



City of Hamilton

CITY COUNCIL WEEKLY CORRESPONDENCE LISTING

Friday, July 4, 2025, 12:00 P.M.

Council Chambers

Hamilton City Hall

71 Main Street West

Council's Weekly Correspondence Listing is circulated pursuant to section 5.14 of the City's Procedural By-law 21-021, as Amended.

If a Member of Council would like a correspondence item listed in the Council's Weekly Correspondence Listing placed on a Committee agenda, the Member must advise the Clerk's Office no later than 12:00 p.m. (Noon) on the day prior to the meeting.

1. **CWCL 210-2025**
Correspondence from Watson & Associates respecting Regulatory Registry Proposal 25-MMAH011 Comments - Assessment of Proposed Regulatory Changes to Ontario Regulation 82/98 under the *Development Charges Act, 1997*.
2. **CWCL 211-2025**
Correspondence from the Honourable Stephen Lecce, Minister of Energy and Mines respecting Ontario's first-ever Integrated Energy Plan.
3. **CWCL 212-2025**
Correspondence from Mini James respecting a Proposal for a Standardized "Landlord Tenant Form" for Water Billing.
4. **CWCL 213-2025**
Grand River Conservation Authority Summary of the General Membership Meeting – June 27, 2025

Members of the public can contact the Clerk's Office to acquire the documents contained within this correspondence listing, in an alternate format.

5. **CWCL 214-2025**
Communication Update - Hamilton's Contribution to Canada's 30x30 Conservation Target-
Municipal Protected Areas Project Update
6. **CWCL 215-2025**
AMO Watchfile - July 3, 2025
7. **CWCL 216-2025**
Communication Update - Update #2 - Eastwood Arena Closure (CFEM2505) (Ward 2)
8. **CWCL 217-2025**
Correspondence from Karen Hoy requesting that the Public Works Committee review the
statement of facts regarding built traffic infrastructure on the east side of Binkley Road and
south side of Sanders Boulevard, Hamilton Ontario (Ward 1).

June 26, 2025

To our Municipal Clients:

Re: Regulatory Registry Proposal 25-MMAH011 Comments – Assessment of Proposed Regulatory Changes to Ontario Regulation 82/98 under the Development Charges Act, 1997

In our continued efforts to keep our clients up to date on legislative changes that may impact them, we are writing to inform you of proposed regulatory changes to Ontario Regulation 82/98 under the *Development Charges Act, 1997* (D.C.A.). This letter provides a summary of the proposed changes and commentary on potential impacts to municipalities.

The Province is seeking comments via the Regulatory Registry at the following link: <https://www.regulatoryregistry.gov.on.ca/proposal/50953>. We will be submitting our comments prior to the deadline of July 23, 2025.

1. Overview

There are two proposed changes to Ontario Regulation 82/98:

1. Enable Use of the Statistics Canada Non-Residential Building Construction Price Index for London; and
2. Expand the Requirement for Municipalities to Spend or Allocate 60% of Development Charge Reserve Funds to all Eligible Services.

The proposal only provides a summary of the proposed changes and not the exact wording to be included in the regulation. As such, the following commentary is based on the summary provided by the Province and will be further reviewed upon release of the actual amendment to the regulation.

Furthermore, no implementation dates for the proposed regulatory changes have been provided.

2. Enable Use of the Statistics Canada Non-Residential Building Construction Price Index for London

Currently, municipalities with development charge (D.C.) by-laws may include provisions in the by-law to index the charge to reflect changes in construction costs. Section 7 of Ontario Regulation 82/98 provides the prescribed index to be used for indexing a D.C. The Ottawa-Gatineau or Toronto series of the Statistics Canada Non-



Residential Building Construction Price Index is to be used by municipalities as appropriate.

The proposed changes would allow for the London series (recently added by Statistics Canada) to be utilized as an index for municipalities in Southwestern Ontario who elect to index their D.C. by-laws. This series would also be available for use by municipalities whose D.C. by-law does not specify a series (i.e., Ottawa-Gatineau vs. Toronto series). A D.C. by-law amendment, however, would be required to facilitate the use of the London series for municipalities in Southwestern Ontario whose D.C. by-laws currently specify the use of the Ottawa-Gatineau or Toronto series. Alternatively, the municipality could continue to use the Ottawa-Gatineau or Toronto series until a new D.C. by-law is adopted.

This appears to be a reasonable addition to the legislation as it will better align the D.C. with the underlying changes in capital costs within the area.

3. Expand the Requirement for Municipalities to Spend or Allocate 60% of Development Charge Reserve Funds to all Eligible Services

Section 35 of the D.C.A. requires municipalities to annually spend or allocate at least 60% of the balance in the D.C. reserve fund for water services, wastewater services, and services related to a highway. The proposed regulatory change would impose the same requirements for all D.C.-eligible services. This change would increase reporting transparency, better aligning reserve fund balances with specific capital projects in the D.C. background study and capital budget. The additional reporting, however, will impose an administrative burden on municipal staff to ensure adherence to this requirement for all D.C. services.

Although this change appears to simply include all D.C. services in the current practice of spending or allocating 60% of the reserve fund balances, the exact wording of the regulations will need to be reviewed to ensure no variation in current processes will be required.

4. Concluding Remarks

The proposed changes to Ontario Regulation 82/98 appear to be minimal; however, they do provide for improved alignment of charges with underlying capital costs and increased transparency regarding the planned use of D.C. funds collected. There will be an additional administrative burden for municipalities, however, due to the increased reserve fund reporting. As noted, we will be submitting our comments on the proposed regulation to the Province via the Regulatory Registry.



We anticipate further regulatory changes to the D.C.A., as noted by the Province's release of Bill 17, *Protect Ontario by Building Faster and Smarter Act, 2025*. We will continue to monitor any changes and inform you of the potential impacts to municipalities.

Should you have any questions, please contact the undersigned or send an email to info@watsonecon.ca.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Andrew Grunda, MBA, CPA, CMA, CEO

Peter Simcisko, BA (Hons), MBE, Managing Partner

Sean-Michael Stephen, MBA, Managing Partner

Daryl Abbs, BA (Hons), MBE, PLE, Managing Partner

Jamie Cook, MCIP, RPP, PLE, Managing Partner

Jack Ammendolia, BES, PLE, Managing Partner

Ministry of Energy and Mines

Ministère de l'Énergie et des Mines

Office of the Minister

Bureau du ministre

77 Grenville Street, 10th Floor
Toronto ON M7A 2C1
Tel.: 416-327-6758

77, rue Grenville, 10^e étage
Toronto ON M7A 2C1
Tél. : 416-327-6758



MC-994-2025-921S

June 2025

To Ontario's Energy Community:

I'm proud to share that our government has released Ontario's first-ever Integrated Energy Plan: [*Energy for Generations: Ontario's Integrated Plan to Build the Strongest Economy in the G7.*](#)

This Plan lays out a clear path to ensure Ontario families, businesses and communities have the affordable, secure, reliable and clean energy they need – not just today, but for decades to come.

Ontario is growing fast. People are coming here to build their lives, invest in growing industries and create good jobs. That growth is driving record demand for electricity and continued demand for fuels – from homes and transit, to factories, farms and data centres.

This Plan responds with action. It advances the largest expansion of nuclear generation on the continent, accelerates transmission development, maintains access to natural gas and other fuels, and embraces new solutions like distributed energy resources, hydrogen, battery storage and carbon capture. It ends siloed planning by bringing electricity, fuels and natural gas under one co-ordinated vision.

At every step, the focus is on building a more competitive, self-reliant and affordable energy future – while keeping costs down.

Thank you for the role you play in shaping Ontario's energy future. Together, we're building an energy system that will power our economy, support our communities, and provide for our children and grandchildren for generations to come.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen Lecce".

Stephen Lecce
Minister

Pilon, Janet

Subject: Proposal for a Standardized "Landlord Tenant Form" for Water Billing

From: Mini James

Sent: June 29, 2025 7:23 PM

To: clerk@hamilton.ca

Subject: Proposal for a Standardized "Landlord Tenant Form" for Water Billing

The Honourable Mayor and Members of Hamilton City Council City Hall

71 Main Street West Hamilton, ON L8P 4Y5

Dear Mayor Horwath and Members of Council,

I am writing to you today as a property owner in the City of Hamilton to propose the formal adoption and implementation of a standardized "**Landlord Tenant Form**" for water and wastewater billing for rental properties.

Following discussions with the city's water billing department regarding the reference number CAS-0320190-X9P8W4, a customer service representative advised me to submit this proposal for your committee's review and approval.

The core issue many landlords face is the lack of a clear, standardized process for assigning the day-to-day responsibility of water bill payments to tenants, while ensuring the City's financial interests remain protected. The current system can lead to ambiguity, disputes, and administrative challenges for both property owners and the City.

To address this, I propose we adopt a model that has been successfully implemented in other municipalities, such as the Durham Region. I have attached for your reference a copy of the "Authorization to Bill a Tenant Form" used in the Town of Pickering (Durham Region) as a practical example of this system in action.

The proposed "Landlord Tenant Form" would function as follows:

1. **Landlord Authorization:** The property owner would complete and sign the form to authorize the City to send water bills directly to the registered tenant at the service address.
2. **Ultimate Responsibility:** The form would include a clear acknowledgement that the property owner remains ultimately responsible for all charges incurred. If a tenant fails to pay, the debt remains with the property and the landlord is liable for payment, protecting the City from revenue loss.

3. **Clear Communication:** This establishes a transparent and officially documented arrangement, reducing misunderstandings between landlords, tenants, and the City's billing department.

Adopting this form would create a fair, efficient, and low-risk system that benefits all parties. It provides tenants with direct accountability for their consumption, gives landlords a clear process to follow, and guarantees the City's revenue stream.

Given that a proven and effective template already exists and is functioning well in a comparable Ontario municipality, I believe Hamilton can implement this practical solution with ease.

I respectfully request that the Council review this proposal and the attached sample form. I am confident that its adoption would be a positive step forward for landlords and the City of Hamilton.

Thank you for your time and consideration.

Sincerely,

James



Landlord Tenant Form

Date: June 04, 2025

Water and Sanitary Sewer Account Number: _____

Address: _____

By signing this form you are confirming that you have requested that our office forward all future water and sanitary sewer billings and customer meter reading cards to the service address "**Care of**" your tenant(s):

_____ and that you understand the following:

Collection Charges

Should the tenant default in payment, you will be held responsible for payment of all outstanding amounts including collection charges, miscellaneous charges and late payment charges.

Meter Readings

All meter readings are to be provided once our cards are issued, without an actual reading the bill will be estimated.

Change in Tenancy

It is your responsibility to advise the Customer Services section of a change in tenancy prior to the change taking place in order to keep the records accurate. If you neglect to advise our office about a change in tenancy and we are notified by your old or new tenant, the bills will immediately be reverted back to your mailing address. The account will not be "closed out" when the tenant vacates the property and no "final bill" will be issued.

Disclaimer

The Region and/or you may decide at any time to revert all mailings back to your current mailing address.

Account Monitor

We suggest that you occasionally monitor your account with a phone call to our office to avoid unexpected and/or unpaid bills.

Notification

The Region will not notify you of unpaid bills or of imminent collection action or charges.

Please sign this letter acknowledging that you have read and understand the above and return it. You can mail, fax, email or deliver in person. Once we receive the signed letter back in our office, we will send the bills and meter reading cards "care of" your tenant(s).

Owner's Name (please print)

Owner's Signature

By signing this letter I acknowledge the stipulations noted above.

The Regional Municipality of Durham

Finance Department

Utility Finance
605 Rossland Rd E
Po Box 720
Whitby, ON L1N 0B1
Canada

Fax: 905-666-6213

Email:
waterbilling@durham.ca



Grand River Conservation Authority

Summary of the General Membership Meeting – June 27, 2025

To GRCA/GRCF Boards and Grand River watershed municipalities - Please share as appropriate.

Action Items

The Board approved the resolutions in the following reports as presented in the agenda:

- GM-06-25-60 - CAO Performance Review Policy
- GM-06-25-65 - Financial Summary
- GM-06-25-62 - Amendments to the Grand River Conservation Authority, Conservation Authorities Act Hearing Guidelines and Procedures
- GM-06-25-61 - Delegation of Powers
- GM-06-25-59 - Natural Heritage Annual Report
- GM-06-25-58 - Giant Hogweed on GRCA Properties
- GM-06-25-54 - Pride Staple Structural Repairs

Information Items

The Board received the following reports as information:

- GM-06-25-67 - Chair's Report
- GM-06-25-63 - Strategic Plan Implementation
- GM-06-25-64 - Cash & Investment Status
- GM-06-25-57 - Scoped Agricultural Policy Review for the Administration of Ontario Regulation 41/24
- GM-06-25-56 - Dam Management Program - Funding of Small Dams
- GM-06-25-55 - Wellesley Dam and Baden Dam Repairs
- GM-06-25-66 - Current Watershed Conditions

Correspondence

The Board received the following correspondence:

- David Hughes - Complaint to Minister regarding land-use activities
- City of Guelph - 2026 Budget Increase
- Township of Puslinch Council Resolution No. 2025-167 - Bill 5: Protecting Ontario by Unleashing Our Economy Act 2025
- Town of Parry Sound Council Resolution No. 2025-067 - Bill 5: Protecting Ontario by Unleashing Our Economy Act 2025
- Don McKay, Friends of Mill Creek - Mill Creek Stewardship Ranger Program

Source Protection Authority Correspondence & Action Items

The General Membership of the GRCA also acts as the Source Protection Authority Board. No meeting was held in May.

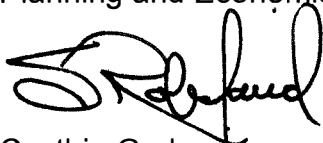
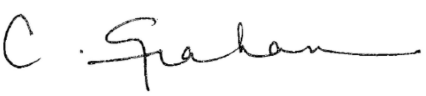
For full agendas and reports, and past minutes, please refer to our [Board meeting calendar](#). The minutes of this meeting will be posted on following approval at the next meeting of the General Membership.

You are receiving this email as a GRCA board member, GRCF board member, or a Grand River watershed member municipality. If you do not wish to receive this monthly summary, please respond to this email with the word 'unsubscribe'.



Hamilton

COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	June 27, 2025
SUBJECT:	Hamilton's Contribution to Canada's 30x30 Conservation Target – Municipal Protected Areas Project Update
WARD(S) AFFECTED:	City Wide
SUBMITTED BY:	Steve Robichaud Director Planning and Chief Planner Planning and Economic Development
SIGNATURE:	 Cynthia Graham Director, Environmental Services Public Works
SIGNATURE:	

The purpose of this communication is to update Council on the City's participation in the Municipal Protected Areas Program (MPAP), led by Ontario Nature. Through Phase 1 of the City's participation in this program, in 2025, two City owned sites were officially added to the Canada Protected and Conserved Areas Database. This addition amounts to over 50 hectares of protected lands and contributes to Canada's commitment under the Kunming-Montreal Global Biodiversity Framework to protect 30% of our land, water and marine areas by 2030 (30 x 30 target) in order to respond to two of our planet's largest environmental threats: climate change and biodiversity loss. Phase 2 of the City's participation in MPAP is now underway with additional properties being identified by staff to be assessed by Ontario Nature for inclusion in the database in 2026.

Background

The Municipal Protected Areas Program is being undertaken by Ontario Nature, a nonprofit organization, and is intended to canvas municipalities across the province to

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determine which municipally owned lands may count toward the federal target of protecting at least 30% of land and water in areas with high importance for biodiversity and ecosystem function and services by 2030. The Canada Protected and Conserved Areas Database is a federal database tracking progress towards this 30 x 30 target.

There is no legislated requirement for the City to participate in the Municipal Protected Areas Program. However, the program provides an opportunity to participate in broader federal commitments to protect biodiversity for the long-term. Participation in the program also builds the Council adopted Biodiversity Action Plan, Climate Change Action Plan and upon the City's commitments as a signatory to the Montreal Pledge and strengthens relationships and partnerships towards protecting the environment. In December 2023 City Council adopted the following recommendations from Report PED23260 respecting the Municipal Protected Areas Project:

- (a) That Planning and Economic Development Department and Public Works Department staff be authorized to provide the required data to Ontario Nature for their review and analysis as part of the Municipal Protected Areas Project, and provide additional support for the project through the data analysis stage as resources allow;
- (b) That the General Manager of Planning and Economic Development, or their designate, be granted the authority to provide consent on behalf of the City of Hamilton to Ontario Nature to release the findings of the Municipal Protected Areas Project to the Ministry of the Environment, Conservation and Parks for submission to the Canadian Protected and Conserved Areas Database, as it relates to the City's properties that were assessed, and to enter into any necessary agreements relating to release of the findings;
- (c) That Planning and Economic Development Department staff, in consultation with Public Works Department staff, be directed to provide a final report at the end of the project to summarize the results for Council.

Through discussions with Ontario Nature, staff have divided the review and submission of City owned lands for consideration into two phases. Phase 1 was focused on City owned lands that have site specific management plans. Through this phase Windermere Basin Park and the Former Upper Ottawa Landfill have been added, with the sites being posted to the Canada Protected and Conserved Database in June, 2025

Next Steps

Phase 2 of the City's participation in MPAP is underway and is focused on City owned lands that do not have specific management plans but are designated in the City's Official Plans and zoned for protection. Through this phase it is anticipated that several

more properties will be submitted by staff for evaluation by Ontario Nature. Results of this evaluation with entries into the Canada's Protected and Conserved Areas Database are anticipated in Q2, 2026.

Following the completion of Phase 2, staff will submit a final report to Planning Committee and Council to summarize the results.

For further information please contact Charlie Toman, Program Lead – Policy Planning and Municipal Comprehensive Review, Planning Division by phone at 905-546-2424 ext. 5863, or by email at Charlie.Toman@hamilton.ca, or Kasey Livingston, Senior Project Coordinator, Parks by phone at 905-546-2424 Ext. 7734 or by e-mail at Kasey.livingston@hamilton.ca.

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Pilon, Janet

Subject: AMO Watchfile - July 3, 2025

From: AMO Communications <communicate@amo.on.ca>

Sent: Thursday, July 3, 2025 10:01 AM

To: Pilon, Janet <Janet.Pilon@hamilton.ca>

Subject: AMO Watchfile - July 3, 2025



July 03, 2025

In This Issue:

- Rural Ontario Development Program opens for applications.
- Provincial consultations on Electricity Transmission Planning.
- Ontario's premier municipal event - AMO 2025 Conference - Register today.
- Check out AMO's pre-conference workshop line up!
- AMO Guide to Delegation Meetings: Be prepared for your ministerial delegations.
- AMO Trade and Tariff Forum - October 24.
- Upgrades needed: Federal deadline for PCB light ballasts.
- Roundtable on Municipal Support Confirmations for Energy Projects.
- OurCare survey open until July 9.
- Feedback Requested – Survey on Gender-Based Violence prevention resource.
- Long Term Care Community Engagement Day Event.
- Careers.

Provincial Matters

The Ministry of Rural Affairs is accepting applications to the modernized Rural Ontario Development (ROD) Program. [Applications are being accepted](#) through four intakes with the first open from June 24 - September 24, 2025.

The provincial government is soliciting feedback on electricity transmission projects including the [Greenstone Line](#), [Windsor to Lakeshore Line](#), [Bowmanville to GTA Line](#), [Orangeville to Barrie Line](#), and [Barrie to Sudbury Lines](#).

Education Opportunities

AMO's 2025 Annual Conference is back in Ottawa. In this unprecedented time, coming together with municipal, provincial and key sector partners is more important than ever. [Register for AMO 2025](#) and [book your accommodations today](#).

AMO strives to provide a full spectrum of learning and engagement at our annual event. This years' [pre-conference sessions](#) include discussion and insights on infrastructure planning, understanding the threat landscape to municipal leaders and the importance of collaboration across orders of government, emergency preparedness, and municipal revenue generation through sponsorship programs.

AMO's [Guide to Delegation Meetings](#) outlines best practices to help AMO members get the most out of your delegation meetings. You will find advice on the full delegation process, from submitting your request for a delegation, preparing, participating and following-up after your successful meeting.

AMO is holding a forum for its members, key stakeholders and partners to provide a reliable assessment of tariff and trade disruptions and their impact on Ontario municipalities and business sector. Forum discussion and content will include identifying measures to address and mitigate these impacts. This future facing event is an opportunity to build new alliances and relationships across impacted sectors in support of strong and effective economic advocacy. [Register here](#).

LAS

The [Canadian Environmental Protection Act](#) prohibiting the continued use of PCB-containing lighting ballasts comes into effect December 31, 2025. Take advantage of [LAS' Facility Lighting Service](#) for an LED upgrade solution to keep your municipality compliant. Don't wait - [contact Christian](#) to get started.

Municipal Wire*

Join the Pembina Institute's virtual roundtable on July 7 from 12-1 pm to discuss best practices for assessing energy development proposals and granting Municipal Support Confirmations. [To participate, please register online](#).

OurCare is undertaking [a survey](#) to understand people's experiences of primary care. The survey is open until July 9 and elected officials are encouraged to share with their residents.

Municipalities are invited to provide feedback on a research report for [An Equity-Focused Population Health Approach to Gender-based Violence Prevention](#). Their survey closes Friday, July 4. Contact lia.depauw@kflaph.ca with questions.

The [Ontario Long Term Care Association's LTC Community Engagement Day](#) is on September 12, 2025. This annual event invites elected officials to visit long-term care homes in their communities. Contact info@oltca.com to learn more.

Careers

[Database Applications Specialist I, BI & Data Analytics - County of Simcoe](#). Closing Date: July 17, 2025.

[Database Applications Specialist and BI Analytics Specialist III - County of Simcoe](#). Closing Date: July 17, 2025.

[Business Systems Analyst, SAP Finance - County of Simcoe](#). Closing Date: July 17, 2025.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

AMO Contacts

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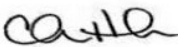
155 University Ave Suite 800 | Toronto, ON M5H 3B7 CA

This email was sent to janet.pilon@hamilton.ca.

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COMMUNICATION UPDATE

TO:	Mayor and Members City Council
DATE:	June 3, 2025
SUBJECT:	Update #2 - Eastwood Arena Closure (CFEM2505) (Ward 2)
WARD(S) AFFECTED:	Ward 2
SUBMITTED BY:	Chris Herstek Acting Director, Corporate Facilities & Energy Management Public Works Department
SIGNATURE:	

This Communication Update provides the Mayor and Members of Council with information regarding the comprehensive roof and building envelope assessment completed at Eastwood Arena at 111 Burlington Street East.

In March 2025, a visual investigation raised concerns regarding the roof deck above the arena floor; rotting was observed in an isolated section. Out of an abundance of caution, the facility was closed until a full investigation could be completed.

All affected parties, including the Hammer City Roller Derby, the Hamilton Ball Hockey Association and the Hamilton Lacrosse Association were successfully accommodated at alternative venues by Recreation staff during the closure (Spring/Summer 2025).

Staff engaged MTE Consultants to complete the structural and building envelope assessment. On June 16, 2025, the final report was received. Moisture probes at four roof locations showed acceptable moisture levels within safe ranges and with no saturation of the wood fibres. In summary, the consultant indicated that the facility can safely resume normal operations; however, short, medium and more long-term investments are required.

MTE concluded that the overall building structure appears to be in generally fair condition relative to its age with no immediate structural concerns identified. The building will require ongoing monitoring, maintenance and rehabilitation work over the immediate (next three months) to longer term (next 5 years). The preliminary cost estimate to maintain the current building function is over \$3M.

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The Recreation Master Plan is a roadmap to guide the City's investment in recreation facilities, based on community input and current needs. The Plan recommends closing Eastwood Arena in the medium to long term and replacing it with a new ice pad as part of a larger Community Recreation Centre.

The timing for removing facilities like Eastwood Arena will depend on site analysis, capital plans, development, and other City priorities. Because recreation needs are complex and interconnected, staff do not support moving ahead with changes to any one facility before a full review takes place and the Recreation Master Plan Implementation Strategy is presented in the fall of 2025. Through the implementation strategy, Recreation staff will present a framework that takes into account all above noted factors, including equity, to determine prioritization of investments.

The facility will re-open in September 2025 and will be assessed again for possible closure in the Summer/Fall of 2026, prior to any significant investments/rehabilitation work required. Staff will continue to provide updates to the Mayor and Members of Council as further plans for the site are determined.

Eastwood Arena plays an important role in community programming. We recognize the recent closure posed challenges and appreciate the public's patience. Recreation staff, in collaboration with City communications staff, will continue to keep the community updated on the situation.

If you require any further information on this matter please contact Amanda Pavao, Acting Manager, Strategic Planning, Capital & Compliance at Amanda.Pavao@hamilton.ca or extension 7325.

APPENDICES AND SCHEDULES ATTACHED

N/A

WRITTEN DELEGATION TO PUBLIC WORKS COMMITTEE CITY OF HAMILTON ONTARIO

We ask the Public Works Committee to review this statement of facts regarding built traffic infrastructure on the east side of Binkley Road and south side of Sanders Boulevard, Hamilton Ontario (Ward 1). The City Public Works Committee made a motion to construct infrastructure at this location.

While the City of Hamilton (the City) contends it is free to build what it likes by order of council, the Supreme Court of Canada outlines that core policy immunity does not apply simply because a City states it does. In addition, the City was in noncompliance with many of its own obligations as well as engineering standards, failure of public consultation, failure to use engineering reports and information contained within, and sending out a Notice of Construction that did not meet what was built.

We ask the committee to consider this Statement of Facts and act per our request.

Statement of Facts

1. The City undertook several traffic management studies in the Ainslie Woods Ward 1 neighbourhood between 2018 and 2019.
2. These studies were initiated under the Ontario Environmental Assessment Act.
3. The study undertaken was as an Ainslie Wood Traffic Management Study, addressing Phases 1 and 2 of a Municipal Class Environmental Assessment (MCEA) Master Plan process.
4. Wood provided an Existing Conditions Final Report to the City on or about October 23, 2018. Data in the report concluded that there were no significant issues within the area of the subject property. Wood noted in their report that the City provided incorrect information on speed limits.
5. On or about June 3, 2019, Wood provided a report titled Ainslie Wood Neighbourhood Traffic Management Review – Identification of Alternatives Memo to the City. The Evaluation had a carried forward recommendation for a curb bump out at Sanders Boulevard/Cottrill Street/Binkley **Crescent**.
6. On or about December 2019, Wood provided a final report titled Municipal Class Environmental Assessment – Master Plan Process Schedule B Environment Assessment Study. Table 5-9 in the final report was modified between the June 2019 and December 2019 reports to include a curb bump out at Sanders Boulevard/Binkley **Road**. There was no documented consideration of the new location and no objective evidence to support the siting.
7. Because the report was modified between June and December of 2019, the Sanders Boulevard/Binkley **Road** location was not included in the two Public Information Centres undertaken as part of the Municipal Class Environmental Assessment. This did not allow all stakeholders to have their interests considered and is in contravention of the Environmental Assessment Act (the Act).
8. By the City's own admission in a letter provided by the City of Hamilton, it chose to supersede the completed Environmental Assessment, without following the regulatory process of amending a Class Environmental Assessment as required under the Act.
9. On June 13, 2022, there was a meeting of the City's Public Works Committee. Per minute item 18, a motion was brought forward to install two curb bump out parkettes on Sanders Boulevard (Ward 1). At the conclusion of this meeting, a Notice of Motion was issued stating that two parkettes be installed on Sanders Boulevard (Ward 1), with no exact location specified. There were no design details presented.

WRITTEN DELEGATION TO PUBLIC WORKS COMMITTEE CITY OF HAMILTON ONTARIO

10. Per the Motion, the City contends that these were being installed under City principles including but not limited to Complete Streets. Under these Principles, there is to be Public Consultation (see Kirkendall Ward 1 Complete Streets consultation held December 11, 2023). By the City's own admission in a meeting with concerned residents in August of 2024, public consultation was not undertaken before or when the motion was being considered. There was no legal reason the City could not hold public consultation.
11. The City did not undertake a Complete Streets audit as required by the City of Hamilton Complete Streets Design Manual.
12. The City contends that the Ward 1 councillor directed Traffic Operations to install the curb bump out parkettes at their current location. Documented evidence in an email from the Ainslie Woods Community group indicates that the City Councillor was not involved in the final placement decision and that this decision was made by Traffic Engineering.
13. On November 7, 2022, the City issued a Request for Tender C15-42-22 for Traffic Control and Transportation Infrastructure. Drawing DT: 1937A01, dated May 2022 was provided as part of this tender, and is stated to be an Issued for Construction drawing per revision notes. The drawing is missing the subject property, two vehicle approaches on Sanders Boulevard, infrastructure (fire hydrants, wastewater lines), elevations, flow, stormwater drains and drainage. The parking regulation is stated as no regulation and the speed limit is noted as 50 km/hour. The speed limit at time of drawing issuance was incorrect, as was stated in the Wood report. The parking regulation was incorrect at the time of drawing issuance.
14. Per the City's admission, no design brief, design analysis or predesign report was completed.
15. Stamped drawing DT 1937A01, dated May 2022 was issued for construction. The issued for construction drawing contained the same incorrect and noncompliant information as the drawing released in the Request for Tender C15-42-22. The drawing was not in compliance with Ministry of Transportation Standard Drawings and Technical Documents and the City of Hamilton Standard Road Drawing Index.
16. On April 5, 2023, the City issued a Notice of Construction. The Notice of Construction stated that the "construction of a new bump out" was being constructed at Sanders Boulevard and Binkley Road, but it did not state the exact location. There are two possible locations at Sanders Boulevard and Binkley Road.
17. In the issued Notice of Construction, the work defined was "a curb bump out is used to extend the sidewalk, creating a larger space between pedestrians and road users. It is also utilized to decrease the crossing distances at intersections, thus decreasing the time a pedestrian is within that intersection." The Notice of Construction made no mention of the construction of parkettes or installation of street furniture.
18. On April 17th, 2023, the Owner and adjacent residents arrived home to find a large excavation on Sanders Boulevard (not at the corner). This excavation represented a significant deviation from the Notice of Construction.
19. The excavation remained open between April 17th and June 26, 2023, with no work being completed.

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20. The constructed curb bump out with street furniture is less than 0.5 metres from the front lot line on a corner lot, in contravention of City policy.
21. The constructed curb bump out with street furniture was not constructed in compliance with the City of Hamilton Co-ordinated Street Furniture Guidelines, including but not limited to, buffer zones, setbacks from frontage lot line, and typical configurations.
22. The Owner informed the City on May 29, 2023, that the curb bump out parkette was being constructed over the sewer lateral coming from the Subject Property. This is known as the sewer lateral broke on the subject property side in 2017, and the City came to review and approve the attachment to the City side. Building directly over infrastructure does not comply with good engineering practices, City of Hamilton requirements and the City of Hamilton Complete Streets Design Manual.
23. Between July 2023 and present the Owner and adjacent residents have been subject to property damage, trespassing, illegal smoking and drug use which enters the residence, noise violations, privacy violations and mental health damages. In addition, the City has put an increased financial burden through the non-renewal and higher premium home insurance as a direct result of its installation and increased personal liability.
24. On August 14, 2024, the Owner made the City aware of these issues in through a meeting with concerned residents and the City Councillor. The residents hoped to reach a compromise with the City to mitigate any issues. During that meeting, the City Councillor and her staff admitted that public consultation was not conducted, and that current location was not the best choice according to Public Works. The City was also notified of flooding and a sinkhole and stated that Engineering would come visit the site. This did not occur. A written summary of the meeting was provided to the City Councillors office by email transmission.
25. In response to the illegal activity brought forward by residents, the City and the City Councillors office directed the residents to contact by-law. In a written response, the City stated Municipal Law enforcement is “unable to enforce our by-laws”.
26. The City states that these curb bump outs are to maintain traffic calming; however the initial Wood study stated there were no issues. A Complete Streets Audit was not conducted once the Environmental Assessment was superseded by the City and therefore there is no evidence available to support building the curb bump out parkettes based on the reasoning of traffic calming, nor any policies cited by the City.
27. Residents made and paid for Freedom of Information requests to the City of Hamilton in July and September 2024. Of the five requests made, three have been acknowledged as of March 10, 2025. A decision for the July 2024 FOI request was provided on February 10, 2025. Two have still not be acknowledged. All of these are well outside the regulatory requirements as stated in the Ontario Freedom of Information Act.
28. On June 23, 2025, a City contractor confirmed that the sewer lateral was broken under the built garden and that it had most likely been broken at or close to the time of construction. As a result, the garden was dug up to do the repair. They also noted the sinkhole that was brought to the City’s attention in 2023 and 2024.

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29. Locates done during the sewer lateral repair show that the built infrastructure is also over the water line that goes into the property at 36 Binkley Road, in noncompliance with good engineering practices, City of Hamilton requirements and the City of Hamilton Complete Streets Design Manual.

For each of the points above, documented evidence is available to support each point. Much of the documented evidence is from the City of Hamilton itself.

Given the:

1. City of Hamilton's noncompliance with its own policies and procedures,
2. Failure in siting requirements,
3. Noncompliant stamped drawing requirements as per the Professional Engineers of Ontario (PEO) and the Ministry of Transportation (MTO) Standard drawings and failure to locate City infrastructure,
4. Incorrect Notice of Construction,
5. Negative impact to residents,
6. Failure to provide Freedom of Information requests with regulatory timeframes, and
7. Failure of infrastructure to meet its intended requirements as engineering reports show there was no issue.

we ask that the City of Hamilton remove the existing infrastructure (as it is already partially torn up), and if it wishes to put in infrastructure, to ensure it complies with Provincial and City requirements.

I am happy to provide the committee with photographic and documented evidence at their request. Current state photographic evidence is included on the last page. In addition, we can arrange a site visit to show the locates and issues.

Karen Hoy

Hamilton, Ontario

Ward 1



