Mayor Bratina called the meeting to order and called upon Rabbi Dan Selsberg of Beth Jacob Synagogue of Hamilton, to lead Council in prayer.

APPROVAL OF THE AGENDA

The Clerk advised of the following changes to the agenda:

1. ADDED COMMUNICATIONS

5.3 Correspondence respecting the Responsible Animal Ownership By-law from:

(d) Jeremy Compton
(e) Teresa Gregorio
(f) Chris White, The Urban Zoo
(g) Robert Baldasare

Recommendation: Be received

5.4 Correspondence respecting the current moratorium on Wind Turbine Development from:
(b)(i) Additional correspondence from Cam Pritchard
(e)(i) Additional correspondence from Betty Ortt
(h) Green Venture and Environment Hamilton
(i) Lou Cafazzio
(j) Anita Merritt
(k) Dave and Nola Spence

Recommendation: Be received

5.6(i) Correspondence from Cynthia Hill, President of the James Street North Merchant and Business Association, expressing opposition to joining the Downtown B.I.A.

Recommendation: Be referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee.

5.8 Correspondence from Alex Thomson, Executive Director, Lynwood Charlton Centre, respecting the amalgamation of Lynwood Hall and Charlton Hall Child & Family Centres

Recommendation: Be received.

5.9 Petition in support of Charlton Hall from:

(a) Lindsay Campbell-Beaudoin
(b) Mike Trebilcock
(c) Clair Hickok
(d) Tom Kelly
(e) Jim Fitzgerald
(f) Lisa Palmer

Recommendation: Be received.

5.10 Correspondence from Barbara Hall, Chief Commissioner, Ontario Human Rights Commission, respecting Zoning Application ZAR-11-034 – Lynwood Charlton Centre

Recommendation: Be received.

2. ADDED NOTICES OF MOTION

8.2 Liquor Licence Application – Mendonca Café, 457 Barton Street East, Hamilton – Motion to Rescind
8.3 Closed Session Minutes of the General Issues Committee Meeting - June 27, 2010

8.4 Use of City Hall Tower 2 as Downtown Site for HWDSB Offices

8.5 Community Correctional Centre - 94 York Boulevard

8.6 Reconsideration of Sub-section (c)(xii)(19) of Item 12 of Audit, Finance & Administration Report 11-005 respecting 2011 Community Partnership Program

3. BY-LAW LISTING

(Pearson/Johnson)
That the Agenda for the City Council meeting being held on January 25, 2012, be approved, as amended. CARRIED

DECLARATIONS OF INTEREST


CEREMONIAL ACTIVITIES/ANNOUNCEMENTS

3.1 Commemoration to Honour Victims of the Holocaust

Mayor Bratina acknowledged that the City of Hamilton is honouring the Seventh International Day of Holocaust Remembrance. A video from the UN Security General Ban Ki-Moon was played for Council and all those in attendance. Mayor Bratina invited Dr. Nadia Rosa, Co-Chair of the Holocaust Education Committee of the Hamilton Jewish Federation to address Council. Guest speaker Max Eisen, a Human Rights Educator and Holocaust Survivor was asked to address Council, and those in attendance. Mayor Bratina spoke to the importance of remembering the tragic events and those that lost their lives during the Holocaust.

APPROVAL OF MINUTES

4.1 January 11, 2012

(Ferguson/Powers)
That the Minutes of the January 11, 2012, meeting of Council be approved, as presented. CARRIED
COMMUNICATIONS

(Powers/Partridge)
That Council Communications 5.1 to 5.10 be approved, as follows:

5.1 Resolution from the City of Kingston respecting Canadian-European Comprehensive Economic and Trade Agreement (CETA) – December 20, 2011

Recommendation: Be received.

5.2 Correspondence from Rachel Adema, Professor, Mohawk College, respecting “Pay It Forward Day” Proclamation – March 15, 2012

Recommendation: Be received.

5.3 Correspondence respecting the Responsible Animal Ownership By-law from:

(a) Mrs. Jaime Neeb, “Our Little Flock – Breeder of Rare Miniature Pets”
(b) Cor Ubbels, North Road Racing Pigeon Association of Hamilton
(c) Steve Walsh, Secretary, Canadian Racing Pigeon Union
(d) Jeremy Compton
(e) Teresa Gregorio
(f) Chris White, The Urban Zoo
(g) Robert Baldasare

Recommendation: Be received.

5.4 Correspondence respecting the current moratorium on Wind Turbine Development from:

(a) Cheryl Howard
(b) Cam Pritchard
(b)(i) Additional correspondence from Cam Pritchard
(c) Bert Seeliger
(d) Robin Jones
(e) Betty Ortt
(e)(i) Additional correspondence from Betty Ortt
(f) Neil Switzer, Chairman, West Lincoln Glanbrook Wind Action Group
(g) Catherine Mitchell and John Dykstra

(Note: The Table of Contents and Preface of the 170-page review prepared by Barbara Frey and Peter Hadden referred to on Page 2 of the submission is attached hereto. The document, in its entirety, can be viewed on the City’s website.

(h) Green Venture and Environment Hamilton
Recommendation: Be received.

5.5 Correspondence/Petition from Cathie Robitaille, Administrator, Waterdown Long-Term Care Centre Inc., requesting a pedestrian light at the entrance to Alexander Place, 329 Parkside Drive, Waterdown

Recommendation: Be received.

5.6 Correspondence from the affected Business and Property Owners on James Street North respecting inclusion of James Street North into the B.I.A. Community

Recommendation: Be referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee

5.6(i) Correspondence from Cynthia Hill, President of the James Street North Merchant and Business Association, expressing opposition to joining the Downtown B.I.A.

Recommendation: Be referred to the General Manager of Planning and Economic Development for a report to the General Issues Committee

5.7 Resolution from Federico Carvajal, Regional Representative, Canadian Labour Congress – Ontario Region, requesting Council’s support for the expansion of Canada’s public pension system by and at the cost of the Federal Government and not municipalities

(Powers/Ferguson)

Recommendation: Be received.

5.8 Correspondence from Alex Thomson, Executive Director, Lynwood Charlton Centre, respecting the amalgamation of Lynwood Hall and Charlton Hall Child & Family Centres

Recommendation: Be received.

5.9 Petition in support of Charlton Hall from:

(a) Lindsay Campbell-Beaudoin
(b) Mike Trebilcock
(c) Clair Hickok
(d) Tom Kelly
(e) Jim Fitzgerald  
(f) Lisa Palmer

Recommendation: Be received.

5.10 Correspondence from Barbara Hall, Chief Commissioner, Ontario Human Rights Commission, respecting Zoning Application ZAR-11-034 – Lynwood Charlton Centre

Recommendation: Be received.

(Pasuta/Partridge)
That Council move into Committee of the Whole for consideration of the Committee Reports. CARRIED

HAMILTON LICENSING TRIBUNAL REPORT 12-001

(Whitehead/Duvall)
That the FIRST Report of the Hamilton Licensing Tribunal be adopted and the information section received. CARRIED

PLANNING COMMITTEE REPORT 11-020(a)

1. Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Outstanding Business List Item) (Item 6.1)

(Clark/Duvall)
That the following be added as Item 1(a)(v) to the Planning Committee Report 11-020(a)

(v) That the pet limit in the urban area and rural settlement areas be set at 4 pets, and that there be no pet limit in the rural area, further that staff be directed to include in the By-law an exemption for qualified rescue organizations.

The amendment CARRIED on the following standing recorded vote as follows:

Yeas: Whitehead, Duvall, Collins, Merulla, Morelli, McHattie, Clark, Pearson, Johnson, Ferguson, Partridge, Bratina, Powers
Total Yeas: 13
Nays: Jackson, Farr, Pasuta
Total Nays: 3
Absent:
Total Absent: 0
That section 5.1 of the Animal Ownership By-law respecting the regulation of sport pigeons be referred back to the Planning Committee to consider changing the By-law to allow racing pigeons within the urban zone. **Amendment CARRIED**

The motion as amended **CARRIED** on a recorded vote as follows:

**Yeas:** Whitehead, Duvall, Collins, Merulla, Morelli, McHattie, Clark, Pearson, Johnson, Ferguson, Partridge, Bratina, Powers
Total Yeas: 13

**Nays:** Jackson, Farr, Pasuta
Total Nays: 3

**Absent:**
Total Absent: 0

That Information item (d) of Planning Committee Report 11-020(a) respecting staff reporting back on concerns and regulations respecting Urban Chickens be lifted from the Information Section. **CARRIED**

That the following be added as item 3 to Planning Committee Report 11-020(a):

3. **Urban Chickens**

   (a) That staff report back by the end of the first quarter of 2012 with a comprehensive report on the concerns and regulations required for Urban Chickens, taking into account: the number of chickens per household; coop distance restrictions; enclosure and containment restrictions; enclosure and containment restrictions nuisance clauses; permit fees; and rooster regulation (rooster restriction);

   (b) That staff fully study the financial and resource issues, including: budgetary implications, licensing and registration and inspection costs; the costs of handling abandoned chickens and capital for accommodation of stray chickens; and a cost recovery model;

   (c) That staff seek more comprehensive input from Public Health with this report."

The motion **CARRIED** on the following standing recorded vote as follows:

**Yeas:** Power, Jackson, Collins, Merulla, Morelli, Farr, McHattie, Johnson, Pasuta Partridge
Total Yeas: 10
Nays: Bratina, Whitehead, Duval, Clark, Pearson, Ferguson
Total Nays: 6
Absent: 0

(Clark/Pearson)
That Planning Committee Report 11-020(a) be adopted, as amended, and the information section received.  CARRIED

PUBLIC WORKS COMMITTEE REPORT 12-001

(McHattie/Farr)
That the First Report of the Public Works Committee be adopted and the information section received.  CARRIED

PLANNING COMMITTEE REPORT 12-001

6. Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton) (PED12002) (Ward 2)

(Farr/McHattie)
That the Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street be deferred, to the April 11th Council meeting to allow Staff to report to the General Issues Committee regarding the investigation and collaboration for an alternative location that meets the needs of Lynwood Charlton Centre, the City of Hamilton, and most importantly the young women that will be supported by this facility.  CARRIED

The motion as amended CARRIED on a recorded vote as follows:

Yeas: Bratina, McHattie, Farr, Morelli, Merulla, Collins, Jackson, Duvall, Whitehead, Johnson, Ferguson, Powers, Pasuta, Partridge
Total Yeas: 14
Nays: Clark, Pearson
Total Nays: 2
Absent: 0

Total Absent: 0

(Farr/McHattie)
That the First Report of the Planning Committee be adopted, as amended and the information section received.  CARRIED
5. **Treasurer’s Apportionment of Land Taxes for Property in Flamborough (FCS11001(g)) (Ward 15) (Item 8.2)**

That the 2010 land taxes in the amount of $1,444 for 87-93 Browview Drive, Flamborough, (Roll #2518 303 420 23010 0000) be apportioned and split amongst the four newly created parcels as set out in Appendix A to report FCS11001(g).

Amendment CARRIED
Motion as Amended CARRIED

11. **Proposed Water/Wastewater Consecutive Estimates Accounts Policy Amendments (FCS12012) (City Wide) (Item 8.6)**

(Johnson/Pearson)
That Item 11 of the Audit, Finance & Administration Committee Report 12-001 be amended by deleting the following from Appendix “D” in its entirety:

<table>
<thead>
<tr>
<th></th>
<th>Meter reader leaves meter read request door hanger for customer</th>
<th>Letter issued to account holder (and property owner if different from account holder) informing of access issue and notification provided that if not rectified within 30 days that City will shut water service with minimum of 24 hours notice</th>
<th>consumption based on triple flat rate billing (3m³/day) until service is shut and minimum fixed charge once service is shut until such time as the meter issues have been resolved to the City’s satisfaction, the water has been turned back on and metered billings are restored with actual readings enabled</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Amendment CARRIED
Motion as Amended CARRIED

(Johnson/Pearson)
That the First Report of the Audit, Finance & Administration Committee be adopted, as amended and the information section received. CARRIED
EMERGENCY & COMMUNITY SERVICES COMMITTEE REPORT 12-001

(Partridge/Pasuta)
That the First Report of the Emergency & Community Services Committee be adopted and the information section received. CARRIED

(Pasuta/Partridge)
That the Committee of the Whole Rise and Report. CARRIED

MOTIONS

7.1  Reconsideration of Motion respecting “Request for Moratorium on Industrial Wind Turbine Development”

Whereas the Ontario Green Energy and Green Energy Act removed from the Municipality any planning authority over renewable energy projects within their jurisdiction;

And Whereas significant public concern and opposition to Industrial Wind Turbines has been expressed across the Province, together with seventy Municipal Councils now passing resolutions for a wind turbine moratorium on Industrial Wind Turbine Development.

Now Therefore Be it Resolved:

(a) That the Premier of Ontario be requested to restore local planning approval authority, immediately, to local governments regarding decision on Industrial Wind Turbines;

(b) That a moratorium be placed on the establishment of any new Industrial Wind Turbine developments in Hamilton until a comprehensive, independent and peer-reviewed scientific study, as well as a psycho-social impact study, can confirm that industrial wind energy projects do not pose a risk to the community, the health of its citizens, property values, the rural environment and the affects to wildlife, specifically bees;

(c) That this resolution be forwarded with a request for action to: the Premier’s Office, the Ontario Ministries of Health, Environment and Energy, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Niagara Escarpment Commission (NEC).

(Partridge/Mchattie)
That the motion respecting the Reconsideration of Motion, respecting Request for Moratorium on Industrial Wind Turbine Development, be tabled. CARRIED
7.2 Liquor Licence Application – Mendonca Café, 457 Barton Street East, Hamilton

(Morelli/Merulla)
That the City’s objection, approved by Council at its meeting of August 11, 2011, to a Liquor License Application by Mendonca Cafe at 457 Barton Street East, Hamilton noted as Motion 7.3 be rescinded, as an agreement has been reached with respect to the conditions attached to the Liquor Licence, as outlined in the attached Memorandum of Agreement.

CARRIED

7.3 Grants Sub-Committee Report 11-002

(Powers/Jackson)
That sub-section (c)(xii)(19) of Item 12 of the Audit, Finance & Administration Committee Report 11-005, respecting the Community Partnership Program Road Closure Equipment and Services allocation for the Dundas Cactus Festival, which reads as follows, be reconsidered:

12. Grants Sub-Committee Report 11-002

(c) 2011 Community Partnership Program (GRA11003) (City Wide) (Item 5.2)

(xii) That the following groups receive an annual grant within the Special Events Category, of the Community Partnership Program, to be transferred from the Event Road Closure Services budget to the Special Events budget base for the total amount of $31,066.71, in lieu of Event Road Closure Services to cover the cost of Road services:

- Ancaster Remembrance Day ($600.00)
- Remembrance Day (Dundas Legion) ($500.00)
- Hamilton Remembrance Day ($1,300.00)
- Stoney Creek Remembrance Day ($200.00)
- Waterdown Remembrance Day ($300.00)
- Hamilton Firefighters Chilli Cook-Off (Hamilton Professional Firefighters Association) ($220.63)
- Road 2 Hope (City Kidz) ($441.25)
- Annual Scout/Guide Parade (Hamilton Scout/Guide Parade Committee) ($956.05)
- Communita Maria SS Del Monte (3) (Communita Rascalmutese) ($808.97)
- Rockton World’s Fair (Rockton Agricultural Society) ($294.17)
- Around the Bay Road Race (Around the Bay Road Race Inc.) ($1,029.59)
- Dared-to-Tri Triathlon (Ancaster High School) ($4,412.54)
Stoney Creek Flag Day (Stoney Creek Chamber of Commerce) ($735.42)
Ancaster Heritage Days Parade (Ancaster Heritage Day Committee) ($735.42)
Ancaster Old Mill Race (Ancaster Old Mill Race) ($294.17)
Dundas International Buskerfest (Dundas International Buskerfest Committee) ($4,780.25)
Open Streets Hamilton (June 2011) ($1,470.85)
Lynden Canada Day Parade (Lynden Canada Day Committee) ($367.71)
**Dundas Cactus Festival (Dundas Cactus Festival Assoc.)** ($3,309.40)
Hamilton Mardi Gras Carnival Parade (Hamilton Carnival Cultural Committee) ($956.05)
Labour Day Parade (Hamilton and District Labour Council) ($588.34)
Open Streets (Sept 2011) ($1,470.85)
Super Crawl ($1,836.56)
The Locke Street Festival (Locke Street Merchants Association) ($367.71)
Hamilton Santa Claus Parade ($2,353.35)
Stoney Creek Santa Claus Parade ($735.42)

CARRIED

7.4 Grants Sub-Committee Report 11-002

**(Powers/Partrdige)**

(a) That sub-section (c)(xii)(19) of Item 12 of the Audit, Finance & Administration Committee Report 11-005, respecting the Community Partnership Program allocation for the costs for Road Closure Equipment and Services, for the Dundas Cactus Festival, which reads as follows, be amended by deleting the amount of “$3,309.40” and replacing it with the amount of “$2,482.05: in lieu thereof; to read as follows; and,

“19. Dundas Cactus Festival (Dundas Cactus Festival Assoc.) **($2,482.05)**

(b) That sub-section (c)(xii) of Item 12 of the Audit, Finance & Administration Committee Report 11-005, respecting the Community Partnership Program allocation for the costs for Road Closure Equipment and Services, be amended by adding the words “27. Dundas Cactus Parade ($827.35)”, to read as follows:
12. Grants Sub-Committee Report 11-002

(c) 2011 Community Partnership Program (GRA11003) (City Wide) (Item 5.2)

(xii) That the following groups receive an annual grant within the Special Events Category, of the Community Partnership Program, to be transferred from the Event Road Closure Services budget to the Special Events budget base for the total amount of $31,066.71, in lieu of Event Road Closure Services to cover the cost of Road services:

- Ancaster Remembrance Day ($600.00)
- Remembrance Day (Dundas Legion) ($500.00)
- Hamilton Remembrance Day ($1,300.00)
- Stoney Creek Remembrance Day ($200.00)
- Waterdown Remembrance Day ($300.00)
- Hamilton Firefighters Chilli Cook-Off (Hamilton Professional Firefighters Association) ($220.63)
- Road 2 Hope (City Kidz) ($441.25)
- Annual Scout/Guide Parade (Hamilton Scout/Guide Parade Committee) ($956.05)
- Communita Maria SS Del Monte (3) (Communita Racalmutese) ($808.97)
- Rockton World's Fair (Rockton Agricultural Society) ($294.17)
- Around the Bay Road Race (Around the Bay Road Race Inc.) ($1,029.59)
- Dared-to-Tri Triathlon (Ancaster High School) ($4,412.54)
- Stoney Creek Flag Day (Stoney Creek Chamber of Commerce) ($735.42)
- Ancaster Heritage Days Parade (Ancaster Heritage Day Committee) ($735.42)
- Ancaster Old Mill Race (Ancaster Old Mill Race) ($294.17)
- Dundas International Buskerfest (Dundas International Buskerfest Committee) ($4,780.25)
- Open Streets Hamilton (June 2011) ($1,470.85)
- Lynden Canada Day Parade (Lynden Canada Day Committee) ($367.71)
- Dundas Cactus Festival (Dundas Cactus Festival Assoc.) ($2,482.05)
- Hamilton Mardi Gras Carnival Parade (Hamilton Carnival Cultural Committee) ($956.05)
- Labour Day Parade (Hamilton and District Labour Council) ($588.34)
- Open Streets (Sept 2011) ($1,470.85)
Super Crawl ($1,836.56)
The Locke Street Festival (Locke Street Merchants Association) ($367.71)
Hamilton Santa Claus Parade ($2,353.35)
Stoney Creek Santa Claus Parade ($735.42)

Dundas Cactus Parade ($827.35)

(c) That staff be directed to adjust the Community Partnership Program base funding, for the years 2010 and onward, for the Dundas Cactus Festival and the Dundas Cactus Parade, for the costs of Road Closure Equipment and Services, to read as follows:

(i) Dundas Cactus Festival ($2,482.05)
(ii) Dundas Cactus Parade ($827.35)

CARRIED

NOTICES OF MOTION

Councillor Merulla introduced the following Notice of Motion:

8.1 Review of Process for Private and Confidential Reports

That the Governance Review Sub-Committee be requested to review the following and report to the Audit, Finance and Administration Committee:

(a) The format in which confidential reports are prepared for Committee/Council;

(b) The process in which Private and Confidential items are distributed to Committee/ Council;

(c) The role of the Clerk as outlined in the City's Procedural By-law subsection 9.6, which reads as follows:

"9.6. The Clerk shall advise the Mayor or Chair, if in his or her opinion, a matter or portion of a matter being discussed in a meeting that is closed to the public is not procedurally appropriate in accordance with section 239 of the Act and section 8 of this By-law."

Councillor Morelli introduced the following Notice of Motion:

8.2 Liquor Licence Application – Mendonca Café, 457 Barton Street East, Hamilton
That the City’s objection, approved by Council at its meeting of August 11, 2011, to a Liquor License Application by Mendonca Cafe at 457 Barton Street East, Hamilton, noted as Motion 7.3, be rescinded as an agreement has been reached with respect to the conditions attached to the Liquor Licence, as outlined in the attached Memorandum of Agreement.

7.3 Liquor Licence Application – Oceano Restaurant and Bar, 359 Barton Street East, Hamilton, and Mendonca Café, 457 Barton Street East, Hamilton

WHEREAS, Oceano Restaurant and Bar (359 Barton Street East, Hamilton) and Mendonca Café (457 Barton Street East, Hamilton) have applied for indoor liquor licences;

AND WHEREAS, under Section 7.1 (1) of the Alcohol and Gaming Commission of Ontario’s legislation, they shall consider a resolution of Council of the municipality, in which are located the premises for which a person makes an application to sell liquor or holds a licence to sell liquor, as proof of the needs and wishes of the residents of the municipality for the purposes of clause 6 (2) (h) of the Act;

AND WHEREAS, due to existing community concerns about noise, after-hours activities, etc., these facilities would only increase these problems;

THEREFORE, BE IT RESOLVED:

That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton objects to the said applications on the grounds that it will be negative to an already fragile neighbourhood.

(Morelli/Merulla)
That the Rules be waived to allow the introduction of a motion to Rescind 7.3 approved by Council on August 11, 2011 respecting Liquor Licence Application – Mendonca Café, 457 Barton Street East, Hamilton. CARRIED

See motion 7.2 for disposition

Councillor Clark introduced the following Notice of Motion:

8.3 Closed Session Minutes of the General Issues Committee Meeting - June 27, 2011

That the June 27, 2011 Closed Session Minutes of the General Issues Committee be publicly released, in a redacted format.
Councillor Farr introduced the following Notice of Motion:

8.4 **Use of City Hall Tower 2 as Downtown Site for HWDSB Offices**

Whereas, McMaster University’s Family Medicine Department is poised to construct an exciting multi-level facility on the Hamilton Wentworth District School Board site at the corner of Main and Bay Streets, and

Whereas, the Hamilton Wentworth District School Board has stated an interest in moving their downtown offices to their Mountain location, and;

Whereas, when designed and constructed in 1960, Stanley Roscoe’s vision for City Hall included a second tower, situated immediately south of the current building, and;

Whereas, retaining the Hamilton Wentworth District School Board as a keynote employer in downtown Hamilton is of paramount importance to Hamilton, and;

Therefore be it Resolved:

That City staff be directed to formally propose the City Hall second tower site to the Hamilton Wentworth District School Board for a nominal long-term land lease fee, and undertake discussions with the Board on their requirements.

Councillor Farr introduced the following Notice of Motion:

8.5 **Status of Community Correction Centre located at 94 York Blvd., Ward 2**

That staff be requested to provide Council with an update on the status of the Community Correction Centre located at 94 York Blvd., Ward 2.

Councillor Powers introduced the following Notice of Motion:

8.6 **Grants Sub-Committee Report 11-002**

That sub-section (c)(xii)(19) of Item 12 of the Audit, Finance & Administration Committee Report 11-005, respecting the Community Partnership Program Road Closure Equipment and Services allocation for the Dundas Cactus Festival, which was approved by Council on April 13, 2011 and reads as follows, be reconsidered:

12. **Grants Sub-Committee Report 11-002**
(c) 2011 Community Partnership Program (GRA11003) (City Wide) (Item 5.2)

(xii) That the following groups receive an annual grant within the Special Events Category, of the Community Partnership Program, to be transferred from the Event Road Closure Services budget to the Special Events budget base for the total amount of $31,066.71, in lieu of Event Road Closure Services to cover the cost of Road services:

Ancaster Remembrance Day ($600.00)
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**Dundas Cactus Festival (Dundas Cactus Festival Assoc.) ($3,309.40)**

Hamilton Mardi Gras Carnival Parade (Hamilton Carnival Cultural Committee) ($956.05)
Labour Day Parade (Hamilton and District Labour Council) ($588.34)
Open Streets (Sept 2011) ($1,470.85)
Super Crawl ($1,836.56)
The Locke Street Festival (Locke Street Merchants Association) ($367.71)
(Powers/Jackson)
That the Rules of Order be waived to allow the introduction of a motion respecting the reconsideration of sub-section (c)(xii)(19) of Item 12 of the Audit, Finance & Administration Committee Report 11-005, respecting the Community Partnership Program Road Closure Equipment and Services allocation for the Dundas Cactus Festival. CARRIED

See motion 7.4 for disposition of this item

 STATEMENT BY MEMBERS

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

PRIVATE AND CONFIDENTIAL

10.1 Closed Session Minutes – January 11, 2012

(Ferguson/Whitehead)
That the closed session minutes of January 11, 2012, be approved. CARRIED

BY-LAWS

(Powers/Pasuta)
That Bills No. 011 to 024 attached hereto, be passed, that the Corporate Seal be affixed thereto, and that the By-laws be numbered and signed by the Mayor and the City Clerk and read as follows:

<table>
<thead>
<tr>
<th>By-law No.</th>
<th>Bill No.</th>
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<tbody>
<tr>
<td>12-011</td>
<td>011</td>
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<tr>
<td></td>
<td>To Amend By-law No. 01-215</td>
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<td>Being a By-law To Regulate Traffic</td>
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<tr>
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<td>Schedule 2 – Speed Limits</td>
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<td>Schedule 5 – Stop Control</td>
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<tr>
<td>12-013</td>
<td>013</td>
</tr>
<tr>
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<td>To Incorporate City Land Designated as Part 6 on Plan 62R-19142 into McCollum Road</td>
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<tr>
<td>12-014</td>
<td>014</td>
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<tr>
<td></td>
<td>To Amend By-law No. 01-215</td>
</tr>
</tbody>
</table>
Being a By-law To Regulate Traffic

Schedule 5 – Stop Control

12-015  015  To Permanently Close a Portion of Palacebeach Trail, being part of Block 114 on Plan 62M-1073, (Bridgeport Phase 1), Part 1 on Plan 62R-19174, City of Hamilton

12-016  016  To Incorporate City Land Designated as Block 41 on Plan 62M-1152 into STONEHENGE DRIVE

12-017  017  To Amend Zoning By-law No. 90-145-Z, Respecting Lands Located at 1214 Highway 8, in the former Town of Flamborough, now in the City of Hamilton

12-018  018  To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting the Lands Located at 22 Lochside Drive, Stoney Creek

12-019  019  To Amend Zoning By-law No. 464 Respecting the Lands Located at 3316 and 3332 Regional Road 56 (Glanbrook)

12-020  020  To Permanently Close a Portion of Eagleglen Way being Part 1 on Plan 62R-18935, City of Hamilton

12-021  021  To Amend By-law No. 07-170, a By-law to License and Regulate Various Businesses

12-022  022  To Incorporate City Land Designated as Blocks 84 and 85 on Plan 62M-768 and Block 77 on Plan 62M-747 into EAGLEGLEN WAY

12-023  023  To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

Schedule 6 – Time Limit Parking
Schedule 8 – No Parking Zones
Schedule 12 – Permit Parking Zones
Schedule 13 – No Stopping Zones
Schedule 14 – Wheelchair Loading Zones
Schedule 16 – Taxi Zones
Schedule 20 – School Bus Loading Zones

12-025  024  To Confirm Proceedings of Council
(Pearson/Jackson)
That, there being no further business, the City Council meeting adjourned at 8:30 p.m.
CARRIED

Respectfully submitted,

Mayor B. Bratina

R. Caterini
City Clerk
January 25, 2012
PLANNING COMMITTEE
As Amended by Council on January 25, 2012
REPORT 11-020(a)
Thursday, January 12, 2012
9:30 am
Council Chambers
City Hall
71 Main Street West
Hamilton, Ontario

Present: Councillors B. Clark (Chair), Councillor J. Farr (1st Vice Chair), B. Johnson (2nd Vice Chair), R. Pasuta, L. Ferguson, J. Partridge and M. Pearson

Absent with Regrets: Councillor C. Collins, personal business
Councillor T. Whitehead, personal

Also Present: T. McCabe, GM, Planning & Economic Development
M. Hazell, Senior Director, Parking & By-Law Services
S. O’Dwyer, Manager of Animal Control
A. Fletcher, Manager
L. Pasternak, Senior Solicitor
V. Robicheau, Legislative Assistant

THE PLANNING COMMITTEE PRESENTS REPORT 11-020(a) AND RESPECTFULLY RECOMMENDS:

1. Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Outstanding Business List Item) (Item 6.1)

   (a) That the Responsible Animal Ownership By-law, as amended below, which has been prepared in a form satisfactory to the City Solicitor, be enacted;

   (i) That section 6.4 sub-section (a) of the by-law For Responsible Animal Ownership in the City of Hamilton, respecting Cinema Park, be referred back to Staff for further investigation into the identification of Cinema Park as an unleashed area;
(ii) Part 1, Section 1.1, Sub-section "rural or agricultural premises" (b); and in Part 6, Section 6.7 - include both the metric (hectare) and imperial (acre) measurements;

(iii) That Section 9.1, Sub-section “Squamata” (a), of the by-law For Responsible Animal Ownership in the City of Hamilton, be amended by adding the words ", or will exceed," after the words, "female nor the male of species exceed";

(iv) That Section 3.2 (j), of the by-law For Responsible Animal Ownership in the City of Hamilton, be amended by deleting the wording and replacing it with the following wording:

Any display held by an agricultural or horticultural organization incorporated under the Agricultural and Horticultural Organizations Act; but not limited to; a fair, exhibition or competition held by the Binbrook Agricultural Society, Rockton Agricultural Society and the Ancaster Agricultural Society.

(iv) That Section 5.3, Sub-section (c), of the by-law For Responsible Animal Ownership in the City of Hamilton, be amended by deleting the wording and replacing it with the following wording:

5.3(c) is located not less than:

(i) 3 metres from the boundary line of; or

(ii) 10 metres from;

any premises containing a school, church, public hall, store, dwelling or premises user for human habitation, other than the premises used exclusively by the owner of the pigeon;

(v) That the pet limit in the urban area and rural settlement areas considered urban be set at 4 pets, and that the pet limit in the agricultural area be unlimited. And further that staff be directed to include in the Bylaw exemption for qualified rescue organizations;

(vi) That item 5.1 of the Animal Ownership By-law respecting the regulation of sport pigeons be referred back to the Planning Committee to consider changing the By-law to allow racing pigeons within the urban area.
2. **Correspondence regarding Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Item 6.1)**

That the following correspondence regarding Responsible Animal Ownership By-law (PED09303(c)) (City Wide), be received.

November 15, 2011:
(a) John Ford
(b) Pat Oertel
(c) Jessica Aird
(d) Mike Petrik
(e) Judith Harrison
(f) Michelle Gibson
(g) Jean Rodda
(h) Caroline
(i) Pablo Regueiro
(j) Rachel Cook
(k) Hugh McGilchrist
(l) Colleen Simmons
(m) Jessica Nye Brouwer
(n) Wendy Moreton
(o) Agnes Nelson
(p) Removed
(q) Samantha Stiling
(r) Bonnie Dawson
(s) Gemma Norman
(t) J. Collins
(u) Denise Richardson
(v) Mrs. Clark
(w) Paul Meixner and Lisa Kabesh
(x) Marie-Lynn Hammond
(y) Lillian Szilagy
(z) Brenda Power Ahmad
(aa) Joe Stocco
(bb) Leanne Tucker
(cc) Bonnie Gardhouse
(dd) Lesley Sampson – Coyote Watch Canada
(ee) Wendi McManus
(ff) Trish O’Meara
(gg) Jaymz Kay

January 22, 2012:

(hh) Carolyn McCann
(ii) Doris Shields
(jj) Jaymz Kay
(kk) Sandy MacLennan
(ll) Encarni Escobar
(mm) Ira Rosen

*Council – January 25, 2012*
3. Urban Chickens

(a) That staff report back by the end of the first quarter of 2012 with a comprehensive report on the concerns and regulations required for Urban Chickens, taking into account: the number of chickens per household; coop distance restrictions; enclosure and containment restrictions; enclosure and containment restrictions nuisance clauses; permit fees; and rooster regulation (rooster restriction);

(b) That staff fully study the financial and resource issues, including: budgetary implications, licensing and registration and inspection costs; the costs of handling abandoned chickens and capital for accommodation of stray chickens; and a cost recovery model;

(c) That staff seek more comprehensive input from Public Health with this report.”

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

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

APPROVAL OF MINUTES

3.1 November 15, 2011

PUBLIC HEARINGS AND DELEGATIONS

6.1 Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Outstanding Business List Item)

(i) Correspondence from Carolyn McCann
(ii) Correspondence from Doris Shields
(iii) Correspondence from Jaymz Kay
(iv) Correspondence from Sandy MacLennan
(v) Correspondence from Encarni Escobar
(vi) Correspondence from Ira Rosen
(vii) Correspondence from Justine Schultes
(viii) Correspondence from Steve Walsh
(ix) Correspondence from Bob Campbell
(x) Correspondence from Don Intini (FFFF)
(xi) Correspondence from Don Intini

DISCUSSION ITEMS

8.1 Report 12-001 - Agricultural and Rural Affairs Advisory Committee

The Agenda for the January 12, 2012 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST

None

(c) APPROVAL OF MINUTES

(i) November 15, 2011 (Item 3.1)

The Minutes of the November 22, 2011 Planning Committee meeting were approved.

(d) PUBLIC HEARINGS AND DELEGATIONS

(i) Responsible Animal Ownership By-law (PED09303(c)) (City Wide) (Outstanding Business List Item) (Item 6.1)

Sue O'Dwyer, Manager of Animal Control, addressed the Committee with the aid of a PowerPoint presentation. A copy of this presentation has been included in the official record.

The staff presentation respecting, Report PED09303(c), Responsible Animal Ownership By-law, was received.

For disposition on this item, refer to Item 1.

The following motion, passed at the November 15, 2011 Special Meeting of the Planning Committee, was rescinded:

“With regard to the consideration of Urban Chickens:

(a) That staff report back by the end of the first quarter of 2012 with a comprehensive report on the concerns and regulations required for Urban Chickens, taking into account: the number of chickens per household; coop distance restrictions; enclosure and containment restrictions; enclosure and containment restrictions nuisance clauses; permit fees; and rooster regulation (rooster restriction);

(b) That staff fully study the financial and resource issues, including: budgetary implications, licensing and registration and inspection costs; the costs of handling abandoned chickens and capital for accommodation of stray chickens; and a cost recovery model;

(c) That staff seek more comprehensive input from Public Health with this report.”

(e) DISCUSSION ITEMS

(i) Report 12-001 - Agricultural and Rural Affairs Advisory Committee (Item 8.1)

Report 12-001 of the Agricultural and Rural Affairs Advisory Committee, was received.

(f) ADJOURNMENT

There being no further business, the Planning Committee was adjourned at 12:34 p.m.

Respectfully submitted,

Councillor B. Clark
Chair, Planning Committee

Vanessa Robicheau
Legislative Assistant
Office of the City Clerk
January 12, 2012
Public Works Committee
Report 12-001
9:30 a.m.
Monday, January 16, 2012
Council Chambers
Hamilton City Hall
71 Main Street West

Present:
Councillor B. McHattie (Chair), L. Ferguson (Vice-Chair)
Mayor B. Bratina
Councillors C. Collins, S. Merulla, T. Jackson,
S. Duvall, R. Powers

Absent with
Regrets:
Councillor R. Pasuta – City Business
Councillor T. Whitehead – Personal

Also Present:
Councillors J. Partridge, J. Farr, M. Pearson
C. Murray, City Manager
G. Davis, General Manager Public Works
B. Goodger, Senior Director of Operations & Waste Management
J. Mater, Senior Director of Transportation, Energy & Facilities
D. McKinnon, Director of Water and Wastewater Operations
C. Murdoch, Director of Environmental Services
P. Parker, Director of Support Services
R. Norman, Acting Director, Environment and Sustainable Infrastructure
M. Stewart, S. Barnhart, J. Rowen, Public Works
T. Tollis, City Treasurer
R. Male, Director of Financial Services
D. Edwards, Senior Solicitor
E. Filippone, Solicitor
A. Grozelle, Legislative Co-ordinator, City Clerk’s Office

THE PUBLIC WORKS COMMITTEE PRESENTS REPORT 12-001 AND RESPECTFULLY RECOMMENDS:

1. Update to Proposed Westbound Ramps to Highway 403 (PW11027a) (Wards 1 and 12) (Item 5.3)

That Report PW11027a respecting Update to Proposed Westbound Ramps to Highway 403, be received.

2. Proposed Permanent Closure of Palacebeach Trail - Bridgeport Phase 1 and 3 (PW12002) (Ward 11) (Item 6.2)

(a) That the application to permanently close a portion of the road allowance being Palacebeach Trail, part of Block 114 on Plan 62M-1073 being Part 1 on Plan 62R-19174 be approved;

(b) That the City Solicitor be authorized and directed to prepare a By-law to permanently close the highway;

(c) That the draft By-law attached as Appendix “A” to Report PW12002 be approved;

(d) That the City Solicitor be authorized and directed to register a certified copy of the By-law permanently closing the highway in the proper Land Titles Office;

(e) That the By-law permanently closing the highway does not take effect until a certified copy of the By-law is registered in the proper Land Titles Office;

(f) That the one foot reserve, part of Block 114 on Plan 62M-1073, be reconveyed to Homes by Desantis (Meadows) Incorporated.

Note: Item 3 was omitted from Report due to typographical error

4. Solid Waste Management Master Plan Review - Draft Final Report (PW12004) (City Wide) (Item 8.1)


5. Clean City Liaison Committee Terms of Reference (PW12003)(City Wide) (Item 8.2)

That the revised terms of reference for the Clean City Liaison Committee attached as Appendix “A” to Report 12-001 be approved.

6. Delegation Request from Hamaz Khan of the Hillfield Strathallan College Environment Club respecting a proposal to seek formal designation as a “Blue Community” (Item 6.1)

That the materials provided by Hamaz Khan of the Hillfield Strathallan College Environment Club, attached as Appendix “B” to Report 12-001, be received.
7. Delegation Request from Vaughan Martin of the Flamborough Community Council respecting agenda Item 7.1, Waste Procurement Process for 2013-2020 (PW11030d) (City Wide) (Added Item 6.5)

That the materials provided by Vaughan Martin of the Flamborough Community Council, attached as Appendix “C” to Report 12-001, be received.


That the materials provided by Larry Pomerantz of the Hamilton Civic League, attached as Appendix “D” to Report 12-001, be received.

9. Referral of Outstanding Business List Item to Planning Committee (Item 11.1)

That the Outstanding Business List Item respecting the East Gwillimbury Resolution on Brownfield Redevelopment be referred to the Planning Committee.

10. Appointments to Fill Vacancies on the Hamilton Cycling Committee (Item 12.1)

That Tyler Shepherd and Jordan Fysh be appointed to the Hamilton Cycling Committee until such time as successors are appointed following the 2014 election.

FOR THE INFORMATION OF COUNCIL:

(a) CEREMONIAL ACTIVITIES (Item A)

(i) 2011 Ontario Concrete Award for Courtcliffe Park Project (Ward 15) (Item A)

Chair McHattie announced that Courtcliffe Park in Carlisle was recently recognized with an Ontario Concrete Award in the category of Specialty Concrete Products. The Chair indicated that this location posed difficulties for design because the rural setting contained no stormwater management infrastructure. Because of this, stormwater needed to flow directly into the floodplain and ultimately the adjacent creek system. Chair McHattie indicated that staff used pervious concrete as a stormwater management solution to help ease environmental impacts of the expanded parking lot as well as a number of other innovative stormwater management technologies employed as part of the park revitalization project.
Chair McHattie indicated that Courtcliffe Park is the first instance in Hamilton of the installation of pervious concrete as a Low Impact Development technique for managing stormwater. He indicated that this is being used as a pilot project that will enable the City to understand the behaviour and performance of pervious concrete pavement in our community. The Ontario Concrete Award recognizes the efforts of the pervious concrete parking lot design led by Landscape Architectural Services staff, with construction supervision of this unique concrete application, from Construction Services staff.

Chair McHattie presented the award to Public Works staff Meghan Stewart, Steve Barnhart, Rob Norman and Jeff Rowen.

(b) CHANGES TO THE AGENDA (Item 1)

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

4.3 Delegation Request from Vaughan Martin of the Flamborough Community Council respecting agenda Item 7.1, Waste Procurement Process for 2013-2020 (PW11030d) (City Wide)

4.4 Delegation Request from Dr. Lynda Lukasik of Environment Hamilton respecting agenda Item 7.1, Waste Procurement Process for 2013-2020 (PW11030d) (City Wide)

4.5 Delegation Request from Larry Pomerantz of the Hamilton Civic League respecting agenda Item 7.1, Waste Procurement Process for 2013-2020 (PW11030d) (City Wide)

4.6 Delegation Request from Lisa Schumph of the Salvation Army Lawson Ministries respecting support to changes to the ATS Eligibility Criteria

The January 16, 2012 Public Works Committee Agenda was approved, as amended.

(c) DECLARATIONS OF INTEREST (Item 2)

None

(d) APPROVAL OF MINUTES (Item 3)

(i) December 5, 2011 (Item 3.1)

The Minutes of the December 5, 2011 Public Works Committee were approved, as presented.
(e) DELEGATION REQUESTS (Item 4)

(i) Delegation Requests respecting agenda Item 7.1 Waste Procurement Process for 2013-2020 (PW11030d) (City Wide)

The Following Delegations Requests were approved to be heard today:

(a) Peter Hutton, Waste Reduction Task Force
(b) Vaughan Martin, Flamborough Community Council
(c) Dr. Lynda Lukasik, Environment Hamilton
(d) Larry Pomerantz, Hamilton Civic League

(ii) Delegation Request from Paulina Leung of Emterra Environmental Ltd. respecting agenda Item 7.1 Waste Procurement Process for 2013-2020 (PW11030d) (City Wide) (Item 4.2)

The Delegation Request from Paulina Leung of Emterra Environmental Ltd, respecting agenda Item 7.1 Waste Procurement Process for 2013-2020 (PW11030d), was denied.

(iii) Delegation Request from Lisa Schumph of the Salvation Army Lawson Ministries respecting support to changes to the ATS Eligibility Criteria (Item 4.6)

The Delegation Request from Lisa Schumph of the Salvation Army Lawson Ministries, respecting support to changes to the ATS Eligibility Criteria, was approved.

(f) CONSENT ITEMS (Item 5)

(i) Minutes of Various Sub-Committees (Item 5.1)

The following Sub-Committee Minutes were received.

5.1.1 Hamilton Cycling Committee – October 5, 2011
5.1.2 Solid Waste Master Plan Steering Committee – November 10, 2011
5.1.3 Clean City Liaison Committee – November 17, 2011

(ii) Halton-Hamilton Source Water Protection Committee - November 8, 2011 (Item 5.2)

The Minutes of the Halton-Hamilton Source Water Protection Committee November 8, 2011 meeting were received.
(g) DELEGATIONS/PUBLIC HEARINGS (Item 6)

(i) Delegation by Hamaz Khan of the Hillfield Strathallan College Environment Club respecting a proposal to seek formal designation as a “Blue Community” (Item 6.1)

Hamaz Khan of the Hillfield Strathallan College Environment Club addressed the Committee respecting the Blue Community designation. Mr. Khan provided several handouts for the review of Committee members. He outlined his clubs desire to see the City of Hamilton recognize water as a basic human right and become a “Blue Community”. Mr. Khan asked the City of Hamilton to phase out or stop selling bottled water at City facilities.

Committee members thanked the Hillfield Strathallan College Environment Club for their presentation.

On a Motion staff were directed to liaise with the Hillfield Strathallan College Environment Club and report back to the Public Works Committee on requirements to make the City of Hamilton a “Blue Community”.

The presentation by Hamaz Khan of the Hillfield Strathallan College Environment Club was received.

For disposition on this item refer to Item 6.

(ii) Proposed Permanent Closure of Palacebeach Trail - Bridgeport Phase 1 and 3 (PW12002) (Item 6.2)

Chair McHattie asked if any members of the public were in attendance that wished to speak to the Proposed Permanent Closure of Palacebeach Trail. No one came forward.

For disposition on this item refer to item 2.


Peter Hutton, Chair of the Waste Reduction Task Force, addressed the Committee with the aid of a Power Point Presentation. A copy of the presentation has been included in the Official Record.

Mr. Hutton discussed the composition of the Task Force and their work. He indicated education efforts on bi-weekly pick up needs to address the public misconception that weekly pick up of recycling and green bins won’t continue.
Councillor Powers asked for clarification on the overall diversion rate of 49% inquiring if single family homes are exceeding this rate. Mr. Hutton indicated that residential homes have a diversion rate of around 60% and that more focus is required on multi-residential waste diversion.

Committee members discussed focusing more on multi-residential accommodations, businesses and schools. They also discussed illegal dumping with Mr. Hutton.

The delegation by Peter Hutton of the Waste Reduction Task Force respecting agenda Item 7.1 was received.


Vaughan Martin of the Flamborough Community Council addressed the Committee respecting agenda Items 7.1 and 8.1. Mr. Martin provided a handout to the Committee members outlining the Flamborough Community Council’s recommendations regarding the review of the Solid Waste Management Master Plan (SWMMP) and Collection System Procurement Process for 2013-2020. He provided an overview of the five recommendations of the Flamborough Community Council.

Mr. Martin spoke in support of bi-weekly collection, however would like to see committee consider other changes as well for increased flexibility in the system. The Flamborough Community Council is also in support of expanding the City’s CCF and MRF to process material from other municipalities, giving priority to Hamilton’s needs. Continued use of the Glanbrook Landfill for the next five years then undertaking a review of disposal capacity needs is also supported. The review should include consideration of EFW and thermal technologies as well as best practices from other municipalities.

For disposition on this item refer to Item 7.

(v) Delegation by Dr. Lynda Lukasik of Environment Hamilton respecting agenda Item 7.1, Waste Procurement Process for 2013-2020 (PW11030d) (City Wide) (Added Item 6.6)

Dr. Lynda Lukasik of Environment Hamilton addressed the Committee respecting agenda Item 7.1.

Dr. Lukasik discussed the need to make sure that there is public information available and community outreach and involvement. She also suggested that the Committee give consideration to the six bag bi-weekly
limit and asked that it be reduced, either initially or incrementally throughout the seven year term.

The delegation by Dr. Lynda Lukasik of Environment Hamilton respecting agenda Item 7.1 was received.

(vi) Delegation by Larry Pomerantz of the Hamilton Civic League respecting agenda Item 7.1, Waste Procurement Process for 2013-2020 (PW11030d) (City Wide) (Added Item 6.7)

Larry Pomerantz of the Hamilton Civic League addressed the Committee respecting agenda Item 7.1. He provided a handout to Committee members that outlined his presentation.

Mr. Pomerantz indicated that increasing the bag limit to 6 bags bi-weekly would discourage people from other waste diversion methods. Discussed that what is important is the weight limit, not the bag limit.

The delegation by Larry Pomerantz of the Hamilton Civic League respecting agenda Item 7.1 was received.

For disposition on this item refer to Item 8.

(h) PRESENTATIONS (Item 7)

(i) Waste Collection Procurement Process for 2013-2020 (PW11030d) (City Wide) (Item 7.1) (Item 7.1)

Debbie Edwards, Senior Solicitor provided Committee members with an update on the RFP complaint process and outlined the options available to Committee members to accommodate possible complainants being heard at the Audit, Finance and Administration Committee.

Beth Goodger, Senior Director of Operations & Waste Management and Pat Parker, Director of Support Services, addressed the Committee with the aid of a Power Point Presentation. A copy of the presentation has been included in the official record.

Staff outlined the report and recommendations before Committee and outlined the options presented for their consideration.

Committee members inquired about landfill lifespan and capacities based on the various options presented for consideration.

Committee members asked about waste and recycling services in other municipalities and how this was factored into the options presented. There was also discussion on public education on the move to a bi-weekly system.
Committee members discussed their desire to address the specific issue around bi-weekly pick up of items like diapers and pet waste.

Committee members discussed the various options available to them and asked staff for clarification on how different combinations of these options would impact cost savings and diversion rates.

Councillor Duvall asked staff to factor the costs of illegal dumping into their overall consideration.

Councillor Pearson asked what the amount of profit the City made in 2011 from the sale of Recyclable materials. Staff indicated that they would have to review the number and get back to the Committee.

Staff outlined the issues Committee had requested further information on as follows:

- Staff will resolve any RFP complaint process related matters and will be meeting with the proponent that sent letters to the Councillors.

- Investigate if there is any cost savings for moving to bi-weekly bulk collection for Project 3.

- Investigate how other municipalities educate the public about a bi-weekly collection system, especially around diapers and pet waste. Investigate if there any relief valves that can be put in place in the system specifically around these issues.

- Provide further details on landfill capacity and the waste diversion possible through the various options presented to Committee.

- Provide additional information on the proposed weekly Leaf and Yard Waste collection service on where staff and resources are utilized during the times of year when these materials are not being generated.

- Provide a further summary of the cost of the various options and clarification of potential savings.

Committee members requested staff bring back information respecting the following:

- Provide information on an acceptable reduction in the bi-weekly 6 bag limit as well as consider if this reduction would require a continuance of the Special Considerations policy. If the continuation of Special Considerations policy is to be considered staff are requested to provide information on making this system broader.
• Staff are to consider a pilot Bulk Waste collection reuse event. Councillor Powers offered Dundas as a possible location for this pilot.

• Councillor Powers stated that the Committee should stay the course for the next seven years with whatever system they agree to, unless circumstances come forward that require an alteration. Chair McHattie indicated that he agrees with this; however would like to see additional action taken on the multi-residential diversion rates.

• Staff are to investigate the consequences of allowing pet waste and diapers in green carts, and provide details the additional financial costs and technical difficulties this would create

• Councillor Duvall asked staff to compare the cost of waiving tipping fees to that of a bag tag system. Staff indicated that waiving of tipping fees is something that they will be reporting back on as part of the options to reduce the six bag bi-weekly limit; however they had not recommended the City move to a tag system. Councillor Duvall requested that staff provide information on how a tag system would work, including costs.

• Committee members asked for the information from staff as expediently as possible.

The staff presentation respecting Report PW11030d, Waste Collection Procurement Process for 2013-2020, was received.

On a Motion Report PW11030d, Waste Collection Procurement Process for 2013-2020 was referred to the February 6, 2012 Public Works Committee meeting.

(i) DISCUSSION ITEMS (Item 8)

(i) Solid Waste Management Master Plan Review - Draft Final Report (PW12004) (City Wide) (Item 8.1)

(a) On a Motion staff were directed to include the following items in the Table of Contents of the Final version of the Solid Waste Management Master Plan Review Report:

(i) Tipping Fee Review at Community Recycling Centres (CRC)

(ii) The Cause and Effect relationship of the implementation of the one bag limit on illegal dumping. This item is to include consultations with Municipal Law Enforcement and the Clean City Liaison Committee
(b) On a Motion staff were directed to hold a special Public Works Committee meeting in April to address the Solid Waste Management Master Plan Review and all members of Council be invited to attend.

(j) PRIVATE AND CONFIDENTIAL (Item 12)

(i) Appointments to Fill Vacancies on the Hamilton Cycling Committee (Item 12.1)

Committee indicated that they did not need to go into Closed Session to discuss the appointments.

For disposition on this item refer to Item 10.

(k) ADJOURNMENT

There being no further business, the Public Works Committee adjourned at 2:04 p.m.

Respectfully submitted,

Councillor B. McHattie, Chair
Public Works Committee

Andy Grozelle
Legislative Co-ordinator
January 16, 2012
CLEAN CITY LIAISON COMMITTEE
TERMS OF REFERENCE

Revised – December 2011

1 Introduction

1.1 Committee Name
Clean City Liaison Committee (CCLC)

1.2 Statement of Purpose
To engage individuals to take greater responsibility for improving our Hamilton community environments by providing education, assistance and promotion.

1.3 Committee Mandate
Reporting through the Public Works Committee, the Clean City Liaison Committee will provide input and advice to staff and Council on engaging citizens to take greater responsibility for improving our community environments. The CCLC’s primary focus is on effecting behaviours and attitudes conducive to a clean, healthy and safe community through leadership and action.

The committee will provide input and guidance to City staff, Council and other stakeholders on community involvement, private sector involvement and identification of resources to sustain Clean City programs and initiatives that aim to beautify our community, promote environmental stewardship and prevent litter, illegal dumping and graffiti.

1.4 Accountability
The CCLC is a Volunteer Committee endorsed by Council reporting through the Public Works Committee or other Standing committees of Council as required. New members are selected by Public Works Committee’s Interview Subcommittee.

The committee must comply with procedural By-laws and operational policies and procedures of the City of Hamilton.

2 CCLC Roles and Responsibilities

The role of the Clean City Liaison Committee is to encourage Hamilton residents, property owners and visitors to engage in neighbourhood/community initiatives that that aim to beautify our community and prevent litter, illegal dumping and graffiti.

This volunteer committee, representative of the community, will assist in connecting community volunteers with litter, illegal dumping, graffiti and beautification programs as well as promoting desired behaviours in the community that support the Clean City goals. The roles and responsibilities of the Clean City Liaison Committee include but are not limited to the following:

(a) Provide input and advice to City staff, Hamilton Police Service and other stakeholders on engaging citizens, property owners and visitors in litter, illegal dumping, graffiti and beautification programs.
(b) Demonstrate leadership in action through participation in events and activities.

(c) Assist with outreach and education opportunities related to litter, illegal dumping, graffiti and beautification programs.

(d) Review reports, studies and other documents on litter, illegal dumping, graffiti and beautification issues that may be presented to the CCLC by the City, consultants, community organizations or the general public, and to provide input and recommendations to the City regarding these issues through the Public Works Committee.

(e) Form subcommittees to deal with specific issues as they arise.

(f) Examine and advise on issues brought forward by members of the community including businesses, residents, education sector, local organizations and special interest groups.

(g) Assist in identifying and facilitating resolution of community concerns regarding litter, illegal dumping, graffiti and beautification.

(h) Operate as the Board of Directors for Hamilton’s Keep America Beautiful affiliate.

(i) Fulfill all obligations and requirements as defined by Keep America Beautiful to maintain the affiliate in good standing.

(j) Actively participate in committee meetings and votes.

3 Membership

The CCLC membership will reflect a broad range of socio-economic and environmental interests in the community, including residents, businesses, education and local organizations.

3.1 General

The terms and conditions of membership are as follows:

(a) With the exception of the Youth representative, a member must be at least 18 years old;

(b) A member must be a resident of the City of Hamilton, or in the case of a business representative, conduct a business serving Hamilton.

(c) Membership is open to any person who fully accepts these terms of reference;

(d) Membership is voluntary (non-compensatory);

(e) Members must declare any conflict of interest issues prior to decision-making;

(f) Members are asked to review all documents, agendas and minutes presented to them to make informed decisions; and

(g) Some activities of the CCLC may require additional time commitments dependent upon the nature of the project undertaken.

3.2 Composition

The composition of the Clean City Liaison Committee will include voting and non-voting members:

Voting members
- Citizen Chair – elected from the appointed members
- Citizen Vice Chair – elected from the appointed members
- Citizen members-at-large (four)
- Business community members (two)
- Youth Representative (up to two)
- Council representative (up to two)
- HABIA representative (one)
• Education Representative (one from each of the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board)

Non-voting members
• CCLC Staff Liaison
• Hamilton Police Service representative
• Economic Development and Planning – Municipal Law Enforcement representative
• Public Works – Operations & Waste Management representative
• Corporate Services – Customer Service Section representative
• Other staff representatives as required

Subcommittee membership can be expanded to include further community representation as deemed appropriate.

3.3 Attendance and Vacancies

If a member is absent for three (3) meetings in a calendar year without approval from the CCLC, the member may be subject to replacement.

New members will be appointed in accordance with the procedures of the Office of the City Clerk.

3.4 Term of Office

The term-of-office for citizen, staff and Council members will expire with the term of Hamilton City Council. Business community member, Youth Representative and Education Representatives terms are a minimum of one year and/or up to the term of Council.
Addendum A
Committee Administration and Operations

1. Member roles and responsibilities

1.1 Voting Members

Chair
The Chair plays a leadership role in planning and coordinating the committee’s work. The Committee Chair is responsible for maintaining order and decorum during meetings and generally ensuring that the committee work proceeds smoothly in conjunction with the committee's business plan. Elected by the CCLC members, the Chair shall:

(a) Coordinate the planning of the CCLC’s activities for the year ahead. In this capacity, the Chair is responsible for ensuring that an ongoing planning process exists for the CCLC.

(b) Consult with the Vice Chair and Staff Liaison in assisting with the preparation of meeting agendas.

(c) Preside at committee meetings, making sure that they run smoothly.

(d) Ensure that members have the information they need to make informed decisions.

(e) Ensure that all new members get a proper orientation to the committee.

(f) Take charge of the delegation of responsibilities, making sure that they are spread out equitably among the members.

(g) Maintain contact with subcommittee Chairs, helping them to stay on track and monitoring whether they need any additional support.

(h) Represent the CCLC at public functions.

Vice Chair
Elected by the CCLC members, the Vice Chair shall:

(a) Fulfill the obligations and responsibilities of the Chair in his/her absence.

Citizen members-at-large
Appointed by Public Works Committee’s Interview Committee, citizen representatives shall:

(a) Represent the interests and concerns of citizens and community groups with respect to litter, illegal dumping, graffiti and beautification to provide relevant informed input into CCLC discussions and recommendations.

(b) Provide assistance and advice on engaging citizens and community groups in Clean City initiatives, programs and behaviours.

Business community members
Appointed by Public Works Committee’s Interview Committee, business community representatives shall:
(a) Represent the interests and concerns of the business community with respect to litter, illegal dumping, graffiti and beautification to provide relevant informed input into CCLC discussions and recommendations.

(b) Provide assistance and advice on engaging business owners, private sector organizations and business associations in Clean City initiatives, programs and behaviours.

**Youth Representative**

Appointed by Hamilton Youth Advisory Committee, youth representatives shall:

(a) Represent the interests and concerns of youth in our community with respect to litter, illegal dumping, graffiti and beautification to provide relevant informed input into CCLC discussions and recommendations.

(b) Provide assistance and advice on engaging youth and youth organizations in Clean City initiatives, programs and behaviours.

**Education Representatives**

Appointed by the Directors of Education of the Hamilton-Wentworth District School Board and Hamilton-Wentworth Catholic District School Board, the respective Education Representative shall:

(a) Provide assistance and advice on integrating Clean City strategies into curriculum, programming, communication and operations under their respective Board jurisdiction.

(b) Provide assistance and advice on engaging students and staff in Clean City initiatives, programs and behaviours.

**Hamilton Area Business Improvement Associations (HABIA) representative**

Appointed by HABIA, the HABIA representative shall:

(a) Represent the interests and concerns of Hamilton’s BIA members with respect to litter, illegal dumping, graffiti and beautification to provide relevant informed input into CCLC discussions and recommendations.

(b) Provide assistance and advice on engaging BIA Boards, BIA members and residents, customers and business tenants of the respective BIA areas in Clean City initiatives, programs and behaviours.

**Council representative**

Appointed by Council, the Council representatives shall:

(a) Provide advice and guidance on the strategic direction and focus of the committee’s work with respect to the Clean City Strategy.

(b) Act as a liaison with Council and the electorate on city-wide litter, illegal dumping, graffiti and beautification issues.

**1.2 Non-voting Members**

**Staff Liaison**

A Staff Liaison will be appointed by the Senior Director of Operations and Waste Management Division to provide administrative support to the committee. The Staff Liaison will:

(a) Ensure the committee is in compliance with procedural By-laws and operational policies;

(b) Ensure meeting minutes accurately capture the committee’s discussion and business;
(c) Obtain management review and approval of the minutes and prepare reports and information updates as required;

(d) Submit approved meeting minutes to the City Clerks Office with requisite form(s) and documentation for inclusion in the Public Works Committee agenda/minutes;

(e) Annually prepare a Volunteer Committee budget submission and corresponding report to the Public Works Committee on behalf of CCLC;

(f) Annually review committee’s mandate and terms of reference;

(g) Manage the committee’s finances and accounts consistent with Purchasing/F&A policies and procedures;

(h) Provide event planning expertise and resource coordination for CCLC community events such as city-wide cleanups, workshops and other outreach and education opportunities;

(i) Ensure appropriate coordination of staff, volunteer and operational resources for litter, illegal dumping, graffiti and beautification programming;

(j) Act as the City liaison/representative for litter, illegal dumping, graffiti and beautification related issues to Hamilton Police Service, Crime Stoppers Hamilton, Environment Hamilton, School Boards, community groups and associations;

(k) Provide advice/approval on appropriate application of “Clean & Green” logo on all Clean City Strategy related initiatives, and:

(l) Provide marketing and communications counsel to CCLC, its subcommittees and stakeholders.

The CCLC Staff Liaison also acts as the Executive Director of the Keep America Beautiful affiliate organization and in this capacity must ensure the certified affiliate remains in good standing with the Keep America Beautiful organization. The duties and responsibilities of the affiliate Executive Director are to:

(a) Report to Chair of the Board;

(b) Manage the daily operations of the KAB affiliate;

(c) Prepare briefs, summaries, fact sheets and other data required for program planning by the KAB affiliate;

(d) Assist Board in plan development;

(e) Assist the Board and committees in implementing action plans;

(f) Develop and maintain a library of resource materials for KAB affiliate volunteers to use in program planning;

(g) Serve as a contact person, clearinghouse of information on all activities of the KAB affiliate;

(h) Train volunteers;

(i) Support partnership and sponsorship efforts as required;

(j) Prepare and submit grant applications;

(k) Prepare budget, exercise budget control;

(l) Prepare and distribute minutes of meetings;

(m) Prepare reports and maintain volunteer records;

(n) Submit semi-annual and annual reports to KAB, including:

- Completing the annual KAB Community Appearance Index
- Completing the annual cost/benefit analysis
(o) Attend state and/or KAB mid-year or national conferences to receive required training for maintaining good standing.

**Staff**

Staff will contribute technical information and support services to assist the CCLC with its mandate, as required. The City of Hamilton staffs (including Hamilton Police Service) are non-voting members of the CCLC.

The staff function shall be to:

(a) Inform and educate CCLC members on operations, programs and initiatives related to litter, illegal dumping, graffiti management and beautification.

(b) Provide accurate information to the CCLC for the CCLC to contribute informed advice and recommendations;

(c) Provide information management services for the CCLC, including preparing support materials as required by the CCLC;

(d) Ensure that the CCLC has the opportunity to provide input on staff recommendations pertaining to litter, illegal dumping, graffiti management and beautification programs and initiatives, where possible.

**Public**

The public is encouraged to attend and participate in regular CCLC meetings. Conditions for public participation are the following:

(a) The Chair or designate has the responsibility to ensure that the meeting proceeds in an orderly fashion to address agenda items;

(b) Citizens or stakeholders may request delegate status to present to the CCLC;

(c) The timeframe allotted for public questions and comments will be a regular item on the agenda at the discretion of the CCLC;

(d) Public participants will not be allowed to make motions at the meetings. CCLC members may put forth motions based on information provided by public participants;

(e) Public participants will not be allowed to vote; and

(f) Public attendees will be required to provide their names and other pertinent information to the representative who is recording minutes for the meeting.

## 2 Administration

### 2.1 Operations of the Committee

(a) Rules of procedure and the operations of the committee will comply with Bourinot’s Rules of Order, the City of Hamilton’s Procedural By-law and all other relevant policies, procedures and By-laws of the City of Hamilton.

(b) The CCLC shall meet at least ten (10) times per year. Additional meetings may be scheduled at the discretion of the CCLC.

(c) The CCLC is funded through the Legislative Volunteer Committees budget. Committee finances are managed and approved by the Staff Liaison. Committee activities and events can be supported by in-kind donations of services and materials as approved by the Staff Liaison.
### 2.2 Selection of Chair and Vice Chair

(a) The Chair and a Vice Chair shall be selected annually by election. The seat of Chair cannot be held for more than two (2) consecutive years within the term of the Committee.

(b) Nominees must be appointed citizen or business representatives. Nominations for each of the Chair and Vice Chair positions will be received from the membership body. The nominated individuals will have the opportunity to accept or decline the nomination. Members will be allowed to vote for the individuals who accept the nomination. The person receiving the largest number of votes will be elected for the respective position.

(c) The Staff Liaison will direct the nomination and voting process.

### 2.3 Voting and Quorum

(a) Quorum shall be achieved when 50% plus one member of the CCLC voting membership body (with the Chair or Vice Chair present), plus the Staff Liaison is present.

(b) In the event that a member is absent from a meeting and does not agree with the advice or recommendations from the meeting, his/her dissent may be registered in person or by proxy with another member at the following meeting.

### 2.4 Minutes and Agendas

(a) The Minutes of the CCLC meetings shall be provided by staff.

(b) The Staff Liaison shall prepare the agenda in advance of the meeting in consultation with the Chair and Vice Chair.

(c) The Chair and Vice Chair may propose items for the agenda. Minutes and a draft meeting agenda will be forwarded to CCLC members at least one week prior to each meeting where possible.

(d) The Chair may grant requests for discussion of items not on the agenda at the beginning of each meeting as part of the agenda approval.

(e) Minutes of the meetings will be forwarded to the Public Works Committee and will be posted on the City’s Website.
Public Works Committee

1. Everyone is free and we should all be treated in the same way.

2. Everyone is equal despite differences in skin colour, sex, religion, language for example.

3. Everyone has the right to life and to live in freedom and safety.

4. No one has the right to treat you as a slave nor should you make anyone your slave.

5. No one has the right to hurt you or to torture you.

6. Everyone has the right to be treated equally by the law.

7. The law is the same for everyone, it should be applied in the same way to all.

8. Everyone has the right to ask for legal help when their rights are not respected.

9. No one has the right to imprison you unjustly or expel you from your own country.

10. Everyone has the right to a fair and public trial.

11. Everyone should be considered innocent until guilt is proved.

12. Everyone has the right to ask for help if someone tries to harm you, but no-one can enter your home, open your letters or bother you or your family without a good reason.

13. Everyone has the right to travel as they wish.

14. Everyone has the right to go to another country and ask for protection if they are being persecuted or are in danger of being persecuted.

15. Everyone has the right to belong to a country. No one has the right to prevent you from belonging to another country if you wish to.

16. Everyone has the right to marry and have a family.

17. Everyone has the right to own property and possessions.

18. Everyone has the right to practise and observe all aspects of their own religion and change their religion if they want to.

19. Everyone has the right to say what they think and to give and receive information.

20. Everyone has the right to take part in meetings and to join associations in a peaceful way.

21. Everyone has the right to help choose and take part in the government of their country.

22. Everyone has the right to social security and to opportunities to develop their skills.

23. Everyone has the right to work for a fair wage in a safe environment and to join a trade union.

24. Everyone has the right to rest and leisure.

25. Everyone has the right to an adequate standard of living and medical help if they are ill.

26. Everyone has the right to go to school.

27. Everyone has the right to share in their community's cultural life.

28. Everyone must respect the 'social order' that is necessary for all these rights to be available.

29. Everyone must respect the rights of others, the community and public property.

30. No one has the right to take away any of the rights in this declaration.
A National Disgrace:
Canada’s shameful position on the right to water

The Canadian government has tarnished its reputation on the world stage by continuing to oppose attempts to enshrine the right to water at the United Nations.

At the World Water Forum at The Hague in 2000, in Kyoto in 2003, and in Mexico City in 2006, Canada refused to assert water as a human right. In 2002 and 2003, Canada was the only country to vote against United Nations (UN) resolutions on the human right to water, stating, “Canada does not accept that there is a right to drinking water and sanitation.” The Harper government also played a key role in blocking a motion by Germany and Spain to officially recognize water as a human right at the UN Human Rights Council in March 2008.

Over the span of six years, UN member nations have pushed for recognition of the human right to water. On each occasion Canada rejected the efforts. Another UN vote is expected before March 2010.

Pressure is on
Access to clean, fresh water is essential for people and nature, and the UN is starting to take note. In September 2007, at the 6th Session of the UN Human Rights Council, the High Commissioner for Human Rights, Canadian Louise Arbour, presented her report outlining states’ obligations under the right to water.

Madame Arbour’s report called for stronger regulations governing water companies, including penalties for corporations that commit human rights abuses and restrict peoples’ right to water.

In May 2006, the UN Committee on Economic, Social and Cultural Rights rebuked Canada for its position on the right to water, saying it “regretted” Canada’s continued opposition, and called on Canada to review its stand. The UK recently reversed its initial opposition to the right to water and is now a supporter. Canada is becoming increasingly isolated as state upon state recognizes the right to water.

The crisis
The global water crisis is already upon us. More than 1.1 billion people do not have access to safe, clean drinking water, while 2.6 billion are without adequate access to water for basic sanitation. This crisis is not only due to water scarcity, but also because the international community has failed to adequately manage and provide water for all.

The solution
A binding convention on the right to water would outline the responsibility of international governments to provide safe drinking water for all people, regardless of the community or country they live in. Most importantly, water would be recognized as a fundamental right. This would ensure that access to safe water is not determined by one’s ability to pay for it.

A UN convention on the right to water would establish clear reporting and redress mechanisms. It would also help put a stop to the rampant pollution, depletion and abuse of our water sources.

Guarantees
The global water crisis calls for good governance and
for the political will to act. A UN Convention on the Right to Water could help guarantee that:

- Governments (not private companies) ensure access to safe water for drinking, food preparation and sanitation.
- Water is protected as a public trust and delivered as a public service on a not-for-profit basis.
- Environmental protections are instituted, ensuring a safe water supply.
- Water sources are preserved and protected from overuse, pollution, and diversions.

It's not too late for the Canadian government to reverse its position on the right to water and instead, to become a champion for this fundamental right.

**Take action!**
Contact Prime Minister Stephen Harper today and demand that the Canadian government establish a national water policy that affirms water as a human right and endorse the recognition of water as a human right at the UN.

e-mail: pm@pm.gc.ca
fax: 613-941-6900
Mail: Office of the Prime Minister
80 Wellington St.
Ottawa, ON K1A 0A2

Join the Council of Canadians
The strength of the Council is in its membership. The Council does not accept funding from corporations or from governments, so membership donations are vital to our activities. We work with community groups, seniors, students, unions and other organizations across the country to promote progressive policies on public health care, fair trade, secure energy, clean water and other issues of social and economic concern to Canadians. Visit www.canadians.org or call us at 1-800-387-7177 to become a member today.
Blue Communities Project Guide

Paint the Town Blue!
What is a blue community?

A “blue community” is one that adopts a water commons framework by taking the three actions outlined in this guide.

A water commons framework treats water as belonging to no one, and the responsibility of all. Because water is central to human activity, it must be governed by principles that allow for reasonable use, equal distribution and responsible treatment in order to preserve water for nature and future generations.

The Blue Communities Project calls on communities to adopt a water commons framework by:

1. Recognizing water as a human right.
2. Promoting publicly financed, owned and operated water and wastewater services.
3. Banning the sale of bottled water in public facilities and at municipal events.

This guide provides information and resources to help you achieve these goals.

The Blue Communities Project

The Blue Communities Project is a joint initiative of the Council of Canadians and the Canadian Union of Public Employees (CUPE). This project builds on a decade of Water Watch work in coalition with many other groups to protect public water services and challenge the bottled water industry.

The Blue Communities Project Guide was created to help community activists and local leaders protect the water commons – our shared water resources – in the face of increasing pressure to put water up for sale and privatize water services. As a public sector worker, municipal councillor or community activist pursuing the creation of a “blue community,” you will become part of a growing movement for public water in Canada.
Public Works Committee

Why Blue Communities?

Canada's waterways are increasingly polluted and depleted by unsustainable industrial, agricultural and municipal activities. Our water services face the growing threats of underfunding and privatization. The need to protect water resources and services is urgent and governments must play a central role in ensuring water is used responsibly and allocated fairly.

The push to privatize Canada's water and sewage systems through long-term operation contracts, or so-called public-private partnerships (P3s), began more than a decade ago. The Harper government has made water privatization a key part of its agenda in the last few years by committing public money destined for water infrastructure to the hands of water profiteers through funding mechanisms aimed at promoting P3s.

In the meantime, the bottled water industry sells water—what should be a shared public resource—for huge profits. Greenhouse gasses are emitted and watersheds destroyed as a result of producing and transporting bottled water. Bottled water production places a huge stress on increasingly scarce water resources.

Finally, Canada has refused to recognize water as a human right domestically, and has actively prevented the adoption of water as a human right in international law.

Municipalities are responsible for water quality, supply, treatment and conservation. The adoption of a water commons framework to address these problems at the community level is crucial in the battle to preserve water and ensure fair access to all.
Recognize water as a human right

Water is essential to life – no one should be able to control it or expropriate it for profit. The human right to water entitles everyone to sufficient, safe, accessible water for personal and domestic uses.

The recognition of water as a human right in Canada would ensure that all people living in this country are legally entitled to sufficient quantities of safe, clean drinking water and water for sanitation, and would require that access inequalities be addressed immediately. Unfortunately, water is not officially recognized as a human right by the federal government.

On the other hand, the rights of corporations, whose activities drain, contaminate and destroy watersheds, are protected in the North American Free Trade Agreement (NAFTA) and other international trade and investment agreements.

Internationally, the Canadian government has also actively prevented the recognition of water as a human right at key United Nations (UN) meetings.

In 2002, Canada was the only country to vote against the right to drinking water and sanitation at hearings of the UN Commission on Human Rights (now known as the Human Rights Council). The Canadian government has said that water is an important issue and that countries are responsible for ensuring their populations have access to water. But Canada has clearly stated it does not believe that international law should recognize the existence of a right to water.

In the current global water crisis, billions of people still lack access to basic water and sanitation services. Every day, thousands of people die from preventable diseases contracted because they do not have access to clean water. The recognition of water as a human right in international law allows for the means and mechanisms of the UN to be employed to hold governments accountable for ensuring that their populations have access to safe clean drinking water and water for sanitation purposes.

Canadian municipalities and the right to water

Responsibility for water is shared between provincial, municipal and federal governments. It is therefore crucial that the right to water be enshrined at every level of government.
A municipal recognition of the right to water would:

- Safeguard against a pricing scheme that would limit access to drinking water.
- Ensure all residents have equal access to adequate supplies of safe, clean water.
- Provide citizens with information on their water supply and the operation of their water services.
- Promote water conservation, treatment, reuse and source protection to enhance water quality and quantity.

Most Canadian municipalities already meet these criteria. However, official recognition of the right to water at the municipal level would cement these principles. It would also create much-needed momentum to apply pressure on other orders of government to play their role in recognizing water as a human right.
Sample Resolution

WHEREAS one in six people around the world does not have access to clean drinking water; and,

WHEREAS over a quarter of Canadian municipalities have faced water shortages; and,

WHEREAS the Canadian Medical Association reported 1,766 boil water advisories in Canadian communities in 2008 leading to thousands of waterborne illnesses every year; and

WHEREAS Indigenous communities in Canada have been disproportionately affected by lack of access to clean safe drinking water; and,

WHEREAS the UN Conference on Water in 1977 in Mar del Plata affirmed the right of all persons to access clean drinking water in order to satisfy their fundamental needs; and

WHEREAS the Canadian Union of Public Employees and the Council of Canadians have asked Canadian municipalities to assist in their effort to have the federal government recognize access to drinking water as a human right;

THEREFORE BE IT RESOLVED that this Council recognizes and affirms that access to clean water is a fundamental human right.

BE IT FURTHER RESOLVED that this Council will call on the federal and provincial to enshrine water as a human right in federal and provincial law.

BE IT FURTHER RESOLVED that this Council will call on the government of Canada to support the recognition of water as a human right in international law.
Recognize water as a human right.

Good practices

Wallonia:
The Belgian region of Wallonia officially recognizes that, "Each person has the right to dispose of a drinking water of quality and in sufficient quantity for its nutrition, its household needs and its health."

In 2006, the Walloon Minister of Environment announced that the region would extend water solidarity to the international level. The region is in the process of developing legislation to support water projects in selected developing countries.

Union of Nova Scotia Municipalities
In 2007, the Union of Nova Scotia Municipalities recognized "access to clean water" as a "basic human right."

1 http://www.righttowater.org.uk
Ban the sale of bottled water in municipal facilities and at municipal events

Bottled water represents an “enclosure” or private takeover of the water commons. Corporations take free flowing water from its natural state – or treated municipal water – put it in plastic bottles and sell it at exorbitant rates.

While twenty years ago, bottled water was considered a luxury product consumed by a niche market, today one-third of Canadian households rely on bottled water to meet their hydration needs, according to a 2006 Statistics Canada report. Agriculture and Agrifoods Canada reports that Canadians consume two billion litres of bottled water per year.

Canada is a net exporter of bottled water, selling its ancient glacier waters all over the world mostly for the profit of big foreign-owned water companies like Nestlé, Coca-Cola and Pepsi. Most provinces charge these companies next to nothing to extract this water from springs and aquifers. Whole watersheds are now under threat from this practice.

It also takes a lot of water to bottle water. The production process requires three to five litres of water to produce a one litre bottle of bottled water.

In order to persuade people to spend up to 3,000 times what they spend on tap water, bottled water companies advertise their products as a safer and healthier alternative. Nothing can be further from the truth. Bottled water is regulated as a food product under the Canadian Food Inspection Agency. Bottling plants are inspected on average only once every three years. Regulation of tap water, on the other hand, is far more stringent. In general, municipal tap water is tested continuously during and after treatment.

Finally, in an era when the world is dealing with the impacts of climate change, the bottled water industry requires massive amounts of fossil fuels to manufacture and transport its product.

Increasingly, Canadians are moving back to the tap, rejecting bottled water. A growing number of Canadian municipalities, school boards and other institutions are banning the sale and purchase of bottled water in their facilities and at their events.

1 “Against the flow: Which households drink bottled water?” EnviroStats, Summer 2008, Vol. 2, no. 2
Sample resolution

That, on the recommendation of the Acting General Manager of Environmental & Engineering Services & City Engineer, the following actions be taken:

A) Municipal council APPROVE a resolution stating the following:

WHEREAS the Corporation of the City of London operates and maintains a regulated and sophisticated water distribution system that meets some of the most stringent water quality requirements in the world;

WHEREAS the regulatory requirements for monitoring water quality contained in bottled water are not as stringent as those that must be met by the Corporation of the City of London;

WHEREAS The Corporation of the City of London delivers water to its residents and businesses that translates, on average, to about one-eighth of a cent per litre;

WHEREAS single-use bottled water sold in London is 230 to 3,000 times more expensive than water from the tap in London, even though estimates suggest that between 10% and 25% of the bottled water originates from municipal water systems;

WHEREAS resource extraction, packaging and distribution of single-use bottled water creates unnecessary air quality and climate change impacts and consumes unnecessary resources such as oil in the manufacture of plastic bottles and in the fuel used in the transportation of bottled water to the consumer;

WHEREAS single-use plastic bottles, although easily recycled through the City of London recycling program, approximately 60% are captured in the Blue Box Program and the rest end up in the garbage bag and ultimately delivered to the City's landfill site taking up unnecessary space without any further contribution to society;

WHEREAS single-use plastic bottles that are not recycled in the Blue Box program or placed in the garbage become litter in London's streets, parks and boulevards;

WHEREAS the cost of managing single-use plastic bottles along with other recyclable material in the Blue Box program, after material revenue, has been removed, is currently 35% paid by industry stewards and 65% paid by London taxpayers and when the single-use plastic bottles and other recyclable materials are sent to landfill industry stewards do not pay any of the costs;

WHEREAS City of London tap water is safe, healthy and accessible to Londoners and visitors, and substantially more sustainable than single-use bottled water;

WHEREAS City of London tap water is readily available at most indoor public facilities, either in the form of a faucet in a bathroom or drinking fountain and, where it is not readily available a plan be put in motion to
increase access to municipal water subject to water quality and safety requirements, budget and other considerations;

WHEREAS a priority of London Municipal Council remains that where easy access to municipal tap water does not exist, the availability of bottled water is a very appropriate alternative;

WHEREAS the City Council wishes to set a positive example to the London community on environmental matters;

THEREFORE BE IT RESOLVED THAT a) single-use bottled water will no longer be sold in the City Hall cafeteria, from City-owned or City administered concessions and vending machines in public facilities where easy access to municipal tap water exists; b) single-use bottled water will no longer be purchased and provided at meetings where easy access to municipal water exists; c) The availability of water jugs with municipal water will be increased, where required; d) a City staff and public awareness campaign be developed to support the rationale for these important changes including the need for Londoners to do their part; and e) the following implementation schedule be followed subject to an assessment that tap water is readily accessible at these locations.

Good practices

Toronto’s “HTO to Go”
The City of Toronto recently created “HTO to Go” – a mobile water trailer that serves as a big drinking fountain and a fun way to educate people about the city’s water. Residents of Toronto organizing a public event can contact the city to have HTO to Go at their event.

U.S. mayors challenge bottled water
In June 2008, at their annual conference, U.S. mayors passed a resolution to phase out the municipal use of bottled water in favour of tap water. Since then, the movement to ban bottled water has spread among U.S. municipalities.
Promote publicly-owned and operated water and wastewater infrastructure

Local communities directly own and operate the vast majority of Canadian drinking water and sewage treatment facilities. But as the need for reinvestment grows, our cities and towns are strapped with little new funding or revenue to pay to upgrade existing systems and build new ones. Local governments are considering privatizing through public-private partnerships (P3s), but they should be cautioned.

A P3 is a form of privatization. P3s are multi-decade contracts for private management of public services or infrastructure. They can include private financing, ownership and/or operation. P3s result in higher costs, lower quality and loss of public control.

Very few communities in Canada have experimented with P3s for drinking water or sewer services, but there are lessons we can learn from those that have. Experience shows that privatization means water rates go up and accountability goes down.

P3s waste the public’s money and leave communities at risk

P3s are more expensive than public ownership and operation because of higher private-sector borrowing costs, transaction fees, and the need to generate a profit. The costs of lawyers and consultants alone can set municipal governments back by millions of dollars before projects even get off the ground. Corporations charge a premium for so-called “risk-transfer.” But despite the cost, governments have not been successful in transferring risk to the private sector.

Companies can walk away if a project is not profitable for them, but governments cannot. Taxpayers absorb the costs of failed P3 deals, since the public “partner” is ultimately responsible for delivering services and infrastructure.

The credit crisis has made this abundantly clear as daily news stories tell of private financiers that are unable to finance privatized infrastructure projects. Projects are being delayed or even cancelled, leaving governments scrambling to find ways out of expensive messes.
Resisting federal P3 pressure

Despite the evidence that P3s are more expensive, risky, less effective and unaccountable, the federal government is aggressively pushing privatization as a prerequisite for federal funding. The Harper government's Building Canada infrastructure plan forces governments seeking $50 million or more in federal contributions for a project to consider privatization through a costly and time-consuming P3 review.

But communities don't have to take the bait. Local governments still have access to the lowest borrowing rates available. With new accounting standards requiring that P3s show up as public debt, there is no incentive left to rely on more expensive private financing, or to lock communities into long-term deals that tie governments' hands.

Decades of infrastructure funding cuts have resulted in a "municipal infrastructure deficit." The Federation of Canadian Municipalities estimates that Canadian communities need $31 billion to upgrade and develop new water and wastewater infrastructure.

Drinking water services have important public health and environmental implications. Protecting the public interest requires public control and autonomy. Public water utilities are responsive and accountable to communities.

The Council of Canadians and CUPE are calling on the federal government to provide funding to support publicly-owned and operated infrastructure through a national water infrastructure fund.
Sample resolution

WHEREAS public health depends on equitable access to clean water supplies; and

WHEREAS public ownership and operation of drinking water and wastewater treatment systems have improved access and quality over the past century; and

WHEREAS our community is committed to protecting water and wastewater systems from the consequences of privatization through "public-private partnerships" or P3s, including:

- Lack of transparency and accountability to the public
- Increased costs and higher user fees
- Projects being delayed and cancelled leaving governments to deal with the consequences; and

WHEREAS the privatization of municipal water and wastewater treatment services through P3s or contracting out turns water into a commodity to be sold for profit;

THEREFORE BE IT RESOLVED that [the name of the municipality] oppose privatization in any form of water and wastewater treatment services, including through P3s, retaining these services in the public domain; and

BE IT FURTHER RESOLVED that Council lobby the federal government to fulfill its responsibility to support municipal infrastructure by investing in a national water infrastructure fund that would address the growing need to renew existing water and wastewater infrastructure and build new systems; and

BE IT FURTHER RESOLVED that Council forward this resolution to the Federation of Canadian Municipalities for circulation to all of its members.
Cases in point

Hamilton

The cost of cleaning up a sewage spill in Hamilton, where a P3 was tried for 10 years, was borne by the city. P3s also reduced transparency. In Hamilton, elected officials had to pay access to information fees under the Freedom of Information Act in order to see the contracts. The cost of so-called risk-transfer is high. Negotiations to renew the deal in Hamilton fell apart when the corporation tried to charge the city twice as much if they were to be accountable for risks in the future. The system is now back in public hands, surpassing environmental standards and delivering significant cost savings.

Seymour Capilano

In 2001, the Greater Vancouver Regional District rejected the P3 option for their water treatment facility in response to public protests against the P3. Along with worries about loss of control, lack of accountability and higher costs, citizens voiced fears about the dangers under international trade deals of privatizing the water system. It is currently projected that the capital cost of the public project will be $566 million, even though the budget was set in 2003 at $600 million. That means the public project is currently projected to come in $34 million (5.6 per cent) under-budget. This is a sharp contrast to the major P3 projects now underway in B.C. in water and other areas, which have all turned out to be considerably more costly than they were estimated to cost when approved.

Moncton Water Treatment Facility

In 2002, US Filter Canada, a subsidiary of a French multinational water company, was selected to design, build, operate and maintain Moncton's water treatment facility over a 20-year contract. Today residents pay high water fees that are increasing much faster than they did prior to the P3. Between 1995 and 1999 fees increased by up to 7 per cent each year. Rates increased 75 per cent between 1999 and 2000.
Steps to creating a blue community

1. Send an email to bluecommunities@canadians.org to join the network of community activists, public sector workers, and local government officials working on creating a blue community.

2. Community members working on promoting the water commons are setting up Water Watch committees across the country. Visit www.canadians.org or cupe.ca to find out more.

3. Using the information provided in this guide, develop a strategy to promote water as a human right, keep water in public hands, and ban the sale of bottled water at public facilities and events.

Blue Community checklist

We hope the information provided in this guide is useful in helping you develop strategies to protect the water commons in your community to:

- Recognize water as a human right.
- Promote publicly-owned and operated water infrastructure.
- Ban the sale of bottled water in publicly-owned facilities and at public events.
We are here to help

Keep us informed of your progress by contacting us at bluecommunities@canadians.org or by calling us toll free at 1-800-387-7177. We would love to feature your work on our website and share your stories and ideas with other communities in Canada.

Contact details for further info:

bluecommunities@canadians.org or www.canadians.org/water

waterwatch@cupe.ca or www.cupe.ca/water

The information contained in this guide is based on Our Water Commons; Toward a new freshwater narrative by Maude Barlow. A copy of the report can be downloaded at www.canadians.org or at onthecommons.org.

NOTES:
FLAMBOROUGH COMMUNITY COUNCIL
Solid Waste Management Master Plan Review
Collection System Procurement Process for 2013-2020

Introduction - The Flamborough Community Council is a volunteer advisory group to Ward 15
city councilor Judy Partridge. We meet on a monthly base to debate and discuss issues important
to our ward and the city at large and then advise and provide input to councilor Partridge on these
issues. We are comprised of 15 members; 10 citizen and 5 community group representatives
make up our council.

On January 10th, 2012, the Flamborough Community Council (Flam.C.C.) met to review the Solid
Waste Management Master Plan (SWMMP) and the Collection System Procurement Process for

The Flam.C.C. would like to submit the following comments for consideration based on the “City
Report” recommendations. The recommendations of the draft report are outlined below numbered
1-5, with supporting suggestions for consideration from the Flam.C.C.

1. The Enhanced Diversion scenario be implemented, including every-other-week (EOW)
garbage collection.

The Flam.C.C. supports the recommendation of the Enhanced Diversion scenario and a target
goal of 65% waste diversion, including every-other-week garbage collection and weekly compost
and recycling collection, with the following additional points:

- The compelling argument for bi-weekly collection is the $3,000,000 in annual savings and
the proven increase in diversion which will extend the life of the Glanbrook landfill by
many years.

- By moving to an every-other-week (EOW) garbage collection, alternatives need to be
explored such as “relief valves” for residents that may miss their garbage collection week
(e.g., free “bag” drop-off at the transfer station, tag system, call-in pick-up). This issue is
most prevalent to households with pick up on Friday / Monday and possibly more
relevant during the summer vacation season.

- The education and enforcement programs outlined need to be enhanced to include:
  o Increased incentives and penalties with a strong emphasis on multi-residential
    buildings and owners.
  o Increased enforcement levels regarding illegal dumping.
  o Targeted programs using waste management data to focus on specific areas of
    the city that can benefit from increased awareness.
  o Engage post secondary school environmental students (i.e. Mohawk, McMaster)
    to assist with community outreach and best practices workshops.
  o Engage secondary school students to assist with encouragement and education
    programs in elementary schools. Children can then bring their knowledge and
    increased awareness home.
  o Support programs for education with language barrier families.

- Include and adopt a zero-waste policy at all municipal events and buildings to lead by
example and build upon this program to assist and encourage other businesses to do the
same.
2. Initiate immediately a feasibility study to review the potential to expand the Hamilton CCF to meet the City's future needs and to receive and process materials from other municipalities.

The Flam.C.C. supports the recommendation the with following additional points:

- That the City of Hamilton's present (and future) needs are always put ahead of processing materials from other municipalities.
- The cost and feasibility of any studies are balanced with budgetary pressures and need. The cost of studies has an impact on the overall budget.

3. Since the life-cycle of the MRF ends in 2020, further study should be initiated in 2016 to determine the feasibility of expanding the MRF to receive and process recyclable materials from other municipalities. The feasibility study should also consider a single-stream process versus the current two-stream process.

The Flam.C.C. supports the recommendation with following additional points:

- That the City of Hamilton's present (and future) needs are always put ahead of processing materials from other municipalities.

4. The City should continue to utilize the Glanbrook Landfill for disposal of residual waste for the next five years until the next five-year update of the SWMMP. At that time (approximately 2016), the City should initiate a process to begin the establishment of additional disposal capacity. If the review undertaken at the next 5-year update determines that the City should consider technology (i.e. EFW), then the process to implement such a facility can begin immediately thereafter to benefit from the value of the remaining capacity at the Glanbrook Landfill (see Recommendation 5). If the city determines that a landfill disposal alternative will be pursued, then that process would not need to begin until 2025, based on the amount of disposal capacity remaining at the Glanbrook Landfill.

The Flam.C.C. supports the recommendation with following additional points:

- That the next update include a thorough review of best practices and experiences of other municipalities. Keeping in mind that most municipalities are in a position to potentially reach capacity of their respective landfill sites prior to Hamilton, and that there are other recommendations to receive and process materials with municipal partners, the update and review of technology and implementation processes should include a thorough review of the direction and experiences of other municipalities.

5. If following the next 5-year update (i.e. 2016) the City decides to initiate a study to consider an EFW/conversion technology, at that time the City begin to set aside sufficient funds to undertake that study and any subsequent environmental assessment planning and approval process.

The Flam.C.C. supports the recommendation to initiate a study of alternative EFW/conversion technology during the next SWMMP update in 2016.

- The cost and feasibility of any studies are balanced with budgetary pressures and need. The cost of studies has an impact on the overall budget.

The Flam.C.C. also would like to encourage City Council to support the following suggestions:

- Request the provincial government to strengthen legislation regarding waste minimization, in particular, in packaged goods so there will be less material to process at the end of a product's "life cycle".
Executive Summary

The recommended Waste Collection System commencing April 1, 2013 must maintain the current household limit of one garbage container per week (or two garbage containers collected bi-weekly), to achieve the following benefits:

- Save taxpayers $1.75 million on the proposed collection contract
- Reduce potential for households opting-out of waste diversion/recycling initiatives
- Heighten waste diversion rates
- Maximize City revenues through the sale of additional recyclable material
- Assist more households to achieve the one container limit
- Reduce incidences of illegal dumping

It should also be noted that the proposed contract ends in the year 2020. Maintaining the current one garbage container limit will greatly increase our community’s ability to achieve the waste minimization and diversion goals endorsed by Council as written in the Vision2020 document.

Background

The proposed waste collection system for 2013 to 2020 recommends six garbage containers per household, to be collected bi-weekly. The City of Hamilton currently has a limit of a single garbage container (max 50 lbs) per household which is collected weekly. City Staff state “at present, most households set out one (1) container of garbage per week”.

In general, Hamiltonians can be expected to follow the easiest and most economical path for waste disposal. Some households likely do not recycle at all and still make a single trip to the curb each week with garbage and recycling mixed together in one container. Increasing household garbage container limits to six will significantly increase (up to 95%) the number of households that could completely opt-out of recycling because their bi-weekly, mixed garbage and recycling will fit into six garbage containers. Expanding the garbage container limit to more than two (bi-weekly) will negate some of the Staff-anticipated waste diversion improvements resulting from more frequent (weekly) recycling collection versus less frequent garbage collection. Reduced volumes of recyclable materials collected will return lower revenues to the City through the sale of recyclable material.

As per City of Hamilton, Public Works document PW11030d, Table 1, page 5 of 25, the increase from the current one (1) garbage container to the proposed six (6) garbage containers will cost taxpayers $250,000.00 annually. Without changing the amount of garbage that residents are currently permitted
to discard, Council can save taxpayers $1.75 million over the life of the proposed collection contract by directing Public Works to maintain the current garbage container limits of one per household per week or two per household on a bi-weekly collection schedule.

The following text related to illegal dumping has been taken directly from the City’s website and proves illegal dumping to be unrelated to container limits:

Municipalities who implement container limits do not experience a sustained increase in illegal dumping. For example, Kingston experienced a small increase in illegal dumping at first, but it was nothing like what they were told would happen. As quoted in The Hamilton Spectator on November 22, 2007, Kingston’s solid waste manager John Giles notes "It is a perceived problem, but in reality it is not."

Source:
http://www.hamilton.ca/CityDepartments/PublicWorks/WasteManagement/ONE+Container+Limit+Answers.htm

Increased container limits will not have an effect on illegal dumping.

Waste Watchers (WW) is an Earth Day Hamilton (EDH) program in partnership between the City, WRTF, and CCLC which provides waste diversion education, assistance and training at festivals, schools and other public spaces. WW is prepared to expand its program to households with "special considerations" to help them achieve current one container limits.

Personal Background – Larry Pomerantz

- Chair of the Hamilton Civic League
- Founded Earth Day Hamilton 1996, current Board member
  - Community Tree Planting Festivals, Instant Forest, 15000+ trees planted,
  - Annual Eco-Festival, RBG, 45000+ students educated
  - Waste Watchers, partners with City, WRTF, CCLC, provides waste diversion education to festival organizers, schools and the general public
- Personal Waste Management experience extends over 15 years
  - Wrote the detailed plan for the Green Cart distribution program for the City
  - Recycled for 50 schools and admin buildings at former WCDSB
  - Recycled for ORC servicing Hamilton court house, jail, detention centre, etc
  - Recycled for various City of Hamilton buildings
  - Recycled for Oakville Waterfront Festival (OWF) and Burlington’s Rib-fest
  - Recycled electronics from municipalities contracts, ICI and households
- Waste Diversion Achievements
  - Nominated for Ontario Waste Minimization Award
    - WCDSB elementary school (300 students) reduced to one bag per week
    - WCDSB high school (1000 students) reduced to three bags per week
  - OWF recycling program reduced overall waste, increased diversion, reduced costs
  - 2011 Paul Harris Fellowship Award via Rotary Club of Burlington-Lakeshore
    - Burlington hosts Canada’s largest rib-fest and has been widely recognized as having set the standard for festival waste diversion.
THE PLANNING COMMITTEE PRESENTS REPORT 12-001 AND RESPECTFULLY RECOMMENDS:

1. Amendments to the Licensing By-law 07-170 Respecting Salvage and Second Hand Goods, Pawnbroker and Jewellery and Precious Metals Businesses (PED10063(f)) (City Wide) (Item 5.2)

   (a) That Schedule 6 (Antique and Flea Markets), Schedule 11 (Pawnbrokers), Schedule 14 (Precious Metal and Jewellery Dealers) and Schedule 22 (Salvage and Second Hand Goods) of the Licensing By-law 07-170 be deleted and replaced with a consolidated new Schedule 22, attached as Appendix “A” to Report PED10063(f);

   (b) That licence holders under the proposed new Schedule 22 of the Licensing By-law 07-170 (Salvage and Second Hand Goods, Pawnbroker,
and Jewellery and Precious Metals Businesses) be required to report information on purchases electronically in a format approved by the Issuer of Licences;

(c) That the amending By-law attached to Report PED10063(f), which has been prepared in a form satisfactory to the City Solicitor, be approved.

2. 2012 Animal Control User Fees (PED12012) (City Wide) (Item 5.3)

That the 2012 Animal Control User Fees, attached hereto as Appendix “A”, be approved and added to the City’s User Fee and Charges By-law.

3. Application for a Change in Zoning for the Lands Located at 22 Lochside Drive (Stoney Creek) (PED12003) (Ward 11) (Item 6.2)

That approval be given to Zoning Application ZAR-11-049, by James and Betty Watson, Owners, for a change in zoning from the Rural Residential Estate “RRE” Zone to the Single Residential “R1-18” Zone, with a Special Exception (Block “2”), and Rural Residential Estate “RRE-4” Zone, with a Special Exception (Block “1”), in the City of Stoney Creek Zoning By-law No. 3692-92, to permit the development of a single detached dwelling on the southerly portion of the subject lands (Block “2”), and to recognize By-law deficiencies for the existing single detached dwelling (Block “1”), for the lands located at 22 Lochside Drive (Stoney Creek), as shown on Appendix “A” to Report PED12003, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED12003, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the proposed changes in zoning are consistent with the Provincial Policy Statement (PPS), and conform with Places to Grow, the Hamilton-Wentworth Official Plan, and the City of Stoney Creek Official Plan.

4. Application for an Amendment to the Town of Flamborough Zoning By-law No. 90-145-Z for the Lands Located at 1214 Highway 8 (Flamborough) (PED12006) (Ward 14) (Item 6.3)

That approval be given to Zoning Application ZAR-11-061, by Stanley and Janina Krupski, Owners, for a change in zoning from the Agricultural “A” Zone to the Agricultural “A-89” Zone, with a Special Exception, in order to prohibit the construction of any residential dwelling(s), for the lands located at 1214 Highway 8 (Flamborough), as shown on Appendix “A” to Report PED12006, on the following basis:

(a) That the draft By-law, attached as Appendix “A” to Report PED12006, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
(b) That the amending By-law be added to Schedule “A-17” of Zoning By-law No. 90-145-Z;

(c) That the proposed change in zoning conforms to the Hamilton-Wentworth Official Plan, and the Town of Flamborough Official Plan.

5. Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3316 and 3332 Regional Road 56 (Glanbrook) (PED12007) (Ward 11) (Item 6.4)

That approval be given to Zoning Application ZAR-11-038, by Dave Pitblado, Agent for Paletta International (2000 Inc.), Owner, for changes in zoning from the General Agriculture “A1-237” Zone to the General Agriculture “A1-236” Zone, with a Special Exception (Block “2”), and from the General Agriculture “A1-236” Zone to the General Agriculture “A1-237” Zone, with a Special Exception (Block “3”), in the Township of Glanbrook Zoning By-law No. 464, to facilitate lot additions to permit the construction of a new dwelling on the reconfigured lot at 3332 Regional Road 56, and to prohibit a dwelling on the remnant farm property at 3316 Regional Road 56 (Glanbrook), as shown on Appendix “A” to Report PED12007, on the following basis:

(a) That the draft By-law, attached as Appendix “B” to Report PED12007, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(b) That the proposed changes in zoning implement the decision of the Ontario Municipal Board (OMB), are consistent with the Provincial Policy Statement (PPS), and conform with the Greenbelt Plan, the Hamilton-Wentworth Official Plan, and the Township of Glanbrook Official Plan.

6. Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton) (PED12002) (Ward 2) (Item 6.5)

That the Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street be deferred, to the April 11th Council meeting to allow Staff to report to the General Issues Committee regarding the investigation and collaboration for an alternative location that meets the needs of Lynwood Charlton Centre, the City of Hamilton, and most importantly the young women that will be supported by this facility.

7. Correspondence respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton)
That the following correspondence respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), be received.

i. The Children’s Aid Society, attached hereto as Appendix “B”;
ii. Hamilton-Wentworth Catholic District School Board, attached hereto as Appendix “C”;
iii. Catholic Children’s Aid Society of Hamilton, attached hereto as Appendix “D”;
iv. Fothergill Planning and Development Inc., attached hereto as Appendix “E”;
v. Lynwood Hall Child and Family Centre, attached hereto as Appendix “F”;
vi. Dean and Georgia Corkins, attached hereto as Appendix “G”.


That the Building Condition Assessment Report from Evans Consulting and Management Services & Vanderwesteren, Rutherford Mantecon Inc., Consulting Engineers respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), attached hereto as Appendix “H”, be received.

9. Fence By-law – Sheet Metal/Corrugated Metal Panels (PED10084(c)) (City Wide) (Item 5.1)

That Report PED10084(c) respecting, Fence By-law – Sheet Metal/Corrugated Metal Panels be received.

FOR THE INFORMATION OF COUNCIL:

(a) CHANGES TO THE AGENDA

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

PUBLIC HEARINGS AND DELEGATIONS

6.5 Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton) (PED12002) (Ward 2)

(i) Correspondence from The Children’s Aid Society
(ii) Correspondence from Hamilton-Wentworth Catholic District School Board
(iii) Correspondence from Catholic Children’s Aid Society of Hamilton
The Agenda for the January 17, 2012 meeting of the Planning Committee was approved, as amended.

(b) DECLARATIONS OF INTEREST

None.

(c) APPROVAL OF MINUTES

The Minutes of the December 6, 2011 Planning Committee meeting were approved.

(d) DELEGATION REQUESTS

(i) Delegation Request from John Ariens, respecting an OMB appeal for a severance in Glanbrook (Item 4.1)

The delegation request, submitted by John Ariens, respecting an OMB appeal for a severance in Glanbrook, was approved.

(e) PUBLIC HEARINGS AND DELEGATIONS

(i) Delegation by Steven Knight, respecting Motorcycle Parking in Hamilton (Item 6.1)

Mr. Knight addressed committee with respect to Motorcycle Parking in Hamilton with the aid of speaking notes. A copy of the speaking notes has been included in the official record.

The delegation by Steven Knight, respecting Motorcycle Parking in Hamilton, was received.

(ii) Application for a Change in Zoning for the Lands Located at 22 Lochside Drive (Stoney Creek) (PED12003) (Ward 11) (Item 6.2)

In accordance with the provision of the Planning Act, 1st Vice-Chair Farr advised those in attendance 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 approves the Zoning By-law
amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12003, Application for a Change in Zoning for the Lands Located at 22 Lochside Drive (Stoney Creek), was closed.

The staff presentation respecting, Report PED12003, Application for a Change in Zoning for the Lands Located at 22 Lochside Drive (Stoney Creek), was waived.

For disposition on this Item, refer to item 3.

(iii) **Application for an Amendment to the Town of Flamborough Zoning By-law No. 90-145-Z for the Lands Located at 1214 Highway 8 (Flamborough) (PED12006) (Ward 14) (Item 6.3)**

In accordance with the provision of the Planning Act, 1st Vice-Chair Farr advised those in attendance 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 approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12006, Application for an Amendment to the Town of Flamborough Zoning By-law No. 90-145-Z for the Lands Located at 1214 Highway 8 (Flamborough), was closed.

The staff presentation respecting, Report PED12006, Application for an Amendment to the Town of Flamborough Zoning By-law No. 90-145-Z for the Lands Located at 1214 Highway 8 (Flamborough), was waived.

For disposition on this Item, refer to item 4.
(iv) Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3316 and 3332 Regional Road 56 (Glanbrook) (PED12007) (Ward 11) (Item 6.4)

In accordance with the provision of the Planning Act, 1st Vice-Chair Farr advised those in attendance 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 approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

No public speakers came forward.

The public meeting respecting, Report PED12007, Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3316 and 3332 Regional Road 56 (Glanbrook), was closed.

The staff presentation respecting, Report PED12007, Application to Amend Township of Glanbrook Zoning By-law No. 464 for Lands Located at 3316 and 3332 Regional Road 56 (Glanbrook), was waived.

For disposition on this Item, refer to item 5.

(v) Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton) (PED12002) (Ward 2) (Item 6.5)

(i) Correspondence from The Children’s Aid Society
(ii) Correspondence from Hamilton-Wentworth Catholic District School Board
(iii) Correspondence from Catholic Children’s Aid Society of Hamilton
(iv) Correspondence from Fothergill Planning and Development Inc.
(v) Correspondence from Lynwood Hall Child and Family Centre
(vi) Building Condition Assessment Report - Evans Consulting and Management Services & Vanderwesten, Rutherford Mantecon Inc., Consulting Engineers

In accordance with the provision of the Planning Act, 1st Vice-Chair Farr advised those in attendance 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 approves the Zoning By-law amendment the person or public body is not entitled to appeal the decision of the Council of the City of Hamilton to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.
A number of members of the public expressed their intent to speak.

Delia McPhail, Planner II, addressed Committee with the aid of a PowerPoint presentation. A copy of the presentation has been included in the official record. Ms. McPhail provided an additional item of correspondence from Dean and Georgia Corkins.

The staff presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

Ed Fothergill, the agent, addressed Committee with the aid of speaking notes. A copy of the speaking notes has been included in the official record.

The agent’s presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

Deirdre Finlay, representative, Lynwood Charlton Centre, addressed Committee respecting clarification of what Lynwood Charlton Centre does at its Charlton Hall location within the community. She expressed that this location is a residential treatment program for young girls. Charlton Hall is the only accredited children’s mental health treatment centre for girls in Hamilton.

The representative’s presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

Alex Thomson, applicant and Executive Director, Lynwood Charlton Centre, addressed Committee respecting his concerns over communications with the neighbourhood and the need to be in the downtown core as well as the intent of Lynwood Charlton Centre to provide a better service for youth within Hamilton.

The applicant’s presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

Public Speakers:

(1) Richard Horodyski – 25 Chilton Pl., Hamilton, ON L8P 3G6
Mr. Horodyski addressed the Committee with respect to the reputation of Lynwood Charlton Centre.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(2) Barry Bogusat – 106 Augusta St., Hamilton, ON L8N 1R4

Mr. Bogusat addressed the Committee with respect to the amendment to the by-law and expressed that this is not an appropriate environment for this facility.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(3) Mary Hudecki – 107 Augusta St., Hamilton, ON L8N 1R3

Ms. Hudecki addressed the Committee with respect to the characteristics of the neighbourhood and is concerned that the developments on Augusta St. take away from encouraging people to live downtown. She also expressed concern that the area is not an appropriate place to house this facility.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(4) Richard Kott – 38 Baillie St., Hamilton, ON L8N 2K5

Mr. Kott addressed the Committee with respect to his concerns that he would not have moved into the community if this type of facility existed. He believes the facility does good work for the community, but he does not believe that this is the appropriate area for the facility because the location is poor for a rehabilitation program with its proximity to nightlife, trains and the congested nature of the property.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(5) Melissa McClellan – 28 Baillie St., Hamilton, ON L8N 2K5
Ms. McClellan addressed the Committee with respect to her concerns over home values in the area and the adverse affects on the neighborhood. She noted that she would not have purchased her home in the area if this facility existed.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(6) Carol Mahon – 115 Augusta St., Hamilton, ON L8N 1R3

Ms. Mahon addressed the Committee with respect to being a long standing resident of the neighbourhood and that she feels this is not appropriate location for this facility.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(7) Pam Oxendine – 130 August St., Hamilton, ON L8N 1R4

Ms. Oxendine addressed the Committee with respect to how the neighborhood has come a long way and she does not want to see it return to how it was previously. She noted that the neighbourhood needs more people and not more residences.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(8) John Nemeth – 20 Wiltshire Pl., Hamilton, ON L9K 1M5

Mr. Nemeth addressed the Committee with respect to working with the stakeholders and the reality of the time constraints regarding this issue. He expressed that it is difficult to manage those with special needs and wishes for this to be resolved in a timely manner.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(9) Dianne Smith – 132 Augusta St., Hamilton, ON L8N 1R4
Ms. Smith addressed the Committee with respect to the meeting with Lynwood Charlton Centre where she was told that they would not be applying for a by-law change and she is now upset to find out this was not true. She feels the transparency in the deal is poor.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(10) Carol Paley – 39 Ramsden Dr., Hamilton, ON L8W 2S2

Ms. Paley addressed the Committee with respect to clarifying the role of the Lynwood Charlton Centre. She also expressed that the girls who are in care of the Centre are excited to be relocating from their current location. She also expressed that this is a monitored facility and it will not have negative impacts on the community.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

(11) Scott Snider – 15 Bold St., Hamilton, ON L8P 1T3

Mr. Snyder, legal counsel to Lynwood Charlton Centre, addressed the Committee with respect to certain accusations towards Lynwood Charlton Centre. He suggested that this matter be deferred so that meetings can be held with the client and community to clarify the issues as well as to identify other options.

The presentation respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was received.

The items of correspondence respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), were received.

The public meeting respecting, Report PED12002, Application for an Amendment to Hamilton Zoning By-law No. 6593 for Lands Known as 121 Augusta Street (Hamilton), was closed.

The Committee recessed for fifteen minutes and reconvened at 2:40 p.m.

For disposition on this Item, refer to item 6.
GENERAL INFORMATION AND OTHER BUSINESS

(i) Application for an Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 2674 Upper James Street (Glanbrook) (PED11209) (Verbal Update) (Item 11.1)

Paul Mallard, Director of Planning, addressed Committee with respect to the request from Prime Limousine Services Inc. to reduce the limit of the holding provisions of the archaeological assessment and request, and advised that there will be a report at the next meeting.

The verbal update respecting, Report PED11209, Application for an Amendment to Glanbrook Zoning By-law No. 464 for Lands Located at 2674 Upper James Street (Glanbrook), was received.

(ii) Outstanding Business List Amendments (Item 11.2)

Items requiring removal:

(a) Item HH: Licensing By-law 07-170, Salvage and Second Hand Goods, Pawnbroker and Jewellery and Precious Metals Businesses

Item HH on the Outstanding Business List, Licensing By-law 07-170, Salvage and Second Hand Goods, Pawnbroker and Jewellery and Precious Metals Businesses, was removed.

(b) Item BB: Fence By-law (Motion)

Item BB on the Outstanding Business List, Fence By-law (Motion), was removed.

(c) Item JJ: 2012 Tax Supported User Fees (FCS11096)

Item JJ on the Outstanding Business List, 2012 Tax Supported User Fees (FCS11096), was removed.

(iii) News from the General Manager (11.3)

Tim McCabe, General Manager, advised the Committee of organizational development process involving staff that will benefit business development and attraction. He also gave an overview of future reports the Committee can expect.
Staff was directed to report back to the Planning Committee on the issue of current high parkland dedication fees required from medium and high density residential projects using the density formula which is having an impact on multiple residential and intensification projects proceeding.

Staff was directed to report back on the feasibility and the positive and negative aspects of creating an Urban Design Panel.

(g) ADJOURNMENT

There being no further business, the Planning Committee adjourned at 3:28 p.m.

Respectfully submitted,

Councillor J. Farr
1st Vice-Chair, Planning Committee

Vanessa Robicheau
Legislative Coordinator
Office of the City Clerk
January 17, 2012
<table>
<thead>
<tr>
<th>Service or Activity Provided or Use of City Property</th>
<th>2011 Approved Fee</th>
<th>2012 Proposed Fee</th>
<th>HST (Y/N)*</th>
<th>% Change in Proposed Fee</th>
<th>Basis for Fee Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Impound Fees (Standard Rate)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensed Dog - 1st Offence</td>
<td>$ 56.64</td>
<td>$ 58.00</td>
<td>N</td>
<td>2.4%</td>
<td></td>
</tr>
<tr>
<td>Licensed Dog - Subsequent Offence</td>
<td>$ 149.34</td>
<td>$ 153.00</td>
<td>N</td>
<td>2.5%</td>
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<tr>
<td>Unlicensed Dog - 1st Offence</td>
<td>$ 87.61</td>
<td>$ 90.00</td>
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<td>2.7%</td>
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<tr>
<td>Unlicensed Dog - Subsequent Offence</td>
<td>$ 149.34</td>
<td>$ 153.00</td>
<td>N</td>
<td>2.5%</td>
<td></td>
</tr>
<tr>
<td>Vicious Dog</td>
<td>$ 500.00</td>
<td>$ 511.00</td>
<td>N</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Identified Cat [1] - 1st Offence</td>
<td>$ 45.13</td>
<td>$ 47.00</td>
<td>N</td>
<td>4.1%</td>
<td></td>
</tr>
<tr>
<td>Other Small Domestic Animal [2]</td>
<td>$ 45.13</td>
<td>$ 47.00</td>
<td>N</td>
<td>4.1%</td>
<td></td>
</tr>
<tr>
<td>Snake &amp; Reptile</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock - Small</td>
<td>$ 113.27</td>
<td>$ 116.00</td>
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<td>2.4%</td>
<td></td>
</tr>
<tr>
<td>Livestock - Large</td>
<td>$ 241.37</td>
<td>$ 247.00</td>
<td>N</td>
<td>2.3%</td>
<td></td>
</tr>
<tr>
<td><strong>Impound Fees (Seniors &amp; Disabled Rate)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Licensed Dog - 1st Offence</td>
<td>$ 51.77</td>
<td>$ 53.00</td>
<td>N</td>
<td>2.4%</td>
<td></td>
</tr>
<tr>
<td>Licensed Dog - Subsequent Offence</td>
<td>$ 77.43</td>
<td>$ 80.00</td>
<td>N</td>
<td>3.3%</td>
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<tr>
<td>Unlicensed Dog - 1st Offence</td>
<td>$ 77.43</td>
<td>$ 80.00</td>
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<td>3.3%</td>
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<tr>
<td>Unlicensed Dog - Subsequent Offence</td>
<td>$ 128.26</td>
<td>$ 132.00</td>
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<tr>
<td>Vicious Dog</td>
<td>$ 500.00</td>
<td>$ 511.00</td>
<td>N</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Identified Cat [1] - 1st Offence</td>
<td>$ 37.17</td>
<td>$ 38.00</td>
<td>N</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Identified Cat [1] - Subsequent Offence</td>
<td>$ 37.17</td>
<td>$ 38.00</td>
<td>N</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Unidentified Cat - 1st Offence</td>
<td>$ 37.17</td>
<td>$ 38.00</td>
<td>N</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Unidentified Cat - Subsequent Offence</td>
<td>$ 37.17</td>
<td>$ 38.00</td>
<td>N</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Other Small Domestic Animal [2]</td>
<td>$ 37.17</td>
<td>$ 38.00</td>
<td>N</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Livestock - Small</td>
<td>$ 103.10</td>
<td>$ 106.00</td>
<td>N</td>
<td>2.8%</td>
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<tr>
<td>Livestock - Large</td>
<td>$ 210.40</td>
<td>$ 216.00</td>
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<tr>
<td><strong>Live Surrender Fees - [3] (Standard Rate)</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog - Under 50 kg [4]</td>
<td>$ 150.45</td>
<td>$ 153.98</td>
<td>Y</td>
<td>2.3%</td>
<td></td>
</tr>
<tr>
<td>Dog - Over 50 kg [4]</td>
<td>$ 239.95</td>
<td>$ 244.25</td>
<td>Y</td>
<td>2.2%</td>
<td></td>
</tr>
<tr>
<td>Cat</td>
<td>$ 150.45</td>
<td>$ 153.98</td>
<td>Y</td>
<td>2.3%</td>
<td></td>
</tr>
<tr>
<td>Litter (up to 5) - Canine or Feline</td>
<td>$ 54.87</td>
<td>$ 56.64</td>
<td>Y</td>
<td>3.2%</td>
<td></td>
</tr>
<tr>
<td>Other Small Domestic Animal [5]</td>
<td>$ 54.87</td>
<td>$ 56.64</td>
<td>Y</td>
<td>3.2%</td>
<td></td>
</tr>
<tr>
<td>Multiple Small Domestic Animals (up to 5)</td>
<td>$ 54.87</td>
<td>$ 56.64</td>
<td>Y</td>
<td>3.2%</td>
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<tr>
<td>Small Livestock</td>
<td>$ 98.23</td>
<td>$ 100.88</td>
<td>Y</td>
<td>2.7%</td>
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<tr>
<td><strong>Live Surrender Fees - [3] (Seniors &amp; Disabled Rate)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog - Under 50 kg [4]</td>
<td>$ 117.70</td>
<td>$ 120.35</td>
<td>Y</td>
<td>2.3%</td>
<td></td>
</tr>
</tbody>
</table>
### 2012 PROPOSED USER FEES AND CHARGES

**Department:** Planning & Economic Development  
**Division:** Parking & By-law Services - Animal Services

<table>
<thead>
<tr>
<th>Service or Activity Provided or Use of City Property</th>
<th>2011 Approved Fee</th>
<th>2012 Proposed Fee*</th>
<th>HST (Y/N)*</th>
<th>% Change in Proposed Fee</th>
<th>Basis for Fee Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dog - Over 50 kg [4]</td>
<td>$185.84</td>
<td>$190.27</td>
<td>Y</td>
<td>2.4%</td>
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<tr>
<td>Cat</td>
<td>$117.70</td>
<td>$120.35</td>
<td>Y</td>
<td>2.3%</td>
<td></td>
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<tr>
<td>Litter (up to 5) - Canine or Feline</td>
<td>$42.48</td>
<td>$43.36</td>
<td>Y</td>
<td>2.1%</td>
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</tr>
<tr>
<td>Other Small Domestic Animal [5]</td>
<td>$42.48</td>
<td>$43.36</td>
<td>Y</td>
<td>2.1%</td>
<td></td>
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<tr>
<td>Multiple Small Domestic Animals (up to 6)</td>
<td>$42.48</td>
<td>$43.36</td>
<td>Y</td>
<td>2.1%</td>
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<tr>
<td>Small Livestock</td>
<td>$88.50</td>
<td>$90.27</td>
<td>Y</td>
<td>2.0%</td>
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<tr>
<td><strong>Cadaver Surrender Fees (Standard Rate)</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog - Under 50 kg [4]</td>
<td>$100.00</td>
<td>$102.65</td>
<td>Y</td>
<td>2.7%</td>
<td></td>
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<tr>
<td>Dog - Over 50 kg [4]</td>
<td>$150.45</td>
<td>$153.88</td>
<td>Y</td>
<td>2.3%</td>
<td></td>
</tr>
<tr>
<td>Cat</td>
<td>$45.13</td>
<td>$46.90</td>
<td>Y</td>
<td>3.9%</td>
<td></td>
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<tr>
<td>Puppy (one) (under 12 weeks)</td>
<td>$45.13</td>
<td>$46.90</td>
<td>Y</td>
<td>3.9%</td>
<td></td>
</tr>
<tr>
<td>Kitten (one) (under 12 weeks)</td>
<td>$45.13</td>
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<td>3.9%</td>
<td></td>
</tr>
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<td>Litter - Canine or Feline (up to 5) (under 12 weeks)</td>
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<td>2.9%</td>
<td></td>
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<td><strong>Cadaver Surrender Fees (Seniors &amp; Disabled Rate)</strong></td>
<td></td>
<td></td>
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<td>$77.88</td>
<td>$79.65</td>
<td>Y</td>
<td>2.3%</td>
<td></td>
</tr>
<tr>
<td>Dog - Over 50 kg [4]</td>
<td>$103.54</td>
<td>$106.19</td>
<td>Y</td>
<td>2.6%</td>
<td></td>
</tr>
<tr>
<td>Cat</td>
<td>$30.97</td>
<td>$31.86</td>
<td>Y</td>
<td>2.9%</td>
<td></td>
</tr>
<tr>
<td>Puppy (one) (under 12 weeks)</td>
<td>$30.97</td>
<td>$31.86</td>
<td>Y</td>
<td>2.9%</td>
<td></td>
</tr>
<tr>
<td>Kitten (one) (under 12 weeks)</td>
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<td>$31.86</td>
<td>Y</td>
<td>2.9%</td>
<td></td>
</tr>
<tr>
<td>Litter - Canine or Feline (up to 5) (under 12 weeks)</td>
<td>$30.97</td>
<td>$31.86</td>
<td>Y</td>
<td>2.9%</td>
<td></td>
</tr>
<tr>
<td>Other Small Domestic Animal [5]</td>
<td>$30.97</td>
<td>$31.86</td>
<td>Y</td>
<td>2.9%</td>
<td></td>
</tr>
<tr>
<td>Multiple Small Domestic Animals (up to 5)</td>
<td>$30.97</td>
<td>$31.86</td>
<td>Y</td>
<td>2.9%</td>
<td></td>
</tr>
<tr>
<td>Small Livestock</td>
<td>$51.77</td>
<td>$53.10</td>
<td>Y</td>
<td>2.6%</td>
<td></td>
</tr>
</tbody>
</table>

---

* 2012 City of Hamilton Budget  
** 2012 Proposed Fee*  
N  Non-reimbursable fee  
Y  Reimbursable fee

---

**Basis for Fee Increase**

- Cost recovery
- Tax Budget - User Fees

---

2012 City of Hamilton Budget
### 2012 Proposed User Fees and Charges

**Department:** Planning & Economic Development  
**Division:** Parking & By-law Services - Animal Services

<table>
<thead>
<tr>
<th>Service or Activity Provided or Use of City Property</th>
<th>2011 Approved Fee</th>
<th>2012 Proposed Fee</th>
<th>HST (Y/N)*</th>
<th>% Change in Proposed Fee</th>
<th>Basis for Fee Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Boarding Fee (Seniors &amp; Disable Rate - Per Day)</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Dog</td>
<td>$10.62</td>
<td>$11.00</td>
<td>N</td>
<td>3.6%</td>
<td></td>
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<tr>
<td>Vicious Dog</td>
<td>$26.33</td>
<td>$27.00</td>
<td>N</td>
<td>2.5%</td>
<td></td>
</tr>
<tr>
<td>Cat</td>
<td>$5.75</td>
<td>$6.00</td>
<td>N</td>
<td>4.3%</td>
<td></td>
</tr>
<tr>
<td>Other Small Domestic Animal</td>
<td>$5.75</td>
<td>$6.00</td>
<td>N</td>
<td>4.3%</td>
<td></td>
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<tr>
<td><strong>Traps</strong></td>
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<td></td>
</tr>
<tr>
<td>Small Trap - Deposit</td>
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<td>$68.14</td>
<td>Y</td>
<td>2.7%</td>
<td></td>
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<tr>
<td>Large Trap - Deposit</td>
<td>$88.50</td>
<td>$91.15</td>
<td>Y</td>
<td>3.0%</td>
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<tr>
<td>Small or Large Trap - Rental (per day)</td>
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<td>$9.73</td>
<td>Y</td>
<td>10.0%</td>
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<td><strong>Miscellaneous</strong></td>
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<td></td>
<td></td>
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<tr>
<td>Vietnamese Pot Bellied Pig Licence (Bylaw #94-012)</td>
<td>$31.25</td>
<td>$32.00</td>
<td>N</td>
<td>2.4%</td>
<td></td>
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<tr>
<td>Cat Licence</td>
<td>$12.50</td>
<td>$13.00</td>
<td>N</td>
<td>4.0%</td>
<td></td>
</tr>
<tr>
<td>Wildlife removal from private trap - release on site</td>
<td>$50.00</td>
<td>$51.33</td>
<td>Y</td>
<td>2.7%</td>
<td></td>
</tr>
<tr>
<td>Wildlife removal from private trap - Euthanasia [6]</td>
<td>$82.30</td>
<td>$84.96</td>
<td>Y</td>
<td>3.2%</td>
<td></td>
</tr>
<tr>
<td>Pet Transport (Ambulance)</td>
<td>$61.95</td>
<td>$63.72</td>
<td>Y</td>
<td>2.9%</td>
<td></td>
</tr>
<tr>
<td>Quarantine per day - Dog</td>
<td>$26.33</td>
<td>$27.00</td>
<td>N</td>
<td>2.5%</td>
<td></td>
</tr>
<tr>
<td>Quarantine per day - Cat</td>
<td>$20.80</td>
<td>$22.00</td>
<td>N</td>
<td>5.8%</td>
<td></td>
</tr>
<tr>
<td>Cat Cardboard Carrier</td>
<td>$4.42</td>
<td>$5.31</td>
<td>Y</td>
<td>20.1%</td>
<td></td>
</tr>
<tr>
<td>Dog Leash</td>
<td>$3.98</td>
<td>$4.42</td>
<td>Y</td>
<td>11.2%</td>
<td></td>
</tr>
<tr>
<td><strong>Admin Fee (e.g. for special billing arrangements)</strong></td>
<td>$29.80</td>
<td>$22.12</td>
<td>Y</td>
<td>6.4%</td>
<td></td>
</tr>
</tbody>
</table>

*Note: HST is not included in the 2011 Approved and 2012 Proposed Fees. If HST = "Y", HST is collected in addition to the fee.

* 2012 Fee increases (based on Council Guideline) rounded to the nearest $1.00

[2] Rabbits, rodents, song birds, reptiles, etc.
[3] Includes cremation
[5] Excludes Fish - no charge
[6] No Charge if animal fatally injured prior to capture or poses bona fide threat
### 2012 Proposed User Fees and Charges

**Department:** Planning & Economic Development  
**Division:** Parking & By-law Services - Animal Services: Dog Licences

<table>
<thead>
<tr>
<th>Service or Activity Provided or Use of City Property</th>
<th>2011 Approved Fee</th>
<th>2012 Proposed Fee</th>
<th>HST (Y/N)*</th>
<th>% Change in Proposed Fee</th>
<th>Basis for Fee Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Dog Licences - Standard Rate</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- spayed/neutered or under 6 months of age</td>
<td>$27.00</td>
<td>$28.00</td>
<td>N</td>
<td>3.7%</td>
<td>Increased by 2.2% and rounded to nearest dollar</td>
</tr>
<tr>
<td>- over six months not spayed/neutered</td>
<td>$63.50</td>
<td>$64.00</td>
<td>N</td>
<td>0.8%</td>
<td></td>
</tr>
<tr>
<td><strong>Dog Licences - Senior / Disability Rate</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- spayed/neutered or under 6 months of age</td>
<td>$13.50</td>
<td>$14.00</td>
<td>N</td>
<td>3.7%</td>
<td></td>
</tr>
<tr>
<td>- over six months not spayed/neutered</td>
<td>$31.75</td>
<td>$32.00</td>
<td>N</td>
<td>0.8%</td>
<td></td>
</tr>
<tr>
<td>Replacement Tag Fee</td>
<td>$10.50</td>
<td>$11.00</td>
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<td>4.8%</td>
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<tr>
<td>Late Penalty Fee</td>
<td>$15.75</td>
<td>$16.00</td>
<td>N</td>
<td>1.6%</td>
<td></td>
</tr>
<tr>
<td>Flat rate licence</td>
<td>$104.00</td>
<td>$104.00</td>
<td>N</td>
<td>-100.0%</td>
<td>eliminate little used fee - 8 in existence will be grandfathered</td>
</tr>
<tr>
<td>Valid Licence in another Municipality where the owner has moved to the City of Hamilton within 30 days</td>
<td>$10.50</td>
<td>$11.00</td>
<td>N</td>
<td>4.8%</td>
<td>increased by 2.2%, rounded to the nearest $1</td>
</tr>
<tr>
<td>Leash Free Fee of $1.00 is included/charged for every licence sold</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

*2012 Fee Increases (based on Council Guidelines) rounded to the nearest $1.00  
*Note: HST is not included in the 2011 Approved and 2012 Proposed Fees. If HST = "Y", HST is collected in addition to the fee.*
December 15, 2011

Della McPhail, MCIP, RPP
Development Planning Section (West Team)
Planning and Economic Development Department
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, ON L8P 4Y5

Dear Ms. McPhail,

Re: Letter of Support Lynwood Charlton Centre

It is my pleasure to submit this letter of support with respect to Lynwood Charlton Centre application to utilize the building at 121 Augusta Street, Hamilton as a new residential site.

The Children’s Aid Society of Hamilton has had a longstanding partnership with Lynwood Charlton Centre spanning over 50 years in providing treatment and support to some of the most vulnerable youth and families in our community.

The care provided by Lynwood Charlton to the youth in their care is of the highest quality. They have served hundreds if not thousands of children, who without Lynwood Charlton Centre’s intervention would not have been reintegrated with their families or be contributing members of our community. Furthermore, the quality of the care they provide and the professionalism of their staff is a reflection of the dedication and commitment of its leadership.

At times there are perceptions that allowing residences such as Lynwood Charlton Centre is proposing at 121 Augusta St. disrupt neighbourhoods or place other children at risk. I can attest that this most certainly not the case. Lynwood Charlton Centre operates other residences in our community and have demonstrated their commitment to being part of the neighbourhood, respective of neighbours, and most of all responsive is any issues may arise.

Serving Hamilton’s children and families since 1894.
We collectively must ensure that services required by our children are provided in their community, close to their families and schools.

Thus it is without hesitation that I provide our support for Lynwood Charlton Centre's application to open a residence at 121 Augusta Street.

Should you require further information, please contact me directly.

Sincerely,

Dominic Verticchio
Executive Director

cc Alex Thomson
Deirdre Finlay
January 9, 2012

Ms. Delia McPhail, MCIP, RPP
Planner II
Development Planning Section (West Team)
Planning & Economic Development Department
City of Hamilton
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5

Dear Ms. McPhail:

Re: Zoning By-Law Application

121 Augusta Avenue
(Lynwood Charlton Centre)

On behalf of the Hamilton-Wentworth Catholic District School Board, I am submitting this letter in support of the recent request of the administrative executives of the Lynwood Charlton Centre to the City of Hamilton to allow zoning by-law approval to the current site at 121 Augusta Avenue.

The long history of the efficacy of the program and services provided by the former Charlton House and Lynwood Hall to protect and support some of our most disenfranchised and vulnerable teenaged females has demonstrated the professionalism of the staff and organizations.

The proposal submitted by the Lynwood Charlton Centre clearly establishes the need to have a facility that is more structurally appropriate to meet the needs of these young women. The administrators continue to be committed to ensuring that the property is well maintained and that all appropriate supports are in place at all times to enable the clients to lead a safe, healthy lifestyle in this alternate living environment.

As an essential component of the Hamilton-Wentworth Catholic District School Board’s commitment to an inclusive philosophy of “Each Belongs”, we ask that the Development Planning Team grant the re-zoning request for 121 Augusta Avenue and help provide a suitable living accommodation for any young teenaged woman who is in a risk situation. Social justice and empathy to the fragile members of our society must continue to be promoted and enhanced in Hamilton.

Thanking you in advance for your consideration.

Respectfully,

Mrs. J. Bajus,
Superintendent of Education

JB:cs

cc: Alex Thompson, Executive Director, Lynwood Charlton Centre
Deidre Finlay, c/o Lynwood Charlton Centre

90 Mulberry Street, P. O. Box 2012 Hamilton, Ontario L8N 3R9
Tel: 905 525-2930 Fax: 905 525-1724 http://www.hwcdsb.ca
January 12, 2012

Della McPhail, MCIP, RPP  
Development Planning Section (West Team)  
Planning and Economic Development Department  
City of Hamilton  
71 Main Street W. 5th floor  
HAMILTON, ON L8P 4Y5

Dear Ms. McPhail:

RE: LETTER OF SUPPORT – LYNWOOD CHARLTON CENTRE

I am pleased to provide this letter in support of Lynwood Charlton Centre’s application to use the building at 121 Augusta Street, Hamilton as a new residential site for adolescent girls.

The Catholic Children’s Aid Society of Hamilton has a long-standing partnership with Lynwood Charlton Centre, having collaborated in many programs serving some of the most vulnerable youth and families in our community. Lynwood Charlton Centre is known for excellence in providing treatment, support and care to this population.

The Lynwood Charlton Centre has earned a reputation of strong and effective leadership and administration. Well developed policies and systems enable the Centre to provide high quality and effective care to youth in their own community – close to their families and schools. This is an extremely important and valuable service for this population in the City of Hamilton.

I have always been impressed by how well the residential programs are managed. Staff consistently demonstrate a high level of professionalism and skill — a reflection I believe, of the dedication and commitment of the leadership of Lynwood Charlton Centre. Existing facilities reveal the Centre’s commitment to being a respected member of the community, while being considerate of and responsive to its neighbors.
The Catholic Children’s Aid Society of Hamilton is fully supportive of the use of 121 Augusta Street as a residential treatment home for adolescent girls. This important service is very much needed in the City and given it can no longer be provided at the Charlton Street address, the transfer to the Augusta Street site seems most reasonable given the similar use of the site in the past few years.

We do hope you will give positive consideration to the Zoning application presented by Lynwood Charlton Centre. I would be happy to speak with you directly if you wish. Please feel free to contact me at 905-525-2012 X 3317.

Sincerely,

Ersilia DiNardo
Executive Director

cc: Alex Thomson
Deirdre Finlay
January 13, 2012

Councillors Brad Clark, Jason Farr, Lloyd Ferguson, Robert Pasuta, Judi Partridge,
Maria Pearson, Brenda Johnson, Chad Collins, Terry Whitehead
City of Hamilton
71 Main St. W.
Hamilton, ON L8P 4Y5

Dear Committee Members:

Re: Lynwood Hall Child & Family Centre and Charlton Hall Child & Family Centre
Application for Rezoning - 121 Augusta Street, City of Hamilton

The above rezoning application is being considered at the Planning Committee meeting of January 17, 2012. We have been provided with a copy of the Staff Report which recommends denial of the application. Please find enclosed the following information that we feel will help Committee in their decision regarding this application:

1. Correspondence from the applicant, identified in the third paragraph of Page 11 of the Staff Report, which outlines the operational elements of both uses and reaches the conclusion there will be no impact between these two uses.

2. The response prepared by the applicant that was distributed to the neighbourhood which was referred to in Section 10, page 13 of the Staff Report.

3. A copy of the Executive Summary of a study of the existing building at 52-56 Charlton Avenue West, which notes that improvements in the amount of $1,200,000 are to be invested into the property over the next 10-15 years, including some expenditures which have an immediate priority.

4. Letter of support from the Children’s Aid Society dated December 15, 2011, not included in the package with the letters of objection.


6. Testimonial letters from former clients and family members of Charlton Hall Child and Family Centre.

If anyone has any questions, please do not hesitate to contact my office at any time.

Sincerely,

E. J. Fothergill, MAP, RPP
President

Encl.

C. C. Mr. Alex Thomson, Ms. Deirdre Finlay, Mr. Scott Snider, Ms. Delia McPhail
LYNWOOD HALL CHILD & FAMILY CENTRE

MEMORANDUM

To: Delia McPhail, Planner II, Development Planning Section, City of Hamilton

From: Alex Thomson, Executive Director

Date: September 10, 2011

Re: Impact of property at 135 Forest Avenue

As a follow-up to our discussion regarding the application for a zoning by-law change for the property at 121 Augusta Street, and the proximity of the residence at 135 Forest Avenue, I am providing this description of the residence owned and operated by Lynwood Hall Child and Family Centre and its potential impact on the establishment of an 8 bed residence for teenaged girls at 121 Augusta.

The residence at Forest has operated as a 5 bed residence for youth, male and female, between the ages of 12 and 18 for over 2 years. The youth who reside at the residence are diagnosed as having a dual diagnosis, having developmental and intellectual challenges as well as mental health issues. Although the residence has a maximum bed capacity of 6 beds the operating practice has been maintained at 4 youth at any given time as a result of the needs of the clients who use the residence. The program provides a place of residence for two clients whose families are unable to have them live at home and the remaining beds are used by between 12 and 14 youth on a rotating basis throughout each month, providing respite for their families as a support to allow the youth to remain in their family homes.

The staffing levels for the residence is 2-3 staff per shift during the waking hours of the day and evening and 2 awake staff during the overnight hours. The residents require constant supervision and the staffing levels are set to ensure that the clients are safe and constantly cared for. The clients required constant care and therefore do not go out into the community without staff accompanying them. Additionally, our property is completely protected by a gated fenced yard to ensure the clients remain safely on the property and are afforded privacy.

As a result, the residence at 135 Forest Avenue will have no impact on the establishment of the 8 bed residence at 121 Augusta Street. Conversely, the residence at 121 Augusta will have no impact on the Forest residence as well.

Additionally, Forest Avenue had been used as a residential care facility for approximately 20 years prior to Lynwood's purchase of the property 3 years ago. Its previous use had been to house 10 residents (adolescents) who co-existed in the neighbourhood quite well during those 20 years. Since Lynwood began operating at 135 Forest, we have reduced the daily use to 4 residents, resulting in a reduction of 6 on that site. With the 8 new residents being proposed at 121 Augusta Street, there is a net difference of 2 residential care units being added in the neighbourhood.
OPEN RESPONSE
from
Alex Thomson, Executive Director
Lynwood Hall Child and Family Centre

and

Deirdre Finlay, Executive Director
Chariton Hall Child and Family Centre

August 2011

We have jointly prepared this open response to a number of concerns and misperceptions raised through the Zoning By-law Application process for the property at 121 Augusta Street.

Before addressing the concerns raised, we feel it important to clearly articulate what is happening with our two organizations. Lynwood and Chariton have operated as two charitable organizations providing children's mental health services to the Hamilton community for over 147 and 92 years respectively. In order to optimize limited public resources and ensure quality service into the future, our two organizations have made a decision to merge and become one organization, Lynwood Chariton Centre, effective October 1st, 2011. We believe that drawing upon the strengths of both organizations and effecting more efficient operations, will result in a stronger, single organization. Alex Thomson, will continue to provide leadership to the new organization, and Deirdre Finlay will be retiring and remain in a consulting role with the new organization.

The Re-Zoning By-law Application and the Numbers:
It is apparent to us from many of the concerns raised in response to the call for comments left some with a perception that we have been less than transparent about our intention. We would like to clear the air in this regard.

From the beginning we have been clear about our interest in establishing a residence for 8 adolescent girls (a transfer of the existing Chariton Hall program from its current location) and that we would be required to undertake a by-law rezoning application, which we are in the process of completing. We have attached the original flyer that we distributed widely in the neighbourhood for the "Open House" in March in which we clearly declared both the number of beds sought as 8, and that we were engaged in a rezoning application. It is unfortunate that there seems to have been some miscommunication or misunderstanding at the 'Open House' and that this, along with unascribed misinformation, has resulted in misperception regarding our intention. Additionally, it seems that we may have inadvertently added to any misunderstandings with the wording of a neighbourhood flyer which we issued in early April (also attached) regarding some work on the site. In that flyer we used the wording "eight teen girls" which lead some to believe that we were trying to establish a residence for 18 girls. The wording would have been better articulated as "eight teenaged girls".

So we want to be clear, we are hoping to establish an 8 bed residence (and only 8 beds) on the second floor at Augusta and we have been engaged in a by-law rezoning process from the beginning. Our position has been consistent since the beginning of this endeavour and has not changed since the time we first began this exercise.
The History of the Site:
The property at 121 Augusta has a long history of tertiary industrial use, including operating as a flour mill and a book binding company over the years.

In 1995 the property was purchased by Community Adolescent Network (CAN), a children’s mental health centre serving mainly adolescents. During the tenure of operation by CAN, it was host to a variety of on-site programs including a Supervised Access Centre operated by CAN for the Children’s Aid Society (CAS), where families visited, under staff supervision, with their children who were in the care of the CAS. This program operated on site for nearly 10 years. Subsequent to the departure of the Supervised Access Program, Banyan Youth Services rented space at the Augusta site and for nearly 5 years operated a kids group program there through the evening hours and throughout the summer. Finally, for the past two years we have had an alternative classroom on site for adolescents involved with Charlton Hall and the Hamilton Wentworth District Board of Education. Our understanding is that these programs have been operating in the neighbourhood quite well for the past 16 years.

Our Proposal:
Lynwood Hall Child and Family Centre purchased the property in 2009 at 121 Augusta Street from CAN, inheriting the Banyan lease and operation, and subsequently renting space to Charlton Hall to establish an alternative community based classroom on the site. As with the prior uses, these programs have proven to operate well on the site in a manner which has been accepted by the community.

Since our joint determination to merge our organizations we have included as part of our plan to attend to efficiencies by envisioning the transfer of all the Charlton Hall programs (the 8 bed residence and a classroom) to the Augusta site from their current location on Charlton Avenue West. Part of the determination to accomplish this has been taken as a result of the current state of the Charlton site where the program has been housed for 50 years. The two buildings which house the Charlton programs are owned by the City of Hamilton and have been leased to Charlton for its use for 50 years.

The state of structural disrepair of the facilities poses a significant challenge for the City whose 2006 Facility Condition Assessment Report determined that nearly $900,000 of substantial repairs was required to provide an appropriate level of repair and remedy. Not surprisingly, the City is not prepared to attend to those repairs. As a result of these circumstances we have proposed a plan that would allow us to transfer the programs to a newly refurbished location which would be safer and more functional for the 8 young teens who reside in the residential program. We will accomplish this using our own resources. This will allow the City to take back the Charlton site for subsequent use as determined by the City.

Responding to Identified Concerns:

Our Kids:
We are particularly concerned that some of the responses seem to equate the impact of our kids’ relocation with that of prostitutes and crack houses. While our kids do have some special needs, these challenges affect them most acutely and do not intrude on others. Overall, they are like any other teens in the city, all of whom have varying challenges in their lives and lessons to be learned en route to adulthood.
The good news is that our kids are in a residence that is staffed 24 hours a day with a minimal of 2 staff on every shift, including during the night. Our teens are involved in many structured activities and well supervised.

It is our experience in the current Charlton Avenue location that there have been very limited neighborhood interruptions and when there are issues it’s a matter of a telephone call to our staff who will respond to making adjustments to our programming as necessary.

During the day, our kids go to school, and for the most part, we endeavor to have them engage in positive activities that will help us achieve our ultimate goal, and that is directing them back to their families who live in a variety of locations throughout our community. These are girls who initially come from and ultimately return to homes in various locations across the City including this very neighbourhood.

Concern about the Downtown Location:
Charlton Hall has operated the Residential program for young women for 50 years in the Durand neighbourhood (part of the same ward as the Augusta area). As part of the programming, Charlton Hall has long history of accessing and using a range of sites and services available in the downtown core such as the Central Library, the YWCA, the Farmers’ Market, Bayfront Park and the YMCA’s Career Works. The teens residing in the Residence do not typically have a significant amount of unsupported/unplanned community time. The Charlton Hall team has many years of experience in safety planning with teen girls and in having them function quite well in an Urban Core setting.

Recreational Space:
Although the comments are accurate regarding the lack of green space on the Augusta site, the proximity of Shamrock Park and the reliance on the YWCA and other activities will be appropriately used by the program. A comprehensive recreational program involving local conservation areas, camp trips, and regional outings, along with individual participation in activities such as dance lessons and soccer delivers a balanced array of recreational activities that are not dependent on any single space. Charlton Hall’s current location is similarly adjacent to Durand Park and the teens use it appropriately with no evidence of their involvement in any vandalism or disturbances at that park or elsewhere in the neighbourhood. Further, the residential girls will continue to make recreational use of Lynwood’s property on the mountain which provides a gym and one half acre of outdoor space within a ten minute drive from Augusta. Finally, many of the girls spend at least a portion of their school vacation and weekend time with their families in their family homes. For these reasons, we are confident that the activities at the Augusta site will in no way undermine or diminish the enjoyment of Shamrock Park by the rest of the community.

Increased Traffic:
The past use of the Augusta site has been active and with both foot and vehicle traffic constantly accessing the site over many years. It is our contention that our proposal will not result in a significant increase in such traffic.

With regard to increased public vehicle interruptions to the neighbourhood, Lynwood has operated a small 6 bed facility on Forest Avenue for youth 12-18 who have developmental challenges and mental health issues for over 2 years.
Our experience in those 2 years is as follows: 2 fire department responses to false alarms, 2 police responses and 1 ambulance response. We would expect that the apartment buildings along Forest Avenue generate more public vehicle interruptions. Like Lynwood, over the past two years, Charlton has experienced a single ambulance response and no fire department responses.

Property Values:
In response to concern about property values we are responsible neighbours. Lynwood has a proven track record of managing properties ensuring that they are well maintained, tidy and compatible with the culture and streetscape of the neighbourhood. Our location on Forest is a fine example of that, one drive-by will reassure you of our commitment to this. We will similarly be responsible for the Augusta site with the same interests. Our commitment to the neighbourhood is to revitalize the building at 121 Augusta. This will include a facelift on the exterior of the property and a long term commitment to maintaining the property in line with the aspirations of the neighbourhood.

Proximity and Concentration of Service Organizations:
In making an application for a re-zoning by-law change we fully recognize the City’s by-law requiring a 300 meter separation of residential service organizations. With this in mind we would like to articulate the rationale for our need to transfer the residential program from Charlton to the Augusta site.

First and foremost, the Charlton site is in desperate condition (as reported by the City’s own 2006 Facility Condition Assessment Report) and the City has determined that they will not spend the funds needed to bring it up to the level of condition necessary. It is at risk of being unsafe for the residents and it is poorly designed for its current use.

Currently both sites are in the same City ward and the both sites have housed a variety of children’s mental health services over many years, 50 years at the Charlton site and nearly 16 at the Augusta site.

The concentration and proximity of other service sites to the Charlton site is heavily concentrated with many adult residential services in the Durand neighbourhood. Although there are certainly other residential service sites in the Corktown neighbourhood the concentration is vastly less heavy, as evidenced by City Planning Department information provided to us. Our site at Augusta would be within the 300 meter range for a home which houses 6 developmentally challenged adults and our Lynwood residence for 6 youth with developmental challenges. Our proposal is to spread the concentration differently with an interest to balance the intent of the by-law within a building and in a way that will not be disruptive to the neighborhood culture or streetscape.

From our experience with these facilities and our knowledge of activities at the home for developmentally challenged adults, we are confident that neither of these three operations will have any type of adverse impact on the community.

As we explored the details of the by-law, we find the current site is provided with a bit of a holding zone that would anticipate future rezoning to an ‘E’ zone. This would permit up to 20 residents in a residential care facility which is equal to the capacity of the proposed development, the Lynwood site on Forest Avenue, and the existing home for the developmentally challenged adults on Catherine Street all put together. While the requirements of the by-law would tend to prefer this approach, we believe that our proposal makes more sense.
Summary

We are excited about this new opportunity that will allow our organization to provide the important services needed by our community that contribute to developing a healthy community and also contribute to making Hamilton the best community in which to raise a child. We will be investing funds to readapt, reuse, and upgrade a former industrial building. Many of the activities on the site will continue in a manner similar to the way the property has been used for the past 16 years.

Given our longstanding history and our experience, and the confidence we have in our expectations of our future role in your community, we believe that by full and open dialogue, any fears or apprehensions there may be about our client group, our organization or how we function within the neighbourhood, can be dispelled.

We have collectively over 200 years of experience in properly responding to these special needs in our community in a manner which has allowed us to fit quite well into a residential neighbourhood and not only utilize, but also contribute to, the range of services, committees, functions and programs in the downtown area and within the residential communities in which we reside.

If you have further concerns or questions please feel free to contact either:

Deirdre Finlay  
Executive Director  
Charlton Hall Child & Family Centre  
905-529-7262 ext 217

Alex Thomson  
Executive Director  
Lynwood Hall Child & Family Centre  
905-389-1361 ext 223

Thank you
Excerpts from Speech Delivered  
by the Mother of 15 year old Brittany  
at Charlton Hall Annual General Meeting 2007  

“You have heard the story of my daughter’s courageous journey within the world of mental health. She has shared her highs, her lows and where she believes she is today. She has told you that she knows she will have good days and bad, and that her journey will last her lifetime.

What you perhaps did not hear is that her journey was one our whole family had to travel. We were confronted with ignorance and lack of understanding, why didn’t we parent our child better .........

After battling mental illness for her lifetime things came to a head when Brittany was 13. .... She in fact started contemplating the end of her life. She wrote stories about how much happier everyone would be without her, she had no friends, no hobbies and no interest in the world around her. This was when the suicidal thoughts started, this is when she needed hospitalization, this is when we became her advocates and supporters for greater health and understanding, treatment and acceptance. This is when the first suicide attempt was made.

We initially had Brittany seen in the community and participated in support groups, we did everything we could to learn about mental health and how better we could assist Brittany. We started educating our family and friends and started talking back when others blamed us. We in reality accepted Brittany for who she was and decided that we needed to find away to help her and us to live together. We went to the school and demanded support, we outlined the expectations for Brittany and charted her success, we stuck to the same routine to ensure she felt safe and structures as this seemed to work.

After two years of looking into all the community supports we could find, quitting my full time job to stay home so Brittany was safe, taking mortgages and loans to support us, Brittany was getting worse, not better, she was now sad, depressed and doubting herself. We came together and requested support. After much research and contemplation we found Charlton Hall and decided this was where Brittany needed to be. We completed the paperwork and we waited, we called and we waited. The space for Brittany finally came in March 2006. In fact we had our interview on March 3, 2006 and signed the consents, Brittany moved in on March 6, 2006. She had consented to get help, she wanted it but she was going away, no longer my child but that of a group home, where had things gone so wrong and why couldn’t we help her.
It was the lowest time of my life, I knew my daughter needed help but why not with me, why not at home, how could things have been so bad, what had we done wrong. Brittany’s first few months were full of struggles, she had never made friends and was living with girls, she was forced to interact and follow program and address issues, she of course rebelled and tried everything to pull away not to get involved and ultimately not get help. I cried, I couldn’t believe that we had separated our child from us, sent her away and things were worse. She was cutting herself and angry with me, she refused to come home and visit and would often hang up the phone when I called. Staff would tell me she was attention seeking, and perhaps at times it was but at others it was the little person within trying desperately to get out and get noticed. The pain inflicted from cutting let her know she was alive with feeling, it kept her in this world. Brittany wanted to be liked and saw herself as different, unlikable and not needed, she was not attention seeking she was looking for help. After about two months I went by to visit and there was a difference, Brittany was wearing make up, she had done her hair and was dressed neatly. She spoke about her “friends” and going on program. She actually had a smile and could see a future.

Over the next several months Brittany embraced the program, she flourished, she went to the mall, took a bus, joined a baseball team, all things she had never done in the past as she was afraid. She spoke to friends and participated in programs, she expressed anger, but it was appropriate, she expressed hurt but stayed safe, she expressed happiness and this had never been the case.

Brittany continued her journey and in fact also experienced school success for the first time in a long time at the Transitions Day Program, she received four grade nine credits in just 2.5 months. She was becoming “whole”. While at Charlton Hall we learned to accept Brittany to work with who she was and what she needed and not worry about what others thought or felt, we were seeing progress our daughter wanted to live.

As a parent I can tell you, sending my daughter away was truly hard, it was a pain that I cannot describe but over the next six and a half months we as a family bloomed and we were afforded the time and break we needed from Brittany to focus and learn to cope.....

Accepting that your child needs help that you cannot provide is one thing, making the life altering decision to send them away to get the help is another, but in all honesty my daughter suffers from mental health and needed treatment, but I as her parent needed respect, understanding and validation that things would get better and that we had done our best and together as a team we would help Brittany.

I now look back at our journey and know that Charlton Hall and my family formed a partnership that will last for many more years to come. I appreciate the role that they played in my daughter’s life and hope that they can understand the role I want to play in their life.
Today Brittany is a successful grade 10 student at St. Mary’s. She has played on the school softball team, joined our community baseball team, is looking for part time work and has several friends. She is looking forward to a career in social work, working with youth.

She still has difficult days but has learned strategies to cope, and when things get really bad, she is able to get herself back up, dust herself off and move forward with assistance and support. She truly is my hero, and wouldn’t be who she is today without Charlton Hall.

You see mental health affects 1 in 5, it is the leading cause of suicide in our young children, it is not a choice but an illness. It has nothing to do with you or me, and there is no reason why some have it and some do not, but together we can accept it and work with it, and in reality live a normal productive life, without shame or prejudice. After all isn’t that what we all want for our children.”
Staff,

Throughout all of my years you have always been there
Bending a hand
Showing you care

When the sad times came
And I couldn't go on
You were there talking time
And keeping me strong

And when I was depressed
Thinking I should let my feelings hide
You were there telling me
I shouldn't keep them inside

And all of these times
When I cursed and I screamed
You all understood
That I was just showing I cared.

Through all of the good times
And all of the bad
Charlotte Hall is the best memory
I've ever had

And as the time comes
That we must depart
You will always be the memories
Locked deep in my heart.

Jennifer
June 1987
I lived a very important almost 3 years in Charlton Hall Group Home for girls in Hamilton, Ontario. For the past 9 years I have been sending the girls that live there little Christmas packages every year~ just to remind them that someone who’s 'been there' is thinking about them, and to give them something to open on Christmas Day...

This year, they are getting my piano.

Deirdre Finlay, the Home’s Director and last of the staff that were there when I lived there, generously accepted my offer and agreed that it would be special to have the piano there for the girls and even said they have a Choir Leader on staff, so she knows that it would be put to great use. While I read her email with tears in my eyes, she said they would put a plaque with "Jennifer’s Piano" on it so they would always know my story and where it came from!

I want to inspire these girls as they really have to odds stacked against them. Inspire them the way the piano inspired me growing up ~ gave me the opportunity to dream, to perform, to study, to be creative and to have hope. All of the wishes I have for these girls. They range in age 12-18 but over the last number of years, they are sadly coming in to the Group Home younger and younger. They just need a chance.

With the Christmas spirit in mind I called Williams Moving and Storage here in Vancouver and told the story about the girls and hoped they could help. They put me in touch with United Van Lines in Toronto and long-story short, together they are moving the piano to Charlton Hall for free!

I was brought to tears and every step of this decision has been a very emotional one for me...but from the moment the process has begun, I knew, deep in my heart that my dear piano will be just where it belongs.

I know everything happens for a reason, and I know that I never could sell my little Heinzman Upright Grand Piano because it was never meant to be.

So, on Monday December 21st the piano will begin its journey home, where it will hopefully even inspire ONE girl and somehow bring some joy and light and love...

Merry Christmas,

Love,

Jennifer xo

Christmas 2009
July 12, 2008

Dear Staff and Management,

Hello, my name is Jennifer Paul. I was a resident there from February 3, 1993 till June 11, 1994. I am writing this letter because of a recent conversation with my 8 year old daughter.

She wanted to know why I lived there, she felt sorry for me. After I tucked her into bed, I spent a few hours going through all of my Charlton Hall memories and re-reading the journal I kept with staff.

I would like to begin by apologizing and it is completely heart felt.

I could be a real "B", I caused/created difficulties on a regular basis. I really behaved very poorly.

My biggest regret is that even though I knew it wasn't true I was always saying none of you really cared, you were only there for a paycheck.

I was WRONG and to be honest, I knew that then.

Everyone of you showed me how much you cared and continued to do so, no matter how badly I treated you.

I suffered many of life's little and big blows while a resident there, some self-inflicted. Staff was always there.

My biggest "blow" while a resident was the death of my dad. It was a time when I was nastiest to all of you, but I pray you all know that I couldn't have survived without you all.

I want to thank you for a time period that represents my happiest memories.

Shopping with Sheri was always full of laughs.

Bon Jovi with Maryanne was the best. Movies with Nancy, ice-cream with Colleen, Toni's story of her childhood bird that was sat on is till one that makes me smile.

Camping with a very pregnant Isabel, that weekend is one I'll always cherish. Sitting and talking with Lynn or Richelle or Suzanne, any and all of you was fantastic. I have all happy memories with each and every one of you.

Even memories that aren't happy are remembered fondly.

My biggest thank you is for when my dad passed away, you were all so wonderful and I remember every act of kindness you showed.

Tracy Newton held me that morning while I cried. Toni worked that 1st morning and I hang on to her words of how much he loved me.

Richelle, Nancy, Colleen, Lynn, Isabel, Maryanne, all of you worked that week and all of you let me cry, scream, laugh, whatever I needed.

It was very important to me to wear a dress and look pretty for my dad at his funeral. Sheri lent me a dress of her own, that small act of kindness still touches my heart.

Thanks you for being such strong, wonderful women, you are all such kind and caring women.
This part is to all the staff and management of that time, the ones that are there now and the ones that will come in the future.

You are doing a wonderful thing. You have, I believe the hardest job, you have to take a young lady who feels broken inside, feels worthless, a young lady who has been lied to and hurt by everyone in their lives they are suppose to trust. You take this young lady and begin the repairs to her soul, giving her the tools to continue those repairs long after she has left the safety of those doors.

I know that it may seem like you are un-appreciated, you are all doing such important work and you are making a big difference in the lives of so many young ladies and you have equipped them with such powerful knowledge they will help people as they grow all because you women are there day after day.

As I end, I just want to say thank you one more time.

I feel I am a success in life. I have 2 beautiful children whom have no idea what it feels like to be spanked let alone beaten.

I own my own Convenience Store (2 actually and I am about to purchase another one). I have been published many times for my poetry.

I believe this is all because of the tools you gave me, to stop cutting, stop hating myself, you gave me the tools to stop beating myself up for my life and to create one for myself.

You truly are all amazing people!

Sincerely Yours,

Jenn
December 2011

To all the staff at Charlton Hall

It has been a long journey for Kayla, her brother and family, although it's never over! She has overcome such great pain and obstacles in her young life and is on her way to a healthy satisfying adulthood.

I want to thank each and every one of you for your part in Kayla's recovery, without all of you, I don't know how we would have coped. You were 'our 'Rock' when we all needed help. You gave Kayla back her spirit and self confidence and allowed her to be who she is and I will be forever grateful to each and every one of you. Kayla still speaks fondly of her experience at CH and that speaks volumes.

Laurie Sams and family
To our Wonderful
Chariton Hall Family,

We would like to thank you for everything that you have done, and continue to do, to support Sarah on the road to recovery.

You support not only Sarah, but the entire family, and we are so incredibly grateful for that.

Thank you for the care you provide, for keeping Sarah safe, and for being there for all of us.

You truly change people's lives!!

April 2010

Thank you

With love and appreciation,

The McNally Family
From: Dean Corkins
Sent: January 17, 2012 9:01 AM
To: McPhail, Delia
Cc: Alex Thomson
Subject: Lynwood-Charlton Hall

City of Hamilton
Planning and Economic Development Department

To whom it may concern,

My family and I have been the immediate neighbor of Charlton Hall at Charlton Ave. W. in Hamilton since 1997. I am writing to you today to offer my support for this facilities efforts to create a new combined facility.

It is not that I would like to see my neighbor go. Quite the opposite. I would hope that they would stay here. They have been and continue to be the best type of neighbor a young family could ask for. Always considerate and available, we have in the past 13 years only had very small issues that together we were able to resolve.

I would hope that the new neighborhood could put aside their fears of the unknown and embrace the efforts of Lynwood Charlton and welcome them as part of their community.

Thank you,

Dean & Georgia Corkins
Hamilton, ON

Thank you,

Dean Corkins
Radiant Resources Canada Inc.
BUILDING CONDITION ASSESSMENT REPORT
52-56 Charlton Avenue, West
Hamilton, Ontario – October 2011
(A Verification Report Subsequent to 2006)

Prepared for
The City of Hamilton,
Public Works Department,
Facility Management Services

Prepared by
Evans Consulting & Management Services
& Vanderwesten, Rutherford Mantecon Inc.,
Consulting Engineers.
# Building Condition Assessment Report
52-56 Charlton Avenue West, Hamilton

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Prepared by ... Evans Consulting & Management Services  
And Vanderwesden Rutherland Mantecon Inc.
1.0 Executive Summary

The City of Hamilton own the facility located at 52-56 Charlton Avenue West, in the downtown core of the City. The facility consists of two three storey Victorian style houses attached through the construction of a horizontal single storey link connecting the two buildings. Each building consists of a basement and 3 floors. The approximate area of the two buildings combined is 17,900 square feet. The facility is currently leased to the Charlton Hall Agency. In our opinion, the building would be classified as ‘Group C’—(Shelter for Women, Hostels and Lodging Houses) Occupancy under the Ontario Building Code. As such the building is required to have fire separations throughout between floors and within certain compartments. We assume the City of Hamilton’s Building Officials have grandfathered the facility into the Group C.

Evans Consulting & Management Services (ECMS) were commissioned by the City of Hamilton to update the ‘2006 Capital Planning Report’ prepared by V2PM. Vanderwesten, Rutherford Mantecon Inc., Consulting Engineers of Hamilton (VRM) were contracted by ECMS to provide technical assistance and life cycle cost analysis in the architectural, structural, mechanical and electrical disciplines for this project.

The updates made in this report reflect the increased capital costs and the present condition of the building(s) as compared to the 2006 submission. The second part of the exercise was to restate the list of priorities based on continued deterioration of the building elements as well as the positive impact of the capital work that was completed by the City and Charlton Hall.

In reading this report, comments that are italicized are the items that have been amended by Evans Consulting & Management Services. Typeface that is in regular font has not been amended except for the revised costs.

The approach and methodology consisted of a scheduled site visit, a walk through the facility and visual examination of the building's condition. The report identifies items that have been repaired or replaced, areas that have deteriorated further and a revised list of priorities that should be addressed in the coming 5 year period. No invasive or destructive testing was conducted as part of this review, and drawings or project

---

1 Taken from Charlton Hall Child and Family Centre BCA Report 2006
Prepared by V2PM

Prepared by... Evans Consulting & Management Services
And Vanderwesten Rutherford Mantecon Inc.
changes were not available to consult. A short summary meeting was held with the tenant at the conclusion of the tour to advise them of any safety issues found. Items included electrical concerns with fire safety on the third floor, and damage caused by rodents.

**Improvements**

Since the initial Capital Planning Process report in 2006, the Charlton Hall (tenant) and the City of Hamilton have completed several capital repairs and improvements to the facility in order to address life safety, code compliance and general maintenance issues. The **major improvements that were completed** over the 5 year period include the following:

1. Replacement of approximately 75% of the flooring in the facility; installing laminate flooring and replacing carpeted areas
2. Full renovation of the Kitchen (#52) including all new flooring, cupboards, plumbing and fixtures.
3. Replacement of three of the air conditioning units #52 and one air conditioning unit in #56.
4. Replacement of the hot water heating boiler in unit 56.
5. Replacement of two domestic hot water heating units.
6. Repair of the concrete stairs and garbage enclosure at the back the kitchen entrance.
7. Upgrade all washroom fixtures and flooring. It is important to note that the washrooms at this time will not meet the Accessibility Legislation requirements for 2025; however, it would appear that there is sufficient space to redesign the area(s).
8. Repair and repaint the interior walls, ceiling and doors in both units of the facility.
9. Replacement of the shingle roof on both buildings
10. Temporary repairs of the soffit and fascia to deter rodents.

**Items that are still of concern**, consist of code compliance, structural issues and life safety. Most of these items are areas that were originally stated on the initial report in 2006.

1. The City of Hamilton installed a new asphalt shingle roof in 2006; however, the soffit and fascia repairs noted in the V2PM report were not completed. Temporary repairs have been made to the soffit and fascia, however; it has not remedied the larger problem; there are now issues with rodents gaining access into the building. The rodents are also causing notable damage to
the insulation on the electrical wiring which presents a fire hazard. There are also signs of the same type of damage to the electrical wiring on the exterior of the building (#52) at the fire exit on the 3rd level. The extent of the damage inside the attic area is unknown and should be investigated further.

2. There are several structural items that need to be addressed in this facility. Again these items were noted in the initial report in 2006 and the degradation has continued. The structural items include repairs to the rubble foundation walls, structural creaking in the brick cladding, and the corner support of the front entrance porch.

3. The fire escape along the east elevation also has some structural concerns as to its construction and the condition of the steel bracing. **This is serious** and should be considered a priority one item.

4. There is lead pipe still being used for the potable water supply at this facility. Lead pipe is not permitted for the distribution of drinking water under the Ontario Building and Plumbing Codes.

5. The basement back entrance off the laundry room experiences a constant problem with extensive water infiltration and moisture migration through the rubble foundation. This problem continues to worsen and will become more costly as time goes on if not addressed in the next year.

6. The building is known to contain asbestos. A copy of the asbestos report (as noted by the tenant) was not available to ECMS / VRM for this survey. It appears that some of the piping in the basement has been covered with black plastic garbage bags to contain the problem. This is not an acceptable solution and should be remedied.

7. The facility was not designed to be barrier free. There are no barrier free ramps at the entrance, elevators or provisions for vertical transportation, and the washrooms and shower facilities will have to be redesigned. This condition has not changed since the 2006 audit and will be costly to upgrade to meet the AODA legislation for 2025.

8. Minor electrical repairs are required as noted in the report and discussed with the Tenant (Director of the Agency).
9. All of the windows in both facilities need to be scheduled on a replacement program; the units are original and at the end of the projected service life.

10. Painting is considered to be a preventative maintenance measure. The interior of the facility has been painted recently, however, the exterior does require some attention. The interior of the building should be repainted every 3-5 years based on its use. Similarly, the exterior of the building should also be repainted every 5-7 years.

The results of the assessment indicate that the City of Hamilton and/or the Charlton Hall need to invest approximately $1,209,200 in this facility 10 to 15 year period. Of that $1.2 Million, 18% or $215,400 are considered priority one or immediate expenditures that should occur in the first year. 37% or $444,600 of the expenditures are scheduled to occur in the second priority, one to 5 years. The largest category is in the priority 3 items, expenditures that are scheduled to occur outside of the 5 year term and possibly up to 15 years beyond the time of the study. Those expenditures amount to 44% or $536,700.

Priority 5 items are code compliance items. Of those items, that largest is the Accessibility for Ontarians with Disabilities Act. The work is not legislated to be completed until 2025; those items account for $172,000 of the $211,500. Other code and compliance items include asbestos, lead pipe, exit signs and so on. These should be addressed in the time frame stated in the report.
Present:  Councillors B. Johnson (Chair), M. Pearson (Vice Chair)  
B. Morelli and R. Powers  

Absent  
with Regrets:  Councillor B. Clark - Bereavement  

Also Present:  C. Murray, City Manager  
R. Rossini, General Manager, Finance & Corporate Services  
T. Tollis, City Treasurer  
L. Friday, Director, Taxation  
R. Male, Director, Financial Services  
D. Edwards, Senior Solicitor  
B. Goodger, Senior Director, Operations & Waste Management  
P. Parker, Director, Support Services, Operations & Waste Management  
A. Mastandrea, Procurement Manager  
S. Paparella, Legislative Assistant, Office of the City Clerk  

THE AUDIT, FINANCE & ADMINISTRATION COMMITTEE PRESENTS REPORT 12-001  
AND RESPECTFULLY RECOMMENDS:  

1. Monthly Status Report of Tenders and Requests for Proposals for November 12, 2011 to December 9, 2011 (FCS11004(h)) (City Wide) (Item 5.1)  

That Report FCS11004(h), respecting the Monthly Status Report of Tenders and Requests for Proposals for November 12, 2011 to December 9, 2011, be received.  

2. Tax Appeals Under Section 357 and 358 of the Municipal Act, 2001 (FCS12007) (City Wide) (Item 5.3)  

(a) That Appendix “A” (attached to Report 12-001), respecting the “Tax Write-Offs processed under Section 357 of the Municipal Act, 2001”, in the amount of $37,232, be approved; and,  

(b) That Appendix “B” (attached to Report 12-001), respecting the “Tax Appeals due to a Gross or Manifest Clerical Error, pursuant to Section 358 of the Municipal Act, 2001, in the amount of $7,889, be approved.

3. Reserve/Revenue Funds and Trust Accounts Statement of Investment Policies and Procedures Review (FCS12004) (City Wide) (Item 5.4)


That taxes in the amount of $260,209 be written off, under Section 354 of the Municipal Act, 2001 for 239 properties, known as the Newport Marina, upon sale of the marina to new owners; currently intended to be known as the Newport Yacht Club – Stoney Creek, subject to the following conditions, namely:

(i) That all the subject properties be merged and consolidated into a single ownership with a single Property Identification Number (PIN); and,

(ii) That the new owner of the subject lands agree, in a form satisfactory to the City Solicitor, to indemnify and hold harmless the City from any liability or damages to the City arising in any way as a result of the implementation of this recommendation.

5. Treasurer’s Apportionment of Land Taxes for Property in Flamborough (FCS11001(g)) (Ward 15) (Item 8.2)

That the 2010 land taxes in the amount of $1,444 for 87-93 Browview Drive, Flamborough, (Roll #2518 303 420 23010 0000) be apportioned and split amongst the four newly created parcels as set out in Appendix A to report FCS11001(g).

6. Treasurer’s Apportionment of Land Taxes for Properties in Stoney Creek and Flamborough (FCS12005) (Wards 9, 14 and 15) (Item 8.2(a) – previously Item 5.2)

(a) That the 2011 land taxes in the amount of $3,067, for 1 – 11 Bankfield Crescent, Stoney Creek (Roll #2518 003 850 00199 0000), be apportioned and split amongst the six newly created parcels, as set out in Appendix “C” to Report 12-001;
(b) That the 2010 land taxes in the amount of $1,444 for 75 – 81 Browview Drive, Flamborough (Roll #2518 303 420 23015 0000) be apportioned and split amongst the four newly created parcels, as set out in Appendix “C” to Report 12-001; and,

(c) That the 2010 land taxes in the amount of $3,474, for 1396 Seaton Road, Flamborough (Roll #2518 303 710 21600 0000), be apportioned and split amongst the two newly created parcels, as set out in Appendix “C” to Report 12-001.


That no further action be taken with respect to the presentation from Gary Smith, Modern Landfill, Inc., respecting a complaint related to the evaluation of Modern Landfill’s proposal for Contract No. C11-30-11; the Proposal for Waste Collection Services.

8. Authority to Negotiate and Place Variable Rate Loan and Debenture(s) (FCS11079(a)) (City Wide) (Item 8.3)

(a) That the General Manager, Finance & Corporate Services, be authorized to negotiate terms and placement of a variable rate loan and debenture issue(s), in the amounts of $38,000,000 and $14,740,000, to refinance the outstanding balance of By-law 01-245 (a By-law to Authorize the Issue of Debentures), through the Royal Bank of Canada, and $42,000,000 to be funded through a debenture issue;

(b) That the General Manager, Finance & Corporate Services, be directed to negotiate and execute all required documentation, in a form satisfactory to the City Solicitor.

(c) That a By-law(s) be passed authorizing the variable rate loan and debenture(s) as negotiated and passed, in accordance with (a) and (b) above.

9. Hamilton Street Railway Plan (1994) Actuarial Valuation as at January 1, 2011 (FCS12002) (City Wide) (Item 8.4)

(a) That the January 1, 2011, actuarial valuation for the Hamilton Street Railway (HSR) Plan (1994) (attached as Appendix ‘A’ to Report FCS12002) be received for information; and,
(b) That the current budgeted amount of $3.87 million be maintained and used to fund both the Hamilton Wentworth Retirement Fund (HWRF) and the Hamilton Street Railway (HSR) special payments for the years 2011-2013, with any shortfall funded from the Hamilton Wentworth Retirement Fund (HWRF) Actuarial Deficiency Provision (112065).

10. **Award of Contract C12-10-11 Mobile Welding and Fabrication Services for Various City of Hamilton Divisions (FCS12003) (City Wide) (Item 8.5)**

That the Request for Tenders C12-10-11, Mobile Welding and Fabrications Services for the City of Hamilton, be awarded to the lowest compliant bid, North Star Technical Inc., with an estimated five year expenditure of $917,600.00.

11. **Proposed Water/Wastewater Consecutive Estimates Accounts Policy Amendments (FCS12012) (City Wide) (Item 8.6)**

That the proposed amendments to the Water and Wastewater Consecutive Estimates Policy, as outlined in Appendix “D” to Report 12-001, as amended, be approved.

12. **2012 Property and Liability Insurance Renewal (City Wide) (FCS12009) (City Wide) (Item 8.7)**

(a) That the Liability and Property Insurance coverage for the term January 1, 2012, to January 1, 2013, be renewed through Jardine Lloyd Thompson Canada Inc. (JLT), at a cost of $3,652,095 (net of applicable taxes), in accordance with Appendix “E” attached to Report 12-001;

(b) That the General Manager, Finance and Corporate Services, be authorized and directed to execute all associated documents on behalf of the City; and,

(c) That the 2012 premium costs in the amount of $3,652,095 (net of applicable taxes) be funded through the 2012 Risk Management Services Budget.

**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA (Item 1)**

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

(i) Added as Item 4.2, a delegation request submitted by Laura Jean Falla, Hamilton Firefighters Banquet Hall Drum and Bugle Corps, respecting the proposed purchase of the Firefighters Banquet Hall, located at 175 Dartnall Road, Hamilton (*Requesting to attend at the same time as the staff report is brought before Committee.*)

(ii) Added as Item 4.3, a delegation request submitted by, Paulina Leung, of Emterra Environmental, respecting Contract No. C11-30-11, the Proposal for Waste Collection Services. This Item has since been withdrawn.

(iii) Added as Item 4.4, a delegation request submitted by, Lance Parcher and Karen Craig, of Modern Landfill, Inc., respecting a complaint related to the evaluation of their Proposal for Contract No. C11-30-11, the Proposal for Waste Collection Services

(iv) Item 5.2 – Staff has advised that there are duplicate recommendations in Report FCS12005 (5.2) and FCS11001(g) (8.2). Therefore, Item 5.2 be will need to be moved from the Consent section of the agenda and renumbered as item 8.2(a), in order to procedurally address these two items together.

The agenda for the January 18, 2012 Audit, Finance & Administration Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

Councillor B. Morelli declared an interest in Item 6.1, the delegation from Jack E. Book and Peter Martin, of the Newport Yacht Club – Stoney Creek Inc., respecting a request for Tax Relief for the currently failing Newport Marina in Stoney Creek; and, Item 8.1, Report FCS12006 - Treasurers’ Write-Off of Taxes Proposal for Newport Marina, Under Section 354 of the Municipal Act, 2001, as he owns property abutting the lands in question for both Items 6.1 and 8.1.

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

(i) December 7, 2011 (Item 3.1)

The Minutes of the December 7, 2011 meeting of the Audit, Finance and Administration Committee were approved, as presented.
(d) DELEGATION REQUESTS (Item 4)

(i) Mark McMaster, respecting a Request for Exemption from Development Charges at 168 West Avenue North, Hamilton (Item 4.1)

The delegation request, submitted by Mark McMaster, respecting a Request for Exemption from Development Charges at 168 West Avenue North, Hamilton, was approved.

(ii) Laura Jean Falla, Hamilton Firefighters Banquet Hall Drum and Bugle Corps, respecting the Proposed Purchase of the Firefighters Banquet Hall, located at 175 Dartnall Road, Hamilton (Item 4.2)

The delegation request, submitted by Laura Jean Falla, Hamilton Firefighters Banquet Hall Drum and Bugle Corps, respecting the proposed purchase of the Firefighters Banquet Hall, located at 175 Dartnall Road, Hamilton, was approved.

(iii) Paulina Leung, of Emterra Environmental, respecting Contract No. C11-30-11, the Proposal for Waste Collection Services (Item 4.3)

The request to appear before Committee was withdrawn by Emterra Environmental.

(iv) Lance Parcher and Karen Craig, of Modern Landfill, Inc., respecting a complaint related to the evaluation of their Proposal for Contract No. C11-30-11, the Proposal for Waste Collection Services (Item 4.4)

The delegation request submitted by, Lance Parcher and Karen Craig, of Modern Landfill, Inc., respecting a complaint related to the evaluation of Modern Landfill’s proposal for Contract No. C11-30-11, the Proposal for Waste Collection Services, was approved.

The Rules of Order were waived to permit the delegation of Lance Parcher and Karen Craig, of Modern Landfill, Inc., to appear before the Audit, Finance & Administration Committee on January 18, 2012, respecting a complaint related to the evaluation of Modern Landfill’s proposal for Contract No. C11-30-11, the Proposal for Waste Collection Services.
(e) DELEGATIONS (Item 6)

(i) Jack E. Book and Peter Martin, of the Newport Yacht Club – Stoney Creek Inc., respecting a request for Tax Relief for the currently failing Newport Marina in Stoney Creek (Item 6.1)

Mr. Book and Mr. Martin addressed the Committee. Mr. Book and Mr. Martin’s comments included, but were not limited to, the following:

- In early 2001 it was discovered that the marina was for sale, as the current commercial operation was not viable, and there were significant back taxes owning.
- The other major concern was that there was no plan to dredge the entrance to Lake Ontario, which would close the marina in 2012.
- Residents have received signed agreements with both parties to take ownership of all the required parcels of land.
- All of the parking lot back taxes owed by the current owner will be paid in full upon closing the sale (approximately $160,000).
- An additional $100,000 will be paid toward the existing marina’s back taxes on closing ($50,000 by each of the two owners).
- A contract for dredging the entrance to Lake Ontario is already in place for the spring of 2012.

The presentation from Jack E. Book and Peter Martin, of the Newport Yacht Club – Stoney Creek Inc., respecting a request for Tax Relief for the currently failing Newport Marina in Stoney Creek, was received.

(ii) Lance Parcher and Karen Craig, of Modern Landfill, Inc., respecting a complaint related to the evaluation of their Proposal for Contract No. C11-30-11, the Proposal for Waste Collection Services (Item 6.2)

Mr. Gary E. Smith, P.E., Chief Operating Officer, Modern Landfill Inc., addressed the Committee. Mr. Smith’s comments included, but were not limited to, the following:

- Modern apologized for speaking to members of Council, prior to the approval and award of the proposals. It was his understanding the project had already been awarded.
- Modern Landfill is asking the Committee to consider having a third party review the proposal or throwing the proposal out and starting over.
- Modern claims that the bi-weekly collection with 6 bag limit was not in the proposal and the bidders were not asked to cost out that pricing.
• In their opinion, there is a deficiency in the model used to evaluate the proposal’s truck counts. It is the same process Modern has used for hundreds of projects over the past 50 years.
• Modern Landfill has never defaulted on a contact for lack of trucks or ever had a bond fail.
• Modern Landfill Inc. asked Committee to consider their concerns and re-evaluate their proposal.
• When asked about their experience, it was noted that Modern Landfill previously worked with the Region of Niagara; however, the contract was not renewed, based on cost.
• As well, they worked with the City of Hamilton approximately six (6) years ago; however, they weren’t successful with the contract renewal.
• Modern currently services the Town of Amherst, Lockport, Buffalo, and Niagara Falls, NY.

The presentation from Gary Smith, Modern Landfill, Inc., respecting a complaint related to the evaluation of Modern Landfill’s proposal for Contract No. C11-30-11; the Proposal for Waste Collection Services, was received.

(f) Treasurer’s Apportionment of Land Taxes for Property in Flamborough (FCS11001(g)) (Ward 15) (Item 8.2)

Report FCS11001(g), respecting the Treasurer’s Apportionment of Land Taxes for Property in Flamborough, was lifted from the table.

(g) ADJOURNMENT (Item 13)

There being no further business, the Audit, Finance and Administration Committee adjourned at 10:54 a.m.

Respectfully submitted,

Councillor B. Johnson, Chair
Audit, Finance and Administration Committee

Stephanie Paparella
Legislative Coordinator
January 18, 2012
## Appendix A to Item 2 of AFA Report 12-001

City of Hamilton  
Corporate Services Department  
Taxation Division  
Section "357" Appeals of the Municipal Act, 2001

<table>
<thead>
<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Explanation</th>
<th>YEAR</th>
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<tbody>
<tr>
<td>357-10-074</td>
<td>88 Forsyth Ave N</td>
<td>010051006000000</td>
<td>Exemption denied. Not being used as a place of worship.</td>
<td>2010</td>
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<tr>
<td>357-10-184</td>
<td>74 Green Mountain Rd</td>
<td>003610746000000</td>
<td>Tax Class Conversion no longer a business in the home</td>
<td>2010</td>
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<tr>
<td>357-10-259</td>
<td>249 Caroline St S</td>
<td>020131513900000</td>
<td>Exempt Homestead Christian Care now using 100% of the building</td>
<td>2010</td>
</tr>
<tr>
<td>357-10-273</td>
<td>70 King St W</td>
<td>003380179000000</td>
<td>Exempt - City purchase</td>
<td>2010</td>
</tr>
<tr>
<td>357-10-274</td>
<td>475 Seaman St</td>
<td>003130340000000</td>
<td>Tax Class Conversion processed through MOS</td>
<td>2010</td>
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<tr>
<td>357-10-319</td>
<td>1495 Burlington St E</td>
<td>040323085500000</td>
<td>Demolition handled through MOS</td>
<td>2010</td>
</tr>
<tr>
<td>357-11-001</td>
<td>349 Arvin Ave</td>
<td>003140064000000</td>
<td>Tax Class Conversion handled through PRAN</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-040</td>
<td>249 Caroline St S</td>
<td>020131513900000</td>
<td>Exempt Homestead Christian Care now using 100% of the building</td>
<td>2011</td>
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<tr>
<td>357-11-069</td>
<td>65-69 King St W</td>
<td>260200028000000</td>
<td>Fire January 2010 building still under repair</td>
<td>2011</td>
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<tr>
<td>357-11-101</td>
<td>1254 Old Highway 8</td>
<td>301610388000000</td>
<td>Tax Class Conversion no longer a business in the home</td>
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<tr>
<td>357-11-129</td>
<td>9879 Airport Rd</td>
<td>902510060000000</td>
<td>Demolition of vandalized house</td>
<td>2011</td>
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<tr>
<td>357-11-147</td>
<td>0 Governors Rd</td>
<td>140120124500000</td>
<td>Exempt purchased by Conservation Authority</td>
<td>2011</td>
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<tr>
<td>357-11-157</td>
<td>430 McNelloy Rd</td>
<td>003110339000000</td>
<td>Exempt part of the building occupied by hospital</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-159</td>
<td>175 Mary St</td>
<td>020156052200000</td>
<td>Demolition of the original structure</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-162</td>
<td>105 Belmont Ave</td>
<td>040282066900000</td>
<td>Gross or Manifest Error MPAC had incorrect information</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-177</td>
<td>106 Sherwood Rise</td>
<td>060551005500000</td>
<td>Gross or Manifest Error pool removed prior to 06 still on the roll</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-103</td>
<td>29 Miles Rd</td>
<td>060761087200000</td>
<td>Gross or Manifest Error carport removed in the 70's still on the roll</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-109</td>
<td>23 Princess St</td>
<td>260180030100000</td>
<td>Demolition of part of the structure now rebuilding</td>
<td>2011</td>
</tr>
<tr>
<td>357-11-175</td>
<td>65 Guise St</td>
<td>020166020600000</td>
<td>Gross or Manifest Error supplementary billed on wrong property</td>
<td>2011</td>
</tr>
</tbody>
</table>

**Total**
<table>
<thead>
<tr>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.00</td>
</tr>
<tr>
<td>-2,849.52</td>
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<tr>
<td>-3,026.56</td>
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<td>-2,883.84</td>
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<td>-3,162.92</td>
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<td>-5,625.77</td>
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<td>-31.74</td>
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<td>-1443.71</td>
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<td>-197.60</td>
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<td>-84.96</td>
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<tr>
<td>-625.71</td>
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<tr>
<td>-15.34</td>
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<tr>
<td>-37,231.56</td>
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</tbody>
</table>
B- overcharge (Assessment Roll)

B1 -overcharged-application denied

E - Exempt

<table>
<thead>
<tr>
<th>Appeal No.</th>
<th>Property Address</th>
<th>Roll Number</th>
<th>Reason</th>
<th>Explanation</th>
<th>Year</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>358-10-101</td>
<td>14 Hill St</td>
<td>010091545300000</td>
<td>B1</td>
<td>Valuation a matter of opinion not an error</td>
<td>2009</td>
<td>0.00</td>
</tr>
<tr>
<td>358-11-097</td>
<td>105 Belmont Ave</td>
<td>040282066900000</td>
<td>B</td>
<td>Garage torn down years ago, basements not &quot;finished&quot;</td>
<td>2009</td>
<td>-83.32</td>
</tr>
<tr>
<td>358-11-098</td>
<td>105 Belmont Ave</td>
<td>040282066900000</td>
<td>B</td>
<td>Former owners removed in ground pool, still reflected on the roll</td>
<td>2010</td>
<td>-195.60</td>
</tr>
<tr>
<td>358-11-101</td>
<td>106 Sherwood Rise</td>
<td>060551005500000</td>
<td>B</td>
<td>The car port fell down during a snow storm in the 70's</td>
<td>2009</td>
<td>-84.36</td>
</tr>
<tr>
<td>358-11-102</td>
<td>29 Miles Rd</td>
<td>060761087200000</td>
<td>B</td>
<td>The country store was closed in 2007 still reflected on the roll</td>
<td>2010</td>
<td>-3667.63</td>
</tr>
<tr>
<td>358-11-072</td>
<td>1254 Old Highway 8</td>
<td>301610388000000</td>
<td>B</td>
<td></td>
<td>2009</td>
<td>-3502.33</td>
</tr>
</tbody>
</table>

Total: -7,889.31
APPORITIONMENT OF TAXES

That the original land taxes recorded against;

(a) Roll #2518 003 850 00199 0000 – (1-11 Bankfield Cres., Stoney Creek) in the amount of $3,067.05 for the year 2011 be split amongst the six newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>TAX AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>1 Bankfield Cres.</td>
<td>2518 003 850 00522 0000</td>
<td>42,802</td>
<td>$ 566.21</td>
</tr>
<tr>
<td>2011</td>
<td>3 Bankfield Cres.</td>
<td>2518 003 850 00521 0000</td>
<td>37,097</td>
<td>490.73</td>
</tr>
<tr>
<td>2011</td>
<td>5 Bankfield Cres.</td>
<td>2518 003 850 00520 0000</td>
<td>37,097</td>
<td>490.73</td>
</tr>
<tr>
<td>2011</td>
<td>7 Bankfield Cres.</td>
<td>2518 003 850 00519 0000</td>
<td>37,097</td>
<td>490.73</td>
</tr>
<tr>
<td>2011</td>
<td>9 Bankfield Cres.</td>
<td>2518 003 850 00518 0000</td>
<td>37,097</td>
<td>490.73</td>
</tr>
<tr>
<td>2011</td>
<td>11 Bankfield Cres.</td>
<td>2518 003 850 00199 0000</td>
<td>40,664</td>
<td>537.92</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>231,854</strong></td>
<td></td>
<td><strong>$ 3,067.05</strong></td>
</tr>
</tbody>
</table>

(b) Roll #2518 303 420 23015 0000 – (75-81 Browview Dr.) in the amount of $1,443.74 for the year 2010 be split amongst the four newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>PAYMENT AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>Browview Drive</td>
<td>2518 303 420 23015 0000</td>
<td>27,139</td>
<td>$ 362.51</td>
</tr>
<tr>
<td>2010</td>
<td>Browview Drive</td>
<td>2518 303 420 23016 0000</td>
<td>26,903</td>
<td>359.36</td>
</tr>
<tr>
<td>2010</td>
<td>Browview Drive</td>
<td>2518 303 420 23017 0000</td>
<td>26,903</td>
<td>359.36</td>
</tr>
<tr>
<td>2010</td>
<td>Browview Drive</td>
<td>2518 303 420 23018 0000</td>
<td>27,139</td>
<td>362.51</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>108,084</strong></td>
<td></td>
<td><strong>$ 1,443.74</strong></td>
</tr>
</tbody>
</table>

(c) Roll #2518 301 710 21600 0000 – (1396 Seaton Rd., Flamborough) in the amount of $3,474.42 for the year 2010 be split amongst the two newly created lots listed below:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>ADDRESS</th>
<th>ROLL NUMBER</th>
<th>APPORTIONED ASSESSMENT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>Seaton Rd.</td>
<td>2518 301 710 21600 0000</td>
<td>444,808</td>
<td>$ 1,241.09</td>
</tr>
<tr>
<td>2010</td>
<td>Seaton Rd.</td>
<td>2518 301 710 21604 0000</td>
<td>182,192</td>
<td>2,233.33</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>627,000</strong></td>
<td></td>
<td><strong>$ 3,474.42</strong></td>
</tr>
</tbody>
</table>
POLICY TITLE: Water and Wastewater Consecutive Estimated Accounts Policy

POLICY NO: PP-0009
LAST REVISION DATE: May 13, 2009
EFFECTIVE DATE: January 25, 2012
MANAGER REVIEWED: Mike Zegarac
TO BE REVIEWED: 1/1/2017
MAINTENANCE RESPONSIBILITY: Senior Policy Advisor, Financial Planning & Policy Section

I  GENERAL

The Water and Wastewater Consecutive Estimated Accounts Policy details the protocols that are to be followed by the City of Hamilton (“City”) and its water/wastewater billing agent, Horizon Utilities Corporation (“HUC”) for those water accounts that have consecutively estimated meter readings that typically require access to be provided to the City’s Meter Operations staff (or its authorized agents) to allow for ongoing actual meter readings.

II  BACKGROUND

The City of Hamilton’s Waterworks By-law R84-026, as amended, (“The City of Hamilton Waterworks by-law”) stipulates billing for service is based upon the consumption registered on the water meter. Where no meter has been installed, billing is made on a non-metered or flat-rate basis. Typically, in order for water meters to be read, there is the need for a remote reading device (“touchpad”) to be installed which requires access to be provided to the City or its authorized agents for this purpose.

For ongoing water/wastewater billings to be made on actual water meter readings, the Water and Wastewater Consecutive Estimated Accounts Policy was adopted.

III  POLICY

The Water and Wastewater Consecutive Estimated Accounts Policy is effective where there is a failure of a customer to make arrangements regarding access issues that have resulted in consecutively estimated accounts, with the future water bills for the property will be invoiced as prescribed in the protocol tables below until such time as the meter related problems are completed by the City. The Sanitary Surcharge continues to be calculated as a percentage of the amount of the invoiced water bill.

Water and Wastewater Consecutive Estimated Accounts Policy protocols are outlined on the following pages.
## Consecutive Estimated Water Account Protocol 1 – Single Residential

<table>
<thead>
<tr>
<th>Consecutive Estimated Billing</th>
<th>Communication/Activities</th>
<th>Bill Estimate Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Horizon</td>
<td>City Water</td>
</tr>
<tr>
<td>1 - 3</td>
<td>Meter reader leaves meter read request door hanger for customer</td>
<td>None required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>consumption estimate based on the prior 12-month historical average usage for the account</td>
</tr>
<tr>
<td></td>
<td></td>
<td>if no history or &lt; 2 billing periods, use 1m³/day</td>
</tr>
<tr>
<td>4</td>
<td>Meter reader leaves meter read request door hanger for customer</td>
<td>Letter issued to account holder (and property owner if different from account holder) informing of access issue and notification provided that if not rectified within 30 days that City will exercise authority to double flat rate billing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>consumption estimate based on double flat rate billing (2m³/day)</td>
</tr>
<tr>
<td>5</td>
<td>Meter reader leaves meter read request door hanger for customer</td>
<td>None required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>consumption estimate based on double flat rate billing (2m³/day)</td>
</tr>
<tr>
<td>6</td>
<td>Meter reader leaves meter read request door hanger for customer</td>
<td>Letter issued to account holder (and property owner if different from account holder) informing of access issue and notification provided that if not rectified within 30 days that City will exercise authority to triple flat rate billing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>consumption estimate based on triple flat rate billing (3m³/day)</td>
</tr>
<tr>
<td>7 - 9</td>
<td>Meter reader leaves meter read request door hanger for customer</td>
<td>None required</td>
</tr>
<tr>
<td></td>
<td></td>
<td>consumption estimate based on triple flat rate billing (3m³/day)</td>
</tr>
<tr>
<td>10</td>
<td>Meter reader leaves meter read request door hanger for customer</td>
<td>Letter issued to account holder (and property owner if different from account holder) informing of access issue and notification provided that if not rectified within 30 days that City will shut water service with minimum of 24 hours notice</td>
</tr>
<tr>
<td></td>
<td></td>
<td>consumption based on triple flat rate billing (3m³/day) until service is shut and minimum fixed charge once service is shut until such time as the meter issues have been resolved to the City’s satisfaction, the water has been turned back on and metered billings are restored with actual readings enabled</td>
</tr>
<tr>
<td>Consecutive Estimated Billing</td>
<td>Communication/Activities</td>
<td>Bill Estimate Calculation</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td></td>
<td>Horizon</td>
<td>City Water</td>
</tr>
<tr>
<td>1 - 3</td>
<td>- Meter reader leaves</td>
<td>- None required</td>
</tr>
<tr>
<td></td>
<td>meter read request</td>
<td></td>
</tr>
<tr>
<td></td>
<td>door hanger for customer</td>
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<tr>
<td>4</td>
<td>- Meter reader leaves</td>
<td>- Letter issued to</td>
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<tr>
<td></td>
<td>meter read request</td>
<td>account holder (and</td>
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<td>door hanger for customer</td>
<td>property owner if</td>
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<td></td>
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<td>account holder)</td>
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<td>informing of access</td>
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<td>issue and notification</td>
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<td>provided that if not</td>
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<td></td>
<td>rectified within 30</td>
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<td>days that City will</td>
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<td>billings (if no</td>
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<td>historical available</td>
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<td>bill or if it is</td>
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<td>historical usage is not</td>
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<td>accurate, use 2x actual</td>
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<td>consumption of similar</td>
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<td></td>
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<td>customers)</td>
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<tr>
<td>5</td>
<td>- Meter reader leaves</td>
<td>- None required</td>
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<td></td>
<td>meter read request</td>
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<td></td>
<td>door hanger for customer</td>
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<td>6</td>
<td>- Meter reader leaves</td>
<td>- Letter issued to</td>
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<td></td>
<td>meter read request</td>
<td>account holder (and</td>
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<td>door hanger for customer</td>
<td>property owner if</td>
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<td>different from</td>
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<td>account holder)</td>
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<td>informing of access</td>
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<td>issue and notification</td>
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<td>rectified within 30</td>
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<td>billings (if no historical</td>
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<td>available bill or if it</td>
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<td>is suspected that the</td>
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<td></td>
<td>historical usage is not</td>
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<td></td>
<td>accurate, use 3x actual</td>
</tr>
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<td></td>
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<td>consumption of similar</td>
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<td></td>
<td></td>
<td>customers)</td>
</tr>
<tr>
<td>7</td>
<td>- Meter reader leaves</td>
<td>- None required</td>
</tr>
<tr>
<td></td>
<td>meter read request</td>
<td></td>
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<td>door hanger for customer</td>
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<tr>
<td>Consecutive Estimated Billing</td>
<td>Communication/Activities</td>
<td>Bill Estimate Calculation</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>8 and thereafter</td>
<td>Meter reader leaves meter read request door hanger for customer</td>
<td>- consumption based on triple actual historical billings (if no historical available or if it is suspected that the historical usage is not accurate, bill 3x actual consumption of similar customers) until such time as the meter issues have resolved to the City’s satisfaction and metered billings are restored with actual readings enabled</td>
</tr>
</tbody>
</table>
CITY OF HAMILTON
2012 PROPERTY AND LIABILITY INSURANCE RENEWAL
COVERAGES AND LIMITS

<table>
<thead>
<tr>
<th>TYPE OF COVERAGE</th>
<th>COVERAGE</th>
<th>DEDUCTIBLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Liability</td>
<td>*5,000,000</td>
<td>250,000</td>
</tr>
<tr>
<td>Errors &amp; Omissions Liability</td>
<td>Included</td>
<td></td>
</tr>
<tr>
<td>Non Owned Auto</td>
<td>Included</td>
<td></td>
</tr>
<tr>
<td>Excess Liability</td>
<td>Included</td>
<td></td>
</tr>
<tr>
<td>Municipal Conflict of Interest</td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>Legal Expense</td>
<td>250,000</td>
<td></td>
</tr>
<tr>
<td>Comprehensive Crime</td>
<td>10,000,000</td>
<td>10,000</td>
</tr>
<tr>
<td>Crime Excess</td>
<td>Included</td>
<td></td>
</tr>
<tr>
<td>Property</td>
<td>Replacement Value</td>
<td>500,000</td>
</tr>
<tr>
<td>Boiler</td>
<td>Included</td>
<td>100,000</td>
</tr>
<tr>
<td>City Auto</td>
<td>*5,000,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Garage Liability Insurance</td>
<td>*5,000,000</td>
<td></td>
</tr>
<tr>
<td>Environmental Impairment Liability (including WWTP)</td>
<td>10,000,000</td>
<td>500,000</td>
</tr>
<tr>
<td>HSR Rolling Stock (Transit)</td>
<td>(Included in Property)</td>
<td>50,000</td>
</tr>
<tr>
<td>HSR Auto Fleet</td>
<td>*5,000,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Excess Umbrella</td>
<td>Excess over; General Liability, City Auto Fleet, HSR Auto Fleet, Garage Auto Liability</td>
<td>*45,000,000</td>
</tr>
<tr>
<td>Directors' And Officers' Liability (HECFI - stand alone policy)</td>
<td>3,000,000</td>
<td>35,000</td>
</tr>
</tbody>
</table>

CITY OF HAMILTON
2011 PROPERTY AND LIABILITY INSURANCE RENEWAL
INSURANCE PREMIUM COMPARISON

<table>
<thead>
<tr>
<th></th>
<th>2011-2012</th>
<th>2012-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total of all policies (Net of Taxes)</td>
<td>3,662,095</td>
<td>3,652,095</td>
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<tr>
<td>Taxes</td>
<td>146,042</td>
<td>145,242</td>
</tr>
<tr>
<td>Grand Total</td>
<td>3,808,137</td>
<td>3,797,337</td>
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</tbody>
</table>
Present: Councillor J. Partridge, Chair
Councillor T. Whitehead, Vice-Chair
Councillors S. Duvall, J. Farr, T. Jackson, B. McHattie, and B. Morelli

Absent with regrets: Councillor S. Merulla, personal commitment

Also Present: J.A. Priel, General Manager, Community Services
A. Bradford, Director of Culture
B. Atanas, Market Manager
G. Hendry, Director, Housing Services
J. Brown, Director, Benefit Eligibility
B. Ozorio, Director, City Wide Services
E. Filippone, Legal Services
B. Browett, Director of EMS
I. Bedioui, Legislative Assistant, City Clerk’s Office

THE EMERGENCY AND COMMUNITY SERVICES COMMITTEE PRESENTS REPORT 12-001 AND RESPECTFULLY RECOMMENDS:

1. Hamilton Emergency Services – Funding for One Additional Paramedic for McMaster University Medical Centre (HES12001) (City Wide) (Item 7.1)

That Report HES12001 respecting the Hamilton Emergency Services – Funding for One Additional Paramedic for McMaster University Medical Centre, be received for information.
2. **Homelessness Partnering Strategy (HPS) Update (CS11083(a)) (City Wide) (Item 7.2)**

   That Report CS11083(a) respecting Homelessness Partnering Strategy (HPS) Update be received.

3. **Resolution from Region of Peel Respecting Bystander Cardiopulmonary Resuscitation (HES12002) (City Wide) (Item 8.1)**

   (a) That the Mayor correspond with the Minister of Education, the Minister of Health and Long-Term Care, and the Minister of Finance to request that the ministries adopt the measures proposed by "Physicians and Paramedics Urging Lifesaving Education" to increase bystander cardiopulmonary resuscitation (CPR) (attached as Appendix A to Report HES12002);

   (b) That staff be directed to include in the Hamilton Emergency Services, Emergency Medical Services 2012, 2013 and 2014 business plans, activities that promote an increase in the number of persons in the community trained to perform cardiopulmonary resuscitation (CPR) techniques;

   (c) That staff be directed to report to the Emergency & Community Services Committee no less than once annually with respect to training members of the community to perform cardiopulmonary resuscitation techniques as well as the frequency of bystander cardiopulmonary resuscitation (CPR) in the setting of witnessed sudden cardiac arrest in the community.

4. **Hamilton Bulldogs - Skate the Dream (CS12005) (City Wide) (Item 8.2)**

   That Report CS12005 respecting Hamilton Bulldogs - Skate the Dream, be received.

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**FOR THE INFORMATION OF COUNCIL:**

(a) **CHANGES TO THE AGENDA (Item 1)**

   The Clerk advised of the following changes to the agenda:

   (i) The delegation request (Item 4.1) from Mario Posteraro, President, Ontario Public Services Employees Union – OPSEU, wishing to speak to Item 7.1 on the agenda has been withdrawn;

   (ii) Added Report CS12005 respecting Hamilton Bulldogs - Skate the Dream (Item 8.2).

City Council – January 25, 2012
The agenda for the January 16, 2012 Emergency & Community Services Committee meeting was approved, as amended.

(b) DECLARATIONS OF INTEREST (Item 2)

There were none declared.

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

The Minutes of the December 7, 2011 meeting were approved as presented.

(d) DELEGATION REQUESTS (Item 4)

The following delegation requests were referred to the February 13, 2012 meeting:

(i) Shane Coleman, Hamilton Farmers’ Market President, concerning stall allocation and contract. (Item 4.2)

(ii) Roy Munoz, Country Green, Hamilton Farmers’ Market stall allocation and contract dispute. (Item 4.3)

(e) VARIOUS ADVISORY COMMITTEE MEETING MINUTES (Item 5.1):

The following Advisory Committee Meeting Minutes were received:

(i) Hamilton Veterans’ Committee, July 12, 2011
(ii) Hamilton Veterans’ Committee, August 9, 2011
(iii) Hamilton Veterans’ Committee, September 13, 2011
(iv) Hamilton Youth Advisory Committee, May 17, 2011
(v) Hamilton Youth Advisory Committee, June 21, 2011
(vi) Hamilton Youth Advisory Committee, July 19, 2011
(vii) Hamilton Youth Advisory Committee, August 16, 2011
(viii) Hamilton Youth Advisory Committee, September 20, 2011
(ix) Arts Advisory Commission, May 24, 2011
(x) Arts Advisory Commission, July 26, 2011
(xi) Arts Advisory Commission, August 23, 2011
(xii) Arts Advisory Commission, September 27, 2011
(xiii) Arts Advisory Commission, October 25, 2011
(xiv) Tenant Advisory Committee, October 14, 2011
(f) STAFF PRESENTATIONS (Item 7)

(i) Hamilton Emergency Services – Funding for One Additional Paramedic for McMaster University Medical Centre (HES12001) (City Wide) (Item 7.1)

Brent Browett, EMS Director addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed. His comments included but were not limited to the following:

- Hamilton Paramedic Service;
- City of Hamilton Vision;
- Paramedic Service Contribution;
- City of Hamilton & Paramedic Service Values;
- Paramedic Service Objectives;
- City Council request;
- Chronology of an Emergency Ambulance call;
- Demands & Conditions in Hamilton EMS post HHS ABC Plan launch April 4, 2011;
- Hamilton EMS-Hospital off load real time measurement Pre and Post April 4, 2012;
- Hamilton EMS-Hospital Off Load real time measurement;
- Ontario Municipal Benchmark (OMBI) Data 2010 – EMD 155;
- Hospital Supplied Data – conditions post HHS ABC Plan Launch, April 4, 2011;
- Demands and conditions in Hamilton EMS post HHS and ABC Plan launch April 4, 2011;
- 2010 compared to 2011 YTD summary
- City Council approved post HHS ABC – paramedic service intervention.
  - West end paramedic emergency response vehicle – August 2011 start;
  - West end paramedic emergency response vehicle – preliminary results – August 2011 start;
  - Off load & community paramedic supervisor – September 4, 2011 start;
  - Vehicle station attendant – December 11 – Start;
  - 12 hour – 7 days ambulance January 2012 or new dedicated off load RN hours & MOH $ as a surrogate?
  - Other considerations;
  - Other considerations Post ABC;
  - Hamilton Paramedics opened 71,000+ doors in 2011.

Brent Browett responded to questions from Committee.
On a motion Committee referred the Council approved subsection (b) (iv) of Item 22 of the General Issues Committee Report 11-023 to the Director of Emergency Medical Services for a report back to Committee respecting the feasibility and consideration of implementing the deployment of one (1) ambulance 12 hours a day, 7 days a week to increase transport capacity.

On a motion, Committee directed the following with respect to the reports from the Director of Emergency Medical Services:

1. Add to the monthly EMS performance Report:
   
   (a) the RN offload performance – hours in service vs. budget and utilization;
   
   (b) the number of times that the response time is greater than 20 minutes.

2. Confirm EMS measures for ambulance offload:

   (a) The time EMS arrives at the hospital until the stretcher is clear or the paramedic vehicle leaves the hospital;

   (b) The time the paramedic arrives at the hospital triage area to the time that the ambulance stretcher is clear and the receiving RN has accepted care.

3. That a follow-up report be prepared five months from now regarding Hamilton Health Sciences (HHS) ABC pre and post conditions after one year.

On a motion, Committee received the staff report and the presentation.

(ii) **Homelessness Partnering Strategy (HPS) Update (CS11083(a)) (City Wide).** (Item 7.2)

Gillian Hendry, Director of Housing Services, introduced Amanda DiFalco who managed this program. Gillian Hendry addressed Committee with the aid of a PowerPoint presentation. Copies of the hand-out were distributed. Her comments included but were not limited to the following:

- Homelessness Funding Administered by the City of Hamilton;
- Homelessness Partnering Strategy (HPS);
- HPS Funding;
- HPS Priority Development:
  - Who is involved?
  - Process
  - Reports (External)
• Reports (City of Hamilton)
• Reports (Service Canada)
• Consultations
• Consultation through knowledge sharing
• Data
• Websites
• HPS 201-2014 – Terms and Conditions
• HPS Priorities
  • Priority 1 – Direct and person-Centred Housing Supports;
  • Priority 2 – Coordinated and Integrated Service Planning;
  • Priority 3 – Supporting Hamilton’s Urban Aboriginal Community;
  • Comparison chart of 2012-2014 HPS priorities with 2001-2011 HPS priorities;
• HPS 2011 Call for applications;
• HPS recommendations;
• HPS Projects 2012 - 2014

Gillian Hendry and Joe-Anne Priel responded to questions from Committee.

Chair Partridge relinquished the chair to Vice Chair Whitehead to move the following motion:

That staff be directed to look at alternative sources of funding for the period March 31/2012 - May 31/2013 in order to enable the continued operation of the Flamborough Women's Resource Centre while attempting to identify other ongoing funding sources, and report back to the Emergency and Community Services Committee.

This motion carried unanimously.

On a motion, Committee received the staff report and presentation.

(g) DISCUSSION ITEMS

(i) Report CS12005 respecting Hamilton Bulldogs - Skate the Dream (City Wide) (Item 8.2)

Brian Ozorio, Director of City Wide Services provided an overview of the report.

Committee acknowledged his significant contributions to this project and the contributions of all the agencies involved.
(h) GENERAL INFORMATION (Item 11)

(i) Outstanding Business List (Item 11.1)

(1.) The following Item was identified as completed and removed from the Outstanding Business List:

Item “M” - Funding for one Additional Paramedic – MUMC – The Financial Impact of the ABC Program

(2.) As the following Item was referred to the General Issues Committee by Council on September 14, 2011, it was removed from the Outstanding Business List:

Item "G" - Auchmar Estate – Business Plan

(i) ADJOURNMENT

There being no further business, the Emergency & Community Services Committee meeting, adjourned at 4:00 p.m.

Respectfully submitted,

Councillor J. Partridge, Chair
Emergency & Community Services Committee

Ida Bedioui
Legislative Co-ordinator
January 18, 2012