY:</b>	Brian Hollingworth Director, Transportation Planning and Parking Planning and Economic Development Department
<b>SIGNATURE:</b>	

The purpose of this Communication Update is to provide Council with general information about Open Streets Hamilton and the events taking place Sunday May 26, 2024, and Sunday June 23, 2024.

Councillors are invited to join Open Streets Hamilton on May 26, 2024, and June 23, 2024. During the event King Street East will be closed to motor-vehicle traffic from Gage Avenue to John Street from 10:00 a.m. to 2:00 p.m. and open for residents and visitors to walk, cycle, roll and play.

There will be five Activation Hubs along King Street East. These hubs will be located primarily at future LRT stops including Wellington, Wentworth, Sherman, and Scott Park (Bernie Morelli Rec Centre), John Street will also be a hub. Businesses along King Street East will participate through sidewalk sales, community events, and outdoor seating. The Downtown and International Business Improvement Areas (BIAs) will add to the programming in this area with music at John Street and activations at Ferguson Station on both dates.

Please note, the King Street East closure will begin at 7:00 a.m. and re-open by 4:00 p.m.

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**Background:**

At Council's direction, the City's first Open Streets Temporary Linear Urban Park on King Street East was held in June 2023. King Street was closed to motor-vehicle traffic from John Street to Gage Avenue, approximately four kilometres in length. The event ran from 10:00 a.m. to 2:00 p.m. and was attended by an estimated 15,000 individuals.

Positive feedback was received from local businesses, participating community groups, Business Improvement Areas, Councillors, the Mayor, City staff, and residents and visitors who attended Open Streets Hamilton. In total, 47 community organizations and 14 businesses along King Street East registered to participate in Open Streets Hamilton. Several organizations and businesses joined in on the day of. At the Activation Hubs participants engaged in activations such as, pickleball, wheelchair basketball with Parasport, Hamilton Bike Share, Bird e-scooter demonstrations, yoga, dancing, organized runs and bike rides, pilates on the street, and much more.

**Route Map:**



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**Shareable Information:**

The following information can be shared in Ward Newsletters and/or via social media:

**Join us for Open Streets Hamilton!**

Experience an unforgettable car-free King Street East on May 26 and June 23, 10 a.m. to 2 p.m. From John Street to Gage Avenue, enjoy fun, activity, and community connection at Open Streets Hamilton. Walk, cycle, roll and play on King! Discover family-friendly activities at our Activation Hubs at John Street and Ferguson Station as well as future LRT stops at: Wellington, Wentworth, Sherman and Scott Park (Bernie Morelli Rec Centre). Visit King Street East businesses along the route. Save the dates and join us for two unforgettable Sundays on King Street! Visit [hamilton.ca/openstreets](https://hamilton.ca/openstreets) for more information or to get involved.

**Open Streets Hamilton**

Date: Sunday May 26 and Sunday June 23, 2024

Time: 10 a.m. to 2 p.m.

Location: King Street East from Gage Avenue to John Street

Please note, the King Street closure will begin at 7:00 a.m. and re-open by 4:00 p.m.

**Open Streets Graphic for Newsletters**



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**Social Media Content:**

- Sample Posts

#HamOnt! Open Streets Hamilton is coming back to King St E! On Sunday May 26 and Sunday June 23, 2024 from 10 a.m.-2 p.m. we will turn a portion of the King Street roadway, from John Street to Gage Avenue, into a linear urban park. Open Streets provides an opportunity for the public to experience King Street in a unique way. Join us! #OpenStreetsHamilton

Save the date for Open Streets Hamilton! On Sunday May 26 and Sunday June 23, 2024 from 10 a.m.-2 p.m. King St E will be closed to car traffic and open to people to walk, cycle, roll and play! The street will be transformed into additional public space with physical activity stations & other activities along the route. Join us for a vibrant community experience. #OpenStreetsHamilton

The graphic features a light blue background with a red location pin icon in the top right corner. The main text reads "OPEN STREETS" in large, bold, black letters, followed by "MAY 26 & JUNE 23" in a large, outlined font. Below this, a black banner contains the text "KING ST E FROM JOHN ST TO GAGE AVE - 10AM-2PM" and "2024". The central part of the graphic is a blue, winding path that leads to three circular images: a group of people walking, a group of people on bicycles, and a group of people sitting on the ground. Text boxes along the path include "THE ROUTE: 3.6 KM OF KING STREET FROM JOHN TO GAGE", "JOIN US TO WALK, CYCLE, ROLL & PLAY ON A CAR-FREE STREET!", "OPEN STREETS FOR A HEALTHY, VIBRANT CITY", and "FAMILY FRIENDLY ACTIVATION HUBS". At the bottom left, there is a blue box with the "OPEN STREETS HAMILTON" logo and the text "Learn more at www.hamilton.ca/openstreets". At the bottom center, it says "Proudly Supported by" followed by the logos for Hamilton, Environment Hamilton, and TD.

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o Sample Tweet:

Join us for Open Streets #HamOnt as we once again close King St E from Gage Ave to John St. Mark your calendars for two dates in 2024:

Sunday May 26 & June 23 2024 | 10am- 2pm

King will be closed to motor vehicle traffic and opened for everyone to walk, cycle, roll and play up and down the street #OpenStreetsHamilton

<https://bit.ly/41RI9iv>



The graphic features a large photo of a street scene with people walking and cycling. Overlaid on this is the 'OPEN STREETS HAMILTON' logo, which includes icons of a person walking, a person on a bicycle, and a person on a roller skator. Below the logo is a blue box with white text: 'SUNDAY MAY 26 & JUNE 23 10AM-2PM'. At the bottom of the graphic are three smaller photos: a group of people walking, a person pushing a stroller, and a child playing with a large, colorful beach umbrella. Below these photos is the text 'Walk, Cycle, Roll, Play on King St E'. At the very bottom, there is a blue bar with the text 'Learn more at www.hamilton.ca/openstreets' and a globe icon. To the right of this bar, it says 'Proudly Supported by' followed by the logos for Hamilton, TD, and Environment Hamilton.

If you have any questions regarding this communication, please contact Rachel Johnson, Project Manager – Sustainable Mobility at (905) 546-2424 Ext. 1473 or by email at [Rachel.Johnson@hamilton.ca](mailto:Rachel.Johnson@hamilton.ca).

**APPENDICES AND SCHEDULES ATTACHED**

Not applicable.

**Authority:** Item 3, Public Works Committee Report 23-010 (PW23047)  
CM: July 14, 2023 Ward: 3  
Written approval for this by-law was given by Mayoral Decision MDE-2024 12  
Dated May 8, 2024

**Bill No. 064**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

**To Permanently Close and Sell a Portion of the Unassumed Alleyway Abutting 165 Burton Street, Hamilton; being Part of the Alleyway Lying East of Lot 235 on Plan 209, designated as Part 1 on Plan 62R-22256, in the City of Hamilton, being ALL of PIN 17189-0301 (LT)**

**WHEREAS** sections 8, 9 and 10 of the *Municipal Act, 2001* authorize the City of Hamilton to pass by-laws necessary or desirable for municipal purposes, and in particular by-laws with respect to highways; and

**WHEREAS** section 34(1) of the *Municipal Act, 2001* provides that a by-law permanently closing a highway does not take effect until a certified copy of the by-law is registered in the proper land registry office; and

**WHEREAS** highways to be closed by by-law are declared to be surplus to the needs of the City of Hamilton under the Sale of Land Policy By-law; and

**WHEREAS** at its meeting of July 14, 2023, Council approved of Item 3 of Public Works Committee Report 23-010, and authorized the City of Hamilton to permanently close and sell a portion of the unassumed alleyway abutting 165 Burton Street, Hamilton; being Part of the Alleyway Lying East of Lot 235 on Plan 209, designated as Part 1 on Plan 62R-22256, in the City of Hamilton, being ALL of PIN 17189-0301 (LT); and

**WHEREAS** notice to the public of the proposed sale of the part of the road allowance has been given in accordance with the requirements of the Sale of Land Policy By-law.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The part of the unassumed alleyway set out as follows:

Part of the Alleyway lying East of Lot 235 on Plan 209, designated as Part 1 on Plan 62R-22256 in the City of Hamilton, Being ALL of PIN 17189-0301 (LT)

is permanently closed.

To Permanently Close and Sell a Portion of the Unassumed Alleyway Abutting 165 Burton Street, Hamilton; being Part of the Alleyway Lying East of Lot 235 on Plan 209, designated as Part 1 on 62R-22256 in the City of Hamilton, being ALL of PIN 17189-0301 (LT)

Page 2 of 2

2. The soil and freehold of the Part 1 on Plan 62R-22256, hereby permanently closed, be sold to 1000131598 Ontario Ltd.
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

**PASSED** this 8<sup>th</sup> day of May, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 4, Planning Committee Report 24-006 (PED24085)  
CM: May 8, 2024 Ward: 10

**Bill No. 065**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

#### **To Amend Zoning By-law No. 3692-92 with respect to lands located at 560 Grays Road, 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 8<sup>th</sup> day of December 1992, and approved by the Ontario Land Tribunal on the 31<sup>st</sup> day of May, 1994;

**AND WHEREAS** Council approved Item 4 of Report 24-006 of the Planning Committee, at its meeting held on May 8, 2024;

**AND WHEREAS** this By-law conforms to the Urban Hamilton Official Plan;

**NOW THEREFORE** Council amends Zoning By-law No. 3692-92 as follows:

1. That Subsection 6.10.7, “Special Exemptions” of Section 6.10, Multiple Residential “RM3” Zone, be amended by further amending Special Exemption “RM3-58”, as follows:
  1. That Subsection 1. be amended by adding the following definitions:
    - (b) “Dwelling Group”

Means a group of more than one Maisonette, Townhouse, Stacked Back-to-Back Townhouse, or apartment or any combination thereof.

(c) “Dwelling – Stacked Back-to-Back Townhouse”

Means a building divided vertically and horizontally, containing not less than three and not more than twenty-four dwelling units, where each unit shall have a separate entrance from a public or private street.

2. That Subsection 2. be amended by adding the words “for Apartment Dwellings” after the word “Regulations”.

3. That the following subsection be added following Subsection 2 (j):

“3. Regulations for Stacked Back-to-Back Townhouse Dwelling

Notwithstanding the provisions of Subsection 4.13.1 “Daylight Triangle” of the Zoning By-law No. 3692-92, on those lands zoned “RM3-58” by this By-law, the minimum yard from the hypotenuse of the daylight triangle of Frances Avenue and Parkedge Drive shall be 2.0 metres. All other Daylight Triangles shall be provided in accordance with Subsection 4.13.1.

Notwithstanding the provisions of Paragraph (a) of Subsection 6.1.4 “Accessory Buildings in Residential Zones” of the Zoning By-law No. 3692-92, the maximum building height for an accessory building shall be 6.0 metres.

Notwithstanding the provisions of Paragraph (c) of Subsection 6.1.8 “Parking Restrictions in Residential Zones”, the following shall apply:

c) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 1.4 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot except that the provisions of this clause shall not apply to any parking space located within a private garage or underground garage.

In addition to Subsection 6.10.2 “Permitted Uses for Each Lot” of the Multiple Residential “RM3” Zone, Stacked Back-to-Back Townhouse Dwellings shall also be permitted.

Notwithstanding the Paragraphs (c), (d) as it relates to minimum flankage side yard, (f), (h), (i), (j), (l) and (m) 1. and 4. of Subsection 6.10.3 “Zone Regulations” of the Multiple Residential “RM3” Zone, the following shall apply for Stacked Back- to-Back Townhouse Dwellings:

- (c) Minimum Front Yard – 2.0 metres
- (d) Minimum Flankage Side Yard – 2.0 metres
- (f) Minimum Rear Yard – 14.0 metres
- (h) Minimum Distance Between Buildings on the Same Lot – 8.0 metres
- (i) Maximum Density – 99 units per hectare
- (j) Maximum Building Height – 15 metres
- (l) Privacy Area – Notwithstanding the yard requirements above, each stacked back-to-back townhouse unit shall have a least one area which serves as a privacy area which shall be adjacent to the dwelling unit and shall have a minimum depth of 1.5 metres.
- (m) Minimum Landscaped Open Space
  - 1. Not less than 37 percent of the lot area shall be landscaped including privacy areas.
  - 4. A landscaped strip having a minimum width of 1.2 metres shall be provided and thereafter maintained adjacent to any lot line that abuts a street except for points of ingress and egress. Notwithstanding the above, no landscaped strip shall be required adjacent to the portion of the lot abutting the hypotenuse of the daylight triangle at the intersection

of Frances Avenue and Parkedge  
Drive.

Notwithstanding the provisions of Paragraphs (a), (d), and (e) of Subsection 6.10.5 “Regulations for Parking” of the Multiple Residential “RM3” Zone, the following shall apply:

- (a) Minimum Number of Parking Spaces – 1 parking space and 0.15 visitor parking spaces for each stacked back-to-back townhouse dwelling unit.
- (d) Where the required minimum number of parking spaces is four or more, no parking space shall be provided closer than 1.4 metres to any lot line or closer than 5 metres to any dwelling unit located on a lot other than the said lot, except that the provisions of this clause shall not apply to any parking space located within a private garage, or underground garage.
- (e) Where there is a grouping of three or more parking spaces, no parking space shall be provided closer than 2.0 metres to any dwelling unit located on the same lot, except that the provisions of this clause shall not apply to any parking space located within an underground garage.

All other regulations of the Multiple Residential “RM3” Zone shall apply.”

- 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 provisions of the Multiple Residential “RM3-58” Zone, Modified, subject to the special requirements referred to in Section No. 2 of this By-law.
- 4. That 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 8<sup>th</sup> day of May, 2024.

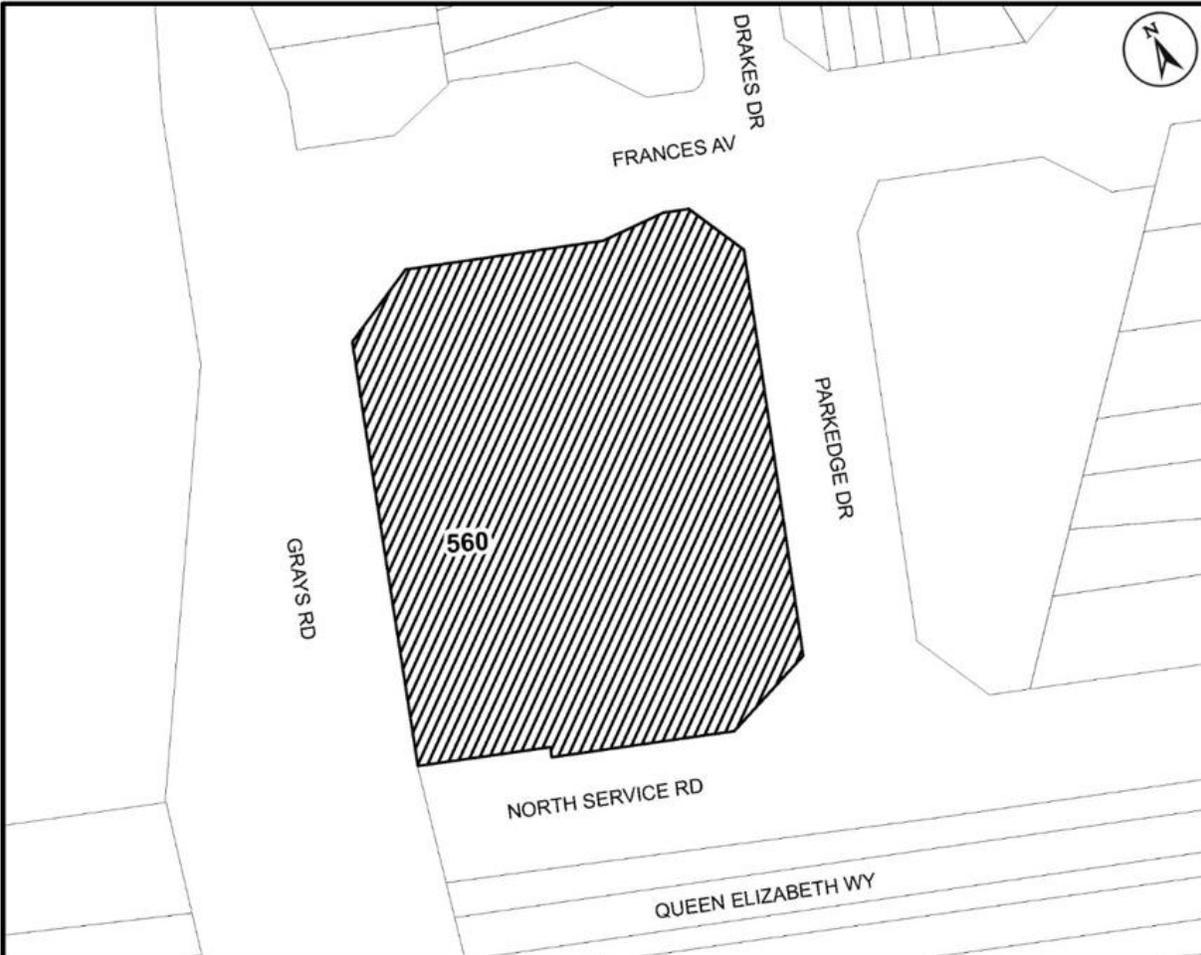
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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

ZAC-24-005



<p>This is Schedule "A" to By-law No. 24-</p> <p>Passed the ..... day of ....., 2024</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p><b>Map forming Part of By-law No. 24-_____</b></p> <p><b>to Amend By-law No. 3692-92</b></p>	<p><b>Subject Property</b>                  560 Grays Road, Stoney Creek (Ward 10)</p> <p> Lands to be further amended from the Multiple Residential "RM3-58" Zone, Modified</p>
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Scale: N.T.S	File Name/Number: ZAC-24-005	
Date: March 19, 2024	Planner/Technician: MF/NB	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		

**Authority:** Item 4(b), Planning Committee Report 24-001 (PED23241)  
CM: January 24, 2024 Ward: 12

**Bill No. 066**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

#### **To Designate Property Located at 176 Wilson Street East, Ancaster, 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 28, 2023;

**AND WHEREAS** the Council of the City of Hamilton, at its meeting held on January 24, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 176 Wilson Street East, Ancaster, 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. 24-011;

**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 8<sup>th</sup> day of May, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

To Designate Property Located at 176 Wilson Street East, Ancaster, City of Hamilton as Property of  
Cultural Heritage Value

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**Schedule "A"**  
**To**  
**By-law No. 24-066**

**176 Wilson Street East, Ancaster**  
**Hamilton, Ontario**

PIN: 17436-0271 (LT)

Legal Description:

PT LT 44, CON 2 ANCASTER , PART 1,2,3,5,6,7 , 62R7614 ; S/T CD322728  
ANCASTER (AMENDED 08/16/00 BY LR2) CITY OF HAMILTON

**Schedule "B"**  
**To**  
**By-law No. 24-066**

**176 Wilson Street East, Ancaster  
Hamilton, Ontario**

**Notice of Intention to Designate  
176 Wilson Street East, Ancaster (Birch Lawn)**

The City of Hamilton intends to designate 176 Wilson Street East, Ancaster, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

**Statement of Cultural Heritage Value or Interest**

The two-storey brick dwelling located at 176 Wilson Street East, Ancaster, known historically as 'Birch Lawn', was constructed circa 1881. The property has design value as it is a representative example of the Italianate style of architecture as applied to a private dwelling which displays a high degree of craftsmanship. Contextually, the property is important in supporting the character of the historic village of Ancaster and is historically linked to its surroundings. It is located on the historic Wilson Street transportation corridor and still marks the western entrance into the core, though now surrounded by modern construction.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes and supporting Cultural Heritage Assessment 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 6th day of February, 2024.



Janet Pilon, Acting City Clerk  
Hamilton, Ontario

**CONTACT:** Scott Dickinson, Cultural Heritage Planning Technician,  
Phone: (905) 546-2424 ext. 7167, E-mail: [Scott.Dickinson@hamilton.ca](mailto:Scott.Dickinson@hamilton.ca)

**[www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning)**



**Hamilton**

**Schedule “C”  
To  
By-law No. 24-066**

**176 Wilson Street East, Ancaster  
Hamilton, Ontario**

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND  
DESCRIPTION OF HERITAGE ATTRIBUTES**

**Description of Property**

The 0.125-hectare property municipally-addressed as 176 Wilson Street East is comprised of a two-storey brick dwelling constructed circa 1881. The property is located on the southeastern side of Wilson Street East, opposite the intersection of Wilson Street East and Dalley Drive, in the community of Ancaster in the City of Hamilton.

**Statement of Cultural Heritage Value or Interest**

The two-storey brick dwelling located at 176 Wilson Street East, Ancaster, known historically as ‘Birch Lawn’, was constructed circa 1881. A small sympathetic addition was constructed on the southern side by the mid-to-late-twentieth century. The property has design or physical value as it is a representative example of the Italianate style of architecture as applied to a private dwelling, displaying a high degree of craftsmanship in its construction. Contextually, the property is important in supporting the character of the historic village of Ancaster and is historically linked to its surroundings. It is located on the historic Wilson Street transportation corridor and still marks the western entrance into the core, though now surrounded by modern construction.

**Description of Heritage Attributes:**

Key attributes that embody the design/physical value of the property as being representative of the Italianate style or architecture and demonstrating a high degree of craftsmanship, include:

- The front (north) and side (east and west) elevations and roofline of the two-storey brick building, including its:
  - Truncated hip roof with wide projecting eaves and paired decorative wooden brackets;

- Single stack corbelled brick chimney to the east;
- Projecting three-sided two-storey bays to the front (north) and side (east) with polygonal roofs;
- Segmentally-arched window openings with decorative buff brick broken pediment hoods, stone lug sills and one-over-one hung wood windows with storms;
- Front door with segmentally-arched opening with buff brick voussoirs and transom; and,
- Dichromatic brick work including buff brick quoining, paneling under the projecting eaves and chimney detailing.

Key attributes that embody the contextual value of the property as a supporting feature of the historical character of Wilson Street East include its:

- Location fronting onto Wilson Street East at the western entrance into Ancaster Village.

**Authority:** Item 4(c), Planning Committee Report 24-001 (PED23192)  
CM: January 24, 2024 Ward: 12

**Bill No. 067**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

#### **To Designate Property Located at 241 Wilson Street East, Ancaster, 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 28, 2023;

**AND WHEREAS** the Council of the City of Hamilton, at its meeting held on January 24, 2024, resolved to direct the City Clerk to take appropriate action to designate the Property described as 241 Wilson Street East, Ancaster 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. 24-011;

**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.

To Designate Property Located at 241 Wilson Street East, Ancaster, City of Hamilton as  
Property of Cultural Heritage Value

Page 2 of 6

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 8<sup>th</sup> day of May, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

To Designate Property Located at 241 Wilson Street East, Ancaster, City of Hamilton as  
Property of Cultural Heritage Value

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**Schedule "A"**  
**To**  
**By-law No. 24-067**

**241 Wilson Street East, Ancaster**  
**Hamilton, Ontario**

PIN: 17444-0061 (LT)

Legal Description:

PT LT 44, CON 2 ANCASTER, AS IN CD114257, SAVE & EXCEPT PART 4, PLAN  
62R17500 & SAVE & EXCEPT PART 7, PLAN 62R17500 & PARTS 2 & 3, PLAN  
62R18654; CITY OF HAMILTON

**Schedule “B”  
To  
By-law No. 24-067**

**241 Wilson Street East, Ancaster  
Hamilton, Ontario**

**Notice of Intention to Designate  
241 Wilson Street East, Ancaster**

The City of Hamilton intends to designate 241 Wilson Street East, Ancaster, under Section 29 of the *Ontario Heritage Act*, as being a property of cultural heritage value.

**Statement of Cultural Heritage Value or Interest**

The circa 1885 two-storey stone structure located at 241 Wilson Street East has physical value as it is a representative example of a vernacular stone nineteenth-century industrial building. The historical value of the property lies in its association with the Ancaster Carriage Company and the Egleston Brothers, who were responsible for much of Ancaster’s nineteenth-century industry. This property defines the historic former industrial character of this section of Wilson Street East, and is visually and historically linked to its surroundings. The sympathetic new structures on either side of the property enhance this former character.

The Statement of Cultural Heritage Value or Interest, Description of Heritage Attributes and supporting Cultural Heritage Assessment 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 6th day of February, 2024.



Janet Pilon  
Acting City Clerk  
Hamilton, Ontario

**CONTACT:** Scott Dickinson, Cultural Heritage Planning Technician,  
Phone: (905) 546-2424 ext. 7167, E-mail: [Scott.Dickinson@hamilton.ca](mailto:Scott.Dickinson@hamilton.ca)

**[www.hamilton.ca/heritageplanning](http://www.hamilton.ca/heritageplanning)**



**Hamilton**

**Schedule “C”**  
**To**  
**By-law No. 24-067**

**241 Wilson Street East, Ancaster**  
**Hamilton, Ontario**

**STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST, AND  
DESCRIPTION OF HERITAGE ATTRIBUTES**

**Description of Property**

The 0.5 hectare property municipally-addressed as 241 Wilson Street East is comprised of a circa 1885 two-storey stone building of a vernacular style. The property is also comprised of a modern building constructed in 2007 in a sympathetic style, municipally-addressed as 253 Wilson Street East. The property is located on the northwestern side of Wilson Street East, at the intersection of Wilson Street East and Halston Street, in the community of Ancaster in the City of Hamilton.

**Statement of Cultural Heritage Value or Interest**

The circa 1885 two-storey stone structure located at 241 Wilson Street East has physical value as it is a representative example of a vernacular stone nineteenth-century industrial building. The historical value of the property lies in its association with nineteenth-century industry in Ancaster and the Ancaster Carriage Company, who originally constructed it in 1885. The Ancaster Carriage Company was owned by Edward Kenrick (1850-1925), prominent Ancaster lawyer. The property is also connected to the Egleston Brothers, who were responsible for much of Ancaster’s nineteenth-century industry.

This property defines the historic former industrial character of this section of Wilson Street East in the core of the village of Ancaster and is visually and historically linked to its surroundings. The sympathetic new structures on either side of the property enhance for the viewer the sense that this was an industrial space, that Ancaster was once home to a variety of manufacturers and enterprises.

**Description of Heritage Attributes:**

Key attributes that embody the physical value of the property as a representative vernacular nineteenth-century stone industrial building and its association with early Ancaster industry, including the Ancaster Carriage Company, include:

- The front (south) and side (west and east) elevations and roofline of the two-storey circa 1885 stone building, including its:
  - L-shaped plan;
  - Cross-gable roof with projecting eaves;
  - Single stack corbelled red brick chimneys;

To Designate Property Located at 241 Wilson Street East, Ancaster, City of Hamilton as  
Property of Cultural Heritage Value

Page 6 of 6

- Broken-coursed rubble stone walls with corner cut-stone quoins;
- Segmentally-arched window and door openings with stone voussoirs and stone lug sills;
- Side (east) entrance with transom; and,
- Stone foundation.

Key attributes that embody the contextual value of the property as a defining feature of the historical character of Wilson Street East in the core of the village of Ancaster include its:

- Location fronting onto Wilson Street East; and,
- Visibility of three exterior walls from the public right of way.

**Bill No. 068**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

#### **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 and 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 2023/2024 City of Hamilton / Ministry of Transportation Gas Tax Funding Agreement Bylaw.
3. This By-law is deemed to have come into force on May 8, 2024.

**PASSED** this 8th day of May, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 14, Committee of the Whole Report 01-003 (FCS01007)  
CM: February 6, 2001 Ward: 2,4,6,12

**Bill No. 069**

## CITY OF HAMILTON

### BY-LAW NO. 24-

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

**WHEREAS** Section 11(1)1 of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating parking and traffic on highways subject to the *Highway Traffic Act*,

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

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

Schedule	Section	Highway	Side	Location	Duration	Rate	Adding/ Deleting
5 - Parking Meters	E	Hughson	East	King to 65m north of Cannon	2 hr	\$2.00	Deleting
5 - Parking Meters	E	Hughson Street North	East	King William Street to 65m north of Cannon Street East	2 hr	\$2.00	Adding

Schedule	Section	Highway	Side	Location	Times	Adding/ Deleting
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To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

<i>8 - No Parking</i>	<i>G</i>	<b>Hughson</b>	East	from 17.7m north of King William to 12m northerly	7:00 a.m. to 9:00 p.m.	Deleting
<i>8 - No Parking</i>	<i>E</i>	<b>Mountain Brow</b>	Both	Mud to Limeridge	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	<b>Rowena Court</b>	North & South	148 metres west of Quaker Crescent to 73 metres west thereof around cul-de-sac	Anytime	Deleting
<i>8 - No Parking</i>	<i>E</i>	<b>Rowena Court</b>	South	Quaker Crescent to westerly end	December 1st to March 31st	Deleting
<i>8 - No Parking</i>	<i>A</i>	<b>Tuscarora Dr.</b>	North	McNiven Rd. to Tomahawk Cr.	Anytime	Deleting
<i>8 - No Parking</i>	<i>G</i>	<b>Hughson Street North</b>	East	from 18 metres north of King William Street to 12 metres north thereof	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	<b>Hughson Street North</b>	West	King Street East to King William Street	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	<b>Hughson Street North</b>	East	King Street East to King William Street	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	<b>Mountain Brow Boulevard</b>	East	from 23 metres south of the extended south curb line of Broker Drive to 64 metres north of the extended north curb line of Broker Drive	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	<b>Mountain Brow Boulevard</b>	East	Mohawk Road East to 130 metres south of the extended south curb line of Broker Drive	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	<b>Mountain Brow Boulevard</b>	South & West	Oakcrest Drive to Mohawk Road East	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	<b>Mountain Brow Boulevard</b>	Both	Mohawk Road East to Mud Street	Anytime	Adding
<i>8 - No Parking</i>	<i>E</i>	<b>Rowena Court</b>	South	Quaker Crescent to westerly end, including the cul-de-sac	Anytime	Adding
<i>8 - No Parking</i>	<i>A</i>	<b>Tuscarora Drive</b>	North	McNiven Road to easterly end	Anytime	Adding

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/Deleting</b>
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To Amend By-law No. 01-218, as amended,  
Being a By-law to Regulate On-Street Parking

12 - Permit	E	Cope	West	from 27.8m north of Dunsmore to 4.9m northerly	Anytime	Deleting
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<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
13 - No Stopping	E	Hughson	West	King to King William	Anytime	Deleting
13 - No Stopping	A	Tuscarora Drive	North	McNiven Road to easterly end	8:00 a.m. to 9:30 a.m. 3:00 p.m. to 4:00 p.m. Monday to Friday	Adding

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
15 - Comm Veh LZ	E	Hughson	East	from 12.7m north of King to 28.4m northerly	7:00 a.m. to 9:00 p.m.	Deleting

<b>Schedule</b>	<b>Section</b>	<b>Highway</b>	<b>Side</b>	<b>Location</b>	<b>Times</b>	<b>Adding/ Deleting</b>
16 - Taxi Stand	E	Hughson	East	from 12.7m north of King to 28.4m northerly	9:00 p.m. to 7:00 a.m.	Deleting
16 - Taxi Stand	E	Hughson	East	from 17.7m north of King William to 12m northerly	9:00 p.m. to 7:00 a.m.	Deleting

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 8<sup>th</sup> day of May 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

**Bill No. 070**

**CITY OF HAMILTON**

**BY-LAW NO. 24-**

**Respecting Removal of Part Lot Control**

**Block 37-48, Registered Plan No. 62M-1295, municipally known as 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, and 113 Picardy Drive, Stoney Creek**

**WHEREAS** 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:

**“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 24 lots for semi-detached dwellings (Parts 1-24, inclusive) as shown on Deposited Reference Plan 62R-22313, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:  
Block 37-48, Registered Plan No. 62M-1295, 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 8<sup>th</sup> day of May, 2026.

**PASSED** this 8th day of May, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

**Bill No. 071**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

Respecting Removal of Part Lot Control

**Lots 3 to 10, 12 to 14, 16, 19 to 21, and 30, Registered Plan No. 62M-1295, municipally known as 7, 12, 16, 20, 24, 28, 32, 36, 40, 43, 47, 51, 52, 56, 60, and 63 Shawbridge Court, Stoney Creek.**

**WHEREAS** 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:

**“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 16 maintenance easements for single detached dwellings (Parts 1-16, inclusive) as shown on Deposited Reference Plan 62R-22286, shall not apply to the portion of the registered plan of subdivision that is designated as follows, namely:  
Lots 3 to 10, 12 to 14, 16, 19 to 21, and 30, Registered Plan No. 62M-1295, 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.

**PASSED** this 8th day of May, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

**Authority:** Item 1, Audit, Finance & Administration Committee Report (FCS23103(b))  
CM: May 8, 2024 Ward: City Wide  
Written approval for this by-law was given by Mayoral Decision MDE-2024 12  
Dated May 8, 2024

**Bill No. 072**

## **CITY OF HAMILTON**

### **BY-LAW NO. 24-**

#### **Being a By-Law Respecting Development Charges on Lands within the City of Hamilton**

**WHEREAS** the *Development Charges Act, 1997, S.O.1997, c.27* (hereinafter referred to as the “Act”) authorizes municipalities to pass a By-law for the imposition of development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the said By-law applies;

**WHEREAS** the City of Hamilton (herein referred to as the “City”), as required by section 10 of the Act, has undertaken and completed a development charge background study regarding the anticipated amount, type and location of development; the increase in needs for services; estimated capital costs to provide for such increased needs, including the long term capital and operating costs for capital infrastructure required for the services;

**WHEREAS** as required by section 11 of the Act, this By-law is being enacted within one year of the completion of the said development charge background study, titled *Development Charges Background Study*” prepared by Watson & Associates, dated December 21, 2023, as amended by the Addendum to the December 21, 2023 Development Charges Background Study prepared by Watson & Associates Economists Ltd., dated March 28, 2024;

**WHEREAS** in advance of passing this By-law the Council of the City (herein referred to as “Council”) has given notice of and held a public meeting on February 22, 2024 in accordance with section 12 of the Act regarding its proposals for this development charges By-law;

**WHEREAS** Council, through its Audit, Finance and Administration Committee, has received written submissions and heard all persons who applied to be heard no matter whether in objection to, or in support of, the said By-law;

**WHEREAS** Council intends that development related 2023 – 2031 capacity will be paid for by development charges;

**WHEREAS** Council, at its meeting of May 8, 2024, has adopted and approved the said background study, as amended, and the development charges and policies recommended by the General Manager of the Finance and Corporate Services Department to be included in this By-law and determined that no further public meetings are required under section 12 of the Act; and,

**WHEREAS** Council approved report FCS23103(b) respecting “2024 Development Charges Background Study, Policies and By-laws - Final Report”, thereby updating its capital budget and forecast where appropriate and indicating that it intends that the increase in the need for services to service anticipated development will be met.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. In this By-law,

- (a) **“Act”** means the *Development Charges Act, 1997*, S.O. 1997, c.27.
- (b) **“Adaptive Reuse”** means the alteration of an existing Building on a Protected Heritage Property for compliance of its continuing or resumed use(s) with current Building Code requirements; or, for compliance of its proposed new use(s) with current building code requirements; or, for ensuring its structural integrity; or for optimizing its continued, resumed or new use(s); while maintaining the cultural heritage value or interests of the subject building; and in compliance with the conditions of any Heritage Permit required for the subject alterations.
- (c) **“Affordable Housing Project”** means a Residential Unit that meets the criteria set out in subsection 4.1(2) or 4.1(3) of the Act.
- (d) **“Agricultural Land”** means land which is zoned for an Agricultural Use in the zoning By-law of the predecessor municipality in which the land is located, and any subsequent amendment or replacement thereof, and used for a bona fide Agricultural Use.
- (e) **“Agricultural Use”** means the use of Agricultural Land and Buildings by a Farming Business outside of the Urban Area for apiaries, fish farming, dairy farming, fur farming, the raising or exhibiting of livestock, or the cultivation of trees, shrubs, flowers, grains, sod, fruits, vegetables and any other crops or ornamental plants including storage of related equipment, excluding:
  - (i) Residential Uses, including Farm Labour Residences;
  - (ii) non-agriculture uses, including but not limited to banquet halls, Retail Greenhouses and retail stores;
  - (iii) distilleries, wine production facilities, breweries and any retail space, restaurant or other uses associated therewith; and,

- (iv) Cannabis Production Facilities.
- (f) **“Apartment Building”** means a Building containing three or more Residential Units where the Residential Units are connected by an interior corridor but does not include a Residential Facility Dwelling or a Lodging House.
- (g) **“Apartment Residential Unit”** means a Residential Unit within an Apartment Building.
- (h) **“Artist Studio”** means a non-residential Building, or any part thereof, used as a workplace of an artist and shall include but not limited to a painter, sculptor or photographer.
- (i) **“Attainable Residential Unit”** has the meaning ascribed to it in the Act.
- (j) **“Background Study”** means the Development Charges Background Study prepared by Watson & Associates Economists Ltd., dated December 21, 2023, as amended by the Addendum to the December 21, 2023 Development Charges Background Study prepared by Watson & Associates Economists Ltd., dated March 28, 2024, as adopted by Council;
- (k) **“Back-to-back Townhouse Dwelling”** means a building containing four or more Residential Units vertically by a common wall, including a rear common wall, that do not have rear yards.
- (l) **“Back-to-back Townhouse Residential Unit”** means a Residential Unit within a Back-to-back Townhouse Dwelling.
- (m) **“Bedroom”** means a habitable room seven square metres or more, including a den, study, or other similar area, but does not include a living room, dining room or kitchen.
- (n) **“Board of Education”** means a board as defined in subsection 1(1) of the *Education Act 1997*, S.O. 1997, c.E.2.
- (o) **“Building”** means any structure or building as defined in the Building Code but does not include a vehicle.
- (p) **“Building Code”** means Ontario Regulation 332/12 made under the *Building Code Act, 1992*, S.O. 1992, c.23.
- (q) **“Business Improvement Areas”** or **“BIAs”** means the following business improvement areas approved by By-law 14-153 as amended:
  - (i) Ancaster BIA
  - (ii) Barton Village BIA

- (iii) Concession Street BIA
- (iv) Downtown Hamilton BIA
- (v) Dundas BIA
- (vi) International Village BIA
- (vii) King West BIA
- (viii) Locke Street BIA
- (ix) Main West Esplanade BIA
- (x) Ottawa Street BIA
- (xi) Stoney Creek BIA
- (xii) Waterdown BIA
- (xiii) Westdale BIA
- (r) **“By-law”** means, unless the context requires otherwise, this City of Hamilton By-law Number 24-072, including with all Schedules hereto, as amended from time to time.
- (s) **“Cannabis”** means:
  - (i) a cannabis plant;
  - (ii) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
  - (iii) any substance or mixture of substances that contains or has on it any part of such a plant; and
  - (iv) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
- (t) **“Cannabis Plant”** means a plant that belongs to the genus Cannabis.
- (u) **“Cannabis Production Facilities”** means a Building, or part thereof, designed, used, or intended to be used for one or more of the following: growing, cultivation, propagation, production, processing, harvesting, testing, alteration, destruction, storage, packaging, shipment or distribution

of cannabis where a licence, permit or authorization has been issued under applicable federal law but does not include a Building or part thereof solely designed, used, or intended to be used for retail sales of cannabis.

- (v) **“Class A Office Development”** means an Office Development with a minimum of 20,000 square feet of Gross Floor Area.
- (w) **“Class of Services”** means a grouping of services combined to create a single service for the purposes of this By-law and as provided in section 7 of the Act.
- (x) **“Combined Sewer System”** shall mean the area within the City of Hamilton that is depicted as the Combined Sewer System in Schedule “I”.
- (y) **“Commercial Parking”** means a Building, or part thereof, used for the parking of motor vehicles for compensation, but shall not include any parking spaces provided for Residential, Non-residential or Mixed Use Development required or permitted by the applicable City Zoning By-law.
- (z) **“Communications Establishment”** means a Building, or any part thereof, used for the broadcasting and production of information through various media, and shall include but not be limited to print, television, radio and electronic media and which may include facilities for the printing or broadcasting of information but shall not include a call centre.
- (aa) **“Community Improvement Project Areas”** or **“CIPAs”** means the following community improvement project areas approved by By-law 21-163 as amended:
  - (i) Ancaster Commercial District CIPA
  - (ii) Barton Village Commercial District CIPA
  - (iii) Binbrook Commercial District CIPA
  - (iv) Strategic Commercial Corridors CIPA
  - (v) Concession Street Commercial District CIPA
  - (vi) Downtown Hamilton Commercial District CIPA (Downtown CIPA)
  - (vii) Dundas Commercial District CIPA
  - (viii) Locke Street Commercial District CIPA
  - (ix) Mount Hope / Airport Gateway CIPA
  - (x) Ottawa Street Commercial District CIPA

- (xi) Stoney Creek Commercial District CIPA
- (xii) Waterdown Commercial District CIPA
- (xiii) Westdale Commercial District CIPA
- (bb) **“Council”** means the Council of the City of Hamilton.
- (cc) **“Current Use”** has the meaning ascribed to it in section 34.
- (dd) **“Development”** means the construction, erection, or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof or any development requiring any of the actions described in section 14 and includes redevelopment such as the conversion of the use of a building or structure to another use.
- (ee) **“Development Charge”** or **“Development Charges”** means the charges imposed by this By-law against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which this By-law applies.
- (ff) **“Existing Industrial Building”** shall have the same meaning as that term is defined under the Regulation, but, for clarity, shall only include Buildings for which a final inspection by a City building inspector has been conducted and passed, resulting in a finalized building permit.
- (gg) **“Existing Manufacturing Facility”** shall have the same meaning as Manufacturing Facility, but, for clarity, shall only include Buildings for which a final inspection by a City building inspector has been conducted and passed, resulting in a finalized building permit.
- (hh) **“Farm Labour Residence”** means a Residential Development constructed on Agricultural Land for the Farming Business operating thereon and not attached to any other Building, with sleeping, cooking, living and sanitary facilities, and used for seasonal, interim or occasional accommodations by full-time farm labourers. For greater certainty, a primary residence or year round residence shall not be considered a Farm Labour Residence.
- (ii) **“Farming Business”** means a business operating on Agricultural Land with a current Farm Business Registration Number issued pursuant to the *Farm Registration and Farm Organizations Funding Act, 1993*, S.O. 1993, c.21, and assessed in the Farmland Realty Tax Class by the Municipal Property Assessment Corporation.
- (jj) **“Full Kitchen”** means a kitchen which contains a fridge, stove and sink.

- (kk) **“Garden Suite”** has the same meaning as it has in subsection 39.1(2) of the *Planning Act*.
- (ll) **“Grade”** means the average level of proposed or finished ground adjoining a Building at all exterior walls.
- (mm) **“Gross Floor Area”** means:
- (i) in the case of a Non-residential Development, the total area of all Building floors above Grade measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls and centre line of firewalls dividing the non-residential use from another non-residential use, and includes the floor area of a mezzanine; or
  - (ii) in the case of a Mixed Use Development including both Residential Uses and Non-residential Uses, the total area of the Non-residential Use portion including all Building floors above Grade measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls and the centre line of firewalls dividing a Non-residential Use and a Residential Use; or
  - (iii) in the case of a Live / Work Unit, the total area of the Non-residential Use portion of the unit including all Building floors above Grade measured between the outside surfaces of the exterior walls or between the outside surfaces of exterior walls and the centre line of firewalls dividing the Live / Work Unit from any other Live / Work Unit, Residential Unit, Non-residential Use or Mixed Use Development.
- (nn) **“Hangar”** means a covered or enclosed Building used for housing and repairing aircraft within one thousand (1000) metres of an aerodrome as that term is defined in the *Aeronautics Act*, R.S.C., 1985, c.A-2. For the purposes of this By-law, hangars will be considered an industrial development.
- (oo) **“Industrial Development”** means a Building used, designed or intended for use for,
- (i) a Manufacturing Facility, or for storing or distributing something;
  - (ii) office, administrative, clerical, management, consulting, advisory or training purposes, if they are, carried out with respect to Manufacturing, storage or distributing of something, and are at the site which the Manufacturing, storage or distribution takes place; and
  - (iii) any use inside the Urban Area, that would, except for its location inside the Urban Area, be considered an Agricultural Use under this By-law.

Without limiting the generality of the foregoing, for the purpose of this By-law, Industrial Development also includes a warehouse, a Hangar and Cannabis Production Facilities but not a Communications Establishment, a Self-Storage Facility and warehouse club.

- (pp) **“Institutional Development”** has the meaning ascribed to it in section 11.1 of the Regulation.
- (qq) **“Live / Work Unit”** means a Building, or part of thereof, which contains, or is intended to contain, both a Residential Unit and Non-residential areas and which is intended for both Residential Use and Non-residential Use concurrently and shares a common wall or floor with or without direct access between the Residential and Non-residential areas.
- (rr) **“Local Board”** means any municipal service board, municipal business corporation, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any act with respect to the affairs or purposes of the City, excluding a school board, a conservation authority, any municipal business corporation not deemed to be a local board under O. Reg 168/03 under the *Municipal Act*, 2001, S.O. 2001, c.25.
- (ss) **“Local Service Policy”** means the Local Service Policy attached as Appendix “E” in the Background Study.
- (tt) **“Lodging House”** means a building that is used or designed to provide four or more lodging units, which may share common areas of the building other than the lodging unit and do not appear to function as a single housekeeping unit and does not include a Residential Facility.
- (uu) **“Lodging Unit”** means a room or set of rooms located in a lodging house designed or intended to be used for sleeping and living accommodation, which:
  - (i) is designed for the exclusive use of the resident or residents of the unit;
  - (ii) is not normally accessible to persons other than the resident or residents of the unit; and,
  - (iii) may contain either a bathroom or Full Kitchen but does not contain both for the exclusive use of the resident or residents of the unit.
- (vv) **“Lot”** means a lot, block or parcel of land which can be legally and separately conveyed pursuant to section 50 of the *Planning Act* and includes a development having two or more lots consolidated under a single ownership.

- (ww) **“Manufacturing”** includes the terms manufacturing, producing and processing, and means the transfiguration of materials or substances into new products, where the establishment occupying the Building is classified in industry sector Manufacturing, code 31-33 of the North American Industry Classification System (NAICS) Canada 2022 Version 1.0.
- (xx) **“Manufacturing Facility”** means a Building, or part thereof, used, designed, or intended for use for, or in connection with Manufacturing and shall also include the following:
- (i) Research and development in connection with manufacturing;
  - (ii) Retail sales by a manufacturer of something they manufactured if the retail sales are at the site which the manufacturing takes place; and,
  - (iii) Office, administrative, clerical, management, consulting, advisory or training purposes, if they are, carried out with respect to manufacturing, and are at the site which the Manufacturing takes place.
- (yy) **“Medical Clinic”** means a Building, or part thereof, which is used by health professionals for the purpose of consultation, diagnosis and / or treatment of persons and shall include but not be limited to laboratories, dispensaries or other similar facilities, but shall not include overnight accommodation for in-patient care resulting from surgery.
- (zz) **“Mixed Use Development”** means a Building used, designed or intended for use for both Residential and Non-residential Uses.
- (aaa) **“Mobile Home”** means a Building recognized in the Building Code as a “Mobile Home” in accordance with the standard for mobile homes in CSA Z240.2.1 “Structural requirements for Manufactured Homes” or CSA A277 “Procedures for Factory Certification of Buildings”.
- (bbb) **“Multiple Unit Dwelling”** means a Building consisting of two or more Residential Units attached by vertical and / or horizontal wall or walls other than a Single Detached Dwelling, Semi-detached Dwelling, Apartment Dwelling, Stacked Townhouse Dwelling, Residential Facility Dwelling or Lodging House. Multiple Unit Dwelling includes, but is not limited to, Townhouse Dwelling, Back-to-back Townhouse Dwelling, and the portion of a Live/Work Unit intended to be used exclusively for living accommodations for one or more individuals.
- (ccc) **“Municipal Boundary”** means the municipal boundary as identified in Schedule “F.”

- (ddd) **“Non-industrial Development”** means any non-residential Building which is not an Industrial Development and without limiting the generality of the foregoing, Non-industrial Development includes commercial and retail buildings, Office Development, Class A Office Development, Institutional Development, the portion of a Live / Work Unit that is not intended to be used exclusively for living accommodations for one or more individuals, a hospital that is approved under *Public Hospitals Act*, R.S.O. 1990, c. P. 40, and R.R.O. 1990, Regulation 964 as a public hospital, Short Term Accommodation, a Self-Storage Facility, a Retail Greenhouse, a Place of Worship, a Medical Clinic, an Artist Studio, a Production Studio and Commercial Parking.
- (eee) **“Non-residential Development”** or **“Non-residential Use”** is any development other than a Residential Development or Residential Use.
- (fff) **“Occupants”** means the residents of a Residential Facility.
- (ggg) **“Office Development”** means a Building, or part thereof, in which management, clerical, administrative, consulting, advisory or training services are offered or performed, but shall not include a Medical Clinic or any part of an Industrial Development
- (hhh) **“Place of Worship”** means a Building, or any part thereof, owned and occupied by a church or religious organization used for religious services, ceremonies or other religious practices, or for the purposes of a the burial or entombment of the remains of deceased individuals and which is which is or would be classified as exempt from taxation in accordance with subsection 3(1)3 of the *Assessment Act*, R.S.O. 1990, Chapter A.31, but does not include a Building or any part thereof, owned by a church or religious organization and used for any other purpose including without limiting the generality of the foregoing any uses which generate revenue for the church or religious organization.
- (iii) **“Planning Act”** means the *Planning Act*, R.S.O. 1990, c. P. 13.
- (jjj) **“Production Studio”** means a Building, or any part thereof, used for the creation and production of motion pictures or audio or video recordings and the associated warehousing, prop and set design and storage or used for digital media uses such as animation studio, and associated software development and processing, but shall not include the mass reproduction of film.
- (kkk) **“Protected Heritage Property”** means a property that is designated under Part IV of the *Ontario Heritage Act*, subject to a Heritage Easement under Part II of the *Ontario Heritage Act*, subject to a Heritage Easement under Part IV of the *Ontario Heritage Act*, or subject to a covenant or agreement on title held between the property owner and a conservation authority or level of government in the interest of conserving built heritage.

- (lll) **“Redevelopment”** means the construction, erection or placing of one or more Buildings on land where all or part of a Building has previously been or will be, in accordance with a demolition agreement entered into with the City, demolished on such land, or changing the use of a Building from a Residential Development to a Non-residential Development or from a Non-residential Development to a Residential Development, or changing a Building from one form of Residential Development to another form of Residential Development or from one form of Non-residential Use to another form of Non-residential Use and including any development or redevelopment requiring any of the actions described in section 14.
- (mmm) **“Regulation”** means Ontario Regulation 82/98 under the Act.
- (nnn) **“Rental Housing”** has the meaning as ascribed to it in section 1 of the Act.
- (ooo) **“Residential Development”** or **“Residential Use”** means:
- (i) a Single Detached Dwelling;
  - (ii) a Semi-detached Dwelling;
  - (iii) a Residential Facility;
  - (iv) a Lodging House;
  - (v) a Mobile Home;
  - (vi) a Multiple Unit Dwelling;
  - (vii) a Stacked Townhouse Dwelling;
  - (viii) an Apartment Dwelling;
  - (ix) Garden Suite; or
  - (x) the portion of a Mixed-use Development comprised of any Residential Units and any areas intended to be used exclusively by the residents of the Residential Units,
- but does not include any Buildings used or designed to be used for use as Short Term Accommodation.
- (ppp) **“Residential Facility”** means a Building or part thereof containing four or more rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level and:

- (i) where the Occupants have the right to use, in common: halls, stairs, yards, common rooms and accessory buildings;
- (ii) which may or may not have exclusive sanitary facilities for each occupant;
- (iii) which does not have exclusive Full Kitchen facilities for each occupant; and
- (iv) where support services such as meal preparation, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels,

and excludes any part of the Building used or occupied for uses not exclusively related to the Occupants.

- (qqq) **“Residential Unit”** means a room or suite of rooms used, or designed or intended for use by one or more persons living together as a single housekeeping unit in which culinary and sanitary facilities are provided for the exclusive use of such person or persons.
- (rrr) **“Retail Greenhouse”** means a Building, that is made primarily of translucent building material, used, designed or intended to be used for the sale and display of plants products grown or stored therein gardening supplies and equipment, or landscaping supplies and equipment.
- (sss) **“Self-Storage Facility”** means a Building primarily used in renting or leasing space for self-storage. These Buildings provide secure space (rooms, compartments, lockers, containers or outdoor space) where clients can store and retrieve their goods.
- (ttt) **“Semi-detached Dwelling”** means a Building consisting of two Residential Units attached by a vertical wall or walls, each of which has a separate entrance or access to grade.
- (uuu) **“Separated Sewer System”** means the area within the City of Hamilton that is contained inside the Urban Area and outside the area depicted as the Combined Sewer System in Schedule “I”.
- (vvv) **“Services”** means services designated in Schedules “A” through “E” of this By-law; or designated in an agreement under section 44 of the Act.
- (www) **“Short Term Accommodation”** means a Building designed or used or designed or intended for use as a temporary rental sleeping accommodation for travellers and shall include but not be limited to a motel, motor hotel, hotel or an apartment hotel.

- (xxx) **“Single Detached Dwelling”** means a Building containing one Residential Unit and not attached to another Building, whether or not the Single Detached Dwelling is situated on a single lot.
- (yyy) **“Special Area Development Charge”** or **“Special Area Development Charges”** means the charges imposed by this By-law against land to pay for increased capital costs required because of increased needs for the Services arising from development of the area to which this By-law applies.
- (zzz) **“Stacked Townhouse Dwelling”** means a Building containing four or more Residential Units which are horizontally and vertically separated in a split level or stacked manner, where each Residential Unit egresses directly outside to grade (no egress to a common corridor).
- (aaaa) **“Stacked Townhouse Residential Unit”** means a Residential Unit within a Stacked Townhouse Dwelling.
- (bbbb) **“Temporary Building or Structure”** means a non-residential Building without a foundation which is constructed, erected or placed on land for a continuous period of time not exceeding one year, or a like addition or alteration to an existing Building or an existing structure that has the effect of increasing the usability thereof for a continuous period not exceeding one year.
- (cccc) **“Townhouse Dwelling”** means a Building divided vertically into three or more Residential Units, by common walls which prevent internal access between units where each Residential Unit egresses directly outside to grade.
- (dddd) **“Townhouse Residential Unit”** means a Residential Unit within a Townhouse Dwelling.
- (eeee) **“Urban Area A”** means the lands within Urban Area A, identified in Schedule “G” and which are not subject to any expansion resulting from an amendment to the urban boundary in the Urban Hamilton Official Plan.
- (ffff) **“Urban Area B”** means any lands added to the Urban Area as a result of any amendment to the Urban Hamilton Official Plan expanding the Urban Area beyond Urban Area A.
- (gggg) **“Urban Area”** means the area within the City that is identified as the urban area in Schedule E of the Urban Hamilton Official Plan, as amended.
- (hhhh) **“Zoning By-law”** means Zoning By-laws Nos. 05-200, 87-57, 3581-86, 90-145-Z, 464, 6593, 3692-92 and any subsequent City zoning by-law as applicable based on development type and development location within the City.

2. Any defined term in the Act or Regulation that has not been defined in section 1 of this By-law, has the meaning given to it in the Act or Regulation.
3. The basis of the Development Charges imposed by this By-law is the Background Study and the application and interpretation of this By-law shall be consistent with the Background Study. Recommendations for exemptions in the Background Study not included in this By-law are irrelevant to the application and interpretation of this By-law.
4. Any non-residential use which has not been specified in this by-law shall be determined to be either industrial or non-industrial according to where the use falls within Schedule 10 of the Background Study,
  - (a) Primary Industry Employment and Industrial and Other Employment shall be Industrial;
  - (b) Population related Employment and Institutional shall be Non-industrial.
5. Any reference in this By-law to any statute, or regulation, City of Hamilton By-law or City of Hamilton official plan or any section of any statute, or regulation, City of Hamilton By-law or City of Hamilton official plan shall, unless otherwise expressly stated, be deemed to be a reference to such statute, regulation, City of Hamilton By-law or City of Hamilton official plan or section as amended, restated or re-enacted from time to time and to any successor statute, regulation, City of Hamilton By-law or City of Hamilton official plan. If any statute, regulation or City of Hamilton By-law is repealed or section thereof is repealed or removed and not replaced, this By-law shall be deemed to not include a reference to such statute, regulation, City of Hamilton By-law or section.
6. Unless otherwise indicated, references in this By-law to sections and schedules are to sections and schedules of this By-law.
7. In this By-law "herein", "hereof", "hereto" and "hereunder" and similar expressions refer to this By-law.

### **Schedules**

8. The following schedules to this By-law form an integral part of this By-law:

Schedule "A": Full Rate City Wide Development Charges

Schedule "B": Full Rate Development Charges for Wastewater Facilities and Linear Services

Schedule "C": Full Rate Development Charges for Water Services

Schedule “D”: Full Rate Development Charges for Stormwater Drainage and Control Services

Schedule “E”: Full Rate Special Area Development Charges

Schedule “F”: Municipal Boundary Map

Schedule “G”: Urban Area A and Municipal Boundary Map

Schedule “H”: Urban Area and Municipal Boundary Map

Schedule “I”: Combined Sewer System Area and Municipal Boundary Map

Schedule “J”: Dundas / Waterdown Special Area Development Charge Map

### **Lands Affected**

9. This By-law applies to all land within the City of Hamilton.

### **Phasing and Amount of Charge**

10. The development of land in the City of Hamilton is also subject to City of Hamilton By-law 11-174, as amended, and any additional Development Charges By-laws that may be enacted by the Council of the City of Hamilton.

11.

(a) Subject to subsection 11(i), for all city wide Services / Classes of Services, where there is Development of land within the Municipal Boundary, the Development Charges payable pursuant to this By-law shall be the Development Charges set out in Schedule “A” to this By-law.

(b) Subject to subsection 11(i), for wastewater facilities and linear services, where there is Development of land within Urban Area A or Urban Area B, the Development Charges payable pursuant to this By-law shall be the Development Charges set out in Schedule “B” to this By-law.

(c) Subject to subsection 11(i), for water services, where there is Development of land within Urban Area A or Urban Area B, the Development Charges payable pursuant to this By-law shall be the Development Charges set out in Schedule “C” to this By-law.

(d) Subject to subsection 11(i), for stormwater drainage and control services, where there is Development of land within the Urban Area, the Development Charges payable pursuant to this By-law shall be the Development Charges set out in Schedule “D” to this By-law.

- (e) Subject to any applicable exemption set out in this By-Law, and subsection 11(i), where there is Development of land within those areas of Dundas and Waterdown delineated on Schedule “J” to this By-law, the Special Area Development Charges payable pursuant to this By-law shall be the Special Area Development Charges as shown on Schedule “E” to this By-law. Special Area Development Charges shall apply in addition to any other Development Charge payable under this By-law.
- (f) Subject to subsection 11(i), where there is Development of land outside of Urban Area A and Urban Area B and, where a connection of a Building in the Development to the wastewater facilities and linear services is proposed, the applicable charge set out in Schedule “B” for Urban Area A shall be applied to the said Development as a Development Charge.
- (g) Subject to subsection 11(i), where there is Development of land outside of Urban Area A and Urban Area B and, where a connection of a Building in the Development to water services is proposed, the applicable charge set out in Schedule “C” for Urban Area A shall be applied to the said Development as a Development Charge.
- (h) Subject to subsection 11(i), where there is Development of land outside of the Urban Area and, where a connection of a Building in the Development to stormwater drainage and control services is proposed, the applicable charge set out in Schedule “D” shall be applied to the said Development as a Development Charge.
- (i) The amount of the Development Charges described in section 11 of this By-law shall be reduced in accordance with any required reduction in subsection 5(8) of the Act as said subsection reads on the date of passage of this By-law and if subsection 5(8) of the Act is amended or repealed after the passage of this By-law, the Development Charges shall be calculated in accordance with any such amendments or repeal to subsection 5(8). Any other reductions and / or exemptions applicable provided in this By-law or otherwise shall be applied to Development Charges net of any required reduction provided for in this subsection 11(i).

### **Designation of Services / Class of Services**

- 12. All Development of land within the area to which this By-law applies will increase the need for Services / Class of Services.
- 13. The Development Charges applicable to a Development as determined pursuant to this By-law shall apply without regard to the Services / Class of Services required or used by an individual Development. It is not necessary that the amount of the Development Charges for a particular Development be limited to an increase in capital costs, if any, that are attributable to that particular development.

### **Approvals for Development**

14. The Development of land is subject to a Development Charge where the Development requires the following:
  - (a) the passing of a zoning By-law or an amendment thereto under section 34 of the *Planning Act*,
  - (b) the approval of a minor variance under section 45 of the *Planning Act*,
  - (c) a conveyance of land to which a By-law passed under subsection 50(7) of the *Planning Act* applies;
  - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*,
  - (e) a consent under section 53 of the *Planning Act*,
  - (f) the approval of a description under section 9 of the *Condominium Act* 1998, S.O. 1998, c.19; or
  - (g) the issuance of a permit under the *Building Code Act*, 1992, S.O. 1992, c.23 in relation to a building or structure.
15. Where two or more of the actions described in section 14 of this By-law occur at different times, or a second or subsequent building permit is issued resulting in increased, additional or different Development, then additional Development Charges shall be imposed in respect of such increased, additional, or different Development permitted by that action.
16. Where a Development requires an approval described in subsections 14(a) to 14(f) of this By-law after the issuance of a building permit and no Development Charges have been paid, then the Development Charges shall be paid prior to the granting of any approval required under subsections 14(a) to 14(f) of this By-law.
17. Where a Development does not require a building permit but does require one or more of the approvals described in subsections 14(a) to 14(f) of this By-law, then, notwithstanding sections 37 and 38 of this By-law, Development Charges shall be payable and paid prior to the granting of any approval required under subsections 14(a) to 14(f) of this By-law.
18. Nothing in this By-law prevents Council from requiring, in a condition of an approval or an agreement respecting same under section 51 of the *Planning Act* or as a condition of consent or an agreement respecting same under section 53 of the *Planning Act* that the owner, at his or her own expense, shall install such local services related to or within a plan of subdivision, as Council may require, in accordance with the City's applicable Local Services Policies in effect at this time.

### **Calculation of Development Charges**

19. A Development Charge imposed pursuant to this By-law shall, subject to any other applicable provision hereof, be calculated as follows:
- (a) Subject to (i), (ii) and (iii) below, in the case of Residential Development or the residential portion of Mixed Use Development, or the residential portion of a Live / Work Unit, based on the number and type of Residential Units:
    - (i) in the case of a Residential Facility or Lodging House based upon the number of bedrooms;
    - (ii) subject to (iii) below, in the case of a Residential Unit containing six or more Bedrooms, the sixth and any additional Bedroom shall be charged at the applicable Residential Facility rate; or
    - (iii) in the case of an Apartment Residential Unit containing six or more Bedrooms, then the following applies: (A) the applicable “apartment 2 bedroom +” rate shall apply to the Residential Unit and the first five Bedrooms; and (B) the applicable Residential Facility rate shall apply to the sixth Bedroom and each additional Bedroom;
  - (b) in the case of Non-residential Development based upon the Gross Floor Area of such Development measured in square feet;
  - (c) in the case of the Non-residential Use portion of a Mixed Use Development, based upon the Gross Floor Area of the Non-residential Use component measured in square feet; and
  - (d) in the case of the Non-residential Use portion of a Live / Work Unit, based upon the Gross Floor Area of the Non-residential Use component of such Development measured in square feet.
20. Subject to the provisions of this By-law, Development Charges against land are to be calculated and collected in accordance with the Services and rates set out in Schedules “A” through “E” to this By-law.

### **Development Charge Applicability**

21. No Development Charge shall be imposed on any Building owned by and used for the purposes of:
- (a) the City of Hamilton;
  - (b) a Board of Education;
  - (c) a local board; or,
  - (d) CityHousing Hamilton.

### **Industrial Development Exemptions**

22. No Development Charge shall be imposed on one or more enlargements of an Existing Industrial Building, up to a maximum of fifty percent (50%) of the Gross Floor Area of the Existing Industrial Building.
23. Where a proposed enlargement exceeds fifty percent (50%) of the Gross Floor Area of an Existing Industrial Building, Development Charges are payable on the amount by which the proposed enlargement exceeds fifty percent (50%) of the Gross Floor Area before the enlargement.
24. The cumulative total of the Gross Floor Area previously exempted hereunder shall be included in the determination of the amount of the exemption applicable to any subsequent enlargement.
25. Where a subdivision of a lot or parcel of land subsequent to any enlargement previously exempted hereunder results in the existing industrial Building being on a lot or parcel separate from the Development previously, further exemptions, if any, pertaining to the existing industrial Building shall be calculated on the basis of the lot or parcel of land as it exists at the time of said enlargement.

#### **Other Exemptions from Development Charges**

26. Exemptions or partial exemptions or reductions in accordance with the Act or any other Province of Ontario legislation will be applied.
27. Notwithstanding any other provision of this By-law, no Development Charges are imposed under this By-law respecting;
  - (a) a Building, or part thereof, used for parking but excluding a building or part thereof used for Commercial Parking;
  - (b) an Agricultural Use;
  - (c) a Place of Worship;
  - (d) a Temporary Building or Structure, subject to section 36; and,
  - (e) a Farm Labour Residence.

#### **Downtown CIPA Partial Exemption**

28. Notwithstanding any other provision of this By-law, the Development Charges payable under this By-law respecting Class A Office Development within the boundaries of the Downtown CIPA shall be reduced by 70% after all credits, partial exemptions and other exemptions are applied under this By-law, for only the portion of the Class A Office Development that is within the height restrictions as shown in Schedule F – Figure 1 of City Zoning By-law 05-200 as it read prior to any amendment thereto applicable to the particular development to which the

Development Charges are payable and any Development in excess of said height restrictions shall be subject to the full calculated Development Charge.

29. Notwithstanding any other provision of this By-law, all Non-Industrial Development, Industrial Development and the Non-residential component of Mixed Use Development within the boundaries of the Downtown CIPA as shown in By-law 21-163, as amended, is exempt from 40% of Development Charges payable under this By-law.

The development charges payable under this By-law respecting Non-Industrial Development, Industrial Development and the Non-residential component of Mixed Use Development, other than Class A Office Development, within the boundaries of the Downtown CIPA shall be reduced after all credits, partial exemptions and other exemptions are applied under this By-law, for only the portion of the Building that is within the height restrictions as shown in Schedule F – Figure 1 of City Zoning By-law 05-200 as it read prior to any amendment thereto applicable to the particular development to which the Development Charges are payable and any Development in excess of said height restrictions shall be subject to the full calculated Development Charge.

30. Notwithstanding any other provision of this By-law, the Development Charges payable under this By-law respecting all Residential Development within the boundaries of the Downtown CIPA shall be reduced after all credits, partial exemptions and other exemptions are applied:

- (a) by the percentages;
- (b) for the time periods;
- (c) for the types of applications; and;
- (d) as of the date, identified in the following Table 1:

Table 1: Downtown Hamilton CIPA Partial Exemption

Date	Percentage of reduction (%)
June 1, 2024 to May 31, 2025	40
June 1, 2025 to May 31, 2026	35
June 1, 2026 to May 31, 2027	30
June 1, 2027 to May 31, 2028	20
June 1, 2028 to May 31, 2029	10
June 1, 2029 to May 31, 2034	0

The Development Charges payable under this By-law respecting all Residential Development within the boundaries of the Downtown CIPA shall be reduced after all credits, partial exemptions and other exemptions are applied under this By-law, for only the portion of the Building that is within the height restrictions as shown in Schedule F – Figure 1 of City Zoning By-law 05-200 as it read prior

to any amendment thereto applicable to the particular development to which the Development Charges are payable and any Development in excess of said height restrictions shall be subject to the full calculated Development Charge.

31. The partial exemptions in sections 28, 29 and 30 shall not apply in addition to the exemptions, partial exemptions or reductions in section 27 or subsections 32(a) to (e). The partial exemptions provided in sections 28, 29 and 30 shall only apply if the amount of exemption is greater than the exemptions, partial exemptions or reductions provided under section 27 or subsections 32(a) to (e), individually or cumulatively. If the exemptions, partial exemptions or reductions under section 27 or subsections 32(a) to (e) are greater, individually or cumulatively, than the partial exemptions which could be provided under sections 28, 29 and 30, no partial exemptions pursuant to sections 28, 29 and 30 shall apply. For the purpose of this section, the Residential Use and Non-residential Use portion of a Mixed Use Development may be viewed as independent of one another and the exemption under this By-law that provides the greatest reduction in Development Charges payable shall be applied to each use.

### **Other Partial Exemptions**

32. Notwithstanding any other provision of this By-law, the Development Charges payable under this By-law respecting the following types of Development will be partially exempt from Development Charges under this By-law in the manner and to the extent set out below:
- (a) for any Non-industrial Development other than an expansion, within the boundaries of the CIPAs or BIAs, and for any Office Development other than an expansion anywhere in the City, Development Charges shall be imposed as follows:
    - (i) 50% of the applicable Development Charge on the first 5,000 square feet;
    - (ii) 75% of the applicable Development Charge for each square foot in excess of 5,000 square feet and under 10,000 square feet;
    - (iii) 100% of the applicable Development Charge on the amount of Development exceeding 10,000 square feet.

Where Development has been exempted pursuant to this subsection, the exemption set out in subsection 32(b) below does not apply to any subsequent expansion on such Development.

- (b) the initial 5,000 square feet of Gross Floor Area of an Office Development expansion, whether attached or unattached to an existing Office Development, shall be exempted from the payment of Development Charges provided that:
  - (i) the office development has not had the exemption in subsection 32(a) previously applied to it under this By-law;

- (ii) the Office Development has not been the subject of any exemptions or partial exemptions from the payment of Development Charges under any other Development Charges By-laws which are no longer in force;
  - (iii) where unattached to an existing Office Development, the expansion must be situated on the same site as the existing Office Development; and,
  - (iv) where, subsequent to an unattached expansion exempted hereunder, the Lot is further subdivided such that the original existing Office Development and the unattached expansion thereof are no longer situated on the same Lot, further exemptions pursuant to this section, if any, shall only be calculated on the basis of the Office Development and the Lot as they existed on the date of the first exemption.
- (c) Redevelopment of an existing Residential Development for the purpose of creating Residential Facilities or Lodging Houses within the existing building envelope is exempt from 50% of the Development Charge otherwise payable pursuant to this By-law.
- (d) Redevelopment of an existing Residential Facility or Lodging House for the purpose of creating additional bedrooms in a Residential Facility or Lodging House within the existing building envelope shall be exempt from 50% of the Development Charge payable pursuant to this By-law. Notwithstanding anything else contained in this By-law, save and except subsection 33(e) and subsection 35(d), the credit applicable to any such Redevelopment shall be based on 100% of the applicable Residential Facility rate or Lodging House rate according to sections 52 and 54 for the said redevelopment within the meaning of section 35 of this By-law.
- (e) the Adaptive Reuse of the part of a building on a Protected Heritage Property that contains:
- (i) heritage attributes that are the subject of designation under Part IV of the *Ontario Heritage Act*;
  - (ii) features subject to a Heritage Easement under Part II of the *Ontario Heritage Act*;
  - (iii) features subject to a Heritage Easement under Part IV of the *Ontario Heritage Act*; or
  - (iv) features subject to a covenant or agreement on title held between the property owner and a conservation authority or level of government in the interest of conserving,
- is exempted from Development Charges.

- (f) The Development Charge for a Production Studio, Artist Studio and Manufacturing Facility shall be reduced by 37%.
- (g) The Development Charge for an Industrial Development other than a Manufacturing Facility shall be reduced:
  - (i) by the percentages;
  - (ii) for the time periods;
  - (iii) for the types of applications; and;
  - (iv) as of the date, identified in the following Table 2:

Table 2: Development Charges Reduction for an Industrial Development other than a Manufacturing Facility

Date	Percentage of reduction (%)
June 1, 2024 to May 31, 2025	37
June 1, 2025 to May 31, 2026	32
June 1, 2026 to May 31, 2027	27
June 1, 2027 to May 31, 2028	22
June 1, 2028 to May 31, 2029	17
June 1, 2029 to May 31, 2030	12
June 1, 2030 to May 31, 2031	7
June 1, 2031 to May 31, 2032	2
June 1, 2032 to May 31, 2034	0

- (h) No Development Charge shall be imposed on one or more Manufacturing Facilities on the same lot or parcel of land as one or more Existing Manufacturing Facilities but not attached thereto, up to a maximum of fifty percent (50%) of the combined Gross Floor Area of the Existing Manufacturing Facilities.
- (i) Where lands are merged or otherwise added to a lot or parcel of land after July 16, 2018, the exemption in subsection 32(h) shall only be available to Development on the lot or parcel of land as it existed as of July 16, 2018 and the exemption in subsection 32(h) shall not apply to any Development on lands that were merged with or added to a lot or parcel of land after July 16, 2018.

**Rules with Respect to Redevelopment – Demolitions**

33. In the case of the demolition of all or part of a Building:

- (a) a credit shall be allowed against the Development Charges otherwise payable pursuant to this By-law, provided that a building permit has been issued for the Redevelopment within five years of the issuance date of the demolition permit on the same land and may be extended by the General Manager of Finance

and Corporate Services either for Developments located outside the Urban Area or for Developments where it has been determined by the General Manager of Planning and Economic Development that significant development delays were not the responsibility of the developer, or may be otherwise extended by Council;

- (b) the credit shall be calculated at the time Development Charges are due for the Redevelopment as follows:
  - (i) for the portion of the Building used for Residential Uses, by multiplying the applicable Development Charge under section 11 of this By-law by the number, according to type, of the Residential Units that have been or will be demolished as supported by a demolition agreement; and
  - (ii) for the portion of the Building used for Non-residential Uses, by multiplying the applicable Development Charge under section 11 of this By-law, according to type of Non-residential Use, by the Gross Floor Area that has been or will be demolished as supported by a demolition agreement;
- (c) without limiting the generality of the foregoing, the credit for the demolished building shall be reduced or eliminated by the amount of any exemption, partial exemption or other reduction provided under this By-law applicable to the demolished use as if the demolished Building were being assessed as new development under this By-law;
- (d) without limiting the generality of the foregoing, no credit shall be allowed for demolished Buildings, or parts thereof, that would have been exempted pursuant to subsection 32(e); and
- (e) the amount of any credit pursuant to this section shall not exceed, in total, the amount of the Development Charges otherwise payable pursuant to this By-law with respect to the Redevelopment.

#### **Rules with Respect to Redevelopment – Conversions**

- 34. When Redevelopment involves the conversion of the use of an existing Building from one use to another use the existing use of the Building preceding the conversion (the “Current Use”) shall be determined as follows:
  - (a) If the existing use is subject to the payment of Development Charges under this By-law it shall be deemed to be the Current Use;
  - (b) If the existing use is a use fully exempt from the payment of Development Charges but was preceded by a use of the existing Building that is subject to the payment of Development Charges under this By-law the preceding use of the Building shall be deemed to be the Current Use of the Building and any additions to the Building during its time of use as a use fully exempt from Development Charges under this By-law shall not be considered to be part of the Current Use of the Building; or,

- (c) If the existing use is a use fully exempt from the payment of Development Charges and there was no preceding use of the existing Building it shall be deemed to be the Current Use.
35. Where an existing Building is converted in whole or in part from its Current Use to a different use,
- (a) the amount of Development Charges payable shall be reduced by the amount, calculated pursuant to this By-law at the current Development Charges rates in respect of the Current Use;
  - (b) the Current Use shall be the use as confirmed through the City's Building Division and related permit records. If such records are not available, the Current Use shall be determined using property tax records or such other City records as may be available;
  - (c) for greater certainty, and without limiting the generality of the foregoing, the credit for the converted building shall be reduced or eliminated by the amount of any exemption, partial exemption or other reduction provided under this By-law applicable to the Current Use as if the converted Building were being assessed as new development under this By-law; and
  - (d) the amount of any credit pursuant to this section shall not exceed, in total, the amount of the Development Charges otherwise payable pursuant to this By-law with respect to the Redevelopment.

### **Temporary Buildings or Structures**

36. Where an application is made for the issuance of a permit under the Building Code in relation to a Temporary Building or Structure, the Chief Building Official, or his or her delegate, may, as a condition of the issuance of the said permit, require that the owner of the land enter into an agreement with the City pursuant to section 27 of the Act and sections 40 to 46 of this By-law and submit security satisfactory to the General Manager of Finance and Corporate Services and the City Solicitor, to be realized upon in the event that the Temporary Building or Structure remains on the land for more than one year, or any other time as may be set out in the said agreement or security, from the date of the construction or erection thereof. A Temporary Building or Structure that has not been removed or demolished by the first anniversary of its construction or erection on the land, or by the date specified in an agreement, shall be deemed not to be, nor ever to have been, a Temporary Building or Structure and Development Charges under this By-law shall become due and payable forthwith and the City may draw upon any security as payment for the Development Charges payable.

### **Collection of Development Charges**

37. Subject to the provisions of sections 39 to 46, Development Charges are payable at the time a building permit is issued with respect to a Development.
38. Despite section 37, a Development Charge in respect of any part of a Development that consists of a type of Development set out in subsection 26.1(2) of the Act, is payable in accordance with section 26.1 of the Act, including interest as per the City's Development Charge Interest Policy FPAP-DC-002 as may be revised from time to time, for so long as section 26.1 of the Act remains in force and effect.

### **Prepayment or Deferral Agreements**

39. For developments under subsection 26.1(2) of the Act only, the General Manager of Finance and Corporate Services may authorize in writing, in accordance with section 27 of the Act, and subject to the eligibility criteria as set out by the General Manager of Finance and Corporate Services, an agreement with a person to permit, on such terms as the General Manager of Finance and Corporate Services may require, the payment of the Development Charges as early as building permit issuance.
40. Save as otherwise specified in this By-law, and for Non-residential Development, a Mixed Use Development, a Residential Facility, a Lodging House or an Apartment Dwelling only, the General Manager of Finance and Corporate Services may authorize in writing, in accordance with section 27 of the Act, and subject to the eligibility criteria as set out by the General Manager of Finance and Corporate Services, an agreement with a person to permit, on such terms as the General Manager of Finance and Corporate Services may require, including the payment of interest by such person, and for an initial term no longer than five years, the payment of the Development Charge before or after it is otherwise payable under this By-law. The General Manager of Finance and Corporate Services may, on such terms as the General Manager of Finance and Corporate Services may require, including the payment of interest by such person, extend the initial term by no more than two years.
41. Notwithstanding section 40 above, for any Development that has been approved by the City for an ERASE Redevelopment Grant, or any successor thereof, the General Manager of Finance and Corporate Services may authorize in writing, in accordance to section 27 of the Act, an agreement with a person to permit, on such terms as the General Manager of Finance and Corporate Services may require, without interest, the payment of a portion or all of the Development Charge after it is otherwise payable under this By-law for an amount not to exceed the amount of the approved ERASE Grant and for a period of time not to exceed the date on which the final payment of the approved ERASE Redevelopment Grant will be made.
42. Notwithstanding section 40 above, the General Manager of Finance and Corporate Services may, relating to a Development that consists of one building that requires more than one building permit, authorize in writing, in accordance with section 27

of the Act, an agreement to permit, on such terms as the General Manager of Finance and Corporate Service may require, including the payment of instalments related to subsequent building permits and interest by such person and for a term no longer than five years, the payment of the Development Charge after it is otherwise payable under this By-law.

43. Notwithstanding section 40 above, Council may authorize an agreement with a hospital that is approved under *Public Hospitals Act*, R.S.O. 1990, c. P. 40, and R.R.O. 1990, Regulation 964 as a public hospital to permit, on such conditions as Council may require, including the payment of interest, and for a term no longer than 10 years, the payment of the Development Charge after it is otherwise payable under this By-law.
44. Notwithstanding section 40 above, Council may authorize an agreement with a university or other post-secondary school offering a degree or diploma recognized by the Province of Ontario, on such conditions as Council may require, including the payment of interest, and for a term no longer than 30 years, the payment of the Development Charge after it is otherwise payable under this By-law.
45. The General Manager of Finance and Corporate Services shall have the authority to execute any agreements authorized by sections 39 to 44 and any ancillary or subsidiary documentation related to any such agreement or necessary to give effect to the authority delegated in sections 39 to 44.
46. The General Manager of Finance and Corporate Services shall be authorized to direct the City Solicitor to commence legal proceedings and enter into agreements to ensure the collection of amounts deferred under sections 40 to 44 of this By-law and under section 27 of the Act and the General Manager of Finance and Corporate Services shall be authorized to execute any such agreements and ancillary documentation.

#### **Credit for Services-in-lieu Agreement**

47. In accordance with sections 38, 39, 40 and 41 of the Act, a person may perform work that relates to a service to which this By-law applies, in return for a credit towards the Development Charges payable by the said person, by way of an agreement. No such credit shall exceed the total Development Charges payable by the person.

#### **Front-Ending Agreements**

48. Council may authorize a front-ending agreement in accordance with the provisions of Part III of the Act, upon such terms as Council may require, in respect of the Development of land.

#### **Administration of By-law**

49. This By-law shall be administered by the Corporate Services Department of the City of Hamilton.

### **Indexing**

50. The Development Charges set out in Schedule “A” through “D” of this By-law shall be adjusted annually without amendment to this By-law by the percentage change during the preceding year, as recorded in the Statistics Canada’s Building Construction price index, by type of building (non-residential building) (Table 18-10-0276-02) for the City of Toronto, as may be amended or replaced from time to time. This adjustment shall take place as follows:
- (a) the initial adjustment shall occur on June 1, 2024 at 12:01am, and
  - (b) thereafter, adjustment shall be made each year on June 1.

### **Reserve Fund Report**

51. The General Manager of Finance and Corporate Services shall, in each year prior to June 30 thereof, commencing June 30, 2025 for the 2024 year, furnish to Council a statement in respect of the reserve funds required by the Act for the Services / Classes of Services to which this By-law relates, for the prior year, containing the information as required by the Act and Regulation.

### **When Amount of Development Charge is Determined**

52. The amount of a Development Charge payable under this By-law shall be determined in accordance with section 26.2 of the Act and other provisions in the Act providing when the amount of the Development Charge is determined.
53. Interest on the total amount of Development Charges determined shall be charged as permitted by the Act to the date of building permit issuance in accordance with the City’s Development Charge Interest Policy FPAP-DC-003, as may be revised from time to time.
54. Where subsection 26.2(1)(a) and (b) of the Act do not apply, the Development Charges shall be calculated in accordance with the Act subject to the following reduction, if applicable. The Development Charge rates payable shall be the rates in effect on the date a complete building permit application is received and accepted by the City’s Chief Building Official, provided that the permit is issued within 6 months of the effective date of the first Development Charge rate increase following said building permit application. Where the said building permit is lawfully revoked by the Chief Building Official on or after the date of the said Development Charge rate increase, any subsequent application for a building permit on the lands or site will be subject to the Development Charge rate in effect on the date of building permit issuance. For the purposes of this section, a “complete application” means an application with all information and plans required as per the Ontario Building Code.

### **Overpayments and Underpayments**

55. Refunds or partial refunds of Development Charges that have been paid will be made without interest, including cases where a permit is cancelled and where the City has made an error in the calculation of the Development Charges which resulted in an overpayment to the City.
56. Additional payment of Development Charges shall be made where there has been an error in the calculation of the Development Charges which resulted in an underpayment of Development Charges. The amount of the difference between the corrected amount of Development Charges payable and the Development Charges paid shall be payable on demand and unpaid amounts will be added to the tax roll for the property in accordance with section 32 of the Act.

### **General**

57. This By-law may be referred to as the "*City of Hamilton Development Charges By-law, 2024.*"

### **Date By-law Effective**

58. This By-law shall come into force and take effect at 12:01 a.m. on June 1, 2024.

### **Date By-law Expires**

59. This By-law expires ten years after the date on which it comes into force or be repealed on such earlier expiry date as Council may determine.

### **By-law Registration**

60. A certified copy of this By-law may be registered in the Land Titles Office as against title to any land to which this By-law applies.

### **Headings for Reference Only**

61. The headings inserted in this By-law are for convenience of reference only and shall not affect the construction or interpretation of this By-law.

### **Severability**

62. If, for any reason, any section or subsection of this By-law is held invalid, it is hereby declared to be the intention of Council that all the remainder of this By-law shall continue in full force and effect until repealed, re-enacted or amended, in whole or in part or dealt with in any other way.

### **Repeal**

63. By-law 19-142, as amended, is hereby repealed effective as of the date and time of this By-law coming into effect.

**Non-binding Nature**

64. Nothing in this By-law shall be construed so as to commit or require the City or its Council to authorize or proceed with any specific capital project at any specific time.

**PASSED** this 8<sup>th</sup> day of May, 2024.

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A. Horwath  
Mayor

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J. Pilon  
Acting City Clerk

SCHEDULE A, TO BY-LAW 24-072  
FULL RATE CITY WIDE DEVELOPMENT CHARGES – EFFECTIVE JUNE 1, 2024

Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms+	Apartments - Bachelor and 1 Bedroom	Residential Facility	(per sq.ft. of Gross Floor Area)
<b>City Wide Services/Class of Service:</b>						
Services Related to a Highway	18,103	13,512	11,099	6,876	5,636	13.31
Public Works (Facilities and Fleet)	1,335	996	818	507	416	0.80
Transit Services	1,601	1,195	982	608	498	0.96
Fire Protection Services	1,151	859	706	437	358	0.69
Policing Services	1,018	760	624	387	317	0.61
Parks and Recreation	11,065	8,259	6,784	4,203	3,445	0.95
Library Services	2,061	1,538	1,264	783	642	0.18
Long-term Care Services	231	172	142	88	72	0.04
Child Care and Early Years Programs	-	-	-	-	-	0.00
Provincial Offences Act Services including By-Law Enforcement	52	39	32	20	16	0.03
Public Health Services	42	31	26	16	13	0.01
Ambulance	325	243	199	123	101	0.06
Waste Diversion	346	258	212	131	108	0.03
<b>Total City Wide Services/Class of Services</b>	<b>37,330</b>	<b>27,862</b>	<b>22,888</b>	<b>14,179</b>	<b>11,622</b>	<b>17.67</b>

Note: The Development Charges above are unindexed and are subject to indexing as per Section 50 of this By-law.

**SCHEDULE B, TO BY-LAW 24-072  
FULL RATE DEVELOPMENT CHARGES FOR WASTEWATER FACILITIES AND  
LINEAR SERVICES – EFFECTIVE JUNE 1, 2024**

Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms+	Apartments - Bachelor and 1 Bedroom	Residential Facility	(per sq.ft. of Gross Floor Area)
<b>Urban Area A</b>						
Wastewater Facilities	7,125	5,318	4,368	2,706	2,218	4.53
Wastewater Linear Services	10,630	7,934	6,517	4,038	3,310	6.75
<b>Total Wastewater Services - Urban Area A</b>	<b>17,755</b>	<b>13,252</b>	<b>10,885</b>	<b>6,744</b>	<b>5,528</b>	<b>11.28</b>
<b>Urban Area B</b>						
Wastewater Facilities	7,125	5,318	4,368	2,706	2,218	4.53
Wastewater Linear Services	-	-	-	-	-	0.00
<b>Total Wastewater Services - Urban Area B</b>	<b>7,125</b>	<b>5,318</b>	<b>4,368</b>	<b>2,706</b>	<b>2,218</b>	<b>4.53</b>

Note: The Development Charges above are unindexed and are subject to indexing as per Section 50 of this By-law.

**FULL RATE DEVELOPMENT CHARGES FOR WATER SERVICES – EFFECTIVE  
JUNE 1, 2024**

Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms+	Apartments - Bachelor and 1 Bedroom	Residential Facility	(per sq.ft. of Gross Floor Area)
<b>Urban Area A</b>						
Water Services	6,856	5,117	4,203	2,604	2,135	4.36
<b>Urban Area B</b>						
Water Services	-	-	-	-	-	0.00

Note: The Development Charges above are unindexed and are subject to indexing as per Section 50 of this By-law.

**SCHEDULE D, TO BY-LAW 24-072  
FULL RATE DEVELOPMENT CHARGES FOR STORMWATER DRAINAGE AND  
CONTROL SERVICES – EFFECTIVE JUNE 1, 2024**

Being a By-Law Respecting Development Charges  
on Lands within the City of Hamilton

Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms+	Apartments - Bachelor and 1 Bedroom	Residential Facility	(per sq.ft. of Gross Floor Area)
<b>Combined Sewer System</b>						
Stormwater Drainage and Control Services	9,553	7,130	5,857	3,629	2,974	0.00
<b>Separated Sewer System</b>						
Stormwater Drainage and Control Services	22,741	16,974	13,942	8,638	7,080	4.75

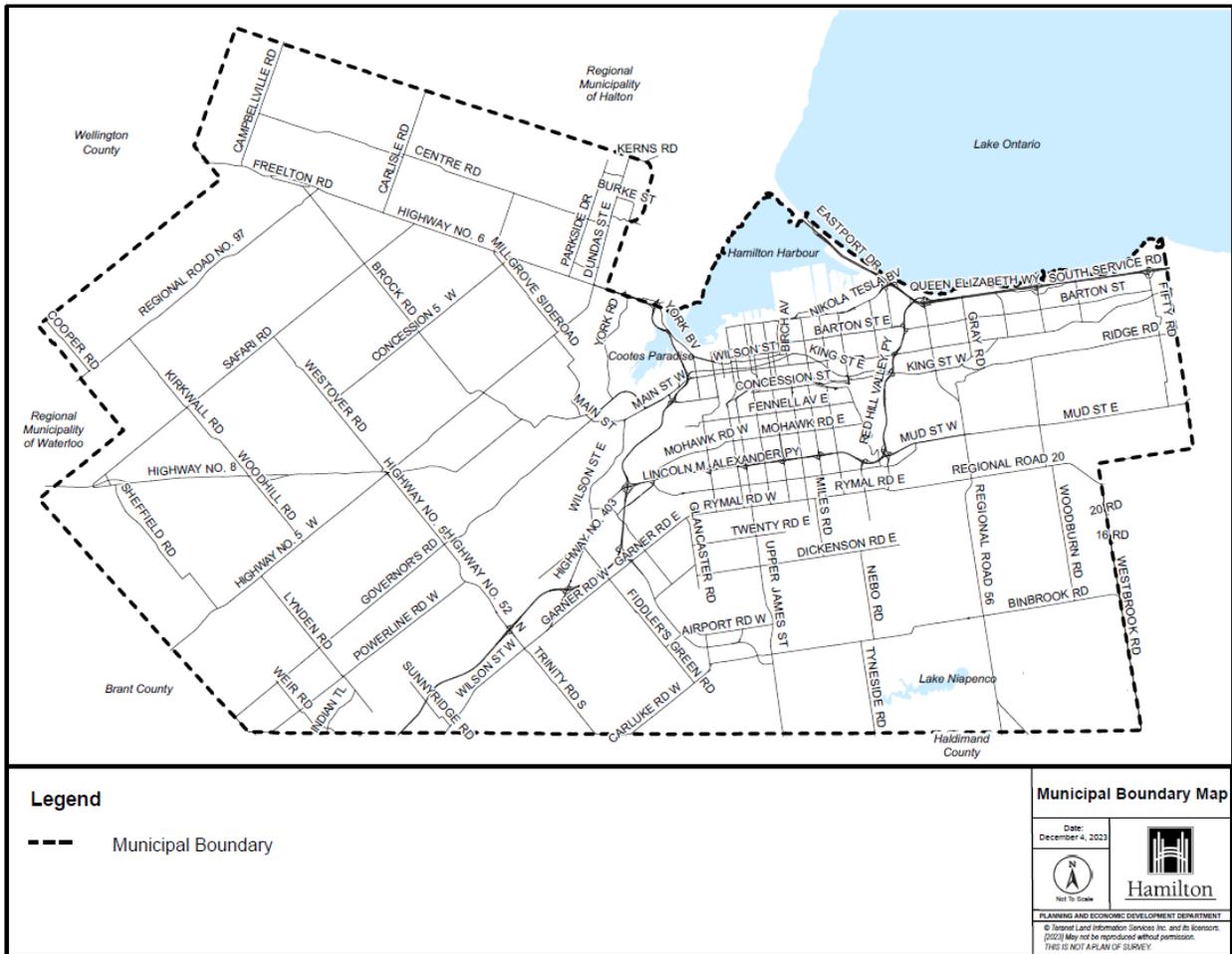
Note: The Development Charges above are unindexed and are subject to indexing as per Section 50 of this By-law.

Being a By-Law Respecting Development Charges  
on Lands within the City of Hamilton

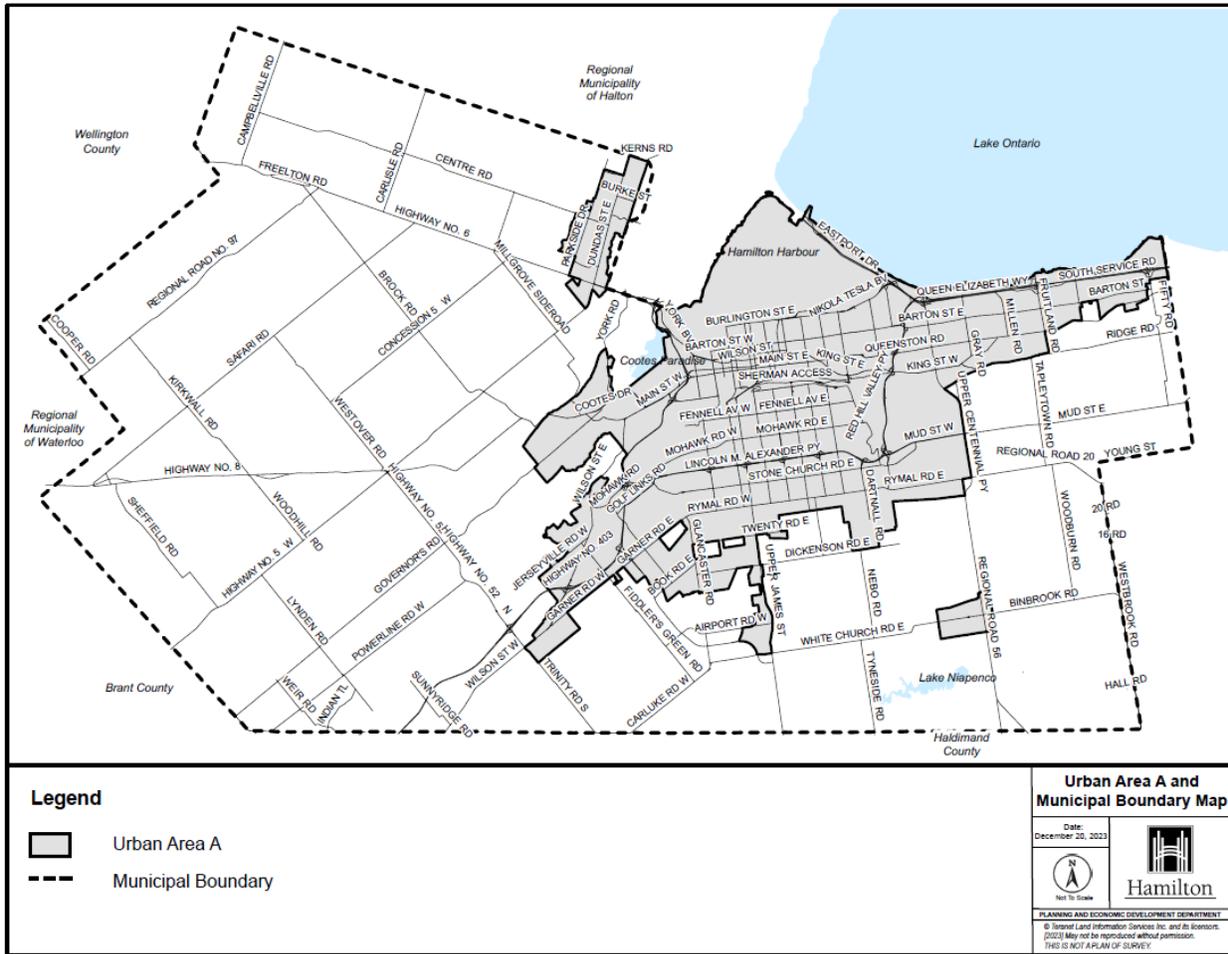
Service/Class of Service	RESIDENTIAL				NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms+	Apartments - Bachelor and 1 Bedroom	Residential Facility	(per sq.ft. of Gross Floor Area)
Special Area Development Charges	1,931	1,441	1,884	734	601	1.07

SCHEDULE F, TO BY-LAW 24-072  
MUNICIPAL BOUNDARY MAP

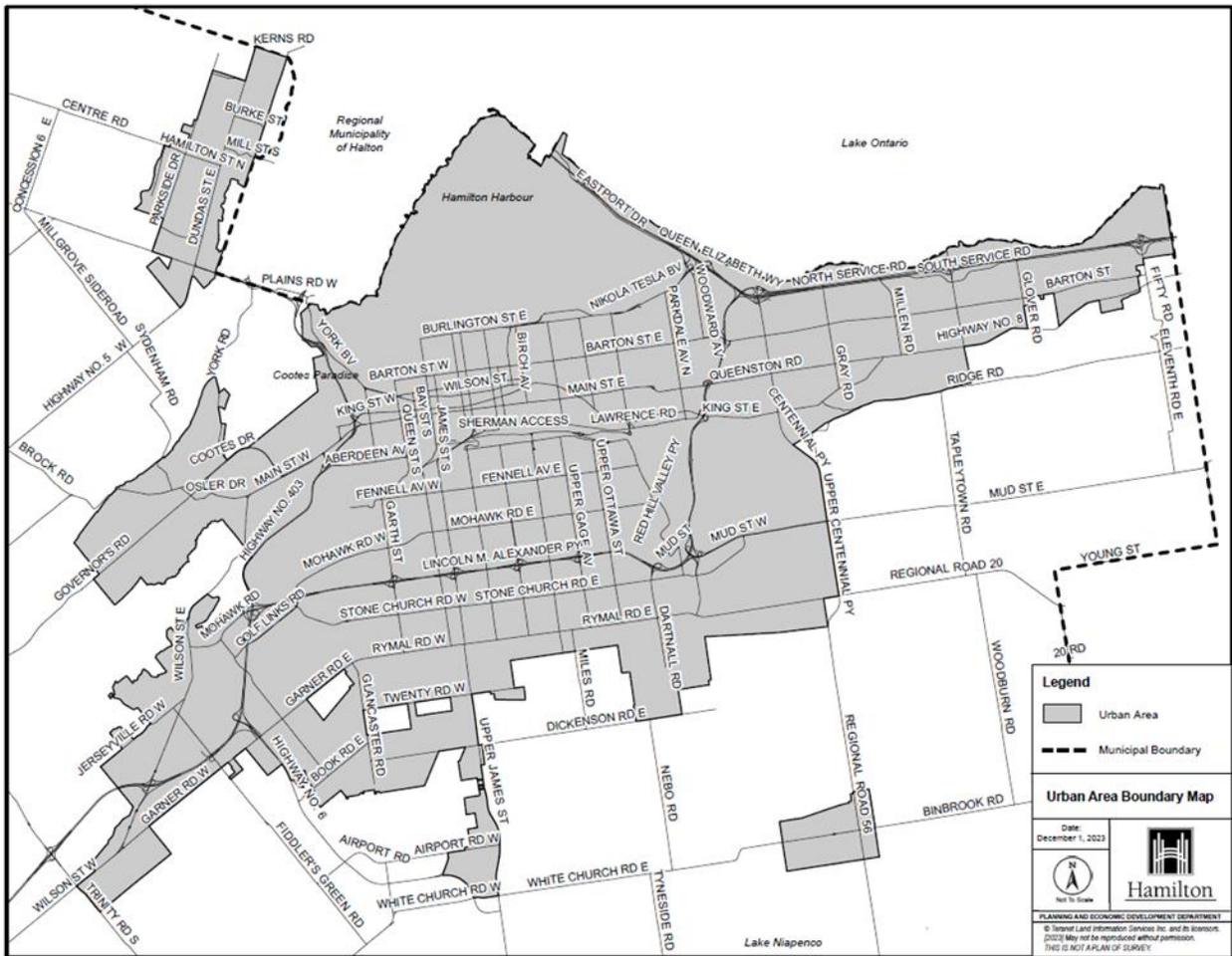
Being a By-Law Respecting Development Charges  
on Lands within the City of Hamilton



SCHEDULE G, TO BY-LAW 24-072  
URBAN AREA A AND MUNICIPAL BOUNDARY MAP

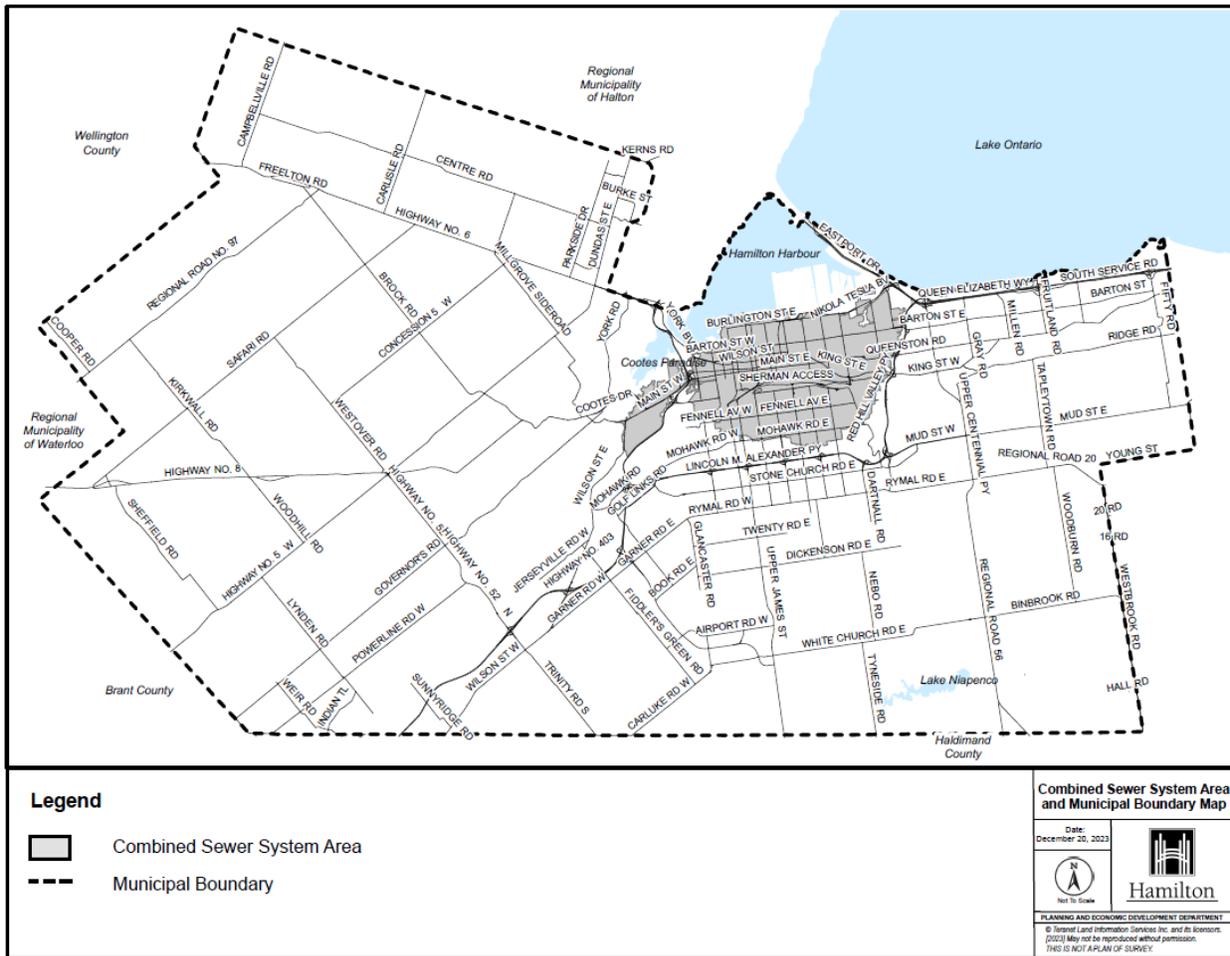


SCHEDULE H, TO BY-LAW 24-072  
URBAN AREA AND MUNICIPAL BOUNDARY MAP



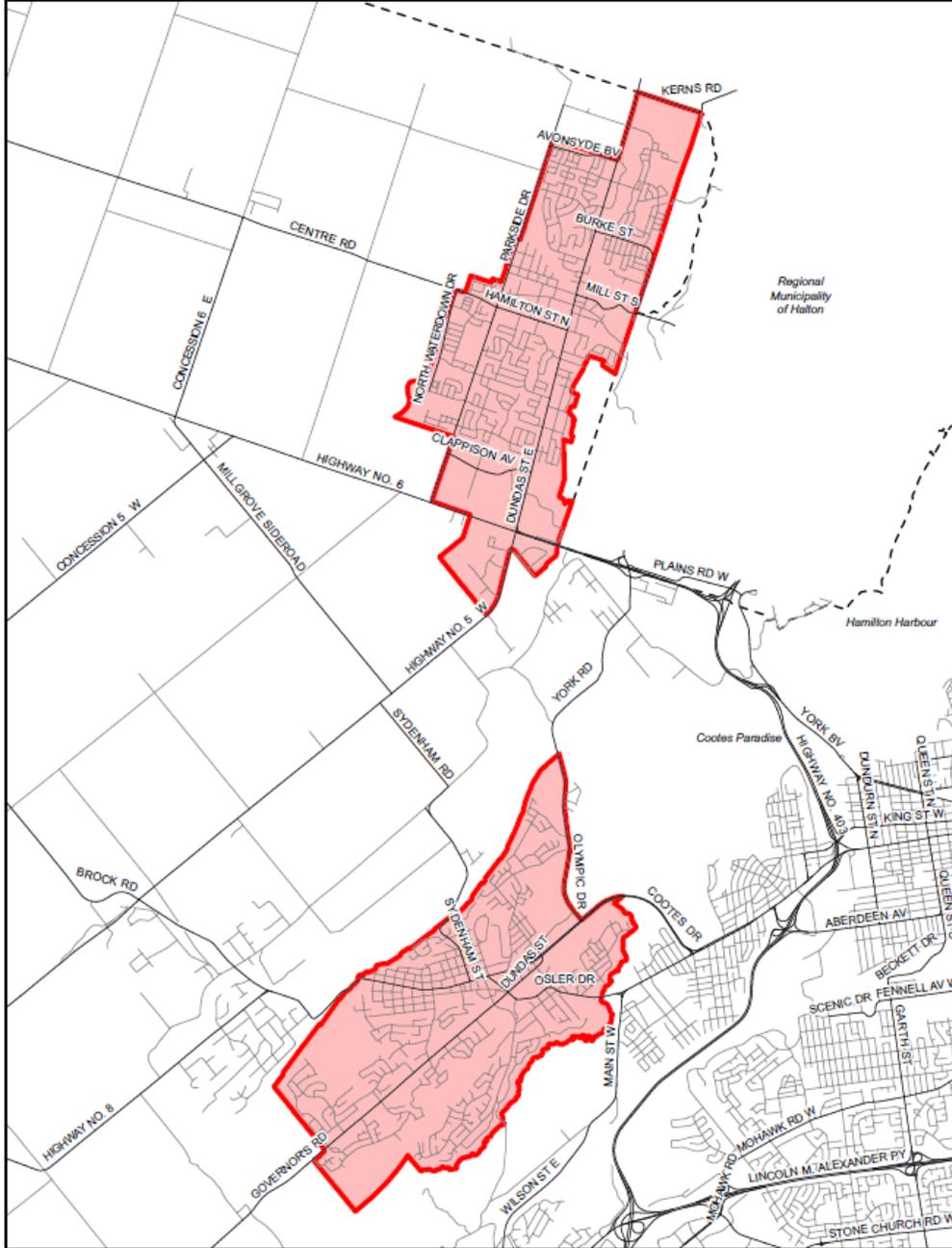
SCHEDULE I, TO BY-LAW 24-072  
COMBINED SEWER SYSTEM AREA AND MUNICIPAL BOUNDARY MAP

Being a By-Law Respecting Development Charges  
on Lands within the City of Hamilton



SCHEDULE J, TO BY-LAW 24-072

DUNDAS / WATERDOWN SPECIAL AREA DEVELOPMENT CHARGE MA



**CITY OF HAMILTON  
BY-LAW NO. 24-**

To Confirm the Proceedings of City Council at its meeting held on May 8, 2024.

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 8<sup>th</sup> day of May 2024, in respect of each recommendation contained in

Public Health Committee Report 24-004 – April 29, 2024,  
Public Works Committee Report 24-005 – April 29, 2024,  
Planning Committee Report 25-006 – April 30, 2024,  
General Issued Committee Report 24-008 – May 1, 2024,  
and  
Audit, Finance and Administration Committee 24-007 – May 2, 2024,

considered by the 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 8th day of May, 2024.

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A. Horwath

Mayor

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J. Pilon

Acting City Clerk